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Eureka Street is published fortnightly online, a minimum of 24 times per year by Eureka Street Magazine Pty Ltd

Requests for permission to reprint material from the website and this edition should be addressed to the Editor.

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Responsibility for editorial content is accepted by the publisher.

Unsolicited manuscripts will not be returned.

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Solidarity on Europe's horizons

INTERNATIONAL

Benedict Coleridge

Jurgen Habermas, the renowned German philosopher and sociologist, gave a lecture recently at the University of Leuven, not far from Brussels. Tickets sold out weeks in advance and the crowd was so large that TV screens were set up for the overflow to watch in an adjacent park. As the president of the European Council Herman Van Rompuy exclaimed in his introduction: 'Even in Leuven, it is exceptional for a philosopher to gather such a crowd!'

He then offered a personal remark to Habermas: 'I could suddenly see you as young man, aged 15 when the Second World War ended, and a life from then on dedicated to a cause. To bring more ethics into politics.'

Habermas' lecture drew on his perception of a critical ethical gap in European politics. At present all that seems to unite European citizens is the negative sentiment of 'Euroscepticism'. That's because a moment has arrived where the political arrangements embodied in EU institutions are no longer in sync with reality. There's a gulf between citizens' opinions, and the policies (developed by technocrats) pursued to solve Europe's most pressing problems.

This democratic deficit poses such dangers that a monetary union without a closer political union is no longer workable. As Van Rompuy acknowledged, for committed Europeans the important discussions to be had now aren't just concerned with institutional design, but with 'the fundamental questions'. Enter the philosophers.

In Brussels it is impossible to miss the evidence of the effort that European nations have put into institutionalising the Union. Perhaps it's easy to assume that institutions will somehow channel politics in the right direction — they will keep political exchange and activity within reasonable boundaries, keep the business of politics functioning respectably and productively, and keep the disparate nations moving towards an ideal of democratic amity.

If institutions are designed well, if they operate within a framework of values set out from their founding, they will roll on without the need for redesign or reconceptualisation. So it may seem.

Whereas once 'Europe' was a benevolent abstraction that bestowed prestige and economic growth on many of its members, it now seems like a malevolent abstraction, bestowing hardship on European citizens suffering unemployment, disappearing bank balances and other social costs. It will take hard work to reverse the political costs of this (for example, the rise of right-wing euro-sceptical parties such as the UK Independence Party).

Habermas' lecture in Leuven indicates how and why philosophical thinking can

assist in the practical business of reform. Here in Brussels people are going about the business of institution building, but alongside this, inextricably bound up with it, is the continuing identification of principles and concepts that will direct those institutions and the politics they encompass as new problems emerge.

And the principle that Habermas hit upon, a principle to underwrite the future of European politics, was 'solidarity'.

'Solidarity', as Bryan M. Hehir, professor of the practice of religion and public life at Harvard, puts it, 'is the conviction that we are born into a fabric of social relationships, that our humanity ties us to others.' It isn't a contract entered into by discerning individuals, it's a more deeply embedded part of our social and political reality.

It's also a word at the heart of Catholic Social Teaching at the end of the 20th century (think of John Paul II's encyclical [*The Social Concern of the Church*](#)). And it's linked to all of the great faith traditions in that it involves the recognition that one's local community is connected to a wider, even universal, community.

Europe is a vast community of communities — not just states but regions and sub-regions. The recent European institutions open day showcased an extraordinary array of regional and communal identities — ethnic Hungarians from Romania, citizens of the Republic of Srpska, alongside Bavarians and South Moravians, to name a few.

As Van Rompuy reminded the audience at Leuven, 'we are 500 million Europeans, living in 27 countries, with many spaces of European debate'. There is no one shared European public sphere — rather there are many 'public spheres' in each country and region, each with its own political language, ideals and historical burdens.

This is why Habermas' call for solidarity, for the growth of a 'shared political perspective' is so challenging — it's a call for a conversation born out of a common European public sphere, where certain principles can be acknowledged as shared, as foundational. That sphere has yet to be built, not just from Brussels, but at home on the ground of those particularist identities.

It is a 'forward-looking' concept — it offers 'the sense of a redemptive reconstruction of relations of reciprocal support'. And it's above all a concept that can be brought to bear practically: Habermas was eager to dispel any 'moral stuffiness' that might be attached to the idea.

In this impulse he followed John Paul II, for whom solidarity could not be 'a feeling of vague compassion'; instead 'it is a firm and persevering determination to commit oneself to the common good'. It implies a kind of politics that shows how the 'politics of interest' and the 'politics of community' might relate in new ways.

According to Habermas the politics of solidarity means that reforms have to be carried out 'in a cooperative effort' to produce economic growth across the entire

euro zone. This may well mean the larger EU economies accepting some negative redistribution of economic resources.

But it would also mean that discussions about the future of Europe become more audible at the national political level, with 'the full recognition of a genuine European dimension ... in our everyday world, on our horizon'. 'Europe' has to be connected to local communities — it has to become a marriage of principle and local politics.

In Brussels people are taking up this suggestion in response to the European Year of the Citizen. There's a proliferation of online start-ups aimed at connecting citizens to institutions, hoping to foster conversations between constituents and their MEPS. This is the beginning of the effort that Habermas calls for to bring Europe to people's horizons, to their communities, and to re-shape European politics on the model of solidarity.

Legislating to counter grog fuelled violence

AUSTRALIA

Frank Brennan

Countering alcohol-fuelled violence is a major public policy challenge in Australia, especially in the tropical north.

In 1998, the Queensland Government established an Aboriginal and Torres Strait Islander Women's Task Force on Violence. It reported on the adverse effects of gross alcohol consumption especially on Queensland's remote Aboriginal communities, located mainly in Cape York.

In 2001, the respected retired judge and anti-corruption fighter Tony Fitzgerald QC conducted the Cape York Justice Study for the Queensland Government. He set down five preconditions for workable and ethical laws and policies aimed at limiting the damage from excess grog consumption:

First, both Government and the community must accept responsibility. Second, the availability of alcohol and drugs must be controlled. Third, an intolerance of cultural and social abuse must be developed. Fourth, treatment and rehabilitation services must be strengthened. And fifth, the susceptibility of the Aboriginal population to alcohol and drug use must be addressed.

Most politicians who have wrestled with the issue have conceded that any measures adopted should be respectful of basic human rights and should not be racially discriminatory. But they have been stretched in seeking workable proposals. Aboriginal advocate Noel Pearson has been quoted with approval by Queensland Supreme Court justices saying, 'Surely the fact that the per capita consumption of alcohol in Cape York is the highest in the world says something about our dysfunction.'

Shortly the High Court of Australia is expected to rule on the validity of Queensland laws which restrict the possession or consumption of alcohol in public places on remote Aboriginal communities.

The Queensland Government has been backed by the Commonwealth arguing that the Queensland laws are not racially discriminatory as they apply to all persons in public places on these communities even though most of those persons happen to be Aboriginal. In theory, the laws could be applied to non-Aboriginal communities if they were suffering the same level of alcohol abuse and dysfunction.

The Queensland and Commonwealth Governments have also submitted to the High Court that the judges should not just focus on the citizen's right to have a drink but also on the right of other citizens to peace and security. They have said that this balancing act is 'quintessentially a matter for the legislative branch'. The Queensland legislative scheme will most probably be upheld by the High Court.

Meanwhile, the new Country Liberals Government in the Northern Territory led by Aboriginal Chief Minister Adam Giles has abolished the Banned Drinkers Register introduced by the previous Labor Government. That register listed almost 3000 problem drinkers who were unable to buy some types of takeaway liquor under a scheme which required all grog purchasers to provide identification at the time of purchase.

The NT Government scrapped the register claiming that it was ineffective and an unwarranted interference with the right of the ordinary Territorian to buy a drink without government surveillance. The NT police and hospital authorities are known to have strong concerns about this, claiming that hospital admissions and assaults have spiked since the abolition of the register.

The Commonwealth Government was furious that the register was scrapped. Adam Giles answered back to Canberra: 'The Prime Minister seems to think that just because someone has a ban on them, they will stop drinking, but there was nothing to stop third-party sales of grog and drunks still accessing alcohol through friends. One drunk was placed in police protective custody 117 times in one year. That's once every three days.'

The People's Alcohol Action Coalition (PAAC), a non-partisan Northern Territory community organisation seeking ways to limit grog damage, favoured the register provided it was accompanied by measures which make grog less available throughout the community. Dr John Boffa with a lifetime of experience as a doctor working with Aboriginal communities in and around Alice Springs has been a spokesman for the PAAC espousing:

- increasing the price of the cheapest alcohol, for example cheap wines;
- introducing a 'floor price' based on the current price of popular full-strength beer brands;
- reducing take-away alcohol trading hours (including with days free of take-away alcohol sales); and
- restricting the purchase of large volumes of alcohol.

The idea of a floor price has won bipartisan support in Canberra with Tony Abbott and Julia Gillard coming aboard.

The NT Government is now proposing a treatment scheme for up to 800 problem drinkers a year. It has introduced to Parliament its novel Alcohol Mandatory Treatment Bill. Any person taken by police into protective custody three times within two months for unacceptable behaviour while drunk in a public place will be assessed for treatment.

The drinker will be taken by police from protective custody to a centre where an assessment will be made within 72 hours by a 'senior assessment clinician'. The assessor must determine whether the drinker 'has lost the capacity to make

appropriate decisions about his or her alcohol use or personal welfare'; the drinker's 'alcohol misuse is a risk to the health, safety or welfare of the person or others'; the drinker 'could benefit from a mandatory treatment order'; and 'there are no less restrictive interventions reasonably available'.

The assessor's report will then be considered by a three member tribunal usually consisting of a lawyer, a doctor and a community representative who may then make a mandatory residential order for the drinker to be detained and treated for up to three months in a secure treatment centre.

Undoubtedly most of those persons subject to mandatory residential orders will be Aboriginal but the law is so drafted as to be judged non-discriminatory. The protection of basic human rights is another matter when a body which is not a court is able to impose a three month mandatory residential order on a person purportedly not as punishment for a proven offence but as a precondition to medical treatment for someone who has not been determined to be mentally incompetent.

It is difficult to imagine any treatment being cost-effective if the person is not voluntarily undertaking the program. Many of these 800 inmates will rightly and grudgingly apprehend that they are being punished by being held in custody, and without a court order. The High Court is unlikely to uphold such a scheme.

The legislation will be debated in the Northern Territory Parliament on 27 June. Meanwhile the government says that a public consultation is underway. This will be a case of unprincipled, unworkable lawmaking unless the Northern Territory is more attentive to medical, legal and community opinion within its own jurisdiction and 'from down south'. Just because a proposal is novel doesn't mean it's a good idea. There are very good reasons why other jurisdictions have not thought of this solution before.

Good and evil faces of child labour

RELIGION

Andrew Hamilton

One of the less noticed special days, the [World Day Against Child Labour](#) , is celebrated on 12 June. Most Australians will associate child labour with past times and distant places: with Dickensian chimney sweeps and coal miners and with children sold into slavery on other continents.

Some may also be ruefully reminded of their attempts at domestic strike breaking and negotiating with their children to help with the washing up. Either way it is not one of Australia's greatest problems. But it does encourage musing about when child labour is wrong, and what this may say about adult work.

Even in impoverished nations children's work is not uniformly bad. Two acquaintances come to mind.

A young woman who was trafficked for sex work in Australia was sold across the Burmese border when she was five as a domestic servant. She was on-sold to Bangkok to work in a factory when she was nine, always locked into the factory premises. At 12 she was further on-sold for sex work in Bangkok, later in Malaysia as the bloom of youth faded, and finally to Australia. Her work history is one of straightforward evil.

I also met a girl in a village of El Salvador. For generations her family had lived by making rope from cactus fibre. She was fully equipped and educated for her working life by the age of nine. Her work contributed substantially to the family income and made her a valued member of her society.

Although this form of child work may cease to support families in changing economic circumstances, and we would hope that children will receive a broader education, it cannot be simply condemned. We must ask further under what conditions children may legitimately be asked to work, and when work will be abusive.

The test of the legitimacy of children's work is whether it helps them flourish as human beings. It must help them develop into healthy, secure, sociable adults, equipped to raise a family and make a contribution to society. Work can clearly play a part in children's development. In an ideal world work can involve physical exercise, encourage connection with other children and adults, teach skills and self-reliance, and help affirm the child's worth by the contribution they make to their family.

But to develop as adults children need more than work. Of course the balance of work, and even the definition of childhood, will differ in different cultures and economies. In Western cultures they need to have time for play and rest, for being around the house and listening casually to adults talking about things that matter

to them. They need time to wonder and lots of unprofitable activity. Work forms a small part of the conditions that contribute to their development as persons.

To judge the legitimacy of children's work we must also consider the relationships involved in it. Where work is done within the family, is clearly beneficial to its welfare and is carefully measured to their own good, there is no problem. For that reason moderate domestic chores are important.

But when children are put to work in factories under conditions measured for adults, are subject to strangers charged with producing more at less expense for distant shareholders, and learn only simple repetitive skills, their work is an abuse of their humanity. It fails to respect them in their relationship to family and society.

The criteria by which we judge the morality of children's work, however, applies to adults' work as well. If judged by narrowly economic criteria, there would be no objection to children's work. It would be judged by its profitability and left to the market to set a price. As with the selling of drugs the only obstacles to engaging in it would be legal, not ethical. But once we hold that ethical considerations should govern the relationships involved in work, we must apply them to adults as well as children.

To lock children in a hot factory and require them to work for 12 hours without a break would insult their humanity. But it would also insult the humanity of adults. The damage done to children will be greater because of their development is more inchoate, but forcing adults to work under these conditions would be unacceptable for the same reasons. Work is a human activity and so needs to be measured by the extent to which it expresses and enhances the humanity of those who take part in it.

Remote Aboriginal boy's march against miners

REVIEWS

Tim Kroenert

***Satellite Boy* (PG). Director: Catriona McKenzie. Starring: David Gulpilil, Cameron Wallaby, Joseph Pedley, Rohanna Angus. 90 minutes**

Satellite Boy is a missed opportunity. In recent years films such as [Bran Nu Dae](#) and [The Sapphires](#) have shown the capacity of the local industry to produce highly entertaining films with mass market appeal, executed with confidence and skill, that also examine themes of Aboriginal identity and the ongoing repercussions of Indigenous dispossession. On paper *Satellite Boy* promises to join their ranks. The reality then is rather disappointing.

A young boy Pete (Wallaby) lives at an abandoned drive-in cinema with his grandfather Jagamarra (Gulpilil), outside a remote community in north Western Australia. When a mining company threatens to reclaim the land and demolish their home, Pete sets out on a quest to confront this corporate Goliath.

Accompanied by his friend and occasional partner in petty vandalism Kalmain (Pedley), Pete's journey takes him across harsh landscape, where heat, hunger and thirst are ever present perils. If the boys are to survive the treacherous trek, Pete must draw upon the outback wisdom and knowledge that Jagamarra has passed on to him.

This could have been a bona fide adventure story, both thrilling and illuminating, and appealing to adults and children alike. But the filmmakers have instead opted to take the boutique arthouse approach. *Satellite Boy* is earnest and eccentric but not wondrous or exciting. David Bridie's frequently inane score epitomises the extent to which the film seems targeted more at film students than mainstream audiences.

Not that being 'arthouse' is a problem per se, except that even in this the film falters. It lacks the infectious joy of *Bran Nu Dae* and *The Sapphires*, but neither does it contain either the lyrical beauty or the metaphysical gravitas of, say, [Samson and Delilah](#), easily the best of the 'serious' Indigenous films of recent years.

McKenzie (who is in fact an accomplished television director) and her cinematographer Geoffrey Simpson do a fine job of harnessing the implicit existential awe of a veritable sea of heat-cracked mud and of the looming ringed-stone domes of the Bungle Bungles. The story though fails to capitalise on these atmospheric possibilities.

They are further undercut by the sight of Gulpilil wailing at the stars and muttering to a campfire to return his missing grandson; any meaning here is lost in obliqueness. The symbolically pregnant image of an abandoned drive-in cinema

and of a decrepit satellite dish in the middle of the desert are similarly reduced to mere oddities.

The heart of *Satellite Boy* is the lived tension for Aboriginal people on remote communities between becoming modern and westernised, and rediscovering more traditional, spiritual and practical ways of life.

Throughout Pete's ordeal his mother (Angus) is absent, apparently off doing a hospitality course so that she can open a restaurant. She is explicitly drawn to the material aspects of western culture; during one rare conversation with Pete she declares that if they move to Perth, they can go shopping whenever they want.

This contrasts with Jagamarra, who has shared with Pete the knowledge of living off the land, who imparts wisdom by sketching in the sand with a rough fingertip, and who dreams of abandoning the drive-in and taking Pete to live in their traditional country; a sacred concept that the boy only comes to appreciate as his journey progresses.

There are important and intriguing questions of identity here to which the self-consciously arty *Satellite Boy* fails to do justice.

Turkish democracy gets the shake-up it needs

INTERNATIONAL

William Gourlay

The calm of early summer in Istanbul, aspirant Olympic city, has been disrupted in the last week, with violent demonstrations grabbing headlines around the world. What started as a minor protest against a proposed building project in central Istanbul escalated dramatically, resulting in thousands of arrests, widespread destruction in the Taksim and Besiktas neighbourhoods and anti-government protests breaking out in other major cities.

Initially a small band occupied Gezi Park protesting against plans that had been pushed through with minimal community consultation, to build a shopping mall in this, one of the last green spaces in Istanbul's Beyoglu district. Police raids on the camp using water cannons and tear gas [provoked outrage](#) and drew more demonstrators.

When a larger protest last Friday was met with a similarly heavy-handed police response, even larger crowds amassed, chanting that the government should resign, and venting their displeasure with Recep Tayyip Erdogan, the Turkish Prime Minister, who dismissed the original protest as inconsequential. Some observers, indeed some participants, rather overenthusiastically remarked that this was [Turkey's Tahrir Square](#) .

There is clearly a great deal of displeasure with the government, and Erdogan has been a particular target for scorn, yet drawing parallels to Tahrir Square and predicting the eventual fall of the government are ill-advised.

For one, the political circumstances of Turkey and Hosni Mubarak's Egypt are entirely different. Mubarak's oligarchic regime was unelected; the government that Erdogan heads is popularly elected, having won power in 2002 and successively increased its share of the vote across three elections.

Erdogan himself remains the most popular politician in the country, drawing widespread support from a conservative and generally Islamically inclined voter base.

Bearing in mind the lacklustre oppositional parties that compete with Erdogan's Adalet ve Kalkinma Partisi (Justice and Development Party) it is difficult to imagine, even after the outpouring of public resentment seen in the last week, that the Party will be toppled in the next elections, due in 2015. This is not to say that the political terrain in Turkey may not have been significantly altered.

Although Erdogan is an elected leader, he may be accused of displaying dictatorial tendencies.

True, his achievements are significant. He is often given credit for the great strides Turkey has made in the last decade. Its economy is strong, with GDP

almost quadrupling since 2000. It is an increasingly confident performer on the world stage. He has maintained a steady focus on EU accession for Turkey (despite reluctance from France and Germany), while taking concrete steps to resolve the [Kurdish issue](#) that has bedevilled Turkey for decades.

He has also set in train a reworking of [Turkey's constitution](#) that would relieve the country of the strictures of a document imposed by the military in 1980, but would also create the opportunity for him to claim a new, US-style presidential post. The Olympic Games of 2020, for which [Istanbul is bidding](#) , would be the final feather in his cap.

However, through a decade in power, Erdogan's grip on the political agenda in Turkey has grown increasingly firm. His style has become more authoritarian, pushing through legislation with little debate, and he has cowed the media and brooked little dissent or criticism. While he generally enjoys the support of the electorate, his critics say he has a majoritarian approach to governance, behaving like a sultan, unaccountable and overbearing.

Whether Erdogan will learn anything from the protests remains to be seen.

Crowds in Taksim Square on the weekend of June 1 and 2 appeared to be made up of students and the urban classes who cannot be considered Erdogan's core constituency, but as protests spread more groups became involved, from [Turkish TV stars](#) to [soccer fans](#) . It became clear that protests were not about a green space in central Istanbul, but about Erdogan's autocratic style of governance.

Crowds this weekend only grew larger in Istanbul and Ankara as well as other major cities Izmir and Antakya. Meanwhile, the AKP has planned counter rallies in Istanbul and Ankara this week.

After dismissing protesters as looters and blaming social media for inflaming the situation, Erdogan left for a diplomatic tour of North Africa, hardly an indication that he is prepared to size up the situation and listen to what Turkish citizens are saying. On his return to Turkey he remained defiant. Some ministers have suggested that the protests are an international conspiracy to unseat Erdogan.

Other senior government figures, however, have taken a more [conciliatory approach](#) , conceding that democracy amounts to more than just holding elections and that [police reactions](#) were excessive.

On balance the Erdogan government has been a positive force for Turkey, but its growing domination of the political sphere is unhealthy. These protests should act as a wake-up call so that either the government can redefine its approach or other political voices may rise up. Tahrir Square it may not be, but ultimately, these protests may lead to a rejuvenation of Turkish democracy.

Visiting detention is a political act

AUSTRALIA

Nik Tan

Mothers sit and chat, babies in arms or in prams. Toddlers and young children run amok. A group of teenage boys sit together, chatting and playing cards. It is 7pm on a Wednesday in Broadmeadows, in Melbourne's northwest.

The toddlers have recently arrived from Syria, where civil war has displaced 1.5 million civilians. The boys are Sri Lankan Tamils. They are nervous tonight as they are being flown to a Tasmanian detention facility for unaccompanied minors. One asks me if it will be cold.

——— studied at university in Iran. She speaks good English but better French. She explains that when she went to university she realised she did not believe in religion. Now, she says, her government wants to kill her. She is seeking asylum with her sister.

I am a visitor at MITA, Melbourne Immigration Transit Accommodation. It is a detention centre, despite the name. Opened in June 2008, the compound shares an entrance with an Australian Defence Force barracks. It is fronted by two-storey apartment-style accommodation and backed by rows of iron bungalows that visitors cannot access.

There are currently over 300 asylum seekers being detained here, including young Iranian men, families headed by single mothers, and Sri Lankans with negative ASIO security assessments detained indefinitely.

Today two people tried to commit suicide. One jumped off a roof and the other was found trying to hang himself. An ambulance is parked outside when we arrive.

Many asylum seekers detained at MITA arrived after 13 August 2012, when the expert panel on asylum seekers handed down its report and recommendations designed to stop deaths at sea. This date is key: the application of the 'no advantage' principle means these claims won't be assessed for several years.

One thousand people have lost their lives seeking asylum by boat in the past decade. Deterrence is not working. Since the expert panel recommended the reopening of detention centres on Nauru and Manus Island as 'circuit breakers', almost 20,000 asylum seekers have arrived by boat in Australia.

In line with another of the expert panel recommendations, the Australian Government announced on 22 September 2012 that refugees who arrived by boat would not have access to family reunification through the Special Humanitarian Program. This means the families of asylum seekers found to be refugees have little chance of joining them in Australia. Family reunification is only possible under the General Migration Program, which carries significant financial costs and uncertain waiting periods.

In an effort to deter people from risking their lives at sea, the expert panel and the Government may in fact have encouraged more people to take the dangerous journey, by closing off avenues for families to be reunited.

This time last year, MITA's detainees were exclusively male, mostly young men from Iran and Afghanistan. Since then, the centre has been expanded to a capacity of 372 people, and the demographics of people seeking asylum has changed from unaccompanied young men to family units. As of 30 April 2013 there were 381 people detained at MITA: 144 men, 103 women and 134 children.

—— is an Afghani Hazara recently arrived at MITA. He is 14. The family speaks fluent Bahasa Indonesia, having lived in Java for years before coming to Australia via Christmas Island. In Indonesia, they lived in International Organisation for Migration detention and were given a basic stipend. They are seeking asylum in Australia because despite being found to be refugees by UNHCR while in Indonesia, they were not resettled by any country.

—— is also from Afghanistan. He left five months ago, with his wife and daughter, passing through Indonesia before arriving in Christmas Island by boat. His daughter is just ten months old. She crawls but is yet to walk.

Perversely, the presence of children and families in the detention centre normalises the place, the energy and guilelessness of children distracting adult asylum seekers from the depression and anxiety pervading detention. It is perverse because it is widely accepted that detention damages children's mental health and wellbeing.

Visiting a detention centre is a small act. It is an act of civil society — to say that the Australian Government's policy of detaining asylum seeker men, women and children is not in our name.

Haiku for JNB

CREATIVE

Joan Grant

Along the river

You came with the summer sun

And thawed my winter

In Matsushima

You gazed at pine-clad islands

And sighed with Basho

You planted gum trees

For every family member

Some grew, some faltered

You shuddered at crows

Their cawings a foretelling
Of endings to come

You smiled and whispered

'I may be gone for some time'

Skin like polar ice

A red flowering gum

Is growing on your ashes

The brightness like you

More asylum seeker deaths, more unanswered questions

AUSTRALIA

Tony Kevin

Even after the Minister for Home Affairs Jason Clare's well-crafted [media conference](#) on Sunday morning, many important questions remain about the latest asylum-seeker boat sinking tragedy.

A reported capsized hull was found semi-submerged 65 nautical miles northwest of Christmas Island at 070519 UTC (i.e. 3.19pm AEST on Friday 7 June). This find triggered a Mayday (top-level distress) message to all shipping from AMSA Rescue Coordination Centre 11 and a half hours later. Independent SIEV X researcher [Marg Hutton](#) found and published this [Mayday message](#) early on Saturday.

Clare announced the finding thus: 'About 3pm AEST, on Friday, the P3 [RAAF long-range surveillance aircraft] sighted a submerged hull in the water 65 NM NW of Christmas Island.' Clare said the capsized hull was not seen again, but that some debris was later sighted from the air at around 5pm.

Later, 13 dead bodies were sighted from the air — they had not been recovered as the focus was still on searching for survivors from the boat, estimated to be carrying 55 to 60 asylum-seekers, including women and children.

The Mayday message reported the position at which debris (or the capsized semi-submerged hull — the Mayday seems to have conflated these two sightings, about two hours apart) as 09-57 S 104-34 E (9 degrees 57 minutes south, 104 degrees 34 minutes east). This is actually east-north-east of Christmas Island, several nautical miles south of the boundary between the Indonesian and Australian maritime Search and Rescue (SAR) regions.

This fact makes the search and rescue response to this incident fully an Australian responsibility. Both Clare and Admiral David Johnston, Commander of Border Protection Command (BPC) made clear at the press conference that BASARNAS (the Indonesian search and rescue authority) is not involved in this search and rescue operation.

Clare volunteered at the conference that there had been a previous Australian sighting of this vessel at a position 27 NM north-west of Christmas Island, on Wednesday 5 June. This position is just 3 NM outside the contiguous zone in which BPC normally intercepts incoming asylum-seeker boats.

He said the boat was reported 'stationary but did not appear in distress'. He said the people on board had waved but made no distress signal. He said subsequent searches of the same area on Thursday by HMAS Warramunga and BPC aircraft had not spotted the boat again.

Clare did not reveal what Hutton had found and [reported](#) on Friday — a [pan-pan](#) notice sent by AMSA RCC to all shipping at midnight UTC on Thursday

night (10am AEST on Friday 7 June), reporting the time and location of the Wednesday sighting as a boat 'reported overdue on a voyage from Indonesia to Christmas Island, last known position 10-04 S 105-21 E at 050743 UTC' (5.43pm AEST on Wednesday 5 June).

This was the same boat that Clare said had been sighted at this position, not appearing to be in distress.

A pan-pan notice signifies that there is a 'state of urgency' on board a boat. This is distinct from a Mayday call, which means that there is 'imminent danger to life'. The pan-pan 'informs potential rescuers (including emergency services and other craft in the area) that a safety problem exists, whereas Mayday will call upon them to drop all other activities and immediately initiate a rescue attempt'.

The fact that the boat was seen as stationary on Wednesday should have alerted BPC to the risk of likely engine failure, causing drift away from Christmas Island if the boat was not quickly located and intercepted and assisted by a BPC surface vessel.

Johnson told the press conference that the fact that the capsized hull was later seen on Friday 44 NM away to the west, around 48 hours after the first sighting of the boat, was 'feasible: the westerly movement (of a drifting boat) was consistent with the drift pattern' of the prevailing ocean current of 1 NM/hour westwards. BPC knew this.

In keeping with its interception obligations, BPC should have been quick to send a boat out from Christmas Island, a short 27 NM away, to check on the status of the reported stationary boat, then just outside the contiguous zone in which BPC normally intercepts incoming boats. There were still enough daylight hours to send a boat out on Wednesday afternoon. But if they knew the boat was drifting away, there was no urgency about intercepting the boat in terms of BPC's border protection obligations.

It was not until Friday that BPC, having failed to find the boat on Thursday, asked AMSA to issue a pan-pan notice to shipping. The pan-pan notice went out 40 hours after the sighting.

Had BPC reacted more quickly on Wednesday afternoon, those 55 or 60 drowned people would probably still be alive. Instead, their boat drifted helplessly westwards, away from Christmas Island, and at some time in the next 46 hours — we may never know when — capsized and began to sink.

Clare said there will be the usual internal Customs enquiry and that the WA Coroner — who is investigating a deaths-at-sea incident on 21 June 2012 — may choose to investigate this incident. It would seem legally that he should, since bodies will probably be recovered in the Australian SAR zone.

On its face, it is another case of failure by BPC to take prompt and diligent interception and/or rescue action resulting in avoidable deaths at sea. There

should be no excuse for this apparent lapse in professional standards of interception and rescue at sea by Australian border protection authorities. They know these boats are unsafe. Why do they not strive to save lives when they can?

Sex is to pregnancy what racism is to genocide

AUSTRALIA

Ellena Savage

This week was a funny time to learn that last year police officers in the Melbourne western suburb of Sunshine printed and distributed [50 racist stubby holders](#) . Rather, it wasn't funny at all, especially if you are an Australian who has been mistreated by a police officer because of the colour of your skin, or if you care whether police officers are held to any kind of ethical standards.

The stubby holder in question shows a cartoon image of a mudfish, which references a racist slight for East Africans in the area. It is a slur on the 'bottom feeder' species that is eaten in Sudan and elsewhere. The baby blue foam cup says 'SUNSHINE POLICE: Whoever says Sunshine brings happiness has never worked here.' While an inquiry has been launched, the officers responsible remain in their jobs.

And commentators keep telling us that racism is benign in Australia.

The past fortnight's events have kept race high on the public agenda. Everyone is talking. Can a 13-year-old be racist? (Yes.) Is what Eddie McGuire said racist? (Yes.) Does a culture of racism actually have an impact on how racialised people in Australia — people who are from culturally and linguistically diverse backgrounds, or simply don't look white — get to live? (Ask someone who knows.)

When something occurs in the symbolic realm in Australia — say, the Opposition Leader appears to condone his female opponent being labelled a 'witch' and 'bitch', or a child calls an Aboriginal athlete a primate — we are offended. And we feel good about being offended, because it means we're better than the brutes.

What comes next is the analysis which says it's not all as bad as it looks. Columnists say things like, 'That's not racist; you should see what they do to Muslims in Burma!' Or, 'Haven't you read the *Macquarie Dictionary* lately? That's not what a catalogue of dead words says 'misogyny' is!'

Joe Hildebrand's column last week characteristically [makes light](#) of Australia's racism problem, stating that in some countries, 'racism leads to oppression, torture and genocide. In Melbourne its effect is to turn everybody into dribbling idiots.' It also leads to oppression and violence, allegedly perpetrated by police officers, in Sunshine, for example. But we won't talk about that.

Being white, I don't know much about racism. The way I look and talk is in line with a dominant social group, and there are innumerate ways that I benefit from that. But knowing I'll never be an expert in racism doesn't prohibit me from seeing the poverty of our national conversation about it.

Our wilful ignorance and concurrent silence around the lived impacts of racism allows for acts of violence by authority figures — in this particular case police

officers — to be met with impunity. It is that simple.

Racial violence by the police — for which there is a great deal of [evidence and testimony](#) collected by legal professionals and organisations — is too terrifying to be editorialised about. If some police have engaged in racial violence, and most accounts of violence have been met with impunity, what does this mean for our belief in our basic institutions? In public discourse, it is easier to downsize the impact of racist language and get on with it.

Like many women, I've experienced violence because of my gender, an experience which makes it very clear that the symbolic realm — that of language and subtle gestures of power — is inextricable from the material realm — that of brute force and humiliation. The fear instilled in women when they are verbally abused is predicated on the reality of physical abuse. One requires the other.

One of my lecturers used to say that sex leads to pregnancy, and racism leads to genocide. Which is to say that genocide, like pregnancy, can be more or less avoided with careful management, but the surging undercurrent of violence is always at the heart of a racist culture.

This claim sounds rather drastic, but history supports it. Almost everywhere that there exists a belief in a racialised hierarchy, there has been racial violence to assert it. In Sunshine, the stubby holder represents a belief in a racial hierarchy, and long-standing [allegations](#) of racialised violence by police officers reveals the outcome of this belief.

Most of the time, when people use racist language their intention is not to wage genocide on racialised groups. But the cultural provenance of racism, and its contemporary outcomes, means that racist language is inextricable from racial violence. The outrage is not that we are 'dribbling idiots' for talking about race, but that we are too cowardly to name its implications in our own suburbs.

Multiculturalism puts the lie to monarchists' mission

AUSTRALIA

Fatima Measham

The recent chatter about an Australian republic, [prompted](#) by Treasurer Wayne Swan and Opposition minister Malcolm Turnbull, brought to mind a gilt-framed image of Queen Elizabeth II; a large portrait propped in front of the hall during my citizenship ceremony. I giggled when I saw it. In fact I had to avoid setting eyes on it for the rest of the evening, worried that I would not be able to stop.

It wasn't for lack of respect, as I do acknowledge that Her Majesty is our head of state. But there was something comically irrelevant about her refined visage in that space, at that time.

She had had absolutely nothing to do with my angst-ridden and protracted discernment over citizenship, nor did she feature in the application process as anything more than a footnote. In the midst of the pledging (which makes no mention of her), the singing of the national anthem ('Advance Australia Fair' since 1984), and the hand-shaking with the mayor, she stood in full regalia like an afterthought. It was jarring.

In a country where over 260 languages are spoken, it bears wondering where the British monarchy sits within our self-narrative. Over half a million Australians [identify](#) as Aboriginal and/or Torres Strait Islander. One in four of us were [born overseas](#), and a further fifth of our population have at least one overseas-born parent. Our heritage can be traced to more than 270 different ancestries.

It is difficult to reconcile this reality with the [monarchist](#) mission 'to preserve, protect and defend our heritage'. Whose heritage? For what end?

Monarchists argue that there's no point in fixing what isn't broken, that the constitutional monarchy has served us well. But they miss the fact that it is these very ties to a colonial past that keep us from maturing, especially when it comes to issues about race. These ties are not a form of harmless sentimentality — they are a source of enduring xenophobia and racism.

I realised as much during a conversation with high school students about multiculturalism. One of them strongly identified with England, 'the motherland'. It would have been an unremarkable thing for him to say, since family histories bear it out. But he went on to declare that migrants ought to 'fall in line' with the dominant culture.

He viewed Australian identity as unequivocally Anglo-Celtic and spoke of the rule of law, human rights, democracy and secularism as distinctly Australian values. The underlying presumption in his statement that migrants 'fall in line' is that they are somehow ignorant of or resistant to such values. As if people born here never flout them.

I don't think there was necessarily any malice in his views. But his monochromatic understanding of national identity was a concern. It is the platform upon which people leap into Islamophobia, racism and xenophobia. It is permission to exclude.

I took it as the result of a whitewashed history education that emphasised settlement, federation and two world wars. Many Australians draw lines from the First Fleet to the squatters, land barons, gold miners and diggers, to create a picture of civility and prosperity that was apparently at no expense to anyone. In this picture, Australia became what it is due to colonisation, and so therefore it must remain 'colonial' in order to preserve its existence.

That is, persist in being white and Christian, ruled by a monarchy half a world away.

It almost sounds logical, or at least it does to people who have latched onto political parties like One Nation and the Christian Democratic Party. But it is a fundamental denial of contemporary reality: Australia is a multicultural society — by default not by government policy — and always will be. It is one of its defining and stellar qualities.

An Australian republic would validate this reality, though not at the expense of its colonial history as monarchists believe. The past is fixed, so nothing gets lost in relinquishing the legal and symbolic ties that bind us to England.

There is no denying that our nation was forged by men and women who settled here from different parts of the United Kingdom. There is also no denying that men and women from other parts of the world came after them, and that there were countless generations who were already here before them. Until monarchists can reconcile themselves with these facts then the image they hold of Australia is incomplete and false.

Holding on to this image doesn't speak to me of pride or confidence in identity, but a reluctance to let go of royal apron strings.

Imagine being Christian in a rational world

RELIGION

Andrew Hamilton

The core statements of Christian faith have never been self-evident. They have always been disputed. They have also been tenaciously reasserted by Christian authorities. For many observers the exercise of power and the claim of tradition offer a sufficient explanation of why they have been defended. But that leaves unasked a more interesting question: what would be lost if these positions were softened or abandoned?

I believe that what is at stake is the operative imagination: the way we see the world, from which follow consequences for our inner conversation and actions.

We may, for example believe that germs exist but never think of them or take them into account in the way we eat and wash. This shows that they are not part of our operative imagination.

As it is described in Scripture and experienced by Christians subsequently the operative Christian imagination holds together in a dramatic story a number of large convictions about God and the world. They stand in strong tension with one another and with any conventional wisdom.

They may be summarised in this way. God takes exuberant delight in the world and loves each human being. This love lies behind the metaphysical mayhem involved in the Son of God becoming human. His brutal sending out of the world by crucifixion reflects the human capacity for evil. His rising from the dead shows God's unconquerable love and the hope we have beyond death.

The characteristic energy of Christian faith comes from holding together these elements in the imagination. God's love is shown both in becoming human and in rejection. Human murderousness is the step towards Christ's rising and human hope. The tension between total love, total rejection and total reaffirmation expresses itself in the defiant and exultant Pauline cry that nothing can separate us from God's love. The depths of the 'nothing' have been fully weighed, and the result is a faith that cheerfully touches all aspects of life and fate, however grim.

The persistent Christian defence of a personal God, of Christ's divinity, of the power of sin, of Christ's resurrection, and of life after death underlines the importance of the imagination. If God is seen as distant and Jesus as just a good human being, or if life after death is written out, faith will lack its original power and energy.

It is difficult to maintain high tensions in any operative view of the world. We naturally move to harmonise the elements of our view of the world. The Christian imagination is marked both by internal tension and by tension with prevailing forms of rationality. Our culture leaves little room for a determining reality beyond

the empirical world, let alone a personal reality.

The possibility of such a God becoming personally present in an individual human life and destiny, intervening in natural processes by rising from the dead, and offering human beings a life beyond the confines of this world is held to be equally implausible.

These tensions are often dealt with by harmonising. The exuberant love of God is tamed and measured out to reward or punish exactly the human response. Or the desperate human situation as mirrored in the crucifixion is domesticated. In response to naturalistic philosophies, God is made more remote, Christ is seen as no more than a good human being, and the resurrection and eternal life purely as images of human possibility within this world.

The challenge facing those who arrive at these harmonising versions of faith is to find sufficient sustenance for the imagination to allow them happily to stake their life on their faith.

The challenge of maintaining the tension inherent in the Christian imagination is to live creatively within the inconsistency between the Christian imagination and conventional wisdom. This requires reflecting on the wisdom of the culture, recognising its strengths in celebrating and exploring the natural world, and also its limitations in handling human questions and realities that are not completely susceptible to empirical exploration.

Living cheerfully and non-polemically in the middle with such tensions has its own challenges. But that, after all, is what the Christian imagination should prepare one for.

Baz Luhrmann versus the god of capitalism

REVIEWS

Tim Kroenert

***The Great Gatsby* (M). Director: Baz Luhrmann. Starring: Leonardo DiCaprio, Carey Mulligan, Tobey Maguire, Joel Edgerton. 142 minutes**

Towards the end of F. Scott Fitzgerald's *The Great Gatsby*, one of the novel's more hapless characters, mechanic George Wilson, peers out his window at the industrial wasteland that he calls home (described uncharitably by the narrator as 'the ashheaps') and reflects upon his life's ill fortune. 'God sees everything,' he mutters. Ominous words, but the scene's real power comes from the revelation that the object of his utterance is not some distant, benign power, but the monstrous glasses and eyes that adorn a decrepit billboard that looms over the scene.

The billboard has been described in earlier pages, but here its thematic significance is driven home with an elegance that is typical of the novel. In the 1920s New York society of *Gatsby*, money is God: benevolent to some; laying waste to the lives of others. 'God' in this context could equally be taken to mean substance or meaning, which in the lives of the characters of Fitzgerald's novel have been usurped by the divine dollar.

'The eyes of Dr T. J. Eckleburg' are in Baz Luhrmann's film adaptation too. But Luhrmann, co-screenwriter as well as director of this latest cinematic adaptation of the classic novel, doesn't do subtlety when cheap theatrics will suffice. The first time he shows us the billboard, he has the film's narrator (and not-so-innocent bystander to its tragic events) Nick Carraway (Maguire) effuse that the billboard watching over the ashheaps resembles 'the eyes of God!' The aforementioned scene with George is thus rendered obsolete and is all but absent from the film.

It's hard to know if Luhrmann has deliberately dumbed down Fitzgerald's text in order to appeal more readily to a mass market (early box office results would suggest he has achieved that much, despite the film's critical panning) or if he has simply missed the subtleties of the novel that contain so much of its power. He is foremost a showman, and as spectacle his *Gatsby* can hardly be faulted. Never has the extravagance of the enigmatic *Gatsby*'s (played here by DiCaprio) parties and lifestyle been rendered so dazzlingly. If cinema was a medium to excite the eyes and ears while relaxing the brain, Luhrmann would be a true master of the craft.

That may not be entirely fair. The casting of the film does suggest some appreciation for the complexities of Fitzgerald's characters. [Mulligan](#) is a fine actor, whose portrayal of the novel's vapid antiheroine Daisy — *Gatsby*'s estranged beloved and the motivation behind all his parties and his mysterious accumulation of wealth — is more sympathetic than most aficionados would have hoped for, but

it is commendable; full of longing and even a hint of desperately masked self loathing and distaste for the opulence of her own lifestyle. The complexity of her (barely) passive aggressive relationship with her athlete husband Tom (Edgerton) is well portrayed by both actors.

DiCaprio's *Gatsby* meanwhile is pitch perfect, his dapper and gregarious facade easily shaken by the memory of past humiliations and the reality of present ones, and his desperate fantasy of reunion with Daisy managing to be simultaneously inspiring and pathetic. One scathing review of *Gatsby* suggested Luhrmann should have gone all the way and made *Gatsby the Musical*, with the apparent (highly debatable) implication that 'musical = trash'. In my opinion that reviewer gives too little credit to the quality of these performances.

The worst dumbing-down though comes in the character of Nick, one of the novel's more perplexing characters who, as narrator, undoubtedly shapes the narrative to his own not disinterested perspective. Luhrmann diminishes him to a boyish youth reduced to weary cynicism by the events of the film, a cliched arc that is made more blatantly so by a redundant framing narrative in which a recovering alcoholic Nick relates his story to a psychiatrist in an institution. This is more cheap, obvious drama at the expense of nuance.

Fitzgerald's novel satirised a society riven by the rapid rise of capitalism, and exposed the opulence of its characters' lives as masking an essential emptiness. Luhrmann's adaptation, on the other hand, is itself simply opulent and empty. It's entertaining and at times emotionally engaging but ultimately stands as evidence of what happens when you substitute substance for extravagance.

Human rights viewed from a Swiss mountaintop

INTERNATIONAL

Pat Walsh

Conversation on a mountain

We rode the funicular at a sharp angle to the top of Niesen mountain, a pointy peak 2.5km above sea level.

On one side, way below, yachts floated on lake Thun like white butterflies . On the other, Swiss dairy farmers, shoppers and truck drivers went about their chores while I took their pictures from the gods. Gliders and light planes flew among the peaks. It was breathtaking. If East Timor's mountains got snow they'd look like this.

As good international citizens dedicated to the spread of humanitarianism, the Swiss are preparing guidelines to help post-conflict societies learn from the mistakes of others. So it was that I had found myself in Bern, Switzerland, for a conference, to present a case study on East Timor.

Now Elizabeth, the main conference organiser, her husband Michael and their kids were hosting this excursion to the mountains. We tried to tell her she'd already done enough for us but she wouldn't hear of it. Over lunch we reflected on the perhaps unlikely similarities between Swiss and East Timorese society.

Arming the young

East Timor is currently considering introducing compulsory military service for its burgeoning youth population. Switzerland already has such a program (for young men). The policy has been vigorously contested since the end of the Cold War with many asking why a neutral country with no enemies needs an army at all — a proposition once mooted by Jose Ramos-Horta for East Timor, but later (sadly) abandoned.

The program in Switzerland has survived but alternative civil service (helping the elderly, for example) is now permitted and, consistent with its tradition of neutrality, Swiss soldiers may not fight in other people's wars. Given this and Switzerland's Protestant majority I wondered why Swiss Guards protect the Vatican (albeit with medieval meat-cleavers only) and learned that their role in Rome is a relic from the distant past.

Linguistic diversity is also common to both Swiss and East Timorese societies. Our hosts spoke in German, but the Swiss at the next table preferred French. Both were proficient in English. In Bern I'd found everyone spoke German and there were few concessions to French, even on street signs. Graffitists preferred English ('F... the cops'), and locals seemed to be touchy about Genevese who, they say, fancy themselves more frog than Swiss.

Ecclesiastical takeovers

Like East Timor, Christianity has played a big part in Switzerland's history and is evident at every turn. I visited the Cathedral, a late Gothic structure, its steeple pointing the way to heaven like a giant index finger, but couldn't decide which brand it was. It looked Catholic but was rather bare inside.

The lady in the souvenir shop told me it was built in 1421 as a Catholic cathedral but was taken over by the Protestants 100 years later, who stripped it of icons. It has been a reformed church ever since. East Timor's biggest ecclesiastical corporate takeover has been Catholic; here, the Catholics have been on the receiving end.

I went to Mass at the Christian Catholic Kirche of Sts Peter and Paul in Bern. Built as a Catholic church after the Reformation, it was taken over by dissidents who deleted reference to Rome in the title because they rejected the Vatican's centralisation of power, and papal infallibility. Otherwise they regard themselves as the real thing.

The iconography of this building was Catholic. But the Mass was led by a woman celebrant, who'd been elected by the parish. This progressive approach had not automatically reversed the decline in numbers so common to churches in the West: the vast church, newly refurbished with public money, was half empty, and those present were mostly over 50. By contrast, *Der grosse Gatsby*, which I saw the previous night, stacked them in.

Back in Geneva

In Geneva I visited the UN to talk human rights, and the International Red Cross to discuss their East Timor archives. The confetti of tiny flowers sprinkled on the grass told me that spring was on the way but otherwise Geneva felt like Melbourne in winter. Wet, grey clouds sagged over the lake and the cold sat sharp on my face.

The weather seemed to express the mood of this city of international public servants paid to resolve the world's problems, some like Somalia and Syria so seismic they go off the richter scale of human pain. My Red Cross host conveyed a vivid sense of the scale of it all when he told me they have not digitised their East Timor records yet because they've been working on World War I and the Spanish Civil War and will probably do World War II next.

On my last night I dined with a British human rights policy expert and a Norwegian psychologist who has served for eight years on the UN Committee Against Torture. Our main topic over dinner was their draft primer on health and human rights for remote rural communities in the poorest corners of the world.

That's Geneva. Clean, ordered, pretty, earnest, and struggling to make the world in its image.

How financial devils came to rule the universe

ECONOMICS

David James

Religious authorities do not necessarily spend a lot of time pondering the nature of global financial systems, but Pope Francis' recent comment that 'money has to serve, not to rule' suggests it can be useful when they do. For at least a decade, the failure to make money something that serves is exactly what has gone wrong in world finance — and to an extraordinary degree.

The tension is hardly new, indeed it is as old as the vice of usury. Allowing bankers to gain too much power has been a recurrent problem for centuries. In the 1930s, Franklin D. Roosevelt used the term 'banksters' to describe a rapacious finance sector that was exploiting the misery of others for profit.

In 1861 Abraham Lincoln created the 'greenback', dollars that were printed in green by Congress which had no interest rate and had not been borrowed from banks. That way Lincoln was able to get around paying money lenders interest rates of between 24 per cent and 36 per cent to finance his war effort.

'The people can and will be furnished with a currency as safe as their own government,' announced Lincoln. 'Money will cease to be the master and become the servant of humanity. Democracy will rise superior to the money power.' Needless to say, these interest free greenbacks did not last long — and neither did Lincoln.

This time, however, the problem is different. Money *is* rules, rules about value and obligation.

Normally, financiers depend heavily on the enforcement of those rules by governments, even as they exploit them for their own use. Thus Shakespeare's character Shylock praises Portia when she gives judgement in his favour as 'noble' and 'worthy' when she says the law must be carried out and he can have his pound of flesh (he is only defeated by a legal technicality, not by the law being flouted).

Governments change the rules of money from time to time, often in order to stop financiers enjoying mastery over everyone else. But over the last three decades, a period euphemistically described as financial deregulation, something very different has been happening.

If money is rules, then how is it possible to deregulate them? It isn't. So what was financial deregulation? It was governments allowing financiers to make up their own rules, in effect ceding their responsibility to govern. This is not the usual cycle of boom and bust, nor is it a customary battle over who is servant and who is master.

When the debauch with rule making (financial deregulation) all went wrong in

2007 the financiers realised they were as dependent as ever on governments. Predictably they turned to them to bail them out (to the tune of \$6 trillion in the United States according to some estimates). The financial system is sputtering back into life.

But there seems to be little appreciation of how deep the problems are. The basic problem, allowing financiers to make up their own rules, has not been addressed.

Permitted to become the rule makers, rather than just people who know how to exploit the rules created by governments, financiers have manoeuvred themselves into a position of systemic mastery — this time they really have become the 'masters of the universe'. It is a new form of hyper usury.

These new rules come in many forms, usually accompanied by heavy computerisation. They go under the title of derivatives (transactions derived from more conventional forms of money like stocks, bonds, bank debt, currencies, physical gold). Derivatives amount to more than \$US700 trillion, according to the Bank for International Settlements, more than ten times global GDP and more than twice all the world's capital stock.

These large sums allow financiers to be masters over governments. Dr Robert Johnson, executive director of the Institute for New Economic Thinking, recently commented that the attorney general of the US, Eric Holder, complained that he cannot prosecute crimes in the largest banks because it might undermine confidence. That is why not one prosecution has been brought against bankers since the global financial crisis.

The derivatives market is 97 per cent dominated by six banks, which make about \$35 billion a year from the trade. Analysts estimate that if you properly structured derivatives — brought the rule making under at least a semblance of control by putting them on exchanges, making them more transparent, properly capitalising exchanges — the banks would lose \$7 billion a year.

A financial bill gets through Congress about every five years, calculates Johnson, so the profit at risk if bankers are not allowed complete freedom to make up their own rules is about \$35 billion.

'As it turns out,' said Johnson, 'the banking lobbies spend about \$600 million which overwhelms American politics. It is the dominant force in American politics given the importance of money and how our society works. For \$600 million these guys can protect \$35 billion of profit. Fabulous risk return for them. Terrible for society.'

When financiers are allowed to make up their own rules, the result will inevitably be a crisis or collapse as they try to game each other. The global financial crisis was an inevitability, and the subsequent partial recovery has been about the best possible outcome.

Pope Francis argued for the 'need for financial reform along ethical lines that would produce in its turn an economic reform to benefit everyone'. This seems unlikely when financiers are able to make up their own rules. The hubris that accompanies such mastery tends to destroy perspective, let alone ethics.

The Columbia university economist Jeffrey Sachs described the situation this way in a recent talk to bankers at the Philadelphia Federal Reserve: 'I regard the moral environment as pathological. And I am talking about the human interactions ... I've not seen anything like this, not felt it so palpably.'

Gillard Government is socially challenged

AUSTRALIA

John Warhurst

Labor needs the strong support of social movement leaders if it is to win the coming election, not only because they reflect the views of their members but also because they influence them.

There are several stances towards the contestants that any group can choose from in a campaign: strongly either way; weakly either way; or pretty much even-handed.

Even-handed can still be an important stance. If a group that usually supports one side is unenthusiastic then the other side effectively wins.

This is true of support for Labor from social movement groups.

The last time a Labor government was facing likely defeat was in 1996 when John Howard was challenging an embattled Paul Keating. An important element of Howard's success was his ability to defuse the support for Keating from elements of the social movements.

This was the case for the environment movement for instance. Howard was able to claim at least a draw by coming closer to the leadership of groups like the Wilderness Society by offering spending on conservation projects and a moderately green approach.

Howard was also able to benefit from the inevitable dissatisfaction which builds up with an incumbent government. Labor allies in the environment movement had become disaffected when government couldn't satisfy their full agenda.

When Labor won back office under Kevin Rudd in 2007 it benefitted from a highly enthusiastic and well-funded 'Fair Work' union movement campaign and greater enthusiasm from social movement groups. But some of these groups still held back from pledging full support. They were not willing to be as enthusiastically pro-Labor again.

In particular the pro-asylum seeker and refugee movement was only hopeful rather than sure that Labor was worth supporting. This ambivalence has turned out to be justified by events.

We don't know yet how strong social movement support for Labor will be this time around. But group reactions to the Budget and some associated developments give some indication.

Public statements by feminist and long-term Women's Electoral Lobby member Eva Cox and Indigenous leader Warren Mundine may have softened social movement attitudes towards an Abbott government.

Cox has argued that Abbott's generous parental leave scheme is better than the Government's and therefore deserves more sympathetic consideration from the women's movement. Abbott has trouble within his own party over this scheme but he'd take support from Cox in exchange for that anytime.

Mundine, a former Labor president, has resigned his party membership and indicated his willingness to work for Abbott in government because Indigenous issues are more important to him than party politics. This only adds to the already fractured relationship between Labor and parts of the Aboriginal rights movement.

Responses to the Government's Budget also reveal only half-hearted support from sectors that are traditionally Labor-inclined. The cuts to single mothers benefits, the failure to reach foreign aid goals and the failure to increase the Newstart allowance for the unemployed has united groups like the churches sector, the Australian Council of Social Service and Caritas Australia.

Spokespersons for groups traditionally aligned with the centre-left gave the government not much more than a pass. When the Australian Union of Students (university cuts), the Australian Conservation Foundation (cuts to renewable energy research and commercialisation) and ACOSS (speaking for people on the lowest incomes) give the Budget only 6/10 then that is only a bare pass for the government.

Such scores should be considered in the context of the usual pattern of pressure group support for the contestants. Measured support for Labor doesn't necessarily mean any greater enthusiasm for the Coalition. But any suggestion, from influential group members like Cox and Mundine, that certain Coalition programs deserve sympathetic attention offers increased hope for the Opposition.

In terms of social movement support a draw is as good as a win for the Coalition. Labor needs to do better with this sector.

The seams of the earth start to bulge

CREATIVE

Jena Woodhouse

Engelados (*Earthquakes*)

Where the seams of the earth
start to bulge and strain,
something seeks to escape.
When the intricate fabric
rends from within
civilisation's fragile veneer,
or molten energy is forced
through geology's
complex laminate,
sometimes bile rushes out
in torrents of lava,
fountains of cinders;
sometimes the dark
bird of discord is loosed,
to circle massif and savannah,
inciting acts of mayhem,
orgies of slaughter.

But sometimes the white
bird of hope is released
and the tears it weeps
restore something like order.

Birthday poem

You would wake, as usual, with the birds —
the koel's querulous demands for rain,
the magpies' effortless melliflence,
butcher birds and cachinnating kookaburras;

pheasant coucal's husky hooting; screeching, trilling
lorikeets, raiding the mango trees for early fruit.
You'd open dusty kitchen louvres,
closed against the night's insects,
breathe the morning air
before the heat could cloud the atmosphere;
the wood stove lit, you'd muse awhile
until the kettle boiled,
perhaps attempt to toast a slab of bread
if there were coals enough,
then take your mug of tea out
to the top step, watch the faint steam rise,
sip it and revive before the household stirred.

A woman and a mango tree,
a mug of tea, a calling bird,
a swag of memories better not unfurled.

Another year: what difference does that make?
No need to calculate;
best to count your blessings, all of them;
to think that you're still here ...

Pandora and Prometheus

It was Prometheus who woke my passion;
I chose him as my muse, but was wed
to Epimetheus instead. Prometheus and I
were kindred spirits to the core,
creatures of will and fire, doomed
to be sacrificed. His born-conformist
brother bored me witless, to be frank.
How could siblings be so antithetical?
It was that boredom led to my undoing,

I suppose, although it's true what people say, there was always hope, fluttering her fragile wings, blind as a moth seduced by flame, but we were punished cruelly for transgressions and mistakes, Prometheus chained all those long millennia as vultures' prey, I maligned till patriarchal myths disintegrate ...

Prometheus was like the phoenix-bird, a fiery, wilful saint, goading heaven to appease obsession, taunting titanic fate, deeming fire the birthright of the mortals he had dreamed and shaped: fire-spirits have no fear of deities, hazard is play. But for the machinations of the thunder-god, hope might have revealed a female face, but my gifts were subverted by an epic spite, my name became a synonym for heartache. We had a vision of a world made radiant with light, together we'd work miracles, exalt the just and truthful life ...

Prometheus and I both shared the flaw of too much pride, we both wanted so badly to be wise ...

Nature morte

I watched her leaping in long grass as if pursuing butterflies, and thought no more of it, until this soft form on my kitchen floor: a young scrub-turkey, almost fledged, eyes sunken under golden lids,

the corpse still warm,
the breast's dark down
stirred by the draught through open doors
as if its heart still beat; a life
extinguished by fleet, stalking paws
and salivating feline jaws
to something pitiful, inert:
a little bird that fossicked
sunlit morning pastures unawares.

Reversing the order

The ichor light oozing from westering cloud is not sad;
the spidery scarlet poinsettia orbs
have not transmigrated from Titan;
flying foxes' hook-winged silhouettes
homing to carmine-rimmed dawn
are neither aliens nor demons,
but strange nocturnal Antipodeans;
the blood disorder invading my veins
is a form of chess that consumes many pawns —
an endgame of sorts, its duration unknown,
unlikely to end in a draw.

The style of silence

There are no adjectives for this:
a state beyond the epithet,
when at night
it tries to rain,
but there are only
semblances:
wind's passing breath,
the phantom drops

that stir the grass,
then silences.
I should replace
this meagre light
that fades
before it finds the page,
but there are no more
lines to add,
no words that burn
the tongue, the brain.
The pen has lost
the urge to fly.
There are no messages.

The Epitaphios

Greek Orthodox Easter

1.

Dispersing petals —
cloud-wisps, flocks,
lambs to pasture,
feathered hosts —
the diaspora
preceding folding in,
a gathering
that flows in chanting
candle-lit processional;
an exequy
exiting the courtyard gates,
retracing rubrics of old faith,
anticipating
mystical renewal.

2.

As they did last Easter and those before,
women's careworn fingers gather
strewn petals from pews and floor;
dismembered roses,
white chrysanthemums
cling to hair and float from shoulders,
little bells that deck the casket
jingling like flocks of goats
in mountain pastures,
as flame passes
from cupped palm to amber wand,
and in lamentation's wake
the column wells from courtyard gates.
A tocsin tolls eternal loss
as mourners trace paths from the Cross,
the fragrant catafalque borne aloft
over feathery sepals, waxen drops.

Non-commercial ABC serves the common good

AUSTRALIA

Michael Mullins

On Wednesday, ABC managing director Mark Scott (pictured) [warned](#) Senate Estimates that content diversity would suffer if the ABC was privatised. This follows the Victorian Liberal Party's recent [revival](#) of public discussion of selling the ABC and SBS to help retire public debt.

Diversity of content refers to program material that caters for those who might be called the 'media poor'. That includes audiences in rural and regional Australia, or with specialised cultural or educational interests that commercial media deem unprofitable.

The ABC has a [charter](#) obligation to serve these 'unloved' audiences, and to 'take account of the broadcasting services provided by the commercial and community sectors' by not duplicating what they offer.

Scott said accepting advertising 'fundamentally changes the nature of the content you create, the content you purchase and deliver and fundamentally it dilutes the impact and the quality of the broadcaster'.

But it's more than that. Maintaining the distinction between ABC and commercial content is just as fundamental, because the ABC's own efforts to compete with commercial media can undermine the diversity of its content.

To this end, the ABC might do well to withdraw from participation in audience ratings surveys in favour of juries that are committed to fostering diversity. Ratings surveys are mainly relevant to commercial broadcasters because of the link between audience size and profitability. They are not geared to measure specialist audiences.

Yet ratings are a significant influence in ABC programming decisions, and their increasing prominence in the news affects the public's perception of whether the ABC is successful and should be maintained. Currently there is no comparably robust and prominent measure of the diversity of the content.

If ABC and commercial media management use the same tool to measure the performance of their content, it follows that the programs are likely to become similar. A good case will emerge for selling the ABC because it is not focused on offering alternative non-commercial content.

Critics of the ABC have a point when they [urge](#) the removal of 'a government-funded goliath that is interfering with the market in the media landscape'. The ABC, they argue, 'has overstepped its *raison d'Être*'.

In its early decades, it was usual to refer to the ABC as 'the National Service', with the implication that its programs were broadcast in the national interest.

'National' distinguished the ABC not from local broadcasters, but from the commercial stations whose legitimate business it was to maximise audiences and make a profit.

The future of media in Australia will be much different to what we know today, and if the ABC has a future, it will be about serving the common good rather than competing for audience share.

On the brink of native title history as Mabo comes of age

AUSTRALIA

Paul Newbury

In the Mabo decision of 3 June 1992, the High Court of Australia ruled that at the time of the British invasion, the Indigenous peoples of Australia owned the Australian continent and they were entitled to have their rights protected under British law. The court recognised the existence of native title for Indigenous Australians who could demonstrate ongoing connection to their land and observance of their customs since 1788.

The Mabo decision changed the course of Australian history — it raised the morale of Indigenous peoples after 200 years of denial and today, successful native title determinations cover 20 per cent of the continent.

At present, the native title process is on the threshold of its most momentous outcome. This began in September 2003 when the South West Aboriginal Land and Sea Council (SWALSC) lodged a native title claim on behalf of 218 family groups of Noongar people with the Federal Court of Australia.

Noongar country covers the southwest corner of Western Australia stretching from below Geraldton on the west coast to halfway between Albany and Esperance on the south coast and includes the Perth metropolitan area. The Federal Court split the Noongar claim into two parts: Part A concerned native title rights over Perth; Part B covered the remainder, and was set aside for a separate proceeding.

In his decision, Justice Wilcox found in favour of the Noongar people. He ruled that the traditional norms the Noongar people follow today are to a large extent those that Noongar people observed at the time the British claimed sovereignty of WA in 1829.

He accepted that Noongar society continues largely as a group united by common observance of traditional laws and customs. Consequently, he ruled that Noongar people hold native title rights over Part A of their claim.

The WA Government and the Commonwealth appealed immediately. The full Federal Court of three judges heard the appeal. On 23 April 2008, the Federal Court upheld the appeal and referred the matter back to the court for hearing by another judge.

The appeal judges ruled that Noongar people had failed to prove continuous observance of their traditional laws and customs in each generation from 1829 to the present day. The ruling demonstrates the onerous burden of proof native title claimants have in proving their claim. Nonetheless, there was a twist in the tale of the case.

Following the appeal verdict, SWALSC and the WA Government acknowledged they could not afford protracted court battles. Subsequently, the WA Government

informed Parliament in December 2008 that it had signed a Heads of Agreement document with SWALSC to begin negotiations to settle the claim via an alternative process.

This required that Noongar people concede that native title does not exist in the claimed area, in return for land and financial benefits.

The WA Government agreed to provide \$2.65 million over three years to implement a capacity building program for claimant groups. The parties are now engaged in discussion regarding the WA Government's in-principle offer it made in December 2011. In October 1992, SWALSC released a statement that they anticipate that Noongar people who number 30,000 will vote to accept or reject an agreement during 2013.

In its discussions on an economic base, SWALSC is arguing for an increase in the government's offer of \$60 million per year for ten years for the Future Fund and \$10 million per year for ten years for Noongar Traditional Owner Corporations.

These funds will not be drawn upon in the first ten years, in order to build a sustainable economic base for Noongar governance, land management and community development. SWALSC reports the offer rates among the largest that First Nation peoples have negotiated overseas.

The WA Government indicated it is prepared to transfer 200,000 hectares of land into Noongar ownership. Discussions are centred on securing land in and around towns in the southwest for transfer in subsequent years.

Regarding recognition of traditional ownership, SWALSC has secured a commitment that a negotiated settlement will result in an Act of WA Parliament that recognises Noongar people as the traditional owners of southwest WA.

SWALSC is pushing for the establishment of a Noongar Cultural Centre that will promote Noongar heritage and cultural development as well as tourism. SWALSC emphasises that most of these issues would not be part of any regular native title settlement negotiated under the Native Title Act 1994.

SWALSC CEO Glen Kelly says Noongar people are close to achieving the comprehensive outcome that Indigenous peoples across Australia hoped would flow from Eddie Mabo's High Court victory on 3 June 1992.