

The small-I liberal tradition of brutal border control <i>Benedict Coleridge</i>	<u>1</u>
It's time to recognise secular same sex marriage <i>Frank Brennan</i>	<u>4</u>
Pope's lessons in boldness for Australian politicians <i>Andrew Hamilton</i>	<u>7</u>
Portrait of an empty marriage and absent God <i>Tim Kroenert</i>	<u>9</u>
Democracy reigns in Rudd's participation nation <i>Ray Cassin</i>	<u>11</u>
Continuity in a changing church <i>Andrew Hamilton</i>	<u>13</u>
Lament of the 21st century man <i>Michael McVeigh</i>	<u>15</u>
Moved and confused by church in a tent <i>Brian Doyle</i>	<u>17</u>
Another round of Ramadan lunar-cy <i>Irfan Yusuf</i>	<u>21</u>
Dusty feet on the road to reconciliation <i>Frank Brennan</i>	<u>24</u>
Inconvenient advice for a business-friendly prime minister <i>Michael Mullins</i>	<u>26</u>
Kevin's bounce <i>John Warhurst</i>	<u>28</u>
Why Bob Carr is kidding himself about refugees <i>Kerry Murphy</i>	<u>30</u>
Husic feels the chill of Australia's racist winter <i>Ellena Savage</i>	<u>32</u>
Egyptian democracy a long way off <i>Evan Ellis</i>	<u>34</u>
Bad teacher's classroom voyeurism <i>Tim Kroenert</i>	<u>36</u>
Kevin Rudd and Indonesia's Obama <i>Pat Walsh</i>	<u>38</u>
Aussie dollar falls to fast money folly <i>David James</i>	<u>40</u>
Election year open season on refugees <i>Andrew Hamilton</i>	<u>42</u>
Notes from a boat tragedy inquest <i>Tony Kevin</i>	<u>44</u>
Canberra's life of lies <i>Walter Hamilton</i>	<u>47</u>
Rural prayer <i>Various</i>	<u>49</u>
Rudd's shifting moral high ground <i>Michael Mullins</i>	<u>52</u>
Addicted to community <i>Shira Sebban</i>	<u>54</u>



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.

PO Box 553
Richmond
VIC 3121
Australia

Responsibility for editorial content is accepted by the publisher.

Unsolicited manuscripts will not be returned.

Tel +61 3 9427 7311
Fax +61 3 9428 4450
Eureka@eurekastreet.com.au

©2013 EurekaStreet.com.au

©2013 EurekaStreet.com.au

The small-l liberal tradition of brutal border control

INTERNATIONAL

Benedict Coleridge

Not long ago Judy Moylan announced her retirement from politics. Throughout her career she was one of the few Liberal parliamentarians who resisted her party's embrace of stringent migration control policies. Pace Judy Moylan, those who think that Liberals can be persuaded to another approach on the borders and boat arrivals issue need to think again. Moylan was a rare breed and we all need to face the implications of Liberals being 'liberals'.

Australian Liberals, of both conservative and actually 'liberal' persuasions accept the liberal conception of the state as both sovereign and limited — a bounded community with clearly defined borders. Borders and their maintenance — and the exclusion or detention of those who attempt to cross them on their own terms — are embedded in the liberal tradition. As are a series of concepts that point towards exclusionary migration control; the idea of restricted membership is as much a part of liberal philosophical and political tradition as is freedom of expression.

Two years ago I interviewed Philip Ruddock about the emergence of the policy of mandatory detention of irregular migrants in Australia. Ruddock said he believed in 'the liberal principles of opportunity, of freedom provided you don't do some sort of evil to others'. But his conception of freedom had very clear limits: 'you know, you can have a view about freedom but I don't believe in freedom that entitles people to ignore borders and simply decide, well I don't care what you think, I'm going to live amongst you'.

Here Ruddock appealed to John Stuart Mill's conception of the limits of individual autonomy, the principle that the individual should have complete autonomy in 'self-regarding actions' and be subject to interference only in actions that may have an impact, possibly adverse, on society at large.

Many on the left or those who campaigned against mandatory detention might shudder at the mention of Ruddock or think that his views on migration control were extreme and 'illiberal'. But here you can see that his views rested on mainstream liberal ideas of limited freedom — he wasn't a blunderbuss, he was echoing Mill.

Most liberal political philosophy assumes the political community will be clearly delineated, and that there will be some way of determining who can claim membership. Any liberal contractarian philosophy from Rousseau to Rawls rests on an imaginative picture of people coming together to form a contract, through which they establish rules for their common life. This idea is powerful, but for the asylum seeker, economic migrant or displaced person it can be disastrous; not having been party to the 'contract' they can be cast as threats to our communal

life.

That's exactly what John Howard did in the late 1980s when he called for a slowing down of Asian immigration in his Warrnambool speech.

Expanding on this theme in the 1990s, Australian Liberal parliamentarians like Christopher Puplick said the state should act to 'promote and protect the physical, social and economic environment in which free men and women can exercise and enjoy their equal freedoms' and in which 'decency and civilised behaviour are fostered'. Here you have a vision of the state as the cradle of individual autonomy, decency and the realisation of human potential — but the corollary of this is the need to ensure the integrity of state borders within which the vision can be enacted.

And of course, underwriting it is the implication that migration controls are there to ensure that those allowed entry possess the cultural attributes deemed necessary to uphold this thing called 'decency'.

Compare this vision of internal 'decency' with the threats offered by the world beyond, at least as some Australian Liberals — even those who have claimed to be actual philosophical liberals — paint them. Look at the language Christopher Pyne used in Parliament during the debates on mandatory detention in the early 1990s: Western Europe was faced with 'a growing tide of illegal immigrants and refugees', the United States with thousands of Latin Americans 'stealing' across the border 'by whatever means they can', and Australia with 'a massive influx of refugees'. Internal liberal-democratic decency is contrasted with a vision of external chaos.

None of this is to say anything about the practical design of border controls or migration policies; it's merely to point out that restrictive border controls are not only a 'pragmatic' response to the increasing migration flows of the modern world, they are deeply embedded in liberal understandings of political community.

Many feel comfortable with the liberal political-philosophical tradition — it seems to be the 'tradition of the modern world' — but it rests on that idea of the bounded community where a liberal society might thrive if effectively safeguarded. And in Australia (and elsewhere) the concepts offered by the liberal tradition have been employed by both sides of politics to give a 'reasonable' varnish to inhumane migration control policies.

In the lead-up to another election, those looking for a shift in policy need to think about this hard philosophical reality that underwrites Australian border control policies. Kevin Rudd may not warm to the excision of the Australian mainland or to offshore processing, but he is faced with certain deeply embedded ideas that will be very hard to shift, and the political pressure will not let up.

In my interview with him, Ruddock told me that while in opposition in the 1990s, Liberal Party parliamentarians were making border control an issue politically and it was an issue the Government 'had to cure'. In 20 years not much

has changed.

It's time to recognise secular same sex marriage

AUSTRALIA

Frank Brennan

The US Supreme Court and our newly installed Prime Minister have put their weight behind legal recognition of same sex marriage.

Kevin Rudd before resuming the prime ministership wrote that he had 'come to the conclusion that church and state can have different positions and practices on the question of same sex marriage. I believe the secular Australian state should be able to recognise same sex marriage. I also believe that this change should legally exempt religious institutions from any requirement to change their historic position and practice that marriage is exclusively between a man and a woman.'

Change is still some way off here in Australia and the arguments are still a little confused. But change is coming.

On 26 June 2013, the US Supreme Court gave two decisions impacting on same sex marriage under a constitution which vests in the states, and not Congress, the power to make laws with respect to marriage. Here in Australia, the Commonwealth Parliament, and not any state parliament, has the overriding power to make laws with respect to marriage. So Australian states are not assured the constitutional mandate to go it on their own.

One of the US Supreme Court decisions cleared the way for same sex marriage in California, the 12th state of the union to recognise such marriages, and the other struck down the Congress' Defense of Marriage Act which provided that in all federal rules and rulings 'the word 'marriage' means only a legal union between one man and one woman as husband and wife'. Writing for the majority in *US v Windsor*, Justice Kennedy striking down Congress' attempt to limit marriage to the exclusive union of a man and a woman said:

It seems fair to conclude that, until recent years, many citizens had not even considered the possibility that two persons of the same sex might aspire to occupy the same status and dignity as that of a man and woman in lawful marriage. For marriage between a man and a woman no doubt had been thought of by most people as essential to the very definition of that term and to its role and function throughout the history of civilisation.

Cardinal Timothy Dolan, president of the US Conference of Catholic Bishops, described the Supreme Court decisions as a 'tragic day for marriage and our nation', saying, 'The Court got it wrong. The federal government ought to respect the truth that marriage is the union of one man and one woman, even where states fail to do so.' He and his fellow bishops said, 'Marriage is the only institution that brings together a man and a woman for life, providing any child who comes from their union with the secure foundation of a mother and a father.'

Australia's bishops have been fairly quiet on this issue. But in April, Australia's most theologically literate bishop Mark Coleridge appeared on the ABC Q&A opposing not just same sex marriage but any civil recognition of same sex unions, describing homosexuality as 'a warp in the creation' and as an impossibility in God's plan.

It is high time to draw a distinction between a marriage recognised by civil law and a sacramental marriage. In deciding whether to expand civil marriage to the union of two persons of the same gender, legislators should have regard not just for the wellbeing of same sex couples and the children already part of their family units, but also for the wellbeing of all future children who may be affected, as well as the common good of society in setting appropriate contours for legally recognised relationships.

Same sex couples wanting to create their own children may in the foreseeable future be able to use only their own genetic material, precluding the possibility that such children will have a biological father and a biological mother. Whether or not we legislate for same sex marriage, we should restrict artificial reproduction of children such that they will have a biological father and a biological mother, and hopefully able to be known by them.

Legislators making laws regarding adoption ought be able to demand that adoption agencies continue to consider the best interests of the child. In the case of a child unrelated to any prospective adopting couple, the adoption agency ought be able to have regard to the desirability of a child being brought up in a family with an adult male and an adult female.

If these concerns were met or at least weighed in the balance against the claims of children already in same sex families deserving respect and nurture by the state and society, society could properly move to recognition of civil unions or same sex marriage if and when the overwhelming majority of the population (including those who are presently married civilly) supported such change.

In the US proceedings, the Court was told that there are already 40,000 children in California alone who are being brought up by same sex couples. We need to be mindful of the wellbeing and dignity of these children as well as the handful who will be up for adoption and the unknown number in future who will be created in a test tube.

There has been a clear divergence of view within the Catholic Church on civil unions as a means of doing justice and according dignity to gay couples, while leaving unanswered the questions about adopted children and children created with advancing reproductive technology, and maintaining a distinction from marriage even in civil terms.

In June 2012, Coleridge had written to Campbell Newman the new Premier of Queensland urging a repeal of the law recognising civil partnerships. He spoke of 'the evidence that seems to be emerging ... that there is a slippery slope from

registration to civil partnerships to same-sex marriage. I would urge you therefore to honour the promise made before the election — to repeal the civil partnerships legislation in order to safeguard marriage and the family as they have been known through the millennia.'

On Q&A Coleridge then said:

But what the Church has to do is to remain faithful to our understanding of homosexuality and yet, at the same time, to work in every way we can to ensure justice for homosexual people. Now, clearly this doesn't mean to say, for instance, that we support gay marriage. The Church's position on that is very well known and controversial. But in every other way, to work to defend the dignity of homosexual people, just as we work to defend the dignity of other people.

How to do that and to maintain fidelity to our understanding of homosexuality, which is grounded upon a particular vision of what the human person is and what human sexuality is within that context. How to hold those two things together is the conundrum that we are dealing with. I don't think it is an Achilles' heel but I think it is a real conundrum with which the Church has to continue to grapple at this time and in this culture.

The Archbishop was right to insist on the need 'to work in every way we can to ensure justice for homosexual people' and 'to work to defend the dignity of homosexual people, just as we work to defend the dignity of other people'. It would be just and a service to the common good for the State to give some recognition and support to committed, faithful, long-term relationships between gay couples deserving dignity, being able to love and support each other in sickness and in health, until death they do part.

Should legislators in our pluralistic democratic society withhold such just and dignified recognition of civil unions because this might be a slippery slope to same sex marriage? Pope Benedict XVI when at the Congregation for the Doctrine of the Faith opposed even civil unions. However Pope Francis when Archbishop of Buenos Aires had told gay rights activists that 'homosexuals need to have recognised rights' and that he 'supported civil unions, but not same sex marriage'.

I am with Francis on civil unions but, unlike him, I now accept that we can probably no longer draw a line between civil unions and same sex marriage. That will be the long term consequence of last month's US Supreme Court decisions which will impact much further west than California.

Pope's lessons in boldness for Australian politicians

RELIGION

Andrew Hamilton

One of the intriguing features of Pope Francis is the contrast between his earthy and free way with words and the laboured earnestness of those exploring his words for hidden meanings. It is like watching Martians deploy a bomb disposal unit to deal with the football a kid has kicked into their spaceship. The incongruity is humorous but it also points to a sclerosis in public conversations.

When speaking to groups the Pope generally throws away his text and engages in idiomatic and spontaneous conversation. The everyday context discourages close analysis. So when he darts into the crowd to speak with an old man and lays his hands on him it is otiose to ask if he was performing an exorcism. Nor did his response to a school student who asked why he moved out of the papal palace that it was not good for him to live alone really conjecture about his psychological wellbeing.

And an exhortation in which he explains that God wants to save all human beings does not bear the weight of a changed church doctrine about the central place of Christ in salvation. Such spontaneous gestures and words are living and buzz about happily. Only spoil sports embalm them for dissection.

This deadly seriousness also infects political conversation. The stray words of politicians senior enough to count are scrutinised for any inaccuracy or inconsistency with the party line. Lapses from verbal impeccability are then derided as gaffes that can potentially lose an election.

The problem with this carry-on both in church and state is not that important people are ambiguous and make mistakes when engaging with others, but that they are infected by the drear earnestness of the verbal surgeons. Instead of laughing them out of court and resolving to be themselves in addressing people, they purse their lips, consult their aides and resolve that never will they or other spokespersons for their party sin in this way again.

So they padlock their minds and lips and allow only the leader and chosen deputies to speak of the party's platform. They exercise strict control over other ministers and party members, expecting them never to go beyond the party line, to support it unequivocally when questioned, and to vote for the party at penalty of being disendorsed. Debate about policy is private and in practice atrophies.

They also develop a private language to speak of party policy and its benefits for society. This is an amalgam of past statements of philosophy and policy at a high level of abstraction. It is so general that it does not touch the situations in which people find themselves or the dilemmas that arise when values come into conflict. But it is gaffe proof.

This process has been echoed in the Catholic Church of the last decades. At a time when faith is often in tension with contemporary secular wisdom the unique authority of the Pope and senior bishops to speak on behalf of the Catholic Church has been emphasised. Priests and laypeople with positions within the Church are expected to endorse these positions.

To speak of faith and morals a private and abstract language has been developed, drawing on papal statements that are used to buttress one another. The language and the positions endorsed through it are self-consistent.

In both political parties and churches discipline and uniformity can be achieved in this way, but at the cost of credibility. The difficulty is that leaders who can speak only in an abstract and hermetic language can neither recognise nor address the daily concerns and dreams of the people whom they serve. As they become disconnected, people become disillusioned. When the language of faith or politics becomes self-enclosed, conversation about the deeper questions facing society or church atrophies.

That is why Pope Francis' conversational engagement with his listeners and salty language has been seen as so significant. It has disclosed how stuffy the air in the Catholic Church has become, and emphasises the longing for open-ended and personal conversation with people about things that matter deeply.

It is never sufficient to speak in an enclosed language that is always defended and defensible, or to marshal words like tanks to break through our conversation partner's lines, capture his castle and compel surrender.

The language of engagement is more like a dance in which you step forward and back, twirl and bring out the best in your partner. It moves beyond security and certainty because in matters that matter we are always seeking words. Inconsistencies are part of the dance, to be addressed in a subsequent and more rigorous conversation.

Pope Francis may have something to teach Australian politicians about boldness. They may be emboldened to engage people passionately and simply about their dreams and strategies for shaping a better Australia. Gaffe hunters can then be allowed to choke on their own gaff.

Portrait of an empty marriage and absent God

REVIEWS

Tim Kroenert

***To the Wonder* (M). Director: Terrence Malick. Starring: Ben Affleck, Olga Kurylenko, Javier Bardem. 112 minutes**

Oblique as they are beautiful, it is small wonder that Terrence Malick's films divide audiences into disciples and detractors of equal fervour. His latest film *To the Wonder* is as stirring and divisive as ever. At the screening I attended, as it ended, a collective murmur of bewilderment was obscured by a sparse burst of sincere applause. 'What on earth was that?' said a woman seated in the row behind me. I repeated this question with a wry smile to the friend beside me. 'That was genius,' said this confessed disciple with a grin. I was inclined to agree.

Malick's meditative style is well rehearsed through films such as *The Thin Red Line* and the Cannes Palme d'Or winning [The Tree of Life](#). Using images cut impressionistically to the swell and ebb of the symphonic score and stanzas of prayer-like voiceover narration, he composes cinematic poems, richly allegorical, about the lives of ordinary people, their relationship to God and the world. Story and theme emerge cumulatively for the patient and responsive viewer. Like meditation, Malick's films demand active stillness.

Here Malick reteams with his *The Tree of Life* cinematographer Emmanuel Lubezki, who provides him with endless layers of gorgeously composed images, each one alive with metaphor — as my friend the disciple declares, you could write an essay about each and every shot. On paper the story is a simple one of doomed romance: girl meets boy, they fall in love, fall apart, then try to rebuild. In Malick's hands it becomes nothing short of a religious experience. Just what kind of religious experience might depend on the viewer's predisposition.

The 'girl' in question is Marina (Kurylenko), a young Ukrainian woman living in Paris who migrates to America to live with her lover, Neil (Affleck). But once there her sense of alienation is immediate and palpable. Their house is part of a displaced and hastily erected patch of suburbia on the grassy fringes of civilisation. This only emphasises the emptiness inside the house and in the relationship itself; while Marina yearns to recapture the 'wonder' she experienced when she was first with Neil, he is emotionally and often physically absent. Increasingly she is alone.

Her aloneness is mirrored in the life of a disillusioned priest, Father Quintana (Bardem). He is ceaselessly questing for an absent God the way that Marina quests for her absent husband. This sense in the film of God as absent is almost suffocating, but is relieved by the hope that if God is absent from buildings and institutions (empty houses and churches) he may be present 'outside' and in relationships; Quintana comes into his own when he comes into contact with the needs of ordinary people, as he prays in voiceover 'Christ before me ...| behind

me' and so on.

Neil is the film's most enigmatic character. Often we see him only in relation to Marina: how she responds to him, turns toward or is turned away from him, touches or is touched by him. As she stands in the living room, we see him blurry in the background, outside, mending a fence — shutting her in? She is trapped by her desire for him and the choice she made to follow him, though the promise of wonder is long gone. Frequently Neil is just an edge of jaw or curve of shoulder in Lubezki's frame, a longed-for presence, but partial and transitory.

If Neil is God, then God is a cold and clinical creature. Neil works as a soil tester — literally, he is concerned with gauging the damage that has been caused to nature by human activity, weighing and measuring as if to mete justice. Yet this job also sometimes sees him meeting and talking outside with ordinary members of the community, and this is strongly reminiscent of Quintana's pastoral ministry. Even if he is absent, maybe God too is longing for reunion. It is one possibility that can be drawn from Malick's many-faceted love story.

Democracy reigns in Rudd's participation nation

AUSTRALIA

Ray Cassin

When Kevin Rudd announced an intervention into the ALP's corruption-prone NSW branch, sceptical commentators declared the proposed changes were merely cosmetic because they would not curb the power of Labor's factions. The point was well made, but cannot be directed against Rudd's more recent proposal for changing the method of electing the party's national leader. On the contrary, his plan, which would give a vote to rank-and-file members as well as MPs, is a direct challenge to factional chieftains and the system from which they derive their power.

The sceptics have their take on the leadership proposal too, of course: that it is driven by Rudd's continuing resentment of the way in which he was forced to step down as Labor leader and prime minister in 2010, and by his desire to so entrench his reclaimed leadership that he will be practically irremovable.

It is true that when reporters ask whether revenge is uppermost on his mind, Rudd's denials sound lame. But who would sound entirely plausible in responding with 'No, of course not' and 'I've got over all that'? And do his interlocutors seriously think that Rudd — or anyone in a similar position — could say anything else? The revenge question is a rhetorical ploy that momentarily makes good television but it is the cheapest of shots, barely above the level of 'Have you stopped beating your wife yet?'

Whether or not Rudd has an ulterior motive, the more important question is whether changing the method of electing the leader is desirable for the party and for democratic participation generally. The short answer to that question is that the British Labour Party's experience of a broadly similar system demonstrates that the system works well. It has done so because it is an adaptation to changes in the level of voter engagement in the political process that have been under way for a long time in Britain and other comparable democracies, including Australia.

Even in Westminster, the classic Westminster system whose outlines are instilled in politics 101 students has ceased to exist. This should not be news to those who make their living by reporting and commenting on politics, but apparently it is. When Rudd replaced Julia Gillard a fortnight ago, a spate of commentary decreed that the turn of events amounted to the triumph of a quasi-presidential style of politics, in which successful leaders rise by their popularity with voters rather than by winning and maintaining the support of parliamentary party colleagues.

This kind of analysis had a weird, just-arrived-from-Mars feel to it, for it was as though the commentators had failed to notice that so-called 'presidential' politics has been the norm for decades. Once television became the chief medium for

political campaigning, that was unavoidable.

The commentariat surely understands this because its members have been agents of the change, but some of them are reluctant to relinquish what they learned in politics 101. After Gillard replaced Rudd in June 2010, an oft-heard line of argument was that voters shouldn't feel miffed that the prime minister they elected in 2007 had been deposed by his colleagues, because in a parliamentary system we don't vote for leaders. We vote for local members, you see, who then choose party leaders, one of whom will become prime minister.

Yeah, right. And everyone who enters a voting booth on election day understands perfectly well that he or she is only voting for a local representative, and they all accept what this implies: that they're not voting for a party and its leader at all. This view only has to be uttered to be seen for the nonsense that it is.

Most people don't know, and never bother to find out, who their local member is. But if they take even a passing interest in politics once every three years they can tell you who the prime minister and opposition leader are, because they think that what they are doing when they fill in a ballot paper is choosing between these two people. And the fact that they think this makes it so, regardless of the niceties of constitutional theory, and regardless, too, of all the other well-attested changes of recent decades, such as the decline in major-party membership and voter loyalties, and the proliferation of minor-party and independent candidacies.

That is why, from day one of her prime ministership, Gillard struggled against a widespread perception among voters that she had acquired the office improperly. She hadn't, of course, but that didn't diminish the perception, and when Labor lost its majority under her leadership in 2010 she thereby also lost the chance of acquiring the democratic authority that Rudd had gained in 2007.

The system Rudd is proposing would, by making it much harder to remove the party leader between elections, narrow the gap between voter perceptions of what democratic choice means and the power of parliamentary blocs to ignore or repudiate what voters think they have chosen.

His model would not make the votes of rank-and-file members and MPs equal in value, since the total branch vote and the total caucus vote would each be weighted at 50 per cent. But the requirement that a spill could not be initiated between elections without the support of 75 per cent of caucus, or unless a leader chooses to step down, would force MPs to acknowledge the prevailing sentiment in the party and the community before acting.

The change would restore to the rank and file what the factional system has taken from them: a sense that there is power and purpose in party membership. It might even encourage people to start joining the Labor Party once again — and the Liberal Party, too, if it were to adopt a similar system for choosing its leader. How could revived participation be bad for democracy?

Continuity in a changing church

RELIGION

Andrew Hamilton

On Friday Pope Francis did two quite traditional papal things. He authorised the sainting of two predecessors: Popes John XXIII and John Paul II. And he published an encyclical letter, *Lumen Fidei*. These things were in continuity with the past. But as is now expected of him, he tweaked the continuity in distinctive ways.

In recent years continuity in the Catholic Church has been the object of controversy. Continuity has come to stand for the continuing claims of the forms of liturgy, governance and theology of the pre-Vatican II church within the present church. John Paul II has been seen as an emblem of continuity and his prospective canonisation as its vindication. Those making claims for radical change often appeal to Pope John XXIII who called Vatican Council II.

In the encyclical and the decision to canonise both popes, Francis has refocused continuity. It has to do with honouring different perspectives in the name of a greater common mission, not about choosing between them.

The double canonisation certainly endorses the claims both of change and of continuity in the Church. But it also points to a deeper cause dear to Francis: the call to Christians to look beyond church and to take the Gospel into the world around them. Both popes were notable for that: John XXIII by reorienting the Church through the Council, and John Paul II by his international mission.

The encyclical makes a similar statement of continuity between Francis and his predecessor. It also expresses the self-confidence of a pope who is happy to celebrate and own his predecessor's insights while doing things in his own way. The encyclical completes Benedict's trilogy on faith, hope and charity. Francis describes it as the work of four hands, but to an inexperienced eye his contribution may appear to have consisted more in pruning than in adding.

Lumen Fidei is a retrospective exhibition of Jozef Ratzinger's gifts as a theologian and as a European intellectual, showing him to be deeply read in the Christian tradition and in European intellectual history. He also displays a poet's eye for developing the possibilities of biblical and Patristic images.

His presentation of Christian faith is rich and positive. He portrays it as a discovery that changes people's lives and fills them with enthusiasm. It touches their hearts deeply but also engages their questioning minds. It gives them confidence in living, and grounding for their relationships and their aspirations for a better world.

This view of faith is inclusive. Although the encyclical focuses on Christian faith, it states that faith is shared by all good people who ask deeper questions about their lives and see in all human beings a value that cannot be denied by treating

them simply as objects of policy. Given the prevalence of this instrumental value the encyclical deserves a wide reading.

But the limitations both of the encyclical form and of Benedict's scholarly style may hinder that reading. Encyclicals are normally addressed to Catholics who find God's presence through scripture and within their church. Other readers may find the argumentation hard to follow.

As a theological teacher Benedict is at home when using abstractions to describe movements of thought and the seasons of the spirit. He also habitually develops his argument by attending to the questions asked by others and differentiating his position from theirs.

These qualities of thought can suggest that he stands against the world as represented by the beliefs and attitudes with which he engages. The encyclical is not polemical, but it can be seen as so by friends and critics who read it hastily. Furthermore because his own intellectual and cultural world is deeply European, it can seem narrow to those from other continents.

The limitations of Benedict's thought as theologian and as Pope, however, are the inverse of its virtues. The four hands involved in the encyclical allow its readers to celebrate Benedict's gifts. They also allow them to anticipate that Francis will commend faith in a pastoral way through gestures, images and pithy words.

Certainly his visit to the people encamped on Lampedusa has embodied a faith that refuses to see asylum seekers as objects of policy, to be sent from place to place and stamped like parcels. To a society that even debates the merits of a policy that would have our sailors look on as people drown, Francis has put the abiding question of faith, 'Who wept for the people who were on board the boat?'

Lament of the 21st century man

CREATIVE

Michael McVeigh

He doesn't like what he has come to stand for.

He knows that he's fortunate to be born in the right time and place, with the right gender and skin colour, to make him one of the privileged in this world. He knows that he's the beneficiary of a history that has given him wealth and status, while depriving that wealth and status from others.

This history haunts him. There is the dispossession of the Indigenous people, which means even the property he owns is tainted by the fact that it was never legally obtained to begin with.

There was, and is, the exploitation of people and resources in other parts of the world, which adds a human cost to the economic prosperity he enjoys. The relative peace in his home country stands in stark contrast to the world wars his fellow countrymen fought on foreign lands, and the continuing conflicts in less fortunate countries. He might want to forget all this, but the boats that continue to arrive on his country's shores jolt his conscience.

His body itself is a symbol of his inherited power and privilege. He hears women talk about being afraid to go out at night alone, and is conscious of the hunched shoulders of women he passes on the street. He sees the great strides women have made in the workforce, yet sits in management meetings where nine out of ten leaders are men. He reacts angrily at stories of domestic violence, but knows that the anger he feels carries the same seeds of that violence. He sees bikini clad women on his television screen and feels guilty at admiring their bodies.

The power within him both seduces and scares him. Fences are built around his property, just as borders were created around his country, to mark what he owns, and to keep out those who don't belong. As he drives around the sprawling city in which he lives, he sees the pollution filling up the waterways, the smog hanging in the air — the consequences of seeing a place as a possession to be cordoned off and exploited. He wonders if the obscenities he hears when he goes to the football are just a different form of that pollution.

He was brought up to think coldly, to analyse a problem and come to a logical solution. He stays late at the office to meet the deadlines his boss has given him, while wishing he could be there to read to his children before they go to bed. He watches while his company brings in labour from overseas to keep down wages. He invests in stocks, and follows the news stories of global economic crisis. He believes in capitalism, but wonders if there would be fewer unemployed people, less talent and potential wasted, if our society weren't so calculating.

He also knows that what he has come to stand for doesn't have to be what he

is.

So he listens. He sits in silence while those who've been hurt share their stories. He opens his heart to Indigenous people as they share their stories of dispossession, and the continuing pain inflicted by vilification. He goes online to learn about the suffering of people trafficked into slave labour. He hears women talk about the double-standards placed on them, and the way even our language continues to marginalise them with words like 'bitch' and 'slut'. He tries to see how his own words and actions contribute to these problems.

He doesn't let the burden of making the world a better place sit on the shoulders of others. He knows that if men are to become better they need to have better role models, and that it's up to his generation to provide those role models. He provides spaces for the voices of the powerless to be heard, and takes up their cause when his turn comes to speak. He finds women he admires and looks to them for inspiration. He tries to change the way he interacts with other men, to show them that there's strength in being vulnerable and open about their feelings.

He doesn't mourn the passing of the age of patriarchy, but instead embraces an age of joint stewardship. He understands that his role is not to protect people by placing walls around them, but to allow them to flourish by ensuring they're free to become their best selves.

In his relationships at home he shares all the roles, caring and providing along with his partner. At work, he's as concerned for the good of the organisation as he is about his own success. In his dealings with others he seeks to be generous rather than just fair. He also knows that if his actions poison the environment, or have a negative impact on the economy, that no one will benefit in the long term. And he tries to embrace the idea that the greatest form of leadership is to wash the feet of sinners.

This 21st century man doesn't like what he has come to stand for. But he knows that he can be redeemed.

Moved and confused by church in a tent

CREATIVE

Brian Doyle

Poem after Sunday morning church service in a tent

In a huge hotel where the concierge told me there had been count them
Three weddings the day before, which is why they erected the epic tent.
I got there early and watched people file in. The tall guitar player asked
Me if I was the minister. The minister turned out to be a lady who once
She got started talking never really stopped except for the music. When
The songs started everyone except me stood and held hands and swayed.
I am a Catholic man and we only hold hands with children and we don't
Sway. I tried for a while to figure out what species of church service this
Was but you just could not tell. There was the swaying, which seemed to
Be Baptist, and discussion of sacrifice and fasts, which seemed Calvinist,
And there was talk of the Spirit and the One and suchlike, which seemed
Unitarian to me, but then I heard the name Christos ... Greek Orthodox?
For a minute there I wondered if there would be snake-handling or maybe
A sudden burst from the Koran, or a pause while we discussed the Torah,
But the service stayed determinedly undeterminable. In the opening salvo
Of this service I was amused, thinking that it might be something offered
By the hotel for its guests, an attractant, some expensive consultant's idea
For adding value to your stay at the hotel, and I marvelled at the marketing
Brilliance of it — welcoming everyone, offending no one, proffering ritual
Without a trademark, adding bonus usage to the rent of the tent, as well as
Excellent community relations. But soon I stopped being amused and was
Moved, despite the endless blather of the minister. People had come to be
Moved. They had come to hold hands and sing. There were bright ribbons
On the folding chairs by the aisle to signal the bride's or the groom's side.
There was a man's green tie knotted to a tent stake. There were tiny babies
In their mothers' arms. There was a man hunched in a wheelchair. Why do

We ever bother to argue about religion? All religions are the same glorious Wine, susceptible to going bad but capable of quiet joyous gentle elevation. They're all useful and useless, mesmerised and ruined by power but always Pregnant with the possibility of humility. They are so easy to ignore. You'd Be wise to sneer, with every reason imaginable for the curl of your knowing Lip. Yet here I am, on Sunday morning, in the wedding reception tent, agog; Not so much at the earnest idiot of a minister, but at everyone, sweetly, else.

Kestrel

A name is a sound. A name is a written or vocalised marker or label For things that are complex. We use names as terse codes, primarily To save time in reference or conversation. Names are not the things. We know this but we forget. A sparrowhawk, for example, is a verb Of incredibly complicated proportions. As is a huckleberry bush, an Essayist, your teacher, god. The marker god is from a Hebrew word Meaning to invade or overcome. No one owns the word or the labels We variously use for the ideas we variously like, detest, or flee from, Or all of the above, depending on the week, and who is sick or dead. We know this but we forget. We begin to think names have meaning. They have no meaning. They have no weight. They are not the thing. No matter how loud you shout the name it does not indicate wisdom Or possession or ownership or insight or a preferred customer status. Names can be lyrical and loaded with ancient aura and amazing tales But they remain labels, markers, sweet sounds we use for shorthand; We know this but we forget. So it is that every time I think I am sure About anything having to do with the idea, the blind energetic breath For which we use the word God, I remind myself to go find a kestrel, And watch it for a while, and remember that while I can say it caught A mouse, or that it teetered for a remarkable seven minutes on a wire In the wind without ever being blown over into a hilarious spin cycle, Or that it holds in the air against the wind like nothing else I ever saw,

I cannot say that I know kestrelness in any but the smallest ways. We know this but we forget. Maybe the best way to pray is with your eye.

Mocoboula

One time years ago I was standing by a field on a hill high over Sydney Harbour, watching a troop of small boys play football. They wore jerseys of every conceivable color, this being apparently a loose practice sprint, and while they seemed generally to be split into two sides, there was no Grim intensity about the tilt, that I noticed; and while the quality of play was surpassing fine, considering their youth, there was a remarkable lot of laughter, which was one of the things that had drawn me to the fence. A lovely day, scudding clouds across the bluest sky you ever saw. Many years ago this hill was called Mocoboula by the first people who played here — two waters, as you can see the harbor on either side. In their time it was thick with bloodwood and ironbark and stringybark and eucalypts, but now the biggest trees are the gums which crowd the field like gangly spectators, nodding sagely at the deft passing. The kicking, though, isn't at the same level, and there's a moment when a boy lines up a shot from fifteen yards or so, and he tests the wind, and gauges his steps, and looks for all the world like a young professional even though I bet he is eleven years old max, and he unleashes a tremendous kick ... off the side of his foot, a total shank, which sails majestically away into the immense trees, so far that I lost track of the ball even though it was bright yellow. There was a pause of about half a second and then the most amazing wondrous thing happened: the boy fell down laughing, and everyone else burst out laughing too, including people passing by with their dogs. It was a grace beyond my articulation. I suppose I expected a cutting remark, or a quiet curse, or a snarling coach, or at least some acknowledgement of the scale of the misplay, some reference to how epic the miskick, but there wasn't even a gentle silent pat on the shoulder from an understanding teammate. Everyone just lost it laughing for a few seconds, and then things trundled

Along again same as usual, but I find that I hold those few seconds in my Pocket, even all these years later, for moments when I need them. We get Flashes of pure stuff like that once in a while and I don't know about you But sometimes I thirst for them desperately. It's hard to talk clearly about This sort of thing, but you know what I mean. It would've been so normal For that boy to be angry, or to be razzed, but instead an artless sweet wild Laughter swept over the field like a tide or a song or a gift. The things like That — those are the moments that keep us going, right? The tiny that isn't.

Another round of Ramadan lunar-cy

RELIGION

Irfan Yusuf

This week, a fair proportion of 400,000-odd Australians who tick the 'Islam' box on their census forms will mark the start of Ramadan.

Ramadan is the 29 or 30 days when Muslims are supposed to refrain from eating, drinking, smoking and intercouring between sunrise and sunset. If they can be bothered getting up in time, they have a light breakfast. At the end of the day, they have a small meal followed by their sunset (*maghrib*) prayers and then dinner. After dinner, people head to the mosque for extra prayers that can take anything from 30 minutes to two hours (depending on which mosque you go to). We then hit the sack and get ready to do it all again the next morning.

The whole exercise is supposed to fine tune your soul, weaken the ties binding you to your physical appetites and test your religiosity. You do it for a whole month, and you do it at the same time as the entire Muslim community. Ramadan is a lunar month, and this month unites Muslims around the globe in an envelope of piety and mercy.

At least that's the theory.

Christians, unless they're Orthodox, know that Christmas is on 25 December each year. But Ramadan in fact starts at different times, depending upon when the moon is sighted. Now you'd think that after 1400 years, Muslims would have figured out how to perform the simple task of sighting the moon. Think again.

My mum's Ramadan calender states that Ramadan begins on Tuesday 9 July 2013. I picked up this calender for her from a Lebanese restaurant in south western Sydney. Had I picked it up from a South Asian spice shop, the start date would have been perhaps one or two days later. If I'd visited a mosque managed by the Turkish government-aligned *Diyanet Vakfi* (Religious Trust), I could purchase a calender which determines all lunar months for the next few decades, if not centuries.

Turks 'sight' the moon by relying on astronomical calculations. They think that since science has progressed so far that man can now *walk* on the moon, it seems a bit pointless to insist on sighting it with your naked eye. Cypriots, Bosnians and Albanians agree.

Muslims of Indo-Pakistani, Bangladeshi, South African and Indo-Fijian backgrounds insist on sighting the moon with their naked eyes. Their Ramadan usually begins one or two days after the Turks. Indonesians and Malaysians tend to follow the Arabic-speakers who generally start their Ramadan on the same day as the Turks. Some nationalities follow the fatwas of overseas religious authorities such as Saudi Arabia or Malaysia.

Aussie converts tend to be confused by the whole confusing spectacle of lunar-cy. That, or they start with whichever community is least condescending and most welcoming to them. It's amazing how universal religion can bring out the nationalism and cultural chauvinism in many Muslim migrants.

Then there is the issue of eating. Muslims aren't the most punctual people on the planet. But when it comes to a fast-opening (*iftar*) gathering, they're always on time, because they know that a huge feast awaits them on arrival. The real test during Ramadan is how on earth all that food is going to be finished. Pakistani *iftar* gatherings are especially ghee-filled affairs with up to 20 separate dishes filling the smorgasbord.

Most Muslims break their fast with a single date and a glass of water before spreading the mats out for the sunset prayer. Indo-Pakistanis prefer to stuff their faces with a fruit salad called *chaat* and deep-fried spicy potato cakes called *pakora*. The *chaat* salad is composed of three parts chopped fruit, two parts lemon juice, four parts curry powder and approximately 500 parts sugar. A duty free sized block of Toblerone would be lighter on the aorta.

And so for most of us, Ramadan is the month of massive weight gain.

For *iftar* gatherings earlier on in Ramadan, the blokes somehow roll their way to the mosque for the long *tarawih* prayers. The process of merely bending over to perform ablutions and walking up a few flights of stairs can be a struggle. But imagine standing in prayer in a row of blokes burping the contents of their *iftar* with some frequency. Still, why try beating them when you can join them?

In Melbourne, where Muslims are somewhat less disorganised, corporate *iftar* parties are all the rage. SBS, ABC, various banks and telcos hold *iftar* parties for leading members and hangers-on in the community. Imagine the view they must enjoy over the Melbourne Harbour footbridge or whatever it's called.

Canberra is the land of embassy *iftar* parties. Some years ago I hosted a morning drive show on a Ramadan radio station. I accidentally deliberately read an article on air which described Syria as a police state. Someone from the Syrian ambassador showed his devotion to free speech by ringing up the station organiser and making all kinds of threats. A few days later, I attended an *iftar* party at the Syrian embassy. The Lebanese food was scrumptious. The ambassador and all his staff were very polite. Perhaps I really do have the perfect face for radio.

As Ramadan comes to an end, people plan their day off; for the big day of *Eid* (or *Bayram* if you're Turkish, Bosnian or Albanian). Employers across the nation, take note: don't be surprised if your Muslim employees ask for different days off. The lunar-cy of determining the beginning of Ramadan is repeated at the end. I know some Sydney lunar-tic authorities who can't tell you when *Eid* is until the morning of *Eid*! One enterprising service sends you notice of the naked eye sighting of the moon by text message.

So welcome to Ramadan Aussie style in what would have to be the most disorganised congregation in the country. Anyone waiting for us to have the organisational skills to establish sharia government will have to wait until well after the next Ice Age.

Dusty feet on the road to reconciliation

AUSTRALIA

Frank Brennan

On Saturday morning I was sitting alone on the shoreline at Urangan at the entrance to the vast Hervey Bay in Queensland. On that very morning 150 years ago, a migrant ship, the *David McIver*, entered Hervey Bay carrying 404 immigrants, there having been only one death but also nine births on the 107 day voyage from Liverpool. Included in the passenger list were Annie Brennan, my great great grandmother, a young widow of 40 years with her five children, one of whom Martin was to become my great grandfather.

Hervey Bay is an expansive but shallow bay sheltered from the Pacific Ocean by the majestic Fraser Island. On 6 July 1863, the *David McIver* spent the day searching for a channel until it was anchored in four fathoms of water. Some of the crew got into a small boat and made for the shore at Urangan close to where I was sitting 150 years later. They came ashore and found two Aborigines. I presume they were males. Those two Aboriginal men without protest accompanied the crew in the boat and showed them the way to Captain Jeffrey's Admiralty Survey Camp.

The *David McIver* was only the second migrant ship ever to come into Hervey Bay and here were two Aborigines happy to extend a helping hand to complete strangers who must have looked very strange indeed. One Aboriginal was then commissioned to send word to Maryborough 40km away. That Aboriginal walked and ran all through the night to bring word of these new arrivals. A pilot was then dispatched. Within two days, a steamer named *Queensland* arrived, towed the *David McIver* to White Cliff on Fraser Island, and then received the disembarking passengers to transport them up the Mary River to the port of Maryborough where they arrived on 9 July 1863.

These Aborigines who helped my ancestors and their fellow passengers carried neither purse nor bag nor sandals. They extended the hand of peace and welcomed the stranger. Many on the *David McIver* were eligible for land grants from the newly established Queensland Government.

That was the lure for their coming to the other side of the world rather than the United States. Who'd have ever thought that one of Annie Brennan's great grandchildren, my father, would have been one of the judges who just 21 years ago in the Mabo case said that Aborigines had always owned the land which had been subject to those gratuitous land grants?

Neither Annie's descendants nor the traditional owners and their descendants have ever had cause to wipe the dust from their feet and go elsewhere. Over time we have committed ourselves to living in justice and peace.

Next month we will mark the 50th anniversary of the presentation of the bark

petitions to the Australian Parliament by the Aborigines at Yirrkala in Arnhem Land on 14 August 1963. Back in November 1935, the Reverend Wilbur Chaseling, a Methodist Missionary arrived at Yirrkala with his family and fellow missionaries. They were the first Europeans to settle in that part of the world. They too came without purse, bag or sandals. They came with a greeting of peace and co-existence. They did not move around from place to place.

In the early 1960s, a foreign corporation wanted to come and mine the Aboriginal lands there at Yirrkala. The missionaries, without consulting the Aborigines, indicated to government that all would be well. But the Aborigines on getting wind of what was proposed were very upset. The missionaries then did the right thing and worked closely with the Aboriginal leaders deciding to petition the Australian Parliament asking to be consulted before there was any invasion or interference with their hunting and traditional places.

In a graceful understatement, they told Parliament, 'That the people of this area fear that their needs and interests will be completely ignored as they have been ignored in the past, and they fear that the fate which has overtaken the Larrakeah tribe will overtake them.' The Larrakeah were the traditional owners of Darwin and the elders from Yirrkala had seen the social devastation caused the Larrakeah people living on the outskirts of Darwin.

The Yirrkala Aborigines in 1963 could not have petitioned Parliament on their own. The missionaries were there with whitefella knowledge to provide a helping hand, having learnt and repented from their earlier backroom discussions with government. The missionaries did not have cause to wipe the dust from their feet. They hung in and accompanied the traditional owners as they pleaded their case for justice with the authorities in Canberra.

During NAIDOC week we reflect that there is still so much to be done so that Aboriginal Australians might enjoy a place at the table without adverse discrimination and with the assurance that they may flourish.

Addressing the Parliament in 1963, the people of Yirrkala said, 'And your petitioners as in duty bound will ever pray God to help you and us.' Given the state of affairs in Canberra, let's all say 'Amen' to that as we face an interminable election campaign with politicians pretending to wipe the dust from their feet with declarations that the day will be more tolerable for Sodom than for our towns like Yirrkala and Urangan.

Like the Aborigines at Urangan, let's extend the hand of friendship to the complete stranger. Like the petitioners at Yirrkala, let's hope that our better instincts will prevail even against wealth and power.

Inconvenient advice for a business-friendly prime minister

AUSTRALIA

Michael Mullins

One of Kevin Rudd's key points of difference with Julia Gillard lies in his determination to project a business-friendly image for himself and the ALP, which may have something to do with his decision to dump former parliamentary secretary Andrew Leigh from the front bench. Although Leigh was a Gillard backer, he is a former ANU economist who is regarded as Australia's leading inequality expert and unsympathetic to the demands of big business on government.

Coincidentally he has just published a book targeting income inequality, [*Battlers and Billionaires: The Story of Inequality in Australia*](#). In media interviews during the week, he [pointed out](#) that since the 1970s, 'we've seen the top 1 per cent double, we've seen about \$400 billion shifted from the bottom 99 per cent to the top 1 per cent. CEO salaries have gone from an average of \$1 million to \$3 million in the top hundred firms, and we've seen stratospheric increase in consumption in the things the super-rich enjoy, like waterfront homes, Porches, Maseratis, even cocaine.'

When John Howard introduced WorkChoices in 2005, he argued that a prosperous business sector would produce more jobs and benefits for ordinary Australians. Leigh says that while inequality does boost economic growth and the nation's GDP, the increased wealth does not trickle down to those at the bottom to any significant extent. His view is that inequality is socially divisive and demands serious policy attention.

Increasingly it is recognised as a public health issue, and that it demands a political response. Epidemiologist Robert Douglas [ponders](#) the political implications of our comparatively high levels of mental disorder, suicide, lack of trust, mortality, communal violence and teenage pregnancy. 'Could the preoccupation of the Coalition with deregulation of labour markets and market solutions make matters worse? And could the Australian Labor Party, with its traditional concern for equity and redistribution, make things better?'

Other epidemiologists have contributed to the debate, most notably Richard Wilkinson and Kate Pickett in their controversial 2009 popular academic work *The Spirit Level: Why More Equal Societies Almost Always Do Better*, which was based on a study of the top and bottom 20 per cent of income earners in 21 rich developed market economies. They [found](#) that 'bigger income differences lead to bigger social distances up and down the status hierarchy, increasing feelings of superiority and inferiority and adding to status competition and insecurity. Some of the causal links are known: the effects of chronic stress on the immune and cardiovascular system.'

While Leigh has some doubts about such arguments, he [is certain](#) 'we need a

government that has means-tested social security, that invests disproportionately in improving the education of the most disadvantaged, and which rigorously tests social programs ... using randomised trials, rather than just say-so and ideology'.

Possibly inconvenient advice for a business-friendly prime minister.

Kevin's bounce

AUSTRALIA

John Warhurst

No one knows whether Kevin Rudd's positive impact on Labor's vote will last. While the potential bounce was long predicted by the opinion polls they could never tell us why. But then again he has always been an enigma. His immediate record of popularity after becoming Opposition Leader in 2006 was equally astounding.

As the Rudd-Tony Abbott contest begins afresh there is a lot more that we need to know. Trying to explain Julia Gillard's unpopularity is the best place to start.

There are various questions. Why was Gillard so unpopular? Why is Rudd now much more popular than she was? Why is Rudd now much more popular than Abbott?

The polls as published in the media don't attempt to answer these questions. They just leave them to journalists and columnists who write accompanying stories based on their own hunches.

There are, of course, many potential answers to the popularity questions. But the fact that there are so many is a complicating factor rather any sort of a resolution.

Take the question of why Gillard was so unpopular, which is crucial because it still remains central to the Rudd-Abbott contest. There are so many possible answers that no single one will do.

She was never forgiven for the method by which she came to office so she lacked the legitimacy and authority that normally comes with the position.

She was never forgiven for breaking her promise not to introduce a carbon tax. Her post-election agreement with the Greens to do so meant that she wasn't trusted and was even seen as dishonest.

She was an unmarried, childless woman and that counted against her with some voters, especially some men.

She presided over perceived failures in policy, including refugees and asylum seekers, the carbon tax and the mining tax.

She presided over perceived failures of implementation, including the GFC school building program. In addition she presided over drawn out and costly programs such as the national broadband network.

She was a poor public communicator and failed to effectively sell Labor's successes, including the economy and foreign policy. In addition she was surrounded by ministers who were also poor communicators and who thus couldn't

compensate for her weaknesses.

She alienated the Left in the community by not being progressive enough on issues like gay marriage and asylum seekers and also alienated the Centre and the Right on issues like asylum seekers and taxes.

She presided over a hung parliament and led a minority government.

She was outmanoeuvred by a skilful and disciplined Opposition Leader.

She suffered continual internal destabilisation and disunity by Rudd and his backers.

She was treated unfairly by some sections of the media.

She was a victim of other circumstances beyond her control, such as the damage to the Labor brand Australia-wide, especially from party corruption in New South Wales.

These points provide a framework for considering the Rudd-Abbott confrontation. What does Rudd offer that Gillard didn't other than obvious greater popularity in the polls?

Some of Gillard's perceived problems clearly don't apply to Rudd, including her personal characteristics and abilities and the events before and after the 2010 election. Now that Parliament has finished sitting, perceptions of the hung parliament and minority government are also less relevant.

Other possible negatives, including the damage to the Labor brand at the state level, will continue to linger, though the intervention in NSW is an attempt to counter that.

What's left to make Rudd bounce? The secret of Rudd's future poll success or failure will have three elements.

The first imponderable will be the effectiveness of the counter-campaign by Abbott and the Opposition.

The second will be continued perceptions of the Labor Government's policy and implementation record which is shared between Gillard and Rudd.

Most importantly there is Rudd's remarkable personal appeal which is the great intangible and the key to predicting the height of any continued Labor bounce.

Why Bob Carr is kidding himself about refugees

AUSTRALIA

Kerry Murphy

'They're not people fleeing persecution. They're coming from majority religious or ethnic groups in the countries their fleeing, they're coming here as economic migrants.'

'The evidence has shifted under our eyes. A few years ago you could say that most of the people had some case to make about fleeing persecution. Now that's changed.'

Senator Bob Carr's [comments](#) show a lack of understanding of the separation of powers, the rule of law and the refugee assessment process in Australia.

In the early 1990s, similar comments were made by Bob Hawke about the Cambodians who were seeking asylum. Hawke was rightly criticised for prejudging the cases. At the time Australia was promoting settlement of the long running conflict in Cambodia, and the last thing the Hawke Government needed was its plan ruined by Cambodians fleeing the very country that they were encouraging people to return to. The Cambodians became part of the political game and were eventually resettled in Australia provided they return to Cambodia for 12 months.

This farcical 1990s solution has now been trumped by the 2012 'no advantage test' which places asylum seekers in some mythical queue.

It is highly prejudicial for members of cabinet to be prejudging applications for refugee status, especially before an application is even made. Carr believes the process can be simplified and that DFAT will be able to supply the key country information. This is simply unrealistic. His other [criticism](#) was that the court and tribunals had made the wrong decisions: 'we've reached the view that as a result of court and tribunal decisions, it's coming up wrong. We need a tougher, more hard-edged assessment.'

It is remarkable that, when confronted with the fact that the numbers of people meeting the refugee criteria are high, Carr's solution is to change the rules.

His views have been challenged by those informed of the legal issues, such as the Human Right Commissioner, several prominent academics and a former principal member of the RRT. All [challenge](#) Carr's assumptions.

Motivation for fleeing may be mixed, and political, economic and religious factors can easily interact. Refugee status determination is thus a complex process. But the criteria to meet the requirements for a protection visa are strict. Eligibility to apply for a protection visa alone involves a number of sections of the Migration Act.

Simply being from a majority ethnic or religious group does not preclude

someone from being a refugee. Refugee status can be about protecting a person from persecution for their dissident ideas, such as a political claim from someone in Iran. It may be about protecting someone who is from a religious or ethnic minority which is targeted by extremist views, such as the Hazaras in Afghanistan or Pakistan.

The merits review process is thorough and by no means easy. Decision makers take their role seriously and are not a soft touch. Most cases turn on credibility, which is usually established in two ways. First is a clear, consistent and detailed account from the applicant. This involves several interviews of applicants who mostly are unaware of the relevant legal criteria. Rarely do asylum seekers express their case in a nice chronological and objective manner. They need assistance in organising their experiences into a format which makes the identification of claims clear.

Second, the claims need to be supported by country information. Sources of country information are varied, and should not be limited in an attempt to influence decision makers. The situation on the ground can be fluid, such as in Syria. Advocates and decision makers need to research widely across reports from government departments such as the US State Department, UK Home Office and DFAT, and from non-government agencies such as Amnesty International, Human Rights Watch, Brookings Institute and numerous others.

What confidence can applicants have in the independence of DFAT information when the Foreign Minister dismisses 20,000 cases as 'economic migrants' before any are actually interviewed about their claims for protection?

As to criticism of the court and tribunals, no-one has been able to point to these 'wrong decisions'. The main High Court analysis of the refugee definition goes back to the 1989 case of Chan. The High Court set out the legal definition of 'well-founded fear', a key part of the refugee definition in that case that has not since been amended.

'Persecution' was also defined in the Chan case, but this was later defined in 2001 in s91R of the Migration Act. Again this definition has remained unchanged since 2001, so it would be interesting for Carr to tell us which of the decisions by the courts and tribunals are 'wrong'. The reality is that the tribunals are applying the laws as made by the Parliament, and the courts are interpreting those laws. This is how the separation of powers works and is the same process whether the laws are migration, tax, criminal or corporations.

Carr demonised asylum seekers who use people smugglers by implying they are part of a 'criminal enterprise'. Simplistic grandstanding by politicians, whether it is the Coalition's 'turn back the boats' slogan or Carr's view that the process must be made harder, do not address the basic human rights issues underlying the process.

Husic feels the chill of Australia's racist winter

AUSTRALIA

Ellena Savage

When I read about the abuse levelled at Ed Husic after he was sworn into Parliament holding a copy of the Qur'an, my heart dropped. I talked about it with my housemate Nader, who is from a Lebanese/Palestinian Muslim family. He told me that of all the things in Australia that made him feel uncomfortable about living here — the street harassment and racial violence that so many people are exposed to — it was this kind of thing that disturbed him the most: the normalised racist outrage against even the most conservative expressions of otherness.

These past few months have been a disturbing time for public discourse in Australia — for women, and non-white people. Is it obnoxious to suggest that it's too far gone, that it might be better to forge a new life elsewhere? It's hyperbole, of course, a cliché reminiscent of all the American liberals threatening to move to Canada if the Republicans win an election. But it's a sentiment that is growing in the absence of strong intellectual debate in the media, and amid the frightening sense that it's more democratic to utter hate speech than it is to take offence.

My sense of foreboding that winter is coming is grounded in history. I was a teenager when 9/11 stopped the world, I was subject to Howard's 'culture wars' throughout my schooling (which my school teachers rolled their eyes at and which I, like most children, was largely impervious to), my feet were still growing when we invaded Iraq. I feel shaped by the violence of that decade, and there's nothing that could convince me to go back there. Back then, 'terrorism' was the shorthand that justified a range of racial and religious discrimination.

My best friend's sister was abused and spat on by a group of grown men because she wore a headscarf on a Melbourne train. She was 14. Another friend had a thickshake thrown on him from a passing vehicle for 'looking like a Muslim'. The voices that came out of the cracks this week regarding Husic's swearing in are, indeed, 'harsh words from dark corners', as Husic himself responded. But they are also the voices which represent a certain form of Australian bigotry that we should be careful around. These words are never entirely empty gestures.

There was something troubling about the media coverage of the issue. There is a public interest in exposing the reality of racism, but to what extent did the media response legitimise the more salacious of the Facebook comments against Husic? Is there an ethics of representing hate speech?

In response, Husic pandered to dominant notions of Australian-ness. He's a successful politician, so he knows how it works. But it was uncomfortable to hear the 'son of an immigrant' say 'children of migrant parents always want to give back to Australia'. I'm sure Husic, like many public servants, feels a grave sense of service to his national community. But to think he feels a greater debt because his

parents migrated here from Europe confirms the idea that people should feel uncritically lucky to live in Australia if they're not from a white, Anglophone family.

Husic's nominal religiosity was emphasised, and Labor MP Stephen Jones called Husic an immigration success story. I wonder what an immigration disaster story would look like. Would it look like the British-descendent bullies who spat on a young, headscarved girl in 2004?

And what if Husic were a devoutly religious man? Like all people, he is entitled to a religious life. A celebration of multiculturalism is not contingent on the ability or willingness of a new citizen to lose their religion and assimilate, nor is it dependent on members of a dominant cultural group being able to fully comprehend the cultural differences of the othered person. Celebrating assimilation is really just celebrating monoculture. Australians need to get over the idea that social inclusion is conditional.

The idea of a static 'immigrant' whose identity can be understood in terms of its 'otherness' is a troubling notion. You can say 'nominal Muslim' or 'Albanian-Australian', but you are only referring to superficial markers, not how they might be experienced.

Like love and bowel movements, the core of religion is a deeply private undertaking. But like love and bowel movements, freedom of religion, which is the same as freedom from religious compulsion, needs defending when it comes under attack. There is a public interest in defending people's right to their conscience and their identity.

Egyptian democracy a long way off

INTERNATIONAL

Evan Ellis

Events in Egypt are unfolding so rapidly that Egyptians woke up with one head of state — President Mohamed Morsi — and went to sleep — if they could — with another. The Chief of the Armed Forces has suspended the constitution and parachuted Adli Mansour, head of the constitutional court, into the role of interim president.

With events moving at such breathless speed, and no less complicated because of it, any commentary should be modest. Particularly from the other side of the world. Let us begin with what is clear. After a year in power, the first democratically elected president of Egypt has been ousted by the military, emboldened by widespread popular support.

Now, in the memorable words of Donald Rumsfeld, the *known unknowns*. Were more people revolting against the regime than who had voted for it? Protest is, after all, a form of democratic expression. [Sexual violence](#) is NOT.

And what role will the military play in the future? Hardly a neutral arbitrator, having been comfortably curled up in Hosni Mubarak's lap for decades of anti-democratic rule, the military is now calling for fresh presidential and parliamentary elections. Outmanoeuvred by Morsi over the presidency, will they now get a bigger slice of the pie? Or will they be true to their word and transfer power to a legitimately elected civilian leadership by a certain date?

And of course the million dollar question: will any of this improve the lives of ordinary Egyptians?

Morsi may not get much sympathy in the West. The candidate of the Muslim Brotherhood, an Islamic political movement that unapologetically opposes secularism, he is viewed as an Islamist strongman. The Brotherhood itself has steadily built a political following in its 80 year history, despite being outlawed by successive governments and being something of a routine punching bag for Egypt's military (see 'neutral arbitrator' point above). It renounced violence back in the 1980s but the whiff of bloodshed and unashamed religiosity continues to colour perceptions.

Nor has he governed particularly well. In the years since Mubarak tumbled, so has the country. Egypt's rating on the [Failed State Index](#) has slipped from 45 to 34. Foreign reserves have been depleted and the budget deficit will be up around 12 per cent. Youth unemployment is nearly 25 per cent. Crime, including murders, robberies and kidnappings, continue to balloon. In short, the country is a [mess](#).

However, the truth is that this crisis was not merely 12 months in the making. The autocratic reign of Hosni Mubarak was nearly 30 years of winnowing the very

institutions that a successive democracy would need in order to function. Independent institutions such as the judiciary were leashed, civil society was kept anaemic, opposition groups were brutally dismantled and the economy was propped up by foreign aid. The military was the life blood. When their support stopped, the status quo under Mubarak sickened and died remarkably quickly.

Nearly a year ago Egypt grafted a democratic government onto this structure. It was as audacious as it was fraught. Many in Morsi's cabinet were untested in any meaningful way (because what opportunities had there been under Mubarak?) yet they were given the task of both fixing these deep structural issues and addressing the many challenges that spring up in the day to day. It's hardly surprising that it wasn't a smooth trajectory.

With Morsi now ousted, it is becoming clear that true to the system Mubarak created, the military remains the life blood; their intervention is being framed as a transfusion to the sick patient of Egypt.

All very understandable. All incredibly undemocratic.

Morsi's odds were not great to begin with. Even the greatest and most skilled democrats in the world (and let's be clear, the Muslim Brotherhood are not) would have struggled to grow a democratic culture and foster democratic institutions after 30 years of atrophy, all while steering a smooth enough course to keep powerful interests happy. Turfing them out may make these same people happy, but it does so at the expense of a genuinely democratic culture and again weakens all other institutions in the face of the all-powerful military.

We are still living with Mubarak's Egypt.

Bad teacher's classroom voyeurism

REVIEWS

Tim Kroenert

***In the House* (MA). Director: François Ozon. Starring: Luchini, Kristen Scott Thomas, Ernst Umhauer, Bastien Ughetto. 105 minutes**

'Those who can't do, teach,' declares the unkind truism. The intriguing and disquieting comedy *In the House* presents the proverbial failed writer turned high school English teacher as a cynical beast of almost sociopathic dimensions. French auteur François Ozon examines the implications of this with a dark and irreverent wit.

Germain (Luchini) is certainly weary of his fallback career. He is bemused but, unlike many of his colleagues, not outraged by the school principal's latest autocratic move to force students to wear uniforms. He seems more interested in the staff meeting snack table than the civil rights of his students.

The depths of his disillusionment are revealed at home. With his wife, gallery operator Jeanne (Thomas), he sneers at the half-hearted writing efforts of one English class. To be fair, one student has managed a measly few sentences (one of which is: 'Nothing.') in response to the task 'Write about your weekend'.

Germain's disdain is shifted though by the dissertation of one student, Claude (Umhauer), whom he learns is a maths whiz now trying his hand at writing. Germain is inspired and invigorated by the boy's obvious natural gift and decides to take him under his wing — despite the unsettling nature of Claude's chosen subject.

Ozon is interested in the ethical obligations of writers in representing reality, and explores this through Germain's mentorship of Claude. Claude in his essays writes unflatteringly about the 'perfect', 'middle class' family of a peer (and fellow student of Germain), Rapha (Ughetto), whose trust he has entered under a pretense of friendship.

The filmmaker can't resist the urge to get 'meta'. Claude's narratives play out on screen, but characters, events and mood are altered by redrafting. It becomes harder for the viewer to discern what is real and what is not. The suggestion here is that reality takes on qualities of fiction as it passes through the lens of a writer's craft.

And there is an implicit ethical problem here. When does writing cross the line from 'harmless' voyeurism to exploitation? Germain and Claude speak cruelly of Claude's 'characters', but they are not in fact fictional at all. In Germain's case this eventually manifests as an overt and humiliating act of cruelty to the 'real' Rapha.

Ozon is clearly skeptical of artistic pretensions devoid of ethical considerations. Using Jeanne's gallery, he satirises both exploitation/provocation at one end of the

spectrum ('dictator porn') and minimalism at the other (blank canvases and photos of clouds). The implication is that humanity is endangered if artists' only obligation is to art.

Art, like education, should enhance humanity, not diminish it. This principle lies at the heart of *In the House*. Claude's own troubled personal life is hinted at but not revealed in detail until the final moments of the film. It is in neglecting the human reality of both Claude and Rapha that Germain has failed as a teacher.

Kevin Rudd and Indonesia's Obama

INTERNATIONAL

Pat Walsh

PM Rudd's visit to Jakarta this week will almost certainly be marked up or down depending on the outcome of his talks with President SBY on the trafficking of asylum seekers from Indonesia to Australia. The issue is the latest high profile measure of the health of the Australia-Indonesia relationship.

A potentially much bigger test, however, is just around the corner. Next year, Indonesians will elect a new president. Their choice will not only say a lot about the state of democracy in the world's fourth most populous country; it will also impact on the Australia-Indonesia relationship for better or for worse.

The choice confronting the electorate is between what might be called Old Established Forces and New Emerging Forces, to borrow terms coined by Indonesia's founding president, Sukarno, in a former anti-colonial context.

The final list of candidates is still to be settled, but the two individuals who most starkly represent Indonesia's past and its future are Prabowo Subianto, a former military commander, and Joko Widodo (pictured), a civilian being described in Jakarta as Indonesia's Obama.

Suharto is dead, but he continues to make his presence felt. Posters in Central Java show a smiling Suharto teasing *lebih enak jaman saya kan?* (My time was nicer wasn't it?) and asking Indonesians how they are going. Many are said to pine for the days when, so the joke goes, 'You only needed to pay off one person to get things done'. His family recently opened a huge museum in his honour. It makes no mention of his crimes.

Though he tries to re-brand himself as a champion of Java's populous rural poor, a massive reservoir of votes, Prabowo is unavoidably associated with the Suharto years. He is the former dictator's son-in-law, prosecuted the disastrous war in Timor-Leste on Suharto's behalf, has a questionable record in Papua, and is widely considered to be tarnished with the Suharto regime's bad human rights record.

Prabowo has not been tried and found formally guilty of human rights violations. However, he is banned from the US for alleged involvement in torture and the organising of rapes during the upheaval in Jakarta at the end of the Suharto regime in 1998. And Timor-Leste's CAVR truth commission argued that he and fellow officers who had command responsibility in Timor-Leste during Indonesia's illegal occupation must be held accountable for the atrocities perpetrated against thousands of civilian victims there.

Australia is not generally considered to be active in the struggle against impunity in the region but it does require visa applicants to declare whether or not

they have been involved in human rights violations, war crimes or militia activity. Presumably, therefore, if Prabowo were to apply to visit Australia now or, heaven forbid, as president, Canberra would follow the US lead and deny him access or, very likely, have to endure the embarrassment of public protest in Australia where engagement with Timor-Leste is strong at all levels of society.

Either way, Prabowo as president would almost certainly be a big headache for Australia and a potentially serious setback to our very important relationship with Indonesia reminiscent of the Suharto years.

If Prabowo represents Indonesia's dark past that is best left behind, Widodo is a breath of fresh air who would be good news for both Indonesia and Australia. Popularly known as Jokowi, he has the exciting star quality of an Obama. My own informal poll of young and old Indonesians around Jakarta confirms the very positive ratings he enjoys in the professional polls. The former governor of Solo, he was elected governor of Jakarta last year and has distinguished himself particularly by his sensitive dealings with the masses of Indonesia's poor.

It is not clear whether he will run next year or wait till 2019. My point is, however, that there are serious and attractive alternatives available to Indonesian voters who will do Indonesia proud at home and abroad.

There are positive signs in addition to the enthusiasm for Jokowi. The widespread use of social media among young voters is one. The fact that SBY, having served the maximum two terms, cannot run again is another. It means that Indonesia has rejected the Suharto period model which allowed the former strongman to convert Indonesia into a dictatorship and rule for over 30 years. Contemporary polling indicates that many Indonesians regard democracy as the best system for Indonesia and consider Suharto was a dictator.

The highly respected commentator Goenawan Mohamad observed recently that in the old days it was easy to blame Suharto for everything, but now Indonesians only have themselves to blame if they get it wrong.

Australia should more than just hope and pray that they get it right next year. PM Rudd should use his visit to send a clear signal about Australia's hopes for human rights and democracy in Indonesia and that as a society we are pro-poor and no longer prepared to accommodate the impunity that was a hallmark of the Suharto years.

Aussie dollar falls to fast money folly

ECONOMICS

David James

When the Australian dollar fell almost 5 per cent in a few days it was a salutary reminder of how fast the currency markets can move. Fast change has been a feature of globalised capital markets for at least two decades, especially in the smaller currencies. They can quickly rise because of trader sentiment and just as quickly fall.

The after-the-fact explanations seem perfectly reasonable, but the rapidity with which the re-pricing occurs is not. There has been a decoupling of what money does and what money is supposed to represent. Suddenly, Australian manufacturing exporters become more competitive, and importers of foreign goods for local sale less competitive. People involved in the real economy have to respond to the financial markets as well as their customer markets.

A currency's value is supposed to represent the state of the country's underlying economy. Yet very little changed about the Australian economy during a week in which the value of the dollar was substantially altered. It is a small instance of how rapidly change occurs in currency markets, sometimes to devastating effect. During the Asian financial crisis, entire economies were brought to their knees in a matter of weeks.

Since about the 14th century, time and money have been inextricably linked, and as we change our approach to that relationship, we also change money itself. This is creating deep problems in the capital markets of the 21st century. A massive disjunction is appearing, due in part to higher levels of technological sophistication. There is a mismatch between the speed of pricing, and the much slower changes in what the pricing is supposed to reflect.

It is one reason why the capital markets are ruling rather than serving. Local manufacturers are being ruled by the currency markets because the high Australian dollar is making local labour too expensive. The world of high speed 'meta-money' is developing a logic of its own, and increasingly has a predatory relationship with more conventional economic and financial activity.

Worse, transactions in most financial markets now occur in micro seconds and even nano-seconds. This has little to do with what capital is for. In the stock market, how can the value of a public company change meaningfully in a nano-second? Yet that is increasingly happening in the United States (about 70 per cent of trade is high frequency trading). Much of the activity is facilitated by mathematical formulae which are timeless by definition. So the stock, currency and other markets are increasingly driven by a strange world of hyper-speed and timelessness.

The counter argument to this criticism is that financial markets find their right

level over time; that short term volatility is just noise. This claim is impossible to validate in the currency markets, because, since the abolition of the gold standard, there is no 'objective' external yardstick to measure currencies. They are only valued in relation to each other; an exercise in relativism.

To the extent that there is evidence, it suggests that currencies, if they do have a 'right' level, do not usually find it. Even the biggest currency pair, the US dollar and the Euro, has swung in almost 100 per cent ranges over time. The different performance of the American and European economies can scarcely justify such large swings.

The Australian dollar, when it was at \$US1.05, was double what it was worth at its low point, about a decade ago. Was Australia twice the economy that it was then? It seems, at best, arguable. And then we have the continuous currency crises in Asia, Latin America and Russia, which have resulted in extreme devaluations that certainly occurred too fast, destroying the countries' banking systems and making the devaluation a self fulfilling prophecy.

So what is the Australian dollar worth? The [trade weighted index](#) is one proxy which suggests it should be valued at about US70c. But that measure is based on trade flows, and activity in the Australian dollar is mostly focused on the US dollar-Australian dollar trade. The United States only ranks behind China and Japan as a trading partner.

There are many other learned estimates about what is 'fair value' for the Australian dollar, most of which put it at between US90—95c. Many analysts consider interest rate differentials to be important (Australia's interest rates are higher than most other developed nations). But these are annual, and substantial repricing can occur in hours.

These estimates are problematic as they are viewed by currency traders as a starting point: a measure of what people expect the currency to do. Traders exploit such expectations to make profits, which means the currency goes in another direction to that anticipated. Predicting the direction of the Australian dollar is thus as difficult as ever. One would need to know the mind of the traders, and how they think they can exploit rational expectations.

Perhaps the only certainty is that when sentiment among traders about the Australian dollar does change for the worse, the currency will devalue very fast and very far. Excess seems to be the only constant.

Election year open season on refugees

AUSTRALIA

Andrew Hamilton

For refugees election years are like duck hunting season. Even dragon flies tremble. So it is not surprising that Bob Carr brought out the big guns that the Rudd Government will use before the election. He claimed that most asylum seekers are economic migrants, come from majority religious and tribal groups, and are too easily given protection visas by the Refugee Review Tribunal.

Carr's comments should be seen in context. They are a political response to an intractable situation. On the one hand, the vast majority of people who have come to Australia by boat to claim asylum are found to be fleeing persecution and are given protection visas. Their claims are judged under the provisions of the United Nations Convention on Refugees to which Australia is a signatory. The Convention looks to the situation and needs of the people who seek asylum.

On the other hand both political parties are convinced that they must offer a credible policy to stop the boats. This pressure has been intensified by the need to deal with the vastly increasing number of people seeking asylum after the introduction of the no advantage policy. This pressure has to do with perceived Australian interests.

The challenge is to reconcile Australia's international and humanitarian responsibilities under the Convention with the political imperative to stop the boats. The Coalition policy rests in part on turning back the boats before they enter Australian waters and can make a claim for protection.

The alternative solution is to redefine the people who come to Australia in such a way that they are not entitled to protection. This is the point of Carr's speech. If the people who seek asylum are economic migrants they are not entitled to protection on the grounds of persecution. But that blanket description may not persuade members of the Refugee Review Tribunal who must judge each case on its merits. So the members of the Tribunal may be directed to accept rulings given by the Department of Foreign Affairs on the reality of persecution in the local areas from which the people who seek asylum come. Persecution is redefined.

Once people who seek asylum and the persecution they claim to flee are redefined, the boats might stop, particularly if conditions in Australia for those seeking asylum are made increasingly difficult. And if that does not work, the commitment to protection can also be given a special narrow Australian sense.

That is the context of Carr's remarks. The proper and decent response to them is to ask about the human reality represented by the people who seek asylum. The fact that almost 90 per cent of people who arrive by boat have been found to be refugees after examination of their claims suggests that they do face persecution in their own nations. It confirms the common sense judgment that most people

need more than the desire for economic betterment to make them leave their homes and risk their lives on leaky boats to come to Australia.

Nor is it true that most belong to dominant tribal or religious groups. Tamils live under a Singhalese Government in a nation from which come continuing reports of discrimination and persecution. Hazaras have suffered a long history of persecution as a minority group in Afghanistan. Many Iranians who have sought in Australia are members of minority religious groups.

And even membership of majority tribes does not mean that one is not persecuted. Many people from majority religious groups have claimed that they were persecuted for not being religiously observant enough.

In a healthy environment this human reality should control the way people are spoken about, and not be denied for political interests. Manipulation of language to the detriment of human truth for political ends disrespects the humanity of people who seek asylum. And it demeans those who use it.

In the duck hunting season it may be legal, if regrettable, to shoot ducks. In election season it should not be open season on the good name and the truth about people who claim protection from us.

Notes from a boat tragedy inquest

AUSTRALIA

Tony Kevin

Last week I attended the first two days of the WA Coroner's [inquest](#) into the sinking of SIEV 358 on 21 June 2012. Rules of court reporting prevent me from commenting on testimonies presented so far, or predicting any findings.

But some things can be reported about what is shaping up to be the most thorough public examination ever of Australian rescue-at-sea protocols and practice in respect of assisting people on Suspected Irregular Entry Vessels (SIEVs) who send distress calls to Australian authorities. (It has been generally accepted Australian practice, as testified to by ministers and officials, that every maritime distress call must be investigated.)

According to survivor accounts referenced at the inquest, the overloaded old boat had been taking on water and travelling very slowly. It had possibly sustained hull damage when it ran aground and was then pulled off a sandbank early in the four-day voyage. Finally an engine cooling pipe broke irreparably, causing the boat to rapidly fill with water, resulting in engine failure and capsize soon after 4.30am Australian Western Standard Time (all times herein are AWST) on 21 June. Survivors then spent many hours in the water or on the capsized hull.

The boat capsized 107 NM from Indonesia and 110 NM from Christmas Island. Two merchant ships and two Navy frigates on border protection duties came soon after AMSA issued an emergency distress call to shipping, rescuing 114 people from the water. Ninety people drowned.

WA Coroner Alastair Hope is investigating. He may make recommendations to render future tragedies less likely. He is assisted by a Counsel Assisting (CA), barrister Marco Tedeschi. Two senior barristers represent the Australian Maritime Safety Authority (AMSA) and other Commonwealth agencies.

There has been [detailed media reporting](#) of the inquest's first two days. Highlights were the CA's opening address; testimony by Alan Lloyd, manager of Search and Rescue Operations, AMSA; 90 minutes of tapes of distress calls from the boat to AMSA, and of AMSA conversations with its Indonesian counterpart BASARNAS; and video footage of the boat when it was first detected from the air, at 3.15pm on 20 June, low in the water but moving forward.

The CA noted that AMSA had received numerous distress satellite phone calls from the boat over many hours. It had located the boat travelling in international waters. AMSA was thus, he suggested, under an obligation to commence Search and Rescue (SAR) operations, alerting merchant shipping and Australian Border Protection Command (BPC) naval ships.

He said the inquest would examine whether AMSA had been best placed to take

responsibility for the SAR from the outset; whether AMSA had complied with the terms of the working arrangement agreed in 2004 between AMSA and BASARNAS; whether AMSA had better communications, SAR units or facilities, or better procedures and capability to respond compared to BASARNAS; and whether AMSA's transfer of responsibility for the SAR to BASARNAS met criteria set out in the 2004 arrangement.

He suggested that AMSA's major focus in the first 11 hours until BASARNAS accepted SAR responsibility had been to transfer the operation to Indonesia. AMSA had not made any emergency broadcasts to nearby shipping. Even five hours after the transfer, neither AMSA nor BASARNAS had undertaken any effective SAR action.

It appears that the boat finally capsized around 29 hours after the first located distress call at 11.30pm on 19 June. It had then been 36 NM from Indonesia. During the next 29 hours it had travelled a further 70 NM at an average speed around 2.4 knots (NM/hour). The usual speed of these boats is 6-10 knots.

Eight and a half hours after the capsizing, at 1pm on 21 June, a BPC Dash 8 surveillance flight detected people on the capsized hull and in the water. This triggered a full AMSA-coordinated emergency rescue response. Three merchant ships arrived within four and a half hours, rescuing 39 people. Navy frigates *HMAS Wollongong* and *HMAS Larrakia* also arrived within four and a half hours, rescuing 71 more people.

The CA commended the efficient rescue response, underscoring that Australia had the capability to respond quickly and effectively when tasked. He questioned why there had not been an AMSA request to vessels close to SIEV 358 to investigate the reported distress situation at a much earlier time.

Lloyd testified that throughout most of the incident's history, AMSA had assessed the distress calls to be 'normal refugee patter'. Many SIEVs sent distress calls, but most completed their voyages without sinking.

He said that (over an unstated period) 460 SIEVs came to Australia, 300 requested assistance, but only eight foundered. He said AMSA had also assessed the 'calm discussive tone' of the distress calls, and the fact that the boat was moving forward, as indicating a 'desire for assistance' but not 'genuine distress' as in imminent danger of sinking. AMSA was still in an 'assessment phase'. Yet-to-be-released 'irrefutable' intelligence collected at the time a BPC Dash 8 first overflew SIEV 358 had confirmed AMSA in this view.

Much later, however, some secret intelligence received from BPC (and contained in a still-secret Customs and Border Protection internal inquiry) led AMSA to 'change the status of the boat'.

The Coroner directed that before the court resumes on 24 July it must have access to a declassified version of the Customs internal inquiry, to be considered in

court and referenced in public findings. Barristers indicated a need for more discussion of the legal status of the Indonesian SAR region, and of Australia's legal SAR obligations under the 2004 SAR Arrangement. Some survivors may give evidence. Up to three more days are reserved (24-26 July) for final evidence and closing arguments by barristers.

Canberra's life of lies

AUSTRALIA

Walter Hamilton

Has lying become just as acceptable as telling the truth? Is a half-truth, an evasion or a deliberately misleading statement our approved cultural and moral standard of communication?

Lying is often considered part and parcel of political life. The phrase 'political life' — implying a separate and distinct human sphere — has itself come to stand for the moral inversion that justifies means by ends.

Interviewed by the ABC's Kerry O'Brien a few years ago, Liberal leader Tony Abbott got himself tied up in knots trying to explain why a political mistruth was a different kind of beast from the lie that society should not condone. To exaggerate or misrepresent was, he suggested, the common and necessary currency of politics. One might say he was being honest, but is the burglar who comes through the front door of your house any less culpable?

Labor's newly reinstated leader Kevin Rudd says he wants to purify politics, and make it kinder and more honest. And yet his own standards when it comes to telling the truth are at least as rubbery as Abbott's. Ahead of the ballot that led to Julia Gillard's demise he lent credence to the existence of a petition demanding a special Caucus meeting to decide the leadership. Nobody, however, has admitted to having sighted or signed any such petition.

One of Rudd's supporters, asked about the phantom petition the day after, dismissed the question: 'that's history' ('history' in the sense not of a recorded event but of something that doesn't need to be bothered with any more). If you get what you want, the outcome is all the 'truth' you need.

Similarly, having chosen not to run for leader in March, when he was unsure of the numbers, Rudd falsely claimed he had been motivated by his 'solemn' pledge not to challenge Gillard. The pledge was no more intact then than it was last week when he knew he would win.

Much was made, during her time in office, of Gillard's pre-election promise that 'there will be no carbon tax under a government I lead'. Some believe her about-face in order to win the Greens' support for her minority government so weakened her credibility she became unelectable. On such a basis, it might be argued that the system values honesty and punishes dishonesty. I doubt this explanation.

More telling, I believe, was the electorate's brooding resentment against her for snatching the prime ministership from the man they had elected with such high expectations to do the job. Hers was more a problem of legitimacy than honesty (Gillard never sought to avoid the word 'tax' later when justifying the carbon

pricing mechanism).

The fact that Rudd was not the leader people had taken him for but, in the judgement of his colleagues, ran a dysfunctional and chaotic administration, had been hidden behind the conventions of party and Cabinet solidarity and bureaucratic loyalty that some consider major contributors to a lack of truth and transparency in government. For that failure of openness and accountability the Canberra Press Gallery must also accept some blame.

Treachery, calculated lying and the spreading of misinformation are base ingredients for the business of government in any society. The anti-establishment activities of Edward Snowden and Julian Assange have tapped into a deep vein of public incredulity that is damaging our democracy.

Those politicians or business people or academics or generals who tell us they are acting for the higher good when they use low and contemptible means or that their particular brand of dishonesty is less egregious than that of their opponents are deluded and dangerous. It is no way to rebuild public trust in politics by using the excuse 'I said whatever was necessary back then so I can start telling you the God's honest truth today'.

The 43rd Parliament has ended. The business of lawmaking is in abeyance and the principal institutional forum for accountability in government, the Parliament, is vacant. Electioneering (now, as ever, a synonym for abuse of the truth) has begun. Let every word be weighed and counted in the reckoning of election day; let it be an occasion when Australians declare to themselves and those that govern that lying is not as acceptable as telling the truth.

Rural prayer

CREATIVE

Various

moreton bay fig

she must be more than a century,
no longer concerned
with appearances,
gnarled roots exposed,
wrinkled trunk, limbs
tangling skyward with
crows perched in
her green rinse
she's cantankerous — dropping
fruit over neighbours' fences,
and secretive, whispering in
the ears of the children
who play beneath
her scent is always earthy
and over-ripe, having long
given up on seasons
but not on life

Kevin Gillam

The twilight of autumn

First rains wash:
a ritual, cleansing residues
from clothes lines, fences, roofs and roads.

Domestic spirituality.

Clouds filter sunlight
relaxing eyesight.

A meditation.

Rains polish almond-shaped, olive-coloured leaves
and blushing berries of the Japanese Pepper,
or *Jesuits Balsam*

that frames the church car-park.

The oil a cure-all:
anti-bacterial, anti-fungal, anti-viral

cleansing wounds.

Analgesic,

pain relief.

Aperient (a mild laxative),

purgative holiness.

Like a tourniquet it reduces bleeding,

promoting healing.

Anti-inflammatory, anti-spasmodic, anti-depressant,

relaxant.

Hypotensive, cardi tonic,

heart health.

The essential oils found in Chilean wines.

Communion.

Like juniper sweet and aromatic:

with tears that washed the feet

of Jesus.

First rains.

Deanne Davies

Waiting

There is no balm for the yearning of eucalypts.

Candlebarks stretch up this vaulted wanting.
Dahlias splash an insane chant over a paddock,
a calf nods and backs into a startled wander.

One day she might raspily lick the mystery of my supplicant salty palm.

The kunzea shakes its head at the darting thoughts of ransacking honeyeaters;
galaxies of shining filaments catch their own suns,
striped feathers and silver eyes are lavish ideas with nowhere to go.
In winter, a faltering hand of snow,
sticks a gentle finger in my eye stopping the risk of pride.
The chalice Ash joins no offering of passage,
the canoe drifts from tree shape misleading entry.
Hands worked free an illusion of transit,
pushing into the promise finding
Hardwood bars all ways against the bubbling rainbow.
At my pew in the white gum I am an uneventful and regular event.
A shrieking squall of red and green blue yellow veers —
leadlight to frame the river noise below, and holding
at anchor, in shards of haphazard reflection,
memories slipping through my hands to their own lives
My prayer, more like the old family dog sitting alert in the herb garden,
each working day at the same hour,
listening for the school bus,
panting for the children who no longer arrive,
but never doubting the shadowy promise.

James Walton

Rudd's shifting moral high ground

AUSTRALIA

Michael Mullins

When he was first prime minister, Kevin Rudd lost the support of the people when he put off legislation for a carbon emissions trading scheme. He'd shirked what he had identified as the 'greatest moral challenge of our time'. Facing that challenge was part of the mandate given to him by electors, who had also embraced Rudd's wider moral project, which included the apology to the Stolen Generations, the wind back of inhumane asylum seeker policies and the repeal of WorkChoices.

As we know, he was spooked by the Coalition's sudden populist change in direction on climate change, and lost his nerve. But three years later, he's back. Moral purpose has once again become part of the agenda, at least in the sense that he said in his [statement](#) on Thursday that he is 'resuming' with 'humility and honour' the task given to him by the Australian people in 2007.

Commentary in the past week from Rudd supporter Maxine McKew suggests as much. She [argues](#) that, with regard to charting the course for the nation's future prosperity, Australians could well be ready for Rudd's 'moral dimension', and the burden-sharing and self-sacrifice that involves. 'The recent ready acceptance of a mandated levy to pay for the country's National Disability Insurance program suggests Australians are perfectly capable of signing on to sensible proposals that are seen to benefit the wider community.'

That is certainly consistent with the moral goodwill that was in evidence when the Australian people elected the Rudd Government in 2007. But it also belies the wisdom accepted by many political leaders that they must demonstrate a harsh attitude to asylum seekers or face an electoral rout in Western Sydney and elsewhere.

This is reflected in an early clear signal of Rudd's new policy intentions. He [told](#) colleagues during the week that he would not 'lurch to the left' on asylum seekers. Subsequently, foreign minister Bob Carr was on message when he [said](#) on *Lateline* on Thursday that the situation has changed and most boat arrivals are now economic migrants rather than genuine asylum seekers.

Policy advocate John Menadue immediately [pointed to](#) figures contradicting Carr's proposition. But the Foreign Minister appears deaf to such voices and has quickly adjusted his own rhetoric to conform to the Rudd moral purpose narrative. He is boldly asserting that the Rudd Government's moral credentials are intact, by framing boat arrivals as a law and order matter and not a moral issue. 'I say to those Australians who believe this country ought to distinguish itself by its decency to refugees, the problem in front of us measurably has changed.'

No doubt that is just what the voters of Western Sydney need to hear before

deciding to give their Labor local members another chance.

Significantly the 'change' has occurred in the interregnum between the two Rudd prime ministerships. Therefore it is possible to morally justify Rudd's 'lurch to the right on asylum seekers' now in a way that such a shift could not be sanctioned when Rudd criticised Gillard's apparent resolve to move in that direction on the night he lost office to her in June 2010.

Rudd skeptics such as the ABC's Scott Stephens [regard](#) the Rudd moral purpose narrative as a furphy. Time will tell whether he is right and Maxine McKew is wrong.

Addicted to community

CREATIVE

Shira Sebban

I can no longer live a meaningful life without my community. My teenage son calls it an addiction. But my love for my community does not stem from mere habit, nor am I guided by compulsive need or blind infatuation. On the contrary, it has taken years of soul searching and trial and error to find the appropriate community where my family has been able to take root, grow and contribute.

Since time immemorial, philosophers like Aristotle and more recently, Spinoza have argued we are social animals. Indeed, most of us would be familiar with the ancient saying, 'If I am not for myself, who will be for me? And if I am only for myself, what am I?'

Yet, it was not until my own father's death ten years ago that my longing for community became so urgent. I had once asked him whether he would wish to be buried in the same cemetery as his parents and extended family in Toronto, Canada. 'We should be buried within the community where we live,' was my father's reply. By that time, he had been residing in Melbourne for more than 30 years.

When my father died, I did not know where to turn. Not having been raised in a particularly religious home, I felt unable to draw on faith for comfort.

This was not from want of trying — although we had belonged to various congregations in the past, my husband and I had not been able to find a spiritual home since moving to a new city some years earlier. As a result, we'd flitted from one congregation to the next, sampling a different one on each holiday but never feeling at home.

Nevertheless, I was touched when a religious leader, whom I had met in the course of my search, rang several times to see how I was faring. When upon the first anniversary of my father's death, he offered me his premises for a memorial service, we finally made up our minds to join his congregation — after such generosity on his part, we believed it was the least we could do ... even without faith.

That sense of welcome, warmth and support through both tough and good times remain major factors in why we renew our membership each year.

Indeed, as our sons have grown older, our family has come to attend services every week. This may be going against the trend — only 7.5 per cent of Australians attend religious services regularly — but we believe that in this day and age when many of us do not even know whether we believe in God, it is still possible to contribute altruistically to and derive meaning from community based on religious civilisation.

Our congregation of choice integrates tradition with modernity, promoting all forms of equal rights, giving us the freedom to question, and acknowledging our prerogative to consider different interpretations and viewpoints.

The school my children attend is another pillar of my community. Pluralistic and egalitarian too, it welcomes students of all backgrounds, who come together in mutual respect and are encouraged to work to make the world a better place. So committed have I become to this philosophy that I decided to volunteer for the school board when my oldest son was in first grade and have remained actively involved ever since.

My oldest son has commented that without faith, a prayer service is just 'a group of strangers singing together'. Yet I have discovered a sense of inner peace, spiritual uplift and intellectual stimulation through regular attendance at religious services and communal celebrations.

Alain de Botton in his 2012 book *Religion for Atheists* wrote that the relevance of such religions as Christianity, Judaism and Buddhism 'to the problems of community are arguably never greater than when they ... remind us that there is also value to be had in standing in a hall with a hundred acquaintances and singing a hymn together ... or in sitting at a table with neighbours and partaking of lamb stew and conversation, the kinds of rituals which, as much as the deliberations inside parliaments and law courts, are what help to hold our fractious and fragile societies together'.

De Botton — who was born Jewish but is now a committed atheist — argues for the removal of religion's 'supernatural structure' before it can help solve 'many of the problems of the modern soul'.

My soul does not need to be quarantined from the full gamut of my religion in order to thrive. Indeed, I am quite happy to keep on exploring the laws and customs of my heritage and culture, practicing rituals and contemplating ideas from within a religious framework. All I need is my community.