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Deep water sounds of an Indigenous mystic

VIDEO

Peter Kirkwood

Aboriginal leader Miriam-Rose Ungunmerr-Bauman is a woman of vision and insight. All her adult life she has worked to share this in many fields: as a gifted teacher and education administrator, as an acclaimed artist and illustrator, and now as a much in-demand speaker, spreading her insights across cultural and racial divides.

She spoke with Eureka Street TV at an Indigenous theology symposium held at Australian Catholic University, Brisbane. The interview is sponsored by the University's [Asia-Pacific Centre for Inter-Religious Dialogue](#). She talks about the challenges facing Aboriginal communities and the need for support from the broader community, and the Aboriginal concept of *dadirri*, a form of deep inner listening and contemplation.

Miriam-Rose was born in 1950 near Nauiyu (formerly called Daly River) about 200 km south of Darwin. She is part of the *Ngangikurunggurr* language group, and speaks four other Aboriginal languages, as well as English.

When she was 18 she began training as a teacher at Kormilda College in Darwin. After completing this she became a teacher's aide at St Francis Xavier mission school at Daly River. A few years later she returned to Kormilda for further study, and also took up painting.

She began using art in the classroom as a means of helping children express themselves, and she developed her own style of painting, often combining Aboriginal motifs and Christian symbols. Perhaps her best known series of paintings is her Australian Stations of the Cross.

In 1974 the Commonwealth Government sponsored her to spend time in Victorian schools where she worked with art teachers. In 1975 she returned to Daly River as the Northern Territory's first fully qualified Aboriginal teacher, and then for many years she was Art Consultant to the Territory's Department of Education. In this capacity she visited schools throughout the Top End encouraging students' practice of art.

In 1988 Miriam-Rose graduated with a Bachelor of Arts from Deakin University. Shortly after she began training as a school principal, and in 1993 was appointed as Principal of St Francis Xavier School at Daly River. In the same year she was awarded a Bachelor of Education by Deakin University, and in 1999 she gained a Master of Education with High Distinction.

In 1998 she was made a Member of the Order of Australia for her role in promoting Aboriginal education and art, and for services to the *Nauiyu* community. She was also awarded an honorary doctorate from Northern Territory University.

Throughout her life she has been sustained by *dadirri*, and now she is trying to communicate about it more broadly in Australian society. It is closely connected with her innermost identity, the name of her primary language and tribal group.

'*Ngangikurunggurr* is the name of my tribe,' she has written. 'The word can be broken up into three parts: *Ngangi* means word or sound, *Kuri* means water, and *Kurr* means deep. So the name of my people means *deep water sounds*, or *sounds of the deep*. And *dadirri* is tapping into that deep spring that is within us.'

Polanski's art not greater than his crime

MEDIA

Binoy Kampmark



The decision by a Swiss judge not to extradite film director Roman Polanski to the US has again triggered the debate about how artists are treated by the law. The case has been running simultaneously to that of Russian musician Mikhail Pletnev, award winning performer and founder of the Russian National Orchestra.

The parallels are striking. While one should not pre-judge the case with Pletnev, who has been accused of twice raping a 14-year-old boy at a Thai beach resort, it is fitting to note how some in the Russian press have sought to exonerate and cleanse him. Music critics have been silent as the tomb.

Pletnev's own response to the charges was swift. 'I would jump from the 26th floor (of a building) tomorrow, if I could believe those news reports. It's interesting to learn something new about myself everyday.'

The French press, and various intellectuals and personalities, huddled around Polanski on his arrest by the Swiss authorities in 2009. In 1978, Polanski had admitted guilt in a plea bargain to the charge of having unlawful sex with a minor, but left the United States before he could be sentenced. This did not trouble the intellectual Bernard-Henri Lévy, whose petition proved heavy with the desperation and drama of the persecuted artist or political dissident. 'Apprehended like a common terrorist ... as he came to receive a prize for his entire body of work, Roman Polanski now sleeps in prisons,' Lévy wrote in the [Huffington Post](#).

The terms in this are unmistakable: it implies an unimpeachable quality in the work that is itself exculpatory — the artist purified by genius; the artist above law. The law, after all, must always be transgressed for there to be a vibrant, self-critical culture. Poets, said Shelley on that particularly irritable tribe of artists, are the unacknowledged legislators of the world.

And, then, the emphasis on Polanski as a political hero, 'a survivor of Nazism and of Stalinist persecutions in Poland'. Take the view of commentator Anne Applebaum of the *Washington Post* who diminishes the agency of a bedroom act with the weight of historical tragedy. 'Polanski's mother died at Auschwitz. His father survived Mauthausen. He himself survived the Krakow ghetto and later emigrated to communist Poland.' Then, of course, came the murder of his pregnant wife, Sharon Tate, in 1969 by followers of Charles Manson.

The psychological picture provides an excuse, or at the very least, mitigating circumstances that curb more vicious aspects of consent.

Great art, it would seem, dispenses with the law. For Alexander Mikhailov of the Kazan

State Conservatoire, the allegations against Pletnev were ‘ [nothing but a brazen lie](#) ’, despite a past history with the police, as reported in *Moskovsky Komsomolets*, of ‘luring juveniles’ to premises for sexual purposes. Back in 1989, Pletnev could claim he was backed by the highest figures in the country who made sure any prosecution never took place.

There is an undercurrent of questioning that the authorities in Pattaya are not to be trusted, themselves practitioners of extortion and blackmail. Then, there are references in the Russian press about the precedent of the Czar’s reaction to Tchaikovsky’s dalliances with boys: ‘There are many boys, but there is only one Tchaikovsky.’ Besides, rage the chat rooms on the subject, a great artist has become the victim of ‘the machinations of Russophobes’.

Laws, according to the late Portuguese author Jos  Saramago, exist where the conscience refuses to speak. Art itself is never a dispensation for questionable ethical conduct. It may well indemnify the human condition for its frailties, but it is not an excuse for crime. Polanski and Pletnev, in truth, hail from a rather recent line of forgiveness for the celebrity by the celebrity. To the accused, it seems, go the spoils.

Charity tourists find god in India

FILMS

Tim Kroenert

***The Waiting City* (M). Director: Claire McCarthy. Starring: Radha Mitchell, Joel Edgerton. 103 minutes**

The seeds of Sydney filmmaker Claire McCarthy's *The Waiting City* were born several years ago when she spent several months working among Mother Teresa's Missionaries of Charity in Calcutta. McCarthy related those experiences in her 2008 documentary *Sisters*. Now she brings the warmth and compassion evident in such charitable pursuits to her film about a young Australian couple who travel to India to collect their adopted a child.



Fiona (Mitchell) and Ben (Edgerton), like many Westerners who went before them with egalitarian pretensions, arrive in Calcutta bearing a tourist's naivety, and are expanded through lived encounter with the country and its people.

They appear to be well adjusted, with laconic musician Ben providing a natural salve to highly strung high-stakes lawyer Fiona's neurosis. Ben sees the adventure of meeting their child for the first time as a precursor to the larger adventure of parenthood itself. For Fiona, it is a pesky errand that must be gotten out of the way so they can get on with the rest of their life. Both are naive in their own way.

Then: the waiting. Their appointment with the agency is delayed, and delayed again. There are further administrative holdups. Anxiety begins to expose hidden tensions in Fiona and Ben's relationship. He is frustrated by her workaholicism, she by his easy abandon. They don't understand each other.

Their attempt to grow their family reveals illness in what they already have. The journey becomes an attempt to heal that illness, on the way to realising that adopting a child is somewhat more complicated — practically, emotionally, spiritually — than retrieving an exciting new piece of furniture.

McCarthy is clearly in love with the people and place of Calcutta, often using a near *cinéma vérité* documentary approach, where discreet cameras capture the actors and action within real-world environments: the bustling jam of a streetscape; the sweat and colour of a rooftop dance party; the putrid-muddy banks of the Ganges.

This appealing naturalism grounds the film's mystical dimension. Ben is spiritually open, easily engaged by the ritualised reverence of a Hindu temple; in faith as in life, he wants to explore and experience. Fiona is an atheist who, over the course of the film, is awakened to the spiritual aspects of motherhood and of marriage itself. Hence her and Ben's journey of

spiritual discovery is also a journey of rediscovering each other.

The film is at its most moving when Fiona and Ben finally meet their daughter-to-be. These scenes exemplify Mitchell and Edgerton's wonderfully naturalistic performances, as Ben and Fiona display instinctive parental nurturing and unconditional love for the little girl. It is during these moments that Fiona and Ben fully realise that becoming a parent, biologically or otherwise, entails the ultimate discovery of grace and selflessness.

Nauru solution a dodgy deal

POLITICS

Susan Metcalfe



While many countries are concerned by talk of a return to processing asylum seekers in poor Pacific countries, Nauru's caretaker president, Marcus Stephen, is raising his hand to be involved. While I empathise with the impoverished conditions in Nauru, Australia should never again be engaged in dodgy deals with this Pacific neighbour. For Nauru, it's all about the money.

Along with its past reputation for offshore banking, money laundering and selling passports, Nauru has a history of arbitrarily banning outside entry to the small country. Australians were largely denied access for much of the time the Nauru camps were in operation. I was only able to enter the country for the first time in 2005. I made 10 visits to the camp between 2005 and 2008 but there were times when the Nauru Government simply stopped replying to my visa requests. There was never a guarantee I would be allowed back in.

I was acutely aware of a separation between the local population and the people in the camps. I discovered quickly that most Nauruans had no understanding of the refugees or their past experiences. I was deeply concerned that church groups on the island and those travelling from Australia rarely took an interest in the detainees. Resentment among Nauruans was widespread, particularly when food was being given to refugees while many Nauruans were going hungry. The refugees were tolerated only because of the cash they represented.

Such was the level of dislike for the outsiders that an IOM Nauru medical report from 2002 noted: 'Many doctors from the local hospital staff showed reluctance in attending to the needs of the migrants that were referred to the hospital. This has been the subject of an ongoing discussion in our public health liaison with the RON.'

If an asylum seeker or refugee breached the conditions of their visa in Nauru, if they wandered into an off-limits area or argued with authorities, they could be jailed. One man tells me 'if anyone does any mistake he is sent to jail for seven days or eight days without clothes, and mosquito ... and if you want to do shit they told them to do shit in same place ... it was terrible, we are refugee we are not criminals'.

Being assessed as a refugee in Nauru was no guarantee of freedom. In June 2002, when more than 100 people who had been found to be in need of protection were still detained, UNHCR's Marissa Bandharangshi said: 'We have been particularly disturbed by the fact that these are people who now, despite having been recognised as refugees are still in detention.' Others who were initially rejected languished for years until they became suicidal.

The Nauru parliament is currently deadlocked and unable to govern itself but the current caretaker administration is so eager for a deal on refugees that Stephen says he is willing to consider signing the refugee convention. But Nauru was not prepared to do this during the six and a half years it held people under the Pacific Solution and this alone would not guarantee a change in attitude. The other country involved in John Howard's Pacific Solution, Papua New Guinea, was a signatory to the refugee convention but the problems were still significant.

I understand the financial difficulties faced by Nauru and for many years I offered my support and empathy for a country that was reluctant to let go of the income generated from a deal that had been struck by the late President Rene Harris in 2001. But Nauru will receive \$26.6 million in Official Development Assistance from Australia in 2010–11, much more than before the Pacific Solution, and if Nauru wants to retain its independence as a nation state it cannot be built at the expense of vulnerable and already traumatised people.

Holding refugees in Nauru was designed as a punitive measure by the Howard Government and it lingers as a dark era from which many are still recovering.

Australia's involvement in implementing a future regional solution for refugees must focus on solutions for refugees who have little chance of ever finding a resettlement place. According to UNHCR, only 10 of every 100 refugees in need of resettlement are now resettled every year. This is the problem in need of a solution, it is why many refugees get on boats, and any notion of returning to our past treatment of refugees in Nauru and Papua New Guinea must be taken off the table by both major parties in Australia.

Burke, Wills and ... Rudd?

BY THE WAY

Brian Matthews

During this month 150 years ago the Victorian Exploring Expedition was in the last stages of its preparations before assembling in Royal Park near the Sarah Sands Hotel, on Melbourne's then northern outskirts, for its planned departure on Monday 20 August 1860.



Getting the whole outfit together was no small task. The 500 yards long caravanserai comprised 19 men, 26 camels, 23 horses, and various wagons carrying 20 tons of supplies and equipment. Among the 'equipment' were cedar-topped dining tables, 12 dandruff brushes, four enema kits and assorted items of sartorial finery belonging to the leader of the troop, including the top hat which he wore as, astride his charger, 'Billy', he led the Victorian Exploring Expedition out of Royal Park, on to Flemington Road and thence to Mount Alexander Road heading for Essendon and distant parts north.

The flamboyant leader was, of course, Robert O'Hara Burke, and the grand venture — inspired by the Philosophical Institute of Victoria, later the Royal Society — has become known by its leader's name and that of his deputy, William John Wills. The colourful departure, some hours later than planned, marked by speeches and ceremonies and watched by 15,000 people, mirrored the apparent panache of the leader.

Burke, an Irishman, was a charismatic figure, a handsome, dashing, soldier-turned-policeman with a pleasing combination of blarney and devil-may-care abandon. Heavily bearded and with what was thought to be a duelling scar on one cheek — though Burke himself never confirmed this while allowing it to be assumed — he was a romantic figure in a time of stirring romantic deeds dominated by extraordinary characters.

By the time Burke and Wills stirred their cumbrous team into action, Richard Burton had made his famous journey to Mecca and then to the African Great Lakes while David Livingstone was well embarked on his Zambezi expedition during which he would have his legendary encounter with Henry 'Dr Livingstone I presume' Stanley. Closer to home, McDouall Stewart had already penetrated 'the great silence' north of Menindie.

To the gaze of the Philosophical Institute members, Burke looked like an exciting version of those and other intrepid adventurers, the man to bring the colony of Victoria to the attention of the questing world.

But Burke's apparent advantages, attractive to a committee governed by considerations of class and position rather than actual qualifications, belied his flaws. He had no experience at all of exploration and a poor sense of direction. Above all, he was capable of volcanic rages,

often took massive offence at trivial slights, would rant and rave at underlings, was given to making decisions on impulse, took advice from unreliable and often inexperienced people and was a poor judge of character.

The latter weakness resulted in his appointment of George Landells as his second-in-command. Landells, mirroring Burke in ambition and volatility, clashed with his superior, left the expedition early and sought to destroy Burke's reputation thereafter.

Burke had already made the initial mistake, against advice, of setting out at a time that would bring him into the northern part of his journey in the wet season. His incandescent rages, abusive language, misjudgements and wrong decisions were exacerbated by the conditions they faced as a result.

When the expedition seemed to have disappeared, the 'mulga wire' all over the bush rang with stories about Burke and Wills, whom the exploration committee deemed intrepid but whom bushmen in the know called insane. Nosey Alf's observation in Joseph Furphy's wonderful novel *Such is Life* was typical:

Wills was a pore harmless weed, so he kin pass; but look 'ere — there ain't a drover nor yet a bullock driver, nor yet a stock-keeper, from 'ere to 'ell that couldn't 'a' bossed that expeigation straight through to the Gulf, an' back agen [in the dry season], an' never turned a hair. Don't sicken a man with yer Burke. He burked that expeigation, right enough.

A hundred and fifty years on, the hubristic, irascible Burke and the 'harmless' Wills have long since attained the kind of heroic status that Australians seem inclined to assign to catastrophic failure. But perhaps, in mid 2010 especially, we might see the expedition's story as being more about the strains, perils and transience of leadership than about fading hope and lonely death.

Burke was a talented man but without close friends or caring advisers. He was governed, when under stress, by exasperation, impulse and an intensity of anger which humiliated underlings and made enemies of his equals. The bush was not his milieu. A long, taxing trek requiring sometimes Job-like patience, sometimes swift and pinpoint decisions and, constantly, the suppression of self and ego in the interests of teamwork and the persuasive and convincing exercise of authority was not for him the right kind of challenge.

To those whom the Gods wish to destroy, they first assign the wrong tasks.

World Cup a triumph, now South Africa must keep its head

HUMAN RIGHTS

David Holdcroft



The vuvuzelas have finally quietened; 64 games, three million spectators, one million visitors and 40 billion rand (A\$6 billion) later, the World Cup has been proclaimed a triumph. South Africa feels rehabilitated in the world's eyes while Spain, without the baggage of having eliminated an African team in dubious manner, are regarded as worthy winners.

But it seems not all South Africans were winners. While the economy has received a boost from the extra tourists and the legacy of new infrastructure, FIFA's strict rules concerning the marketing of its products left many informal street traders excluded from their traditional vending sites near stadiums and fan venues. With an official unemployment rate of 25 per cent (a figure that some estimate could be as high as 40 per cent), these informal businesses form a refuge for those unable to find steady work. For them the World Cup was a mixed blessing.

Another group who have not benefited from the World Cup are the approximately 300,000 refugees and asylum seekers who have sought refuge for varying reasons in South Africa in the past few years.

There have been persistent and intensifying rumours of xenophobic attacks aimed at getting these people and other migrants out of the townships and informal settlements where they have set up businesses and homes. Some refugees reported being refused service at local primary care clinics, told by staff that they wouldn't be around in a month's time anyway. Others reported similar comments from police, and from others in the community.

In one informal settlement Jesuit Refugee Service (JRS) staff were asked to supply money to a proposed neighbourhood watch to protect local foreign shopkeepers. The implication was that, if we didn't, those shopkeepers would be in grave danger, probably from the very people 'volunteering' for the watch.

In the last six weeks the main road to Zimbabwe has seen a steady procession of *bakkies* and buses laden with all kinds of household goods as people reacted to the rumours and threats that they would be kicked out as soon as the World Cup was over. Most headed home to almost certain hunger and poverty.

All are afraid of a repeat of the May 2008 xenophobic attacks that left 62 people dead and 100,000 displaced. Most feel that if there is a repeat of such events, South Africa's huge investment in hosting the World Cup, and the good will that it has brought to nationals and visitors alike, will be largely squandered.

The police minister, Nathi Mthetwa, claims that the flight of Zimbabweans is a normal course of events marking the end of the seasonal labour season. But his own government was sufficiently concerned to convene an Inter-ministerial Committee – which he heads – to look at the phenomenon, while at the same time ordering its army to stand by in case of outbreaks.

Community negotiations have begun in many settlements, some brokered by the government, others by the United Nations High Commissioner for Refugees and NGOs such as JRS. At the same time the police, acting on intelligence, have been proactively making arrests in some areas.

Such measures demonstrate that South Africa is approaching some of its problems with greater maturity than two years ago. It became clear then that xenophobia South African style was not the result in the first place of a hatred of foreigners. Rather it was the opportunistic grab for political and economic power at a local level in communities that remain desperately poor and isolated from the political discourse.

Then, would-be perpetrators felt they could act with impunity. Lack of documentation of many ‘foreigners’, the difficulty of following cases up, the perceived ambivalence of the police force, and an atmosphere of fear that prevented witnesses from coming forward all contributed to this sense of unaccountability.

Now, the combination of wide media coverage, some early police response and the consciousness that the world is looking has left at least some refugees feeling safer than they did two years ago.

In these days after the World Cup final there has been some looting but fortunately no displacement as yet. But the very presence of these threats points to another reality in South Africa, one that rarely appeared in World Cup coverage. Like many emerging societies South Africa is a long way from being a truly inclusive society. But the last month has demonstrated it has made huge strides. It is vital that this progress not be undermined now.

The thirty good priests

POETRY

Brian Doyle

National caricature: a note

In Fitzroy, in Melbourne, in the wild Southern Hemisphere,
I got to talking one day to a young man who ran a bookstore.
We started out talking about great writers from our countries,
Which led to fine writers people *inside* the country knew but
Outsiders generally didn't, the sort of writer that speaks right
To his or her fellows but somehow doesn't translate too well,
Which led to a discussion of national characters, and we both
Considered most talk of national character to be total silliness,
Which is why so much cultural portrayal of national character
Is mere caricature, right? Your Rambo, our Crocodile Dundee,
He said. The tram groaned and squealed and grumbled outside.
But a caricature needs seeds of truth, yes? We are both bloody.
Independence too *much* of a virtue, frightened former colonies,
And there was always so much land still to snatch and harness,
Until there isn't, and then what? Reinvention takes a long time.
Maybe that's why we love some writers who aren't so famous,
Because they are trying to grow new things from the old seeds.
The most famous writers are famous because they manufacture
What you want, not what you didn't know you wanted. Maybe.
One thing I have learned selling books is that I don't know any
Thing at all about why people buy books. But I have had folks
Right here in the store telling me about a book that nailed them,
That really cut into some deep new place inside them — so often

About *here*, you know — about this place and people, about how
The ways we used to be might grow into ways we will get to be.
So you want to buy something? Ever hear of Roger McDonald?

The Thirty

One time I was sitting on a high hill in Australia,
This was a year when my marriage was teetering,
And a priest strolled out of the nearby monastery
And sat down companionably on the cedar bench
And didn't say anything, for which I was grateful
Beyond words. Parrots rocketed by and a possum
Scrambled in a pine tree. The brush-tailed possum,
Said the priest finally, while dedicated to its mate,
Devotes a good part of its time to solitary pursuits,
The speculation among scientists being that this is
Healthy for both partners, who come to each other
With fresh information, as it were. I didn't answer
Him directly and he didn't press the point, and our
Talk turned to rugby and oysters, and off we went,
Each to his own pursuits; I never forgot that bench,
Though. For every greedy evil rapacious liar priest
I think maybe there are thirty great and subtle men.
We forget this. Certainly we should dangle a rapist
From the pine tree by his nuts, but those other men,
The men who know what not to say, who hand you
Their ears without cash or expectations or religious
Claptrap, who spend their days as patient witnesses,

Who bend their time to singing the holiness of it all,
Who wake alone quite early and don their vocations
Willingly like a thorny endlessly tumultuous prayer,
Those are the thirty this poem turned out to be about.

On the difficulty of translating the American writer Brian Doyle

First of all, the style is incomprehensible; what was he thinking
With these elephantine rolling sentences? Is he afraid of periods
Or what? And then the addiction to semicolons and ampersands,
Did he read only Blake and Gibbon as a child? What sort of guy
Uses words such as *howsobeit* and *inasmuch* and *heretofore* and
Whereas without wearing tights on stage in an Elizabethan play?
And what kind of horse's ass invents words once a page, driving
His translator stark raving gibbering insane? See, *gibbering*, he's
Getting into my head, and soon I'll be saying *capacious* and *deft*,
And whipping along headlong on the page like a nutter careering
Downhill with no brakes and a case of the crazy little-kid giggles.
See, *giggling*, there's another word, and *snickering*, and *snortling*,
He wrote that recently — meaning snorting & snarling & chortling,
I guess, and o my god I am using ampersands! And see, even that,
The sudden shouting, how do I make that into any sort of sensible
And orderly communication with the reader? And a guy who says
He laughed so hard he passed a weasel, how am I to translate *that*,
I ask you? That kind of deliberately ridiculous and illogical image
Is what he trafficks in as the normal course of affairs, and it seems
To me that he *savours* this, that language for him is a vast wild toy,
Something to play with, something to start like a journey and then

See where it goes, something he walks into rather than commands,
Something that will reveal more of himself than he knew he knew,
Something that here and there is a wriggle or shiver for all readers,
And I have no words for that either — that sudden electric plummet
As an essay opens itself, or the startle of a reader recognising a joy
He or she has felt like a mysterious hand. Maybe we will get better
With our words, maybe that's what he is trying to say, maybe there
Will be better words the harder we try to write about what we can't
Write about very well; or maybe he's just a nutter with a typewriter.

Morocco's queer uprising

HUMAN RIGHTS

James Dorsey

A cacophony of outrage and condemnation greeted *Mithly*, the Arab world's partly European Union-funded only gay magazine, when it hit the internet and underground 'newsstands' in Morocco for the first time.

Targeting the gay community in Morocco and Europe as well as Arab gays, *Mithly*, a play on the Arabic words for homosexual and 'like me', can only be sold under the counter in Morocco and the Arab world. The overwhelming majority of its readers access it [online](#). For safety and political reasons, the groundbreaking magazine's editorial staff is based in Spain as are its servers.



While *Mithly* hopes to steer debate in Morocco and the Arab world about homosexuality into calmer, more rational waters, it does not want to rock the boat in a country where authorities are among the more relaxed in the Arab world because of tourism that has attracted a high-end gay community. Gay activists fear that a more open *Mithly* presence in Morocco could further fuel Islamist and populist protests and force the government to crack down in a bid to prevent the Islamists from gaining the high ground.

Like everywhere in the Arab world, homosexuality in Morocco is illegal. Homosexuals can be jailed for up to three years for what Moroccan law describes as 'lewd or unnatural acts with an individual of the same sex'. Islamist agitation has already increased homophobia in Morocco in recent months. 'The constant attacks on homosexuals by the Islamist parties and newspapers worry us,' says Mourad, a *Mithly* journalist.

Yemeni cultural magazine, *Al-Thaqafiya*, was forced to cease after publishing a film review that described homosexuality as 'part and parcel of our society'. The magazine sparked protests in parliament; the Paris based reviewer, Hamid Aqabi, says he has received death threats.

Homosexuality in Yemen is punishable by death. But with the Yemeni government preoccupied with fighting Al Qa'ida and defeating southern secessionists, gays have more to fear from religious vigilantes. Three men suspected of being gay were shot dead in 2008 in the Yemeni province of Shabwa. Death squads have abducted, tortured, and executed hundreds of Iraqi gays with only a cursory response from authorities. Their abused bodies are dumped in public places as a warning.

Kif-Kif, the Madrid-based Moroccan organisation for lesbians, transsexuals and homo- and bisexuals and publisher of *Mithly*, estimates that some 5000 people have been jailed in

Morocco or forced to emigrate because they are gay. Conservatives have demanded that *Mithly* be banned and that homosexual 'sleeper cells' be hunted down like terrorists. 'Homosexuality is against the future of humanity,' said Mustapha Khalifi, editor of the conservative newspaper *Attajdid*. Khalifi called on the government to 'ban this publication that hurts the Islamic values of the Moroccan society'.

Attajdid, widely seen as an Islamist mouthpiece, campaigned unsuccessfully against a planned concert by gay British pop star Elton John in Rabat. The newspaper claimed the singer's performance was part of a plot to 'homosexualise' Morocco.

Following in *Attajdid*'s footsteps, the Egyptian musicians' union sought to prevent John from performing in Cairo, but failed. John played to a packed house and great applause. 'How could we allow a gay, who wants to ban religions, claimed that the prophet Jesus was gay and calls for Middle Eastern countries to allow gays to have sexual freedom?' complained union leader Mounir al-Wasimi.

Mithly said on its website that discrimination against gays in the Arab world stemmed from 'ignorance and misunderstanding'. Kif-Kif President Samir Baragachi sees *Mithly* as a platform on which sexual minorities can express themselves. He hopes the magazine's name will eventually replace more derogatory references to homosexuals such as *shazz*, the Arabic word for pervert or deviant, or *zemel*, a Berber expletive for gays.

'*Mithly* will do wonders for publicising and creating a society that begins to learn about our community,' says an Egyptian lesbian activist. 'We are not asking for special rights. We are demanding being treated equally with tolerance,' Gaymaroc.com described *Mithly* as 'a breath of fresh air for a gay community that's criminalised and discriminated against'.

In a rare expression of religious dissent, one Moroccan religious figure, Sheikh Mohamed el-Said, conceded that *Mithly*'s assertion that discrimination stems from a lack of knowledge could be true. He called on the religious community to keep an open mind. Although he believes gay people are 'not right in the mind of God', the Rabat-based cleric admitted that 'I don't know much about their issues and believe that we should be open to reading and learning about others within our society.'

El-Said said that 'too often do Muslim leaders become scared of what is different. We need to re-examine our own beliefs before we place judgments on an entire group of people.'

Mithly, whose website steers clear of provocative graphics opting instead for features, local and international news, short stories and poetry, is not the first homosexual magazine in the Arab world. An attempt in Lebanon in 2005 failed after publishing three editions, but a Lebanese gay website, [Bekhssoos](#), has been up and running for the past three years, as has [GayMiddleEast.com](#). *Mithly* promises in one of its next editions to tackle one of the Arab world's more taboo subjects: the high suicide rate among homosexuals.

MySuper's justified paternalism

EDITORIAL

Michael Mullins



Last week there were [cries](#) that reforms proposed by the [Cooper Review](#) into Australia's superannuation system 'could devastate Aboriginal art'. The Review was handed down last week, and recommends an end to art, jewellery, wine and collectables as approved investments in self-managed superannuation funds. It views their inclusion as a tax dodge that benefits the rich but does nothing to enhance the material wellbeing of the average retiree.

As the year-long process was getting underway, veteran social services advocate Julian Disney [described](#) Australia's current superannuation system as 'a magic pudding for the wealthy, a poor deal for low-income people and a straitjacket for too many of the rest'.

Earlier last year, an Australia Institute research paper [claimed](#) that superannuation tax concessions for the wealthy would cost the budget \$24.6 billion in 2008–09, rivalling the \$26.7 billion annual cost of the age pension and constituting a fifth of income tax revenue.

It was clear that the super system needed to be transformed from being a tax rort into an instrument capable of ensuring working Australians have the financial resources necessary to enjoy rather than endure their retirement. Part of the problem was that the current system is incomprehensible. In a subsequent paper, the Australia Institute [called for](#) the universal default superannuation fund which the Cooper Review has now recommended.

The Institute's reasoning was that most Australians do not exercise their right to make choices about their super because it's too complicated, and not something they need to worry about in the here and now. The financial services industry exploits this indifference, and there are few complaints about the management fees it charges which the Australia Institute's researchers argue are 'simply not value for money'.

Most Australians have more immediate concerns, but essentially their future prosperity is being eroded to bolster the profits of the financial services industry.

Like the Australia Institute, the Cooper Review takes the indifference of Australians as a given, and recommends the default fund that it calls MySuper. Predictably the superannuation industry was unimpressed, and [labelled](#) the reform proposal 'paternalistic'. Review author Jeremy Cooper (pictured) [told](#) the ABC's *Lateline Business* that the whole concept of superannuation is paternalistic, but brilliantly so.

'It is paternalistic. We just have to accept that ... | given that it is compulsory, we're saying it has to work for people whether they're interested in it or not.'

That could be written off as a glib comeback on the part of Cooper. Moreover channelling people into a default superannuation fund could be compared with income management, which was [criticised](#) in *Eureka Street* last month. Andrew Hamilton wrote that the Federal Government's recently extended income management scheme is not ethically justifiable because of 'the inherent damage done to the human dignity of those included in this scheme and the slightness of the justification for it'.

But, by contrast, MySuper is geared to protect the human dignity of Australians in retirement against their own indifference, and also commercial exploitation. That is surely justified paternalism.

Election year mental health test

POLITICS

Simon Rice

Australia's mental health system is in crisis. As the issue continues to gain attention it will no doubt become politicised in this election year. Ongoing advocacy and lobbying from esteemed psychiatrist and Australian of the Year, Professor Patrick McGorry, and the high profile resignation of Professor John Mendoza from the National Advisory Council on Mental Health have galvanised public opinion — for proof just glance at the op-ed pages of any recent Australian newspaper.



Sensitive to this, the Federal Opposition recently announced its election commitment of \$1.5 billion in new funding for mental health services. This has raised the stakes. That mental health is on the political agenda is good news for Australia's most marginalised and vulnerable. Moral leadership, incorporating commitment to extra funding, innovative policy and evidence based practice must follow the rhetoric.

When Australians experience serious physical injury, in almost all cases our emergency services and hospitals provide the acute care necessary to sustain and nurture life. Sadly, thousands are unable to access a similar standard of care when it comes to mental ill health. This has a raft of implications for our communities given the overlap of mental ill health with homelessness, offending behaviour, gambling addiction, relationship breakdown, substance abuse, domestic violence and impulsive risk taking.

The Opposition proposal of large scale investment in the youth mental health model, including early intervention services for first episode psychosis in addition to increased acute inpatient services is a significant milestone in the move towards mental health reform. With 75 per cent of mental ill health occurring prior to 24 years of age, getting in early is a sound approach for preventing future episodes.

Youth specific services are essential given the unique needs and challenges inherent in working with this population. In my experience, when young people are supported by services that meet their needs they often respond quickly and positively. As crisis remits they move from risky to resilient. Early intervention makes good economic sense as it prevents the progression of an episode from mild to severe, from first episode to chronic, from negative thinking to suicidal ideation.

Both sides of politics agree that more has to be done to improve mental health services. There are votes in mental health, and if Gillard wants to lead on this issue, she can look to furthering on the Coalition's commitment. This will require innovative policy. However investment needn't occur solely within the realm of hospitals. Greater emphasis on innovative

prevention programs and public awareness campaigns should occur.

The building blocks of early intervention can be woven into school curricula through basic mental health first aid training. Suitably trained primary and secondary teachers could provide evaluation based programs to their students for effectively managing stress and worry, and actively promoting resilience and self-awareness. Similar large scale programs could be developed for the workplace.

These programs could be expected to have both short term efficacy in managing distress and longer term benefits in reducing mental health stigma and increasing coping behaviours.

There are two other key aspects for the Government to address: men's mental health and Indigenous mental health. In comparison to women, Australian men are far less likely to seek help for mental ill health, but are four times more likely to commit suicide. Hence we must look to making mental health services a more feasible option for men. Central to this will be programs encouraging greater numbers of men to enter the caring professions as psychologists, occupational therapists, social workers, youth workers and counsellors.

We also need to reappraise help-seeking among men as courageous. It is encouraging that greater numbers of men are breaking with societal norms and are talking more openly about their experiences of mental ill health. This should be affirmed and encouraged.

There is a need for greater research and funding into culturally appropriate mental health services for Indigenous Australians, where major gaps in service delivery remain. Positive steps are being made in Indigenous communities to improve mental health literacy. Additional resources must be invested in training members of Aboriginal communities to provide mental health services, including culturally appropriate mental health assessment.

Mental health reform is long overdue. Australia has the capacity, ingenuity, financial resources and on-the-ground know-how to lead the world on this issue. Opportunity awaits our new PM to move towards greater parity between physical and mental health. To show moral leadership on mental health reform is the right thing to do. It has the capacity to transform the lives of Australia's most marginalised and vulnerable.

East Timor a not-so-simple solution

HUMAN RIGHTS

Jack De Groot



November to March in East Timor is the hungry season. It is a time when more than 42 per cent of the country's one million people experience severe food shortages.

East Timor is mired in poverty. On the most recent Human Development Index it ranks at 162, coming in between Benin and Cote d'Ivoire, giving it the inauspicious title of the 20th poorest country in the world.

While Nauru was the base for the Howard Government's Pacific Solution, East Timor is a very different proposition. In Nauru the vast majority of people have plenty of food to eat, and get access to an education and health services. This is not the case in East Timor. Prime Minister Gillard's plan to build an asylum seeker processing centre there needs to be understood in this context.

A regional approach to managing the complex issues associated with asylum seekers is long overdue, and Australia can't manage the problem alone. Yet as one of the largest and most affluent players in this region it is crucial we play a proactive and generous role.

Many East Timorese seem at best hesitant about the proposal. Yet, even if we can convince the Timorese Government and its people to house the centre, the logistics of developing such a facility are manifold.

The immigration laws in East Timor are at present particularly weak. Currently an 'irregular entrant', in the new Gillard-speak, has just 72 hours to lodge their application and have the matter dealt with by the Minister. If the claim is rejected, the applicant has a further eight days to get the matter heard in a court. If this does not occur, the fate of the applicant is unclear. Reports suggest some asylum seekers are living in East Timor without recourse seemingly interminably.

Yet President Jose Ramos-Horta says he wouldn't want Timor-Leste to become an island prison for asylum seekers and such people 'will have to have certain freedoms'. This is not the kind of language we are used to hearing from Australian leaders.

In Australia there have been many allegations of abuse by privately contracted detention centre staff. While few of these allegations have made it to court, the Cornelia Rau and Vivian Solon affairs illustrate how wrong this process can go even here in Australia. In East Timor where the infrastructure and oversight is far less developed, enormous assistance would need to be deployed to avert these kinds of disasters.

Further it is unclear who will administer the system. Will it be the Government of East Timor, already struggling to meet the needs of its own people? Will the processing centres detain the asylum applicants or will the applicants be free to access the rest of the community? Who will take responsibility for unsuccessful applicants and be responsible for repatriation. It is unlikely the East Timor Government would want this indefinite responsibility.

We know well of the many social problems that exist in East Timor that exploded in terrible violence in 2006. How will the integration of asylum seekers in this already fragile society be managed?

There is also a tide of resentment against Australia among elements of the East Timorese population, including tensions over the gas fields in the Timor Sea. It would be easy for a people struggling to feed, clothe and educate themselves to harbour resentment against outsiders that have all these things and much more.

Gillard herself said ‘people like my own parents who have worked hard all their lives can’t abide the idea that others might get an inside track to special privileges’. Managing similar perceptions in East Timor will be an enormous challenge — and perhaps an unfair one to be saddling our struggling neighbours with.

The new Prime Minister has sought to distance herself from the policy of the Rudd Government, that some suggest was of her own authoring. It is clear we do need more creative and humane solutions. It is clear too that we need to stop the rhetoric and work with our neighbours across the region to deliver sustainable solutions.

If an East Timor processing centre is to be part of that solution, much work will need to be done to ensure it meets the criteria of sustainability. And much more will have to be done to support the East Timorese people to gain access to a more equitable way of life.

***To Kill A Mockingbird* and asylum seeker justice**

BOOKS

Kerry Murphy

In July 1960, Harper Lee had her first book published: *To Kill a Mockingbird*. It won the Pulitzer prize. The movie version in 1962 won an Academy Award for Gregory Peck. Lee did not write another book and maintains a low profile, unlike her book which has not been out of print in 50 years and features in many school English classes.

I first read *To Kill a Mockingbird* over 30 years ago at school. I remember enjoying a book about young children learning about life from their father, a lawyer. I could feel some affinity with Jem and Scout, as I also had a father who was a lawyer. I also remember the courtroom drama of the trial of Tom Robinson.

These days when I reread this great book I find myself more interested in the character of Atticus, the lawyer. When I was a young law graduate, I saw Atticus as a noble lawyer. Now, I see him more as a 'contemporary', as I am approaching 50 years as he was in the book.

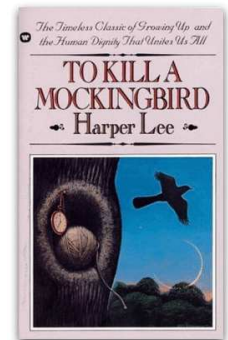
The book is set in 1935, in Alabama, during the Depression. It was published in 1960 at a time when the civil rights movement was building. Fifty years later its themes of justice, growing up and respecting the 'other' are as fresh as ever. While I remember seeing Atticus as a 'model' for good lawyers many years ago, I now see him as a man who does his best to work for justice in a society that is against him.

He is not a great human rights advocate. He does not go out championing the rights of oppressed minorities or taking the case to the media. His approach is to do the best for his client, despite popular opposition to respecting the rule of law for Black Americans as for White Americans. Atticus works to win the case within the system, and hopes that thereby the system would gradually reform.

The appeal of Atticus is that he is realistic. At one point he talks of his motivation: 'Why reasonable people go stark raving mad when anything involving a Negro come up, is something I don't pretend to understand.'

Many lawyers will understand the challenges he faces in working for the unpopular 'other'. Just replace 'Negro' with asylum seeker, boat person, Muslim women in burqas, or any other who does not share the populist view.

Some believe you need to fight hard in the open for human rights, challenging abuses and seeking reform at every opportunity. Others try to live and work in a way that welcomes the 'other' and challenges the abuses of rights through the system. Neither approach is always



going to win, but the real skill for advocates is recognising when to take a case into the public arena, and when to grind your way through the system like Atticus.

When Tom Robinson was found guilty, Jem could not believe it. However Jem was yet to learn how much populist opinion was against Tom simply because of his colour. Atticus knew there was a long and drawn out fight ahead through the appeal courts but sadly Tom could not take the strain of waiting for justice.

I have seen the same thing happen with asylum seekers. Cases may be refused or processing stops because of political influence and the view that it is now 'safer' in Afghanistan, Sri Lanka or Iraq. You go on to review and hope for the best, but sometimes clients cannot take the strain of uncertainty, or in some cases detention.

Many suffered under the previous 45-day rule regarding work permission, or the lingering limbo of the TPV. Like Tom, they might seek their own way to escape this uncertainty.

Prime Minister Gillard's speech this week on immigration and refugees was like a 'curate's egg': good in parts. The facts were given, such as that asylum seekers make up only 1.5 per cent of the total migration program, and there was some analysis of why people flee. Then, the 'Timor Plan' was announced.

All the Opposition had to offer was greater restrictions and punishment of asylum seekers.

Hopefully *To Kill A Mockingbird's* anniversary will, to paraphrase Atticus, give us a chance to wonder why reasonable people go stark raving mad when anything involving an asylum seeker comes up.

Toy Story 3's vision of heaven and hell

FILMS

Adrian Phoon

Toy Story 3 (G). Director: Lee Unkrich. Starring: Tom Hanks, Tim Allen, Joan Cusack, Ned Beatty, Don Rickles, Michael Keaton, John Morris, Jodi Benson, Timothy Dalton. 108 minutes



When I went to see *Toy Story 3* the audience consisted almost entirely of adults in their 20s and 30s. There was just one infant, who, asleep in her mum's arms, was unaware of the screen in front of her.

I got the feeling, as the film played, that this was its intended audience: people who had grown up with the *Toy Story* franchise, and yet had never quite grown up.

The *Toy Story* films have always catered to adults in a way most animated features do not. Even when compared to the knowing satire and social commentary of *The Simpsons*, *Toy Story* surprises with its depth of feeling and its mature exploration of such themes as life and death, love and rejection, friendship and loneliness.

Toy Story 3 may be the most 'grown-up' film in the trilogy. The toys, led by Woody the sheriff (Hanks), come to terms with the fact that their owner, Andy (Morris), has grown up and, at 17, is about to head off to college. Woody is lucky; Andy is still sentimental about his favourite toy and wants to take him along. But that leaves the other toys in a predicament. Will they end up above, in the attic, or below, in the garbage?

By happy accident, all of the toys, including Woody, end up in the purgatory of a children's day care centre, called Sunnyside. Here there are new toys, led by a seemingly loveable bear named Lots-o-Love (Beatty). And the endless rotation of children ensures the toys will never become obsolete.

But Sunnyside is not the resort the toys first imagine; rather, it's a prison, where the toys are bullies presided over by the despotic Lotso, and the children are rapacious, slobbering, unfeeling monsters.

An escape sequence follows, in which Woody and the toys give Steve McQueen a run for his money; *The Toy Story* films are deeply nostalgic about the history of American cinema, with old westerns and science-fiction embodied by Woody and Buzz Lightyear (Allen) respectively.

But while the toys manage to leave Sunnyside, they are not free of trouble. Instead, they are brought by a garbage truck to a landfill, where they are dragged towards an incinerator. This fiery pit is equivalent to any vision of Hell concocted by Dante and his ilk. It's hair-raising and

harrowing stuff for an animated feature, but you can never quite tell what the toys find more threatening: death itself or the despair of becoming obsolete.

At this point, I started to wonder what kids would make of the movie. What's in it for them? In the end, do we really go and watch animated features for nihilism and existential angst?

But *Toy Story 3* is by no means all doom and gloom. The toys are some of the brightest, funniest comedians in film today. Toys are hardier and bouncier than people, so the slapstick routines are fast-paced, zany, and more than enough to entertain children (and, okay, adults).

Ever the comic stooge, in *Toy Story 3* Buzz gets the laughs when he reverts to Spanish-speaking mode. Mr Potato Head (Rickles), continuing the riff on Hispanic translation, turns into Mr Tortilla. Barbie (Benson) brings girl power, while a fashion-obsessed Ken (Keaton) himself becomes an accessory. A hedgehog named Mr Pricklepants (Dalton) reveals himself to be an aspiring thespian. It's all very cute.

For all the darkness lurking in their subtext, the *Toy Story* films are comedies, not tragedies. *Toy Story 3* might flirt with life and death, but its main theme is friendship (hence Randy Newman's Oscar-winning theme song, 'You've Got a Friend in Me'). Woody's fierce devotion to Andy is touching, but it is the other toys who are the real friends in his life.

No toys die in *Toy Story 3*; they just move on to the next phase of their lives. The last 10 minutes are a fittingly sentimental end to a trilogy saturated in sentiment, as the toys say goodbye to the past and prepare for the future. Andy may have grown up and put childish things away, but it's the toys that learn love.

The strengths and shortcomings of Church apologies

APPLICATION

Andrew Hamilton

Last weekend Melbourne Archbishop Denis Hart published a letter of apology for sexual abuse by Catholic priests in the Melbourne Catholic Church. It was read aloud in most local churches. It followed similar letters by bishops in other Catholic churches around the world.



The letter, which was both a personal response and an outline of what the Melbourne Church was doing, drew a variety of responses. I found it quite moving. Some Catholics expressed gratitude for it; others thought it came too late or omitted points they thought central; representatives of victims groups considered it inadequate.

The letter and the responses to it invite broader reflection on the place of letters by leaders of churches, and particularly of letters of apology. In the churches, pastoral letters go back a long way. So does scepticism about the value of carefully prepared words.

Paul's letters to the churches he had worked in are still read weekly in Christian churches. But in a passage of rhetorical virtuosity Paul also warned of the mismatch between rhetorical eloquence and the Christian message. Jesus too advised his followers not to prepare the words they will speak if prosecuted for their faith. In a world where survival often depended on rhetorical skill, that was a startling piece of advice. James later writes eloquently about the dangers of the human tongue. He wanted good actions.

Given this history, one can understand the ambivalence about letters and the inclination to avoid reading them. But letters from bishops to their churches are powerful symbols, particularly when written in response to particular crises. Letters require their writers to take a position. Their signatures require them to stand to the position they have taken. And having letters read to the members of their church is an act of both strength and vulnerability. They associate their readers in what they have written. But they also hand themselves over to their readers for response and judgment and must wait on the unforeseen consequences of their letters.

That is why pastoral letters, although symbolic, can be extraordinarily effective. A letter of the Philippine bishops, drafted by Bishop Cisco Claver who died last week, was instrumental in the peaceful popular uprising against the Marcos regime. People power stared down the army. But to appreciate the vulnerability of the Bishops in subscribing to the letter, we need only recognise that they must have considered the possibility that the Government and army would respond as the Chinese Government later did in Tiananmen Square.

Letters of apology leave their writers particularly vulnerable. They invest themselves in the

letters, but it is open for their readers to dismiss their apology as inadequate, dishonest, perfunctory or uninteresting. I would argue, though, that even if they come late and are awkwardly written such letters are still important.

Letters of apology by the leaders of a community commit it to recognise that something wrong has been done in its name, that this is a matter of shame for the community, and that the leaders of the community accept the responsibility to do something about it. In the Catholic Church such an apology is a public act of confession, which includes the commitment to seek reconciliation, to make reparation where possible, and not to sin again. The symbol presupposes that the Church is more than a collection of individuals, that its members are accountable to one another, and that that the Bishop has the responsibility to act on its behalf.

Such letters are helpful symbols. But they are also limited. Like the Prime Minister's apology to the Stolen Generations they cannot remedy the consequences of the crimes and attitudes for which they apologise. Regardless of apologies, the destructive consequences in the human lives of survivors continue and touch more and more people.

However much we might want it, no symbol nor letter of apology can write the slate clean. A letter of apology is neither an ending nor a new beginning. The temptation to forget what is unpleasant in our history is strong. So apologies will need to be made, renewed and extended frequently. A bishop's letter is a significant step, but it is part of a mosaic.

Finally, words alone can do so much. Those of us who live by words are always tempted to imagine that if we get our words right we will change things. We hanker after the great speeches of yesterday. Good words can help change a situation, but only if they are translated into practical actions of reaching out to those who have been abused in our name, listening to them again and again, and changing the culture and the patterns of governance that allowed their abuse.

Words are powerful symbols, but the hungry and the injured do not live by words alone.

Not the Pacific Solution

HUMAN RIGHTS

Andrew Hamilton



Julia Gillard's new policy on asylum seekers appears at first sight to be politically effective. It promises to curb the boats eventually, without offering a quick and brutal fix. But it raises many questions.

The concept of a regional processing centre in East Timor appears to differ from the Pacific Solution in that it would be a cooperative venture between nations that are signatories to the United Nations Convention. These nations would presumably together have responsibility for offering protection to those found to be refugees.

The first challenge of any such centre will be to ensure a consistent, fair and statutory process for judging the claims of asylum seekers. Such a process does not exist on Christmas Island, and it will be difficult to ensure it on East Timor.

The Prime Minister also insists that the centre 'would, of course, have to be properly run, properly auspiced, properly structured'. For the Australian Government to ensure that such a centre in East Timor respects the human dignity of asylum seekers will be difficult. Similar arrangements with Indonesia were not satisfactory.

The next challenge will be to ensure that those found to be refugees are quickly resettled. Otherwise it will be difficult for East Timor to maintain support for the centre. The plight of people held in East Timor for an indefinite time would also attract attention both in Australia and elsewhere. It is difficult to see how there can be quick resettlement unless Australia, and perhaps New Zealand, receive most refugees. Other nations will regard them as Australia's responsibility. So this scheme is not an effective means of Australia shifting its perceived burden.

The third challenge will be to prevent rejected asylum seekers who make a claim within Australian territory from seeking redress in Australian courts. Current court cases in the High Court will test the legality of current Australian procedures. Because the Australian detention regime breaches the trust between asylum seekers and the Australian Government, it has been time consuming and difficult to deport asylum seekers whose cases have been dismissed. It may be difficult also in East Timor.

Finally, it will take much time to come to an agreement that satisfies the interests of Australia, New Zealand and East Timor, and is compatible with the demands of the United Nations High Commissioner for Refugees. In the meantime boats will continue coming, perhaps with greater urgency, to Australia. Any semblance of good order and compassion in

the detention system is already breaking down. How will the Government cope with the influx?

Questions also remain about the treatment of Sri Lankan and Afghan asylum seekers. The United Nations recommendation that return to Sri Lanka is not uniformly unsafe for asylum seekers will be a relief to the Government. But each case will need to be assessed on its merits. And given the Sri Lankan Government's disregard for human rights during the civil war, to return people, particularly young Tamil men of military age, to Sri Lanka will be unconscionable unless their safety on return can be monitored.

We should ask for clarity on the processes by which the Government will monitor the safety of those deported from Australia.

The further delay imposed on processing Afghan asylum seekers is also unreasonable. It will entail prolonged detention under harsh conditions on Christmas Island or in remote parts of Australia and the anxiety of knowing that the Government is waiting for an assessment of security in Afghanistan that will make the rejection of their protection applications more likely. In addition, many of the asylum seekers are Hazaras whose safety in Afghanistan is always precarious, and now rests on the long-term security of life in Afghanistan. This can never be guaranteed within the ebb and flow of military action and claims for its success.

Finally, the tone of the Prime Minister's announcement again draws attention to the arbitrariness of the processing of asylum seekers who arrive by boat. The determination of their status is the responsibility of officers of the Government, with no access to statutory review. In the context of the Government's encouragement of debate about asylum seekers and its stated desire to discourage people from leaving Sri Lanka, it is impossible to conceive that the officers responsible will not feel under pressure to reject asylum seekers from Sri Lanka. That is manifestly unfair.

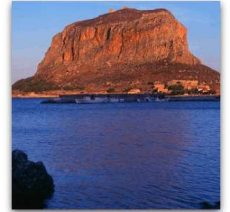
Much needs to be done to make Australia's present refugee policy fair. More will need to be done to turn today's promises into a fair and effective policy.

The life and death of Barry and Aristomenis

NON-FICTION

Gillian Bouras

The longer we live, the more the losses accumulate, growing beside us like worm-casts. Loss forms a long list: work and opportunities, possessions and authority, health and life. Love itself, and loved people.



I've just been reading about a certain Frankish prince. Kalamata-born William II de Villehardouin, who died in 1278, had earlier been the most powerful man in the Peloponnese. He was a troubadour and poet fluent in Greek and French, and had a retinue of 80 knights, while his court at Andravida, now a modest market town, was considered by all of contemporary western Europe to epitomise the ideals and practice of chivalry.

William also built the castle atop the hill at ever-enchancing Mystras, near Sparta. In an interval of spare time he accompanied Louis IX of France on the Seventh Crusade.

But William was also, it would seem, one of the most determined and obsessive of people: he desperately coveted Monemvasia (pictured), the towering rock of granite that has been called the Gibraltar of Greece. *I have nothing! I have nothing if I don't have Monemvasia!* he is supposed to have declared.

It took him three years of siege to subdue the settlement, and he succeeded only after the inhabitants had been reduced to eating rats, but he learned eventually that the glories of our blood and state seldom last. Defeated in battle in 1259, he hid under a haystack, but was captured, taken far from home, and then forced to cede both Monemvasia and Mystras to the Byzantines, whose fortunes had suddenly improved.

Recently my Australian farmer uncle, Barry, died. He would have been 90 this month. Not long after that, my Greek neighbour, Aristomenis, was killed in a car accident: he was 19, and had been driving back from an exam.

In this day and age of celebrity, so much of reputation depends on achievement. In the eyes of the world Barry did not match his clergyman brother, who climbed to the top of the Presbyterian tree, so to speak, and was an Oxford Blue in rowing as well; nor did Barry's life resemble that of his only sister, a high-achieving and much-respected nurse. Fate decreed that he should stay home and run the dairy farm. Which he did, conscientiously and well, while coping with drought and disease and the unremitting grind of milking cows morning and night way back then. He never lived anywhere else but in his own community.

Young Aristomenis had no real chance to achieve, but five minutes before he died he called in at his mother's place of work to tell her he thought the exam had gone well. He too was a

product of his place, this village.

How to cope with loss? That is a burning question. Somehow the bereaved manage to reshape themselves and move on, until the loss is somehow integrated. Well, that's the theory. Many of us do come, I think, to the understanding that we can at least look back and be glad that these people lived and were in our own lives, and remain in them despite physical absence.

Although I know that being glad is not a consideration for Aristomenis's mother, left wondering about what might have been, left dealing with such a nightmare of pain. But that, sadly but surely, is part of the nature of love: knowing that when you love, you must be prepared to die another death before you die your own.

And achievement? We all like to achieve, but what really matters at the end is what our lives have meant to other people. Barry was a faithful and happy husband for 60 years, a devoted father and steadfast friend, a respected person in his community: they knew the local church would not hold all the mourners, and so loudspeakers were set up outside.

The same applied to Aristomenis. So dearly loved, so sorely missed, as the death notices of my youth used to proclaim.

In a brief poem American writer Raymond Carver asked the hypothetical reader whether he or she had gained what was desired from life. Yes, was the answer.

And what was that?

To call myself beloved, to feel

Myself beloved on the earth.

Both Barry and Aristomenis were beloved on the earth. Of that there can be no doubt.

I wonder, however, about William.

Remember SIEV X before waging war on boat people

POLITICS

Tony Kevin



Prime Minister Julia Gillard has invited people to say what they feel on the issue of how Australia should manage its borders, 'free of any sense of self-censorship or political correctness'. In contributing to what is likely to be a debate dominated by xenophobic voices, I would like to recall to readers what happened when an Australian Government last instructed the Australian Defence Force to vigorously deter and repel asylum-seeker boats.

On 2 September 2001, John Howard announced that he had ordered Australia's defence force to mount 'saturation surveillance' of international waters to Australia's north, as part of a military operation to repel and deter unauthorised asylum-seeker boats.

Some of the history of Operation Relex is set out in David Marr and Marian Wilkinson's book *Dark Victory*, and some in my book *A Certain Maritime Incident: the Sinking of SIEV X*. Much of it sits unread in the bulky Hansards and written testimonies submitted to the 2002 Senate Select Committee into a Certain Maritime Incident, evidence which was heavily abbreviated in the Committee's published report. Much of the history remains secret.

Many Australians have forgotten what happened. In essence, time-hallowed customary maritime laws regulating Safety of Life at Sea were quietly abandoned by Canberra's maritime safety authorities, in the case of boats deemed to be attempting unauthorised voyages. A two-tiered system of maritime safety resulted: one code of practice for 'legitimate' mariners, and a harsher code for boat people, with vicious consequences.

Firstly, there was an increased risk of loss of asylum-seeker life at sea. There were many deaths, which could and should have been avoided, on some intercepted boats and finally on the boat that failed to arrive, *SIEV X*.

Secondly, there was progressive brutalisation and demoralisation of ADF culture, as it succumbed to political pressure from Canberra to set aside its lawful protocols and procedures for aiding people in distress at sea.

What emerges from the record is a developing operational culture, flowing from the top of civilian and military chains of command, of systematic anger and contempt for boat people.

ADF personnel were under orders to take control of rescued or intercepted boats, to keep the passengers on board their own boats, and to try to send them back to Indonesia by force. The passengers responded with attempts to disable or even sink their boats at the time of interception or rescue, so that they could not be forced back to Indonesia. The ADF command, on seeing this, responded with more hostility.

There were bizarre and distressing events.

One naval frigate commander was instructed by telephone from shore during an interception of a SIEV ('suspected illegal entry vessel') near Christmas Island not to be 'suckered' by the people on board into a safety-of-life-at-sea situation. Having taken control of the boat, the same commander — finding the steering gear wrecked — performed emergency repairs and directed the boat to return to Indonesia.

He followed, unobserved. When the boat stopped, unable to proceed, he rescued the people. He was instructed to keep them on board their disabled boat while he towed it in a circular path, as Canberra ruminated what to do. After 22 hours of this, the boat foundered without warning.

The passengers were saved in an emergency rescue operation. People who could not swim were ordered to don life vests and jump into the sea, to be rescued by ADF crew in waiting rubber dinghies. One female sailor on board the frigate was so distressed by the panic of children struggling in the water that she spontaneously dived from the high deck to help them.

Boats intercepted at Ashmore Reef were often left for days interned in the waters of the reef, their passengers broiling under a hot sun. It's hard to know whether this was for legitimate operational reasons, or deliberately punitive. One boat caught fire and sank, for reasons that are unclear. Two male asylum-seekers drowned during the subsequent rescue operation. A pregnant woman in another interned boat suffered serious medical complications for days, but was left unassisted.

One ADF commander exercised a combination of force and guile to return a boat to Indonesia: he promised passengers on an intercepted SIEV safe passage to Australia. On the strength of this promise, the male passengers were by agreement locked in the SIEV's hold and the women and children allowed onto the Australian vessel. The SIEV was then towed overnight at high speed back to Indonesia, where it was abandoned in shallow waters not far from shore. It was later reported that some passengers drowned while trying to wade to shore.

The despairing rage of the male passengers on finding how they had been deceived was filmed by somebody on board the navy vessel: this film later found its way onto ABC TV.

In such ways, Operation Relex degenerated quickly into a war against boat people. The written testimony of some of the Australian personnel involved is quite disturbing. The ADF was being conditioned to brutality.

There were protests. One senior naval reserve commander, a hospital psychiatrist in civilian life, withdrew from his ship in Darwin in early November and issued a media statement, to the effect that what the ADF was doing in the seas north of Australia was 'morally wrong and despicable'.

Another ADF person compared conditions on board ships taking boat people to Nauru as 'like a slave ship'. A very senior retired admiral deplored the loss of autonomy and discretion to naval commanders in responding to safety of life at sea incidents.

The period ended dramatically. Defence force P3-C Orion surveillance aircraft flew over the sinking location of SIEV X, a boat on which 353 people perished on 19 October 2001. They had no instructions to look for, or even accidentally to see, any survivors or wreckage. The mission was automatic data collection.

The boat had been expected, and when it failed to appear near Christmas Island, it was assumed to have turned back. There are credible survivor reports of seeing or hearing a big white plane overhead; but the aircraft crew saw nothing. Shortly afterwards, the boats stopped coming.

We should study those years: we should not contemplate going back to them. Whatever course of action the Prime Minister may decide on after testing public opinion, it should not involve any return to the former harsh military strategies of border protection.

Past the letterbox, to the cemetery

POETRY

Susan Fealy and Jamie King-Holden

A measure of flying

*'I believe Icarus was not failing as he fell,
but just coming to the end of his triumph'
—Jack Gilbert, 'Failing and Flying'*

The ironbark fringed the sky and scribbled our pool with leaves.
In summer we dived down, determined to rescue the blue.
I remember the tree, the rasp of bark on my legs, I tore soft
jewels from the trunk. They broke like unpicking a wound.
I'd shinny up a branch with a book or a balloon on a long leash
of string: I'd play it out into blue, wait and then tug it back.
Sometimes I just sat on the rim, my legs hung in sheer edge
eyes strung to that place where the sky melts into sun.
I had my own path to sky; a silver river on top of the sheds.
I ricocheted down the ripples, measured the fly of my feet.
Always that leap off the end, the sharp jar, and collapse
in deep grass, standing, earthed with a seed of obstinacy —
knowledge that I had really glimpsed flying. I grasped it
as though wings and fell, unfeathered, again and again.

—Susan Fealy

From the front door, past the letterbox, and to the cemetery

The gate jumps forward;
stops shut against her white heel,
silent as a skull.
Through the knife thin gap

she sees envelopes, paper,
ink, and no letters.
On the other side
of the sweating, blue-tar street,
a car guards a house.
A red Commodore
sits suspicious in the grass,
begging for a key.
Miller's yawning porch
appears; paint scabbed and shackled,
in dirt pots and debt.
The Golf-Spot Motel's
twenty-four doors are blinking,
crying, 'vacancy!'.
A bald man croaks 'fore!',
his dimpled ball disappears
into gum clusters.
On a brown oval,
a small girl kicks a Sherrin
to her dead brother.
An arthritic lamp
stands bent by the street, next to
an arthritic lamp.
A truck breaks her way,
overflowing with sick pigs,
packed tight as a fist.
A shopping trolley

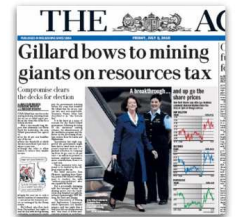
cradles a bladder of wine,
dribbling on the path.
A man on a roof
waves; hammer between his legs,
nail in his mouth.
The iron gate whines;
winged-children frozen in place
playing quietly.
A cracked grey angel
shadows a snatch of brown weeds
in a Coke bottle.
A marble stone reads:
'our loving son, died too young'
he sleeps, snug in clay.
—*Jamie King-Holden*

Gillard mining deal betrays the common good

EDITORIAL

Michael Mullins

After he'd previously declared climate change 'the greatest moral challenge of our time', former prime minister Kevin Rudd was rightly punished for his decision to put it second to political expedience. He was left with no moral authority, and little support from electors, who demonstrated in the opinion polls that they value moral leadership.



Julia Gillard learned a great deal from her predecessor's mistakes, and it's hard to imagine she would ever describe a particular policy vision as 'moral'. Of course it's up to her to choose which adjectives to use in enunciating her government's policies. But there will remain an expectation that she exercise moral authority, because she was chosen by her party to work for the common good of the nation. By definition, 'good' is a moral value, and consequently her leadership comes with moral obligations.

Friday morning's news that she had reached an agreement with the three miners BHP, Rio and Xstrata to take the sting out of the mining tax suggests she's made a poor start. She sold out the common good of the nation to the sectional interests of the three miners. It does not bode well for the treatment of asylum seekers and other policy sticking points that she plans to resolve before the coming election.

With the miners, the Government was comprehensively outgunned by their advertising blitz. The change of plans for the tax represented a truce, which was designed to keep the damaging ads out of sight in the lead up to the election. It does not have much to do with the common good, unlike the perfectly sound moral reasoning we were hearing until less than two weeks ago. That included the argument that the people of Australia own what's in the ground, and therefore have a right to fair compensation from those who dig it up for their own profit. It's unlikely we will hear that one again.

Also in the news on Friday was the revelation that Australia's World Cup bid team has used the nation's foreign aid budget to win support for its campaign. Fairfax reported that the federal aid agency AusAID agreed to help Football Federation Australia's bid to host the World Cup and has accordingly increased funding for particular aid programs in Asia and Oceania, where the Football Federation of Australia is trying to win support from FIFA representatives.

Australian aid is supposed to go where it can be used for maximum effect in reducing poverty and promoting development. We would expect that a prime minister exercising moral authority would have something to say on this disturbing development.

It is especially poignant at a time when there is community outrage at the rejection of former prime minister John Howard's bid to become the next vice president of the International Cricket Council. While there was no reason given, the consensus of opinion was that he would increase moral scrutiny on the governance of cricket, and that this would frustrate corrupt officials not focused on the common good.

Whether or not Howard was the right man for the job, the concern for good governance that looks beyond sectional and party interests was right. We have a right to expect it also of Australian governments. Julia Gillard's credibility as Prime Minister will ultimately depend on it.

World Cup bid looks to Australia's self-serving aid program

SPORT

Evan Ellis



Australia's World Cup campaign has not been without its low points. It's hard to get lower than four goals down. However over the weekend we appeared to have achieved just that, although this time off the field.

On Friday Fairfax press [broke the story](#) that AusAID, the agency responsible for managing Australia's aid budget, had agreed to help Football Federation Australia's bid to host the World Cup by boosting spending in Africa and the Pacific.

To get the guernsey in 2018 (which we've since dropped) or 2022, Australia must convince the 24 very influential men who make up FIFA's executive committee that Down Under is the perfect fit for the world game.

With four members of the executive from Africa (Egypt, Ivory Coast, Cameroon and Nigeria) and another from the Pacific (Tahiti), AusAID was approached to help lobby in its own special way.

In August the government announced that \$4 million would be provided over four years for 'football-delivered' aid to the Pacific. The Football Federation of Australia is keen to trial something like that in Africa.

To be fair, not all of the aid money went to this sort of 'football-themed' aid. Nor do I want to imply that sport can't be used to combat poverty and the factors that keep people poor. Indeed an old colleague of mine from a Catholic NGO swears a PNG Rugby League team could do more good than many other development projects in that country.

However the obvious sticking point is that out of all the factors that influence Australia's aid program, hosting the World Cup shouldn't figure.

Or should it? Many people tend to assume that aid is about 'helping people'. However since the 2006 White Paper on Australian Aid, the overall reference point for aid has been to 'assist developing countries to reduce poverty and achieve sustainable development, in line with Australia's national interest'.

The last line is the clincher. Not the cry of the poor, nor the demands of justice, or even the pull of our basic humanity. No, our aid program is about our national interest.

We would be mortified if a church agency like Caritas Australia or St Vincent De Paul ever came out with such a self-serving clause. As donors we may want to be considered but not to the point where we eclipse the people we seek to help.

And while we may argue secular institutions can lower their standards, we must surely feel that we ourselves have descended if we allow our aid program, always besieged, always ready to be clipped during tough economic times, to become so self serving.

It doesn't have to be this way. While AusAID sits under the Department of Foreign Affairs and Trade (DFAT), in the UK the Department for International Development (DFID) sits outside of the Foreign and Commonwealth Office (FCO).

This relative autonomy has allowed DFID to cultivate an international development policy distinct from the UK's commercial and strategic interests. We ought to seriously consider following suit.

Personally I'd love to see the World Cup in Australia. However not at any cost. And certainly not at the cost of an aid program at the service of the poor. To do so would be to turn the world's poor into a bartering chip to host the world game. And not all the commentators waxing lyrical about the beauty of this game could drown out the ugliness of that.