



# EUREKA STREET & PENGUIN

*Special book Offer*

## PENGUIN 60s CLASSICS



A whole library in one black box. Spice your winter reading with 60 pocket-sized editions of the classics, including Aristophanes, Balzac, Cervantes, Conrad, St Augustine, Dante, Darwin, George Eliot, Plato, Charlotte Brontë, Edgar Allan Poe and Edith Wharton.

This month, thanks to PENGUIN, we have four complete boxed sets of Penguin 60s Classics, each worth \$65.00, to give away.

Just put your name and address on the back of an envelope and send it to *Eureka Street* July/August Book Offer, PO Box 553, Richmond, 3121.

## LIVE & work in another culture

Australian Volunteers Abroad (AVAs) work in many occupations in Asia, Africa, the Pacific and Latin America. Lengths of assignment vary, but are usually up to two years. Salaries are modest but cover overseas living costs.

You may be a qualified professional or tradesperson looking for a change, or perhaps a recent graduate wanting to gain experience, or maybe a retiree with skills and knowledge to share...

If you're interested in finding out about the AVA program, contact the Overseas Service Bureau.

Applications are being received now.



Overseas Service Bureau

WA: 09 382 3503 SA: 08 410 2770  
QLD: 07 3891 1168 NSW: 02 211 1277  
PO Box 350 Fitzroy VIC 3065 Ph: 03 9279 1788

ES1

## Australian Book Review

*the essential magazine  
for Australian books*

IN JULY:

Inga Clendinnen reviews Robert Manne's  
*The Culture of Forgetting*

Henry Reynolds reviews Ted Egan's  
*Justice All Their Own*

Jack Hibberd on the screenplays  
of *Così* and *Bad Boy Bubby*

An essay by Liam Davison

And a symposium on the Public Intellectual

NEW SUBSCRIBERS - \$44 FOR TEN ISSUES  
WITH A BONUS BOOK

Subscriptions may be phoned or faxed  
Ph (03) 9663 8657 Fax (03) 9663 8658



*If we are a third-rate economy, then we can only afford a third-rate 'quality of life', including third-rate higher education. And if it is true that the sacred cow of 'privatisation' affords illusory comfort, then our situation is very dark indeed.*

—Tony Coady, The market place of ideas, p8.

**Cover: What's on the Australian mind.** Graphic by Tim Metherall, design by Siobhan Jackson.

Photograph p6 by Greg Scullin.  
Graphics pp8, 10, by Tim Metherall.  
Photographs pp11-12 by Jon Greenaway.

Graphics pp16, 17, 18-19, 37, 46 by Siobhan Jackson.

Photograph pp22-23 by Bill Thomas.  
Cartoons p24, 25, 26 by Dean Moore.  
Cartoon p28 by Andrew Marlton.  
Cartoons pp31, 32, 33, 34 by Peter Fraser.

Photograph p41 by Andrew Stark.

*Eureka Street* magazine  
Jesuit Publications  
PO Box 553  
Richmond VIC 3121  
Tel (03) 9427 7311  
Fax (03) 9428 4450

## CONTENTS

4  
COMMENT

7  
CAPITAL LETTER

8  
HIGHER EDUCATION SPECIAL  
It's not looking good, say Tony Coady, Bruce Williams, Jon Greenaway, and Desmond & Roland Manderson.

13  
LETTERS

16  
FOREIGN CORRESPONDENCE  
David Braddon-Mitchell argues that tolerance is not enough in New Zealand racial politics.

18  
ONE VOTE NO  
Frank Brennan suggests that the US Bill of Rights won't transplant here.

22  
TALKING ON THE PRIVATE LINE  
Gerard Goggin and John Quiggin argue that the privatisation of Telstra will be no party.

27  
ARCHIMEDES

28  
CONTEMPT FOR THE LAW  
Do we do the law justice, asks Moira Rayner.

30  
RADIATING LIFE  
Robyn Cooper heads off a brain tumour.

35  
POETRY  
*Too Many Miracles, & Bad Dreams, Christmas Eve* (p39) by Peter Porter.  
*Ballad*, by Dimitris Tsaloumas (p47).

36  
THE CONTEXT OF ABUSE  
Peter Lynch traces the history of sexual abuse in the Church.

38  
BOUGAINVILLE ESCALATES  
James Griffin details the new hostilities.

41  
OUR REPUBLICAN HERITAGE  
Australia is republican in essentials, argues Philip Pettit.

46  
SCEPTICISM AND TABOOS  
What can be gleaned from the Demidenko debate, asks Raimond Gaita.

50  
BOOKS  
Peter Steele looks for golden pavements in *The Oxford Book of London*; Max Teichmann has reservations about Daniel Jonah Goldhagen's *Hitler's Willing Executioners* (p52); Jon Greenaway reviews R.M. Eversz's *Shooting Elvis* (p56).

55  
IN MEMORIAM  
Juliette Hughes pays tribute to Ella Fitzgerald.

57  
MUCH LESS MIS-ERY EN SCENE  
Geoffrey Milne records developments in recent Aboriginal Theatre.

59  
FLASH IN THE PAN  
Reviews of the films *The Last Supper*; *Shine*; *Richard III*; *Bitter Herbs and Honey*; *What I have Written*; *Cable Guy*; and of the history of the Swinburne Film School, *Renegades* by Barbara Paterson (p61).

62  
WATCHING BRIEF

63  
SPECIFIC LEVITY

## EUREKA STREET

A magazine of public affairs, the arts  
and theology

Publisher  
Michael Kelly SJ

Editor  
Morag Fraser

Consulting editor  
Michael McGirr SJ

Assistant editor  
Jon Greenaway

Production assistants:  
Paul Fyfe SJ, Juliette Hughes,  
Chris Jenkins SJ, Amy Block,  
Siobhan Jackson, Dan Disney

Contributing editors  
Adelaide: Greg O'Kelly SJ  
Brisbane: Ian Howells SJ  
Perth: Dean Moore  
Sydney: Edmund Campion, Andrew Riemer,  
Gerard Windsor  
European correspondent: Damien Simonis

Editorial board  
Peter L'Estrange SJ (chair),  
Margaret Coady, Margaret Coffey,  
Valda M. Ward RSM, Trevor Hales,  
Marie Joyce, Kevin McDonald,  
Jane Kelly IBVM,  
Peter Steele SJ, Bill Uren SJ

Business manager: Sylvana Scannapiego  
Advertising representative: Ken Head  
Patrons

*Eureka Street* gratefully acknowledges the  
support of Colin and Angela Carter; the  
trustees of the estate of Miss M. Condon;  
Denis Cullity AO; W.P. & M.W. Gurry;  
Geoff Hill and Janine Perrett;  
the Roche family.

*Eureka Street* magazine, ISSN 1036-1758,  
Australia Post Print Post approved  
pp349181/00314

is published ten times a year  
by Eureka Street Magazine Pty Ltd,  
300 Victoria Street, Richmond, Victoria 3121  
Tel: 03 9427 7311 Fax: 03 9428 4450.  
e-mail: eureka@werple.net.au

Responsibility for editorial content is accepted by  
Michael Kelly, 300 Victoria Street, Richmond.

Printed by Doran Printing,  
46 Industrial Drive, Braeside VIC 3195.

© Jesuit Publications 1996.

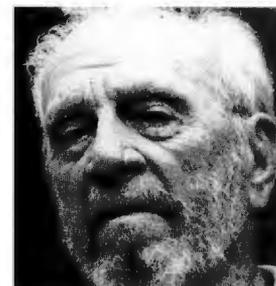
Unsolicited manuscripts, including poetry and  
fiction, will be returned only if accompanied by a  
stamped, self-addressed envelope. Requests for  
permission to reprint material from the magazine

should be addressed in writing to:  
The editor, *Eureka Street* magazine,  
PO Box 553, Richmond VIC 3121.

COMMENT

MORAG FRASER

# Winners



**I**N THE WINTER WEEK that Noel Pearson announced his resignation from the Northern Land Council and made the decision to hang up his shingle elsewhere, it was cheering, and in some ways consoling, to get some good news about other Australians who have also devoted much of their working lives to the betterment of their people.

Last year Jack Waterford (above left), editor of the *Canberra Times*, wrote a long profile for *Eureka Street* of H.C. ('Nugget') Coombs (right), the man whose signature was for so long on Australian banknotes, one of the now endangered breed of grand-vision public servants. Jack described Nugget Coombs as a man who 'had been the greatest living Australian for so long that he has almost vanished into the scenery, his nagging and very modern messages almost taken for granted.'

With the shape of Australian institutions and Australian assumptions mutating around us, it is bracing to listen to those nagging and very modern messages of Nugget Coombs. 'What I want to do with such time as I have left is to look at what Aborigines are doing where they are in some position to make choices. There's some very exciting stuff,' he told Jack. At the time he was 89. Jack remarked then that Nugget was visibly frail and just a little conscious of his mortality. 'But not slowing down.'

Well, the judges at this year's Australian Religious Press Association and the Australasian Catholic Press Association endorsed Jack Waterford's view of Nugget Coombs and paid tribute to the man himself when both bodies awarded Jack's profile the prize for best Australian feature article for the 1995-1996 season. Their award is for fine journalism that looks beyond the story of the day but is alive to what makes the day matter.

They are a tribute to an exemplary life, and to mastery of the journalist's craft, but their essential focus is towards the future.

Still in celebratory mood: *Eureka Street* is also delighted to announce that the Australasian Catholic Press Association's award for best social justice feature went to our regular columnist, Moira Rayner, and the best photograph award to our photographer Bill Thomas. *Eureka Street* has long been in debt to both for their zest and skill. It is a fine thing to see them thus acknowledged.

This is our winter double issue. See you again in Spring.

—Morag Fraser

# Masada versus McDonald's

ONLY IN ISRAEL COULD RELIGION and politics be so closely linked. Only in Israel could there be two versions of the McDonald's hamburger franchise. In one the 'Big Macs' and milk shakes are sold indiscriminately. In the other the biblical and rabbinical restrictions concerning food are enforced. The meat and the buns must be kosher. Milk and meat products may not be mixed and cheeseburgers are therefore off the menu! To make matters even more complicated, the most popular non-kosher Israeli McDonald's flourishes in the centre of modern Jerusalem only a few hundred metres from the ultra orthodox heartland of the country. The fate of those cheeseburgers will now be decided by the power, or the restraint, of Israel's orthodox religious parties in the newly elected Knesset.

Israel is a very small country whose population is obsessed with its abundance of history. The astonishing fortress of Masada built by King Herod stands by the Dead Sea on the edge of the great rift valley that now defines the political border between Israel and the Kingdom of Jordan. Excavations continue at the ancient site. Fragments of parchment, ostraca, fringed prayer shawls, are still being uncovered. They testify to the last desperate stand made by the Jews against the Roman Empire more than 1900 years ago.

Every day tourists visiting Masada's ruins duck their heads as armed Israeli Air Force jets zoom low over the mountain fortress on their way to their base 'somewhere' in the Negev desert. Nearby, at Dimona, is Israel's nuclear reactor. It is a witness to the popular strategic maxim that 'Masada shall not fall a second time'. Israel's new right-wing government will be judged on its defence policy. Will it withdraw into a defensive, and perhaps suicidal, posture that relies upon its punitive power or will it exercise restraint and continue the search for peace with its highly suspicious and volatile neighbours?

There can be no doubt that Israel's democratic process has slowed down the movement towards peace. Peres was often seen by his electorate as shouting into the wind and, sadly, it became painfully obvious that, apart from King Hussein of Jordan, the Arab world was reluctant to develop a positive attitude towards Israel. After years of a very 'cold peace', tourist traffic between Israel and Egypt is still all one way. Islamic extremism has made Cairo very nervous. Only American Presidential pressure could force a very uneasy President Mubarak to Jerusalem for Rabin's funeral. Syria gleefully helps Iran supply Hezbollah with plane-loads of ammunition, and

Damascus is the home of a dozen radical anti-Israel guerrilla groups.

During the recent cease-fire negotiations, most Israelis must have asked themselves how a fruitful dialogue with Syrian President Assad could be expected after he contemptuously kept the American Secretary of State cooling his heels at the Damascus airport. Yasser Arafat may well have sealed the fate of Shimon Peres when he eulogised 'the engineer' Yahia Ayyash, the master of the suicide bombers, by saluting him as 'a martyr'.

The new Israeli electoral system allowed voters to elect deputies to the Knesset in the same way that we elect representatives to the Australian Senate. In addition a separate ballot slip gave the electorate the chance to directly choose the Prime Minister. Under this system, it is said, Israelis voted for their new Prime Minister with their heads and for their party list with their hearts. Having pragmatically nominated the most appropriate national leader, the voters felt 'free' to choose a smaller party that represented their factional allegiance. It was not a matter of 'keeping the bastards honest' but rather an injection of ethnic, religious and ideological preference.

In this way the conservative party Likud, together with its even more right-wing partner Tsomet, fell from 40 seats to 32 while the orthodox religious bloc expanded by seven seats to a formidable 23. However, because Mr Bibi Netanyahu, whose facade of respect for traditional religious values is all too transparent, has been chosen directly by the electorate, the entire parliament must go back to the people if the Knesset ever rejects the administration that he has stitched together.

THIS ISRAELI EQUIVALENT of an Australian double dissolution is unlikely to happen. According to Professor Asher Maoz of Tel Aviv University, who is an expert on the relationship of religion to the state: 'Those who managed to enter the Knesset won't be so eager to try their luck again. That means Netanyahu is much less of a hostage. As a matter of latitude he would like to satisfy [the religious parties] but he is much less in their hands than under the old system.' So McDonald's in Jerusalem may well be saved. Soccer matches will still be played on the Sabbath. Cinemas will be open on Friday night and the bus service will run (though not in Jerusalem!). However, in matters of personal religious status, power may well be handed over to the orthodox establishment. The ultra-orthodox, who rule the religious roost in Israel, have a Masada-like attitude

towards everyone else. The non-Jewish world has long been identified as hostile. They are also besieged by a Jewish world that no longer believes in the eternal verities of their sacred writ nor, because of their sharp political and business deals, in their personal probity. It is only through legislative fiat that their beliefs can be imposed on a non-believing public.

Ultimately, orthodoxy's grip may well be broken by an emerging coalition of secularist groups. Every jumbo-jet load of secular Jewish migrants from the former Soviet Union diminishes that unprecedented power handed to the religious parties

in the June 1996 election. Sadly, the more power exerted by the orthodox, the more severe will be the break between the non-orthodox diaspora and their secular cousins in Israel.

For the time being the Israelis are more or less content to leave matters of religion to the men with the black hats. The Jews of the diaspora will only feel alienated by a Jewish State that is seen to be intolerant of liberal and democratic values. ■

**John S. Levi** is Senior Rabbi at the Temple Beth Israel and a member of the Victorian Union for Progressive Judaism.

COMMENT: 3

MAX TEICHMANN

## Gun Laws and voices from the bush

**T**HE DISMAYINGLY LARGE turnouts of people opposing the banning of automatic and semi-automatic weapons, and the vehemence of the feelings expressed—no tokenism, no street theatre here—shocked a lot of us. More predictable was the opportunistic formation of a new catch-all party, running together gun laws, immigration, and heaven knows what else, to pick up the disenfranchised vote. So were the ructions in big sections of the Nationals. Many chickens have come home to roost.

The first one is the culture of permanent demonstration, much indulged in recent years, for often trivial reasons. I have feared the dénouement of this for some time. In the end others may take it up, with menacing effect. 'He who rules the streets rules Germany', as Goebbels said. The daily slugging of the Australian police, is *not* in season, I suggest.

More importantly, were these country people really only protesting against the gun laws? I heard one woman say 'We've lost everything!' Was this just hype, melodrama picked up from the media way of doing things? Alternatively, what could she mean? Possibly a mélange of old established rural perceptions. People in the country feel isolated from urban Australia: taken for granted, rarely consulted, easily overridden by the force of electoral numbers. The party *they* created is impotent on its own, but a prisoner in alliance with either city party. The media either ignore or patronise them. They feel powerless.

Their vital economic contributions are downplayed and put last—though for a long time they were the spine of our economy, allowing the rest of us to take in one another's washing. They were being 'downsized' long before our workers or middle managers. But who knew, who cared? And what about their kids?

The city stereotypes are still Dad and Dave, or red-necked Rambo. (Not like King Street, or our footy matches.) If we move to the country, we seek out other ex-city people or try to attract them. The gulf has always been there. In Oz, urban and country started off more or less simultaneously; not like Europe, or now Asia; viz. first the country then the urban aggregations.



But there are few of the familial, nostalgic links here. Different lives always.

So the bush felt, as long as *they* leave us alone to fend for ourselves, we'll do our own thing. A *modus vivendi*. But *now*—their economically topsy-turvy world has been invaded by New Class values and projects pushed through media and school, with rising regulation and interference by people on the make, with no

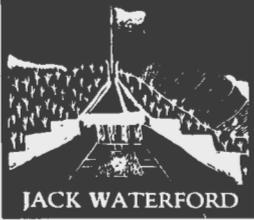
empathy. The gun laws are just the last straw. Of course resource use had to be changed and Native Title problems tackled—but why the media-driven scapegoating, the melodrama and polarisation? Counter-productive.

Country people are feeling marginalised and see themselves as underprivileged. And perhaps they are. The underprivileged often kick back. And they see much smaller, single-issue groups given the inside running—but not them, a *whole community*. So they are forcing us to listen.

As to guns: murder, gun violence and crazies generally, are city problems, spawned by the violence-addicted media and the collapse of school and family. Why shunt blame onto farmers? Reformists should tackle the roots of this city Ramboism. *Of course* farmers don't need automatic weapons. How did they get on before? They put down sick animals and culled others. Guns are for killing or wounding people or creatures. Soldiers don't play with guns, and I've known very few ex-soldiers who keep guns, except as mementos. Been there, done that; it's a civilian hobby. But rapid-fire guns bestow omnipotence—*they* are the danger, for as Sartre said about anti-Semitism, 'It enables any idiot to become a member of an élite'.

Finally, the press, having backed the ban, are now trying to flatter and publicise the dissenting conservatives—so as to 'make trouble for Howard and Fischer'. 'The Accord is unravelling etc, etc.' Could anything be more destructive, or contemptible? ■

**Max Teichmann** is a freelance writer and reviewer.



JACK WATERFORD

# 'A' Efficiency = spend nothing

AT THE BEGINNING OF THE SEASON, I look over all the programs I am responsible for and give them a notional mark out of ten for how bad a job I think they are doing', a Commonwealth Department of Finance officer, now a permanent head, once told me enthusiastically, in an effort to persuade me that he was scientific. 'And then I mark them out of ten according to how much money they are spending. I plot the co-ordinates of each program onto a chart. Then I go outside and put my finger up into the air and make a judgment—on a scale of one to ten—about how much the Government's in a cutting mood this year. Then I get a compass and draw a curve on this number. Anything that's inside the line is in for it from me this year'.

Forget the economic rationalists and worry about the accountants who are really running the show right now. Economic rationalism was at least about transparency and making the options clear, even if some heroic assumptions, especially about the workings of the market, were being made. But the politics of managing the bottom line, not least when politicians are giving no clear directions about what they want, and when they are too gutless to talk about raising the revenue side of the equation, are something else again.

One of the major functions of a Department of Finance is to cast a highly critical eye over the spending proposals of other departments, and to test the rationales in support of them. It has some bright minds who have demolished many a dreamer's woolly thinking and which has made not a few policy contributions of its own. But Finance, like Treasury, operates well only when there is a debate and when the politicians have firm agendas. Putting them in charge with vague directions about squaring a balance sheet is a recipe for political disaster. It's the more so when the department is obsessed with ideas and slogans about managing, and about reforming processes without ever wondering why the processes are even there.

A tale going around senior public servants at the moment tells of Finance's pulling out of its bottom drawer its assiduously compiled list of *bête-noire* programs. Finance, for example, hates publicly financed child care in any shape or form, is not terribly taken with special programs for any disadvantaged groups, and is fixated with the idea that there should be no competition for ideas or goods and services within the public administration. Every now and again a Finance Minister picks up and runs with an item on the list—Peter Walsh was one of its best marks—and sometimes, even, a win is recorded. In any event, it is said, the department presented this list to John Fahey in the early stages of this year's rounds of cuts. They came back ticked, not as matters worth pursuing but as decisions made ready to be promulgated. Someone had to explain to him just how courageous this it might be.

This year at least, however, the Department got its best opportunity for years to parade its intellectual wares. The National Commission for Audit was asked to tell how it was. It was initially planned as a cheap stunt by Government to tell us that the Government was broke, that it was all the previous Government's fault and so on. The Commission was peopled by the business sector, but the secretariat, and most of the report, were pure Department of Finance.

The Government is now gravely disappointed and has distanced itself from some of the report's recommendations. It is not, however, so much that some of the recommendations were courageous or contentious which was the disappointment: it was that the report failed to excite a rage against the profligacy of the previous Government and provide a platform for some drastic action which could be blamed on Labor. In many respects, indeed, the analysis (as opposed to the recommendations, most of which were taken from the back of the department's Corn Flakes packet) was quite thoughtful.

Forget, for example, the idea that the present middle generation is looting the birthright of future generations. If anything, the research so far suggests the contrary. If there is any problem of future generations being short-changed, it is from a lack of vision by modern-day politicians, particularly in their focus on the budgetary bottom line, which has let public investment in infrastructure decline. Australia spends at least 25 per cent less a year on public infrastructure than it did a generation ago, and, unlike most other industrialised economies, the rate continues to fall. The fall is most marked at state and local government level, with only about half as much being spent on fresh capital investment in roads, communications, schools, health facilities and public housing.

Now while the report is impressive in providing warnings about the rising costs of caring for an ageing population, its findings about the state of the national infrastructure are far more complacent. There is no evidence that old levels of investment were optimal, the fall might be explained by other factors and 'in short, economy-wide analyses convey little information about the adequacy and condition of public infrastructure'.

The gap between the material and the report (well-laden with slogans like 'risk-taking', 'best practice', 'risk management', taken-as-read propositions about the need to throw out public service protections, develop a contract society and set up 'purchaser-provider relationships') is breathtaking. Little wonder the Government has officially distanced itself from it. Its model for the reform of Commonwealth state relationships is, essentially, the transfer of most programs to the states, and the contracting-out of all Commonwealth level services except the essential ones, such as, er, the Department of Finance. There is ample material about 'incentivising' the poor but not a word about the other side of the ledger. The commissioners and the department might retort that they were not asked about that, but neither were they asked for many of their recommendations about intergovernmental responsibilities.

PETER COSTELLO HAS ADROITLY DISTANCED HIMSELF from anything controversial within the report. But is any alternative agenda being framed? A wise Budget Cabinet has at least a few heads with programs of their own, with some ability to take on the straighteners in debate and some instincts about where political survival and following advice must diverge. If these are there now, it is not evident. ■

**Jack Waterford** is the editor of the *Canberra Times*.

# The market place of ideas

PEOPLE WHO GRADUATED from Australian universities as late as 1986 have a picture of university education which is about as close to the contemporary scene as wedding photos from the 1930s are to contemporary video recordings of such events. Depending on your taste, the analogy may be more flattering than I mean it to be, but it brings out the radical nature of the changes that have been forced upon universities (and in many cases enthusiastically embraced by vice-chancellors) in that time. The changes are due almost entirely to decisions made by the Federal Labor administration beginning in the late 1980s and are associated principally with Labor's 'reforming' Minister, John Dawkins. The new cuts threatened by the 1996 conservatives are being rightly resisted and decried but they do not represent any change of direction, merely a sudden acceleration. Even if the cuts are 'only' in the region of 5 per cent they will mean a grim outcome for tertiary education, but this will be partly the result of the eroded position that universities have now reached.

When the proposed Dawkins 'reforms' first appeared in the Green Paper of 1988, it was clear to me that behind the barely comprehensible jargon of management, excellence, productivity and equity, the real drive of the proposals could be seen as a determination by the government to retreat from the solid financial support of higher education that had been a hallmark of previous policy. At the time, I did not realise the extent to which this retreat would go, but it is now clear that the 'reforms' aimed to destroy a central tradition of public funding for higher education. Part of the motivation for this was the conviction that the Australian polity could no longer afford to fulfil its educational responsibilities; we were living beyond our means and had to face economic facts.

The belief that we are living beyond our means has driven a clutch of social and political 'reforms' in the past decade in both federal and state politics which has signalled the retreat of governments from traditional involvements in banking, transport, basic services such as electricity, water, gas,

and communications. The belt-tightening motivation co-exists with another motivating belief: that all these activities should always have been the concern of private enterprise, since they are businesses and are either more efficiently run for private gain or more 'rightfully' so run since 'minimal' government is morally desirable. This sec-

*The present clamour about Federal Government cuts to university funding has to be seen in the context of a decade of dramatic changes in the nature of university education.*

ond motivation is comforting, because it helps us believe that a good standard of services can be maintained by pushing the costs onto private providers. In some cases, the comfort may be realistic, but there is good reason to think that, for many areas, it is mere moonshine, no more respectable for being canonised by various 'economic advisers'. But even where the comfort is only a delusion, the first motivation cannot be lightly dismissed. If we are a third-rate economy, then we can only afford a third-rate 'quality of life', including third-rate higher education. And if it is true that the sacred cow of 'privatisation' affords illusory comfort, then our situation is very dark indeed.

Politicians and other 'leaders', like the rest of us, find this very hard to face. So we prefer to think that retreating from the public support of major social institutions will not only save money but improve the institutions. Whether this is true or not is a matter for empirical discovery, but it is being treated as a matter of faith. In the case of universities, the Dawkins régime bolstered this faith by the pretence that universities were merely businesses with chief executive officers, managers, products, markets and customers (or in a kinder version, clients). Traditional Australian anti-intellectualism (common to Ministers Dawkins and Vanstone) fed into this vision so that the broad benefits to the community of a minority receiving an induction into a life of reflection, criticism and inquiry were treated with contempt, and universities viewed as mere providers of meal tickets. In this way, it was made to seem natural that

universities should aim to become predominantly (and perhaps eventually, totally) self-funding and market-driven. This tendency is reinforced by dubious resort to analogies with what happens elsewhere in the world, especially in the United States. Under pressure, the universities have moved further and further in this direction although this has produced serious distortions in what they do and should aspire to do.

One of the major problems is that countries like the United States maintain a significant number of private universities by resort to very high fees and large private benefactions. But Australians are not psychologically prepared for such fees and there are reasons to see them as socially regressive. In addition, we do not have benefactors with the wealth and traditions of educational magnanimity that America can boast.

Where there are reasonable benefactions available, they seldom go to subjects and disciplines that have no immediate utility, such as classical studies, pure mathematics or philosophy. Overwhelmingly, our 'external' funding helps support such things as business and management schools, applied medical research, and technology. By contrast, in the US there is plentiful outside funding for humanities research; Princeton University's Center for Human Values which hosts research by philosophers and political theorists was founded in 1991 by a grant of \$20 million (US) from Laurence Rockefeller. In Australia, \$200,000 from an outside source for such activities would be astonishing.

INCREASINGLY, AUSTRALIAN universities get what they can from outside sources and then hunt for fee-paying students wherever they can be found. This has led to hectic competition for dubious recruitment in Asia, fee-paying courses wherever possible, weighting appointments in favour of candidates who can attract outside money, factoring outside money into the formulae whereby the university funds departments, pressure for upfront fees for all students, and a general culture of 'the main chance' that has depressingly little to do with the

search for truth and its accompanying reflective attitudes.

An old friend of mine who is now a senior figure in Australian public life, and who has long-standing connections with the Labor Party, some years ago defended John Dawkins against my criticisms, but when I spoke to him a few months ago he complained bitterly about the way the academics he met nowadays could speak about nothing but money. They have learned the lesson taught by his political 'mates'. On the Asia front, a leading vice-chancellor was heard to rebuke a colleague who was talking of getting more students from a country in South East Asia with the remark: 'Waste of time. That one's fished out.'

The culture of crude commercialism will ensure that the forthcoming budget cuts will lead to more of the same, and it will reinforce other tendencies towards the deterioration of academic life. Tenure has been effectively abolished in all but name as so-called redundancy provisions are used to 'downsize' faculties and departments, and tenured staff are 'appraised' and 'assessed' annually as if they were temporary appointees, and not very trustworthy ones at that. This is another case in which invocation of America has been mistaken, if not deceitful, since it would be impossible to treat tenured staff in the USA in ways that are becoming common here.

Teaching conditions have developed in technological sophistication but declined in terms of the personal contact and close interaction once thought central to higher learning. In my own discipline, tutorial sizes

have increased from 14 in the 1980s to 22 today, and they will pretty certainly be abolished altogether when the latest cuts are revealed. In 1986, we had 15 full-time members of academic teaching staff, as of writing we have 12, and prior to the Vanstone cuts we were looking at a reduction to 10 in 1997. If the Vanstone cuts are to be anything like the order of 12 per cent then whole departments will have to go. There are at least three Philosophy Chairs across the country that have been unfilled for years and that are unlikely to be filled in the foreseeable future. This is in a subject in which Australia's international reputation is amazingly high. People no longer speak of staff-student ratios as a measure of need because it would be too embarrassing to reveal the extent of deterioration. Meanwhile, as young scholars are employed on a never-ending series of short-term appointments, many universities increase expenditure on senior management and window-dressing professorial appointments. And with all of this goes a mindless pursuit of 'innovation' in teaching, managing and 're-structuring'.

**T**HE SOCIOLOGIST THORSTEIN VEBLEN made a ferocious attack in the early years of this century upon the tendency to turn American universities into 'an arm of business'. Veblen scornfully rejected any place for professional or vocational teaching in universities. (See Thorstein Veblen, *The Higher Learning in America*, New York, 1957). His principal target was what is nowadays called 'the Commerce Faculty' but he is almost as

scathing about Law Faculties and would have all vocationally-oriented courses relegated to 'the lower and professional schools'. The combination of insight and exaggeration in Veblen's critique is a salutary reminder of both the value and the limits of gloomy soothsaying. Of course, universities will survive the new commercialism in some form or other, just as some form of public broadcasting will survive the gutting (and even eventual abolition) of the ABC. But it is stupid to pretend that there is no great loss. And the loss, here as elsewhere in our public life, is a loss of significant and valuable intellectual and cultural tradition.

When the Harvard philosopher Josiah Royce visited Australia in 1887, hoping to recover from attacks of depression, he was greatly cheered by what he saw. In particular, he admired the social solidarity of the emerging nation, and contrasted the concern for the public good in the Australian colonies with what he believed to be the destructive individualism of the United States, especially his native California. He praised the way Australians were prepared to make sacrifices to build significant public institutions (he was particularly enthusiastic about the Melbourne Public Library.) Royce's voyage to the Antipodes helped to cure him, but a latter-day Royce would probably be better advised to try Germany. ■

**Tony Coady** is Boyce Gibson Professor of Philosophy at the University of Melbourne and Director of the University's Centre for Philosophy and Public Issues.

THE NATION: 2

BRUCE WILLIAMS

## The fate of Ruritanian

**H**IGHER EDUCATION NOWADAYS is a competitive industry, and we must market our products, and that is why we Heads of Schools are gathered here, in the conference room with the wall of glass looking out onto the ornamental pond. The marketing man is tall and young and his opening gambit is a good one. He asks for our associations with the word marketing. We are candid: lying is mentioned. The marketing man knows we will say this. He points out that marketing is not the same as advertising; he mixes common sense with jargon; he intimates that behind his casual presentation is a body of theory to rival quantum physics.

Pretty soon the banter is over and the overheads begin to flicker and we get right down to it.

The people from Humanities begin to fret. OK, we say, our product is education and the students are the clients and the market rules, OK, but what if the bottom drops out of something, say, Ruritanian Studies? What happens to the staff? The marketing man smiles easily. Surely, he says, that's what voluntary departure packages are all about?

I remember the words of a colleague who retired—early—a few years back: 'I joined a profession and I'm leaving a job.'

A competitive industry: so says the recent Hoare Report on University Government. At the same time, universities are rigidly controlled from Canberra by centralised funding mechanisms. After the cuts expected in the first Howard Budget, Vice-Chancellors have been told that they will have to provide a satisfactory account of how they propose to cope before any funds are transferred. It is like a game of Monopoly in which Mum and Dad not only control the bank but play by different rules from the kids.

'To invent a language', says Wittgenstein, hauntingly, 'is to invent a form of life.' Or

# I How the few are angry

IN BRISBANE THEY HAD A SIT-IN at the main Commonwealth offices, in Sydney they stormed Mr Howard's office and in Wollongong they even took to an effigy of Amanda Vanstone with a chainsaw. In Melbourne the protest of university students and staff for pay claims and against funding cuts had a more sombre air—perhaps Victorians have developed a higher pain threshold to government cuts. Around three to four thousand marched to the Commonwealth offices at Treasury Place behind a coffin carried by black-garbed pall bearers. No speeches were given when the crowd arrived, only a short announcement that the broadcast-van had broken down and would we kindly move towards Spring Street where it was parked. With a shrug, the crowd shuffled off.

Earlier at Dallas Brooks Hall, surrounded by cameras and lights, speakers admonished the Government. Ted Murphy from the National Tertiary Education Union reminded those gathered of the promise made by John Howard during the election campaign that the operating grants of universities would be maintained. He questioned the rationale behind the expressed desire of the Coalition to shave the budget in compensation for the operating deficit left by Labor. He pointed to improved growth statistics and asked the crowd, 'What 8 billion dollar black hole?'. The rhythmic clapping of approval was joined by all, except the gentleman at the end of the aisle ten rows from the front. He had brought his infant child along, so instead moved the pram back and forth to the beat.

Dani Brown, president of CAPA, the postgraduates association, said that the talk of funding cuts had already affected the thinking of postgraduate students. 'They're spooked and they're wondering if they should go on', she said. Brown elicited a few belly laughs when she suggested that Senator Vanstone's opinion that higher education was full of self-indulgent idealists might be derived from her own experience at university.

'Universities are not ivory towers at the moment', Dani Brown said, 'but if those who don't qualify by normal means can buy their way in and there is an exodus of talented staff, then they will become so.'

This view of the effect of funding cuts and failed pay claims seemed to be shared by those on the march. Kirsten, who is in the first year of Architecture after completing a combined Law degree, believed that if Vanstone's ideas are carried through it would create a system which would only benefit the rich.

'And one outcome of that,' she said, 'will be that the quality of education will be sacrificed.'

'Higher education is a big export earner, and this could be jeopardised if the quality goes.'

Simon, an engineering student, was concerned about the equity of funding cuts, since both his parents are from a blue-collar background. He argues that it is in the national interest to have a strong commitment to funding universities.

'Look at West Germany; higher education is totally free over there and they're an economic powerhouse.'

Lawrence, a lecturer in education, believed in the principle of free education.

'Tertiary education should be accessible,' he said. 'We shouldn't be building towards an élite system as we have been doing since the Dawkins reforms; we should be preserving the broad-based system we've inherited.'

But perhaps it was Doug who was in the best position to comment on the effect this change in policy would have. As a PhD student in History he relies on part-time tutorial work for income as well as the intellectual benefits which accrue through contact with his department. He reckons the cutbacks would jeopardise that. He also argues that many Arts courses are in a parlous state already because of overcrowding and underfunding, and they can only get worse.

'At Melbourne University there are graduate diploma students who are forced to take on first-year subjects,' Doug revealed, 'and fourth year politics students are doing first year history to get the credit points. The humanities in general are looking very vulnerable.'

'If fees are introduced the super seven [or the great eight] will be able to attract the paying customer but many of the old CAEs and regional universities are going to be in trouble.'

Much of the comment in the media on the day after the national day of action was of this being the biggest protest by university students since the Vietnam moratoriums. The largest crowd was 5,000 in Sydney. Two days later around 100,000 marched in Melbourne in protest against gun control. ■

Jon Greenaway is *Eureka Street's* assistant editor.

death, as the case may be. In the 19th century, Carlyle called education 'the mysterious communing of wisdom with ignorance'. The Hoare Report calls it business. It speaks of 'quality assurance mechanisms and the re-positioning of the student as a customer or client', of 'growing pressures on academic staff to demonstrate relevance of courses'.

Universities need to confront the fact that the way in which they have operated and organised themselves in the past may not enable them to adapt to a rapidly changing future.

I look through the wall of glass, and notice, floating in the ornamental pond, a thin film of green stuff.

The econocrats do have a point. Universities today are radically different places from what they were in the 1960s, when my friend joined a School of Humanities. In order to survive in the new environment, they have introduced 'line management', which roughly means, do what you're told. The old ways, however, remain powerful. Decisions still get made by committees of academics with a non-voting secretariat supplied by administration, quite as if we still governed ourselves. Which, to some extent, we still do.

On many campuses, as universities prepare for the anticipated cuts, decisions are going to be made about which programs, or people, or departments are to go. How? The econocratic way is the cost-income equation: farewell to Ruritanian. (Monash, always dignified, has seen fit to bid a public farewell, in advance, to Classics.) But supposing the department happens to have a very strong research profile. Mightn't it be worth keeping on, cross-subsidised, perhaps, by the catchpenny Department of Madonna Studies? After all, aren't there some central academic values, some cross-disciplinary agreements about the overall shape of the Faculty, or the range of options that ought to be available to students?

The 'golden age' that today's retiring generation of academics invoke is an image of that brief period, between the Menzies expansion of funding and the cultural watershed of the late 60s. In those caste-ridden, fringe-colonial days, it was still possible to speak of a scholar and gentleman. Academic government rested on a complex, largely unvoiced consensus about what would do and what would not. New entrants to the profession quickly learnt the codes, 'nice chaps', 'sound views' and all the rest. Only Professors worried about things like numbers and money, while the rest got on with it. And in that version of felicity,

government was through and through autocratic.

With the expansion of the system in the 1960s and through the '70s, many things changed. New kinds of people were recruited, new disciplines appeared. Students demanded a freer choice of subject combinations and staff began increasingly to insist on teaching only within their areas of research speciality. Instead of the old God-Professors, Heads began to be elected, which ushered in the reign of consensus decision-making, political apple-pie and cream.

On the face of it, a healthy collegiality, the same fundamental shared values, with democratic equity added in. Or does it turn out to be, in retrospect, only what Johnson called 'a fugitive and cloistered virtue'? For in that era of the expanding dollar, some room could be found for everything. It was rarely necessary to debate matters of fundamental principle.

The growing incoherence of Faculties of Arts (or Humanities) was vividly demonstrated when John Dawkins, as Minister for Education, demanded and got his 'reforms', the Prussian system of centralised control now in the hands of his proto-Thatcherite successor, Senator Vanstone. Two books appeared, one of which rather weakly reaffirmed humanistic values while the other, from a radical standpoint, denounced the first.

How then do we decide whether Ruritanian really has to go? Messily, that's how, invoking now one set of principles,



now another. The most subtle of arguments about intellectual coherence ends up on the bottom line. And then there are those academics, perhaps younger, hardened-off by coming to maturity in the '80s. These may not be econocrats, but collegial they are not. They are concerned solely for the flourishing of their own small patch. Often, nowadays, I feel we are working with forms from which the life has silently departed.

This is a transitional period, one of those dark times in which the owl of Minerva is alleged to fly. If the econocrats have their way unchecked, there is no doubt that the system will be damaged beyond repair. But we will get nowhere, either, if we continue to regard the principles of academic decision-making as somehow self-evident, or as intricate with forms of university government developed 30 years ago. I believe that the profession must transform itself, consciously and deliberately. For many of us, shaped by earlier, and, it must be said, kinder experiences, the transition will not be easy, if it can be made at all.

The seminar drones on, the overheads flicker, the marketing man is enthusing about what can be accomplished in the brave new world.

He stresses that students now expect their course to get them a job, and how successful some of the newer universities have been in providing training programs—look at Deakin, for example, under its dynamic Vice-Chancellor.

This is too much for me. 'Do you happen to know', I sweetly ask, 'what Deakin's dynamic Vice-Chancellor actually studied at university?' 'No'. '18th Century English Literature', I reply.

Afterwards, however, I remember some words of Paul Goodman's: spite is the weapon of the powerless. ■

**Bruce Williams** is head of the school of Arts & Media at La Trobe University.

THE NATION: 3

DESMOND & ROLAND MANDERSON

## Educating Amanda

**I** AM NOT A VERY BRIGHT PERSON,' said Amanda Vanstone, Federal Minister for Education, in a recent speech to the National Conference of the Australian Association of Education of the Gifted and Talented (University of Adelaide, April 1996). Such a confession of normality might come across as disarming were it not accompanied by deeper and more chilling statements such as 'Education has had it too good for too long.'

It is all very well to laugh off the Senator's comments. Certainly they were uttered in an informal context and without self-censorship. But that is why they are so revealing of the new Coalition Govern-

ment's educational philosophy. Beneath the Minister's somewhat disjointed speech lies a perfectly consistent position. And despite her fetching modesty, Senator Vanstone turns out to be a very bright exponent of that position. We would do well to take it seriously.

The Education Minister, it would appear, believes that the purpose of university education is career advancement. She argues, moreover, that higher education in fact gives its holders an unwarranted privilege, because it yields more influential and better-paying jobs. 'It seems quite unfair,' she says, 'that today's employment prospects are determined by a university degree.'

'Why should the taxpayer ... pay for somebody to go to university to get a higher-paying job?' she asks.

Well, why shouldn't the 'user' pay for a commodity, like a tertiary degree, which is of purely individual and economic value? What could be fairer? Such a view is four-square within the ideology embraced by a significant proportion of the Liberal Party and the National Party. Therefore, as the Minister for Education said, 'The government agenda is to reduce spending. University spending is going to be cut.'

Yet the consequences of this approach are rarely thought through. Imagine a purely private university system. Would there be

less privilege in society? No, there would still be powerful jobs and powerless jobs, well-paid work and poorly-paid labour, with this difference: access to these privileges would be limited to those who could afford to buy their education. Already there is overwhelming evidence that the main determinants of one's educational success are the social demographics: where you were born and grew up. This inequality of opportunity could only be exacerbated under such a system.

An economic analysis that treats education as a market like the market for bananas

rather than more capable of competing. If Senator Vanstone is concerned about the 'unfair privileges' of education—a coterie of élite students and a cabal of élite universities—even an economic analysis suggests that her solution will make things worse.

Indeed, when Senator Vanstone gave her speech in Adelaide, an interlocutor made precisely this point. The Minister could only reply, 'I have no policy in mind.' The reason there was no sensible response forthcoming, even from a Minister famed for her brightness, is that economic rationalism is incapable of responding to arguments about

'service providers.' We lack means of putting a value on something, and not just a price (to borrow from Galbraith). If we can't talk about higher education without reducing to dollar signs its value to students and to the community, the debate may already be lost.

On this very idea—that education is not only an economic benefit—the comments of Senator Vanstone are even more depressing. Take Willy Russell's play/film *Educating Rita*: it tells the story of a voyage of discovery which university education afforded a working-class woman, expanding her horizons and changing her life. But the the Minister for Education claims that an Arts degree and a Law degree did not change her in the slightest. She came through 'still the same me.'

'When I started a BA and then a degree in law ... people thought I must know more. But I hadn't changed ...' As far as the Minister for Education of this country is concerned, 'getting an education' changes the 'perception' people have of you, but not the 'reality.' But, as Rita discovered, the great gift of education lies in the way it teaches you how to think.

**E**VEN IN ECONOMIC TERMS, the 1990s are very different from the high employment haven of the 1950s. Now it's move from one job to the next, retrain en route, be skilled at striking your own enterprise bargain, change, innovate. This is the kind of virile economy to which the Government says it is committed. But to succeed in this climate, young people need more than training: they need an education that helps them learn how to learn, so that they/we can adapt. And they need an education that encourages them to pick up general skills of understanding and expression which will always be of value to them, no matter how many different jobs they do.

But the value of education is not just economic: knowledge and understanding penetrates every aspect of our lives. An education is an investment in the 'social capital' of the community, not just in the economic capital of the individual.

Senator Vanstone's comments don't make one confident that she appreciates the importance of this kind of general, non-vocational education. She and the Government seem to want a '90s economy and a '50s society.

It can't be had. ■

**Desmond Manderson** is a senior lecturer at the Macquarie University Law School and **Roland Manderson** is artistic director of the Canberra Youth Theatre.



will not work. Education is a 'status' good (as Senator Vanstone complains) and not a product. While the economic response to a high demand for bananas should eventually lead to the supply of more bananas, this does not happen in relation to a 'status' good because supply is limited: a high demand for places in courses like law and medicine does not lead to more places. On the contrary, it merely increases competition amongst students for those places.

Under a free market, those who do medicine and law would become even more unfairly privileged. In this competitive environment, students are interested in the 'status' attached to their degree. This increasingly gives an advantage to established universities, who accept only 'the best', and makes other institutions less

systemic social inequality. Patterns of inequality produced and reproduced by differences in economic wealth cannot be analysed by an ideology which is unable to see individuals as members of social groups and products of particular contexts. The question of equity is concealed by a rhetoric that treats individuals as if they were already 'free' and 'equal'.

Most importantly, Senator Vanstone appears to think of university education only in terms of the economic advantages that accrue from it, and the economic costs of maintaining it.

Perhaps the most insidious long-term effect of economic rationalism appears in the way it has restructured our language. In education, 'students' have become 'clients', education a 'commodity' and teachers

## Get it together

From Robert Tickner

In his criticism of the new Government, Jack Waterford has yet again characteristically and ungraciously dismissed the achievements of the Hawke and Keating Governments in Aboriginal and Torres Strait Islander Affairs and sadly appears to be in a 1970s time warp.

The Native Title Act, the National Lands Fund, an achievement of cross-party support for the reconciliation process, were real achievements for the nation and they would not have happened but for Labor Government leadership on these issues.

While Jack is quite right to highlight the extent to which indigenous human rights have yet to be addressed, he fails to highlight what is required to meet this agenda as a key objective of the reconciliation process.

As I am sure Fred Chaney would confirm, no Minister for Aboriginal and Torres Strait Islander Affairs has the power to affect change in the performance of State and Territory Governments in delivering basic services to Aboriginal and Torres Strait Islander communities and to compel them to act to give effect to their promises in response to the Royal Commission into Aboriginal Deaths in Custody recommendation in areas within their exclusive jurisdiction.

At my initiative, Labor went into the last election with a commitment to take such issues to the Council of Australian Governments (COAG).

If COAG can drive the process of electricity generation reform, then surely indigenous social justice issues are worthy of no less a level of consideration by those leaders.

I commend the proposal to the new Prime Minister, Mr Howard.

**Robert Tickner**  
Stanwell Park, NSW

## Witness protection

From Gavan Breen

The recent pastoral letter from the Australian Catholic Bishops' Conference on the question of sexual abuse by priests and religious was welcomed by concerned Catholics and, no doubt, others.

*Eureka Street* welcomes letters from its readers. Short letters are more likely to be published, and all letters may be edited. Letters must be signed, and should include a contact phone number and the writer's name and address. If submitting by e-mail, a contact phone number is essential. Address: [eureka@werple.net.au](mailto:eureka@werple.net.au)



One thing that was missing, however, was an assurance that no-one (in particular, no priest or religious) would be penalised in any way for informing on a perpetrator of sexual abuse. Also, if any whistle-blower has suffered as a result of informing in the past, an assurance that the church would rectify the situation in an appropriate way.

**Gavan Breen**  
Alice Springs, NT

## Smoke screen

From Dr Michael Carr-Gregg, former Executive Director of the New Zealand Drug Foundation, now at the Centre for Adolescent Health, Melbourne.

Peter Norden has quite rightly praised the carefully conceived vision of the [Victorian] Premier's Drug Advisory Council and has applauded the progressive vision embodied within it, which has the potential to have a significant impact on the many problems associated with drug use (*Eureka Street* May 1996). Any moves that recast our response to drug abuse from a criminal justice stance to a health and social response are to be welcomed. Having said that, the report has one major failing—its claim that cannabis should be decriminalised simply doesn't stand up to rigorous scrutiny on five main counts.

First, advocates of decriminalisation argue that cannabis is not associated with any major physical or

psychological problems and this is simply untrue. Aside from the fact that there is more tar in cannabis (when smoked in a joint) than cigarettes—there is considerable clinical evidence for an association with asthma, bronchitis, lung cancer, relationship to psychosis and impairment of short-term memory in young people. The Penington report itself, acknowledges that cannabis was the second most likely substance to be found in the blood of people killed on the road between 1990 and 1993 as illustrated in Figure 8 of the report. Furthermore, following the release of the report's recommendations, the Australian Medical Association issued a press release claiming that up to 50 per cent of detained patients admitted to psychiatric units in Australia were there because cannabis had precipitated a relapse in their psychiatric illness. There is no evidence that marijuana is a safe drug and even if one adopts the rather optimistic position of arguing that the jury is still out, by the time it comes in, it may well be too late.

Second, in an article in the *Australian*, Professor Penington claimed that parents, teachers and counsellors could not talk openly and honestly about marijuana use while the use of the drug is regarded as a criminal act. Yet everyday, in homes and schools right across Australia those same parents and teachers talk to their students about drink-driving, not wearing seat belts or bicycle helmets, armed robbery, motor vehicle theft and assault.

Thirdly, it has been argued that the current law is not working, yet the Centre for Adolescent Health's own research show that only 10 per cent of 16-year-olds have used marijuana monthly, indicating that 80 per cent have elected not to. Clearly something is working for the majority of young people who have made a healthy choice. There are some in the adolescent health community who fear that decriminalising marijuana may well send a message to these young people that cannabis is a valid recreational drug and this in turn, has the potential to actually undermine existing drug education programs.

Fourthly, protagonists of decriminalisation argue that rates of marijuana use in countries which have decriminalised the drug are lower than in those countries where the drug is still illegal. Such comparisons tend to be somewhat spurious on the grounds

that the way such data is collected (in terms of study methodology, sample size and type) differs from country to country and this difference in methodology renders any international comparisons invalid.

Furthermore, the council's proposals go further than decriminalisation in other states in Australia, or in Holland, where civil penalties have actually been retained. In this sense, the proposals endorsed by Father Norden expose Victorians to an experiment for which there exist few precedents.

Finally, allowing people to grow up to five plants for their own use as is proposed, will most likely disarm the black market thus increasing accessibility to the drug. This in turn will invariably drive the price of cannabis down.

Experts in adolescent health can demonstrate that young people's use of licit drugs such as tobacco and alcohol is heavily influenced by the price of these drugs as young people tend to be more price sensitive. Thus as the price of cannabis comes down, experience suggests that there is a high likelihood that young people will use cannabis more often.

**CAMBRIDGE  
UNIVERSITY PRESS**

**Hunters and Collectors**  
The Antiquarian Imagination  
in Australia

*Tom Griffiths* (\$34.95 pb, \$90.00 hb)

*"Like all the best nonfiction, it is the work of a writer with a novelists eye for character....*

*Lucid and subtle prose, a transparent medium for insights to enrich, even transform, our understanding of the land and the culture we live in."*

*Ken Inglis, The Australian*

**SHORTLISTED!**

**National Book Council  
Awards for Australian  
Literature 1996**

**CUB 'Banjo' Award for  
Nonfiction**

Father Norden is correct when he notes that Victoria only spends 1.6 million dollars on drug education, the lowest per capita of any state. For many of us involved in adolescent health, the Report's recommendations around drug education, were by far and away the most crucial. Our society needs to be much more realistic about the impact of school-based drug education, recognising that it is not a panacea for the escalating rates of drug use and abuse amongst young people. One-off drug education session in primary school cannot inoculate young people against drug use.

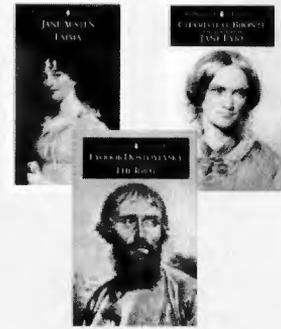
There is no doubt that optimal drug education involves a harm minimisation approach to curriculum and welfare along with a concerted endeavour to address the underlying causes of drug use in young people. Harmful drug use is very often a symptom of underlying problems in young people, including depression, behavioural problems and situations of alienation, neglect and abuse.

It is imperative that we build on the success of existing harm minimisation programs, accommodating our new understandings of why some young people take drugs and exploring different methods of delivering drug education.

For drug education to be effective, it must take into account the reality of polydrug use in young people, acknowledge that health risk behaviours do not occur in isolation but often co-occur. There must also be an understanding that emotional distress and mental health problems are increasingly common in young people and that drug use may be a response to their distress.

The debate cuts to the heart of what we teach young people in schools. There is a growing recognition, especially among some sections of the Catholic Education Office, that we need to teach young people psychological and social competencies as well as giving information about drugs, and this means making the curriculum content part of multiple core streams not just health education and certainly not one-off interventions.

The harm minimisation approach must be accompanied by a realisation that there are identifiable and modifiable factors that predispose some young people to drug taking. The Centre believes that our best option is to work with the three key agents of socialisation of young people: their



This month,  
courtesy of Penguin Books,  
the writer of each letter  
we publish will receive  
a Penguin Classic

family, their school and their peers. This holds out the best prospect of reducing the number of 'at risk' youth.

Laws play an important educative role by informing social thinking regarding the unforeseen risks of cannabis use. There is a myth that marijuana use is safe, the laws need to convey to young people that there are dangers and decriminalising marijuana will send a very mixed message.

**Michael Carr-Gregg**  
Parkville, VIC

## Spirit of choice

*From I. Goor,*

I do not understand John Barich's question, '... why should we forego the gift of the Holy Spirit for the sake of a small percentage of problem cases?' (*Eureka Street* May '96, p10)

The question refers to his argument with Fr Collin's view on celibacy. Celibacy is a discipline which the church imposes and can change, no matter how far it goes back in doctrinal law. The Holy Spirit is just that, spirit. The gift of the Holy Spirit can be prayed and waited and hoped for. It can be felt by the recipient even, but it can not be ordered at will by any human. Not even the Pope.

**I. Goor**  
Moonbi, NSW

## Being ourselves

*From Chris Jenkins SJ,*

Andrew Hamilton's article (The next phase, May 1996) presents a provocative thesis about the history and nature of Australia's national identity, much of which I could agree with: our

self-understanding, how we define ourselves as a nation must be affected by our external relations, and as these change, so our notion of ourselves as a community must evolve. 'White Australia' has been replaced by multiculturalism within a generation. How we deal with the stranger, the outsider, is central to our self-image.

But our living takes place within the reality of a nation state with a particular history and geography that shape attitudes and behaviour. And until we are completely swallowed-up by the Big Mac/Big Brother culture, our place on the fringe of the global economy has its unique contribution to make to the way the world turns.

As fuzzy and uncertain as our understanding of fairness and equality might be, as Fr Hamilton suggests, both are still quintessential Australian values that inform our actions in the wider world—during UN peace-keeping or at the World Court, for example.

Such activities cannot be seen merely as efforts to protect 'the family' but, it seems to me, as attempts at justice and fairness extended to the human family beyond the 'nation'.

Fr Hamilton's proposed redefining of Australian identity would, I fear, leave us more vulnerable to the same globalising forces which have wrought so much change in our economic life over the past 15 years, changes which have placed great stress on our social fabric and civic culture.

He is calling for the social/cultural equivalent of a free-trade policy, with all tariffs and subsidies removed, and who we are as a nation determined by market forces.

But the international cultural arena is not a level playing field, and the common values and shared stories we seem to live by, shaky as they may seem now, will be placed under greater threat.

It is only Australia's growing sense of itself as a distinctive and valuable culture, sharing not a smug self-satisfaction but a critical self-awareness, that emboldens it to participate so actively in world

affairs. This confident contribution could be lost if we were to become just another outpost on the margin of some homogenised international culture. This, I fear, would be the result of Fr Hamilton's urgings.

Chris Jenkins sj  
Parkville, VIC

## Bill of rights and wrongs

From John Gartlan,

In his letter (*Eureka Street*, June 1996) Ray Cassin escalates a comment of mine right out of context with his concluding implication that I would regard it as shallow to make an ethical appreciation of a work of art. There can be no defence of art used as an instrument of evil.

Elsewhere, he more correctly quotes me in asking why we should suppose it shallow to condemn Shakespeare's historical plays because Shakespeare gets his history wrong. He writes that 'it is possible to judge that Shakespeare put gloriously inspirational verse at the service of low propaganda, and that the quality of the verse does not redeem the propaganda'.

Whether Shakespeare was engaged in propaganda, I do not know. It is hard enough to detect the propaganda of today, let alone that of 400 years ago.

And how Ray Cassin can know as a fact the true character of Henry V is beyond me, given that there is so often no certainty of the true character of even contemporary rulers.

However, regardless of the author's original motives, Shakespeare's historical plays have long since moved on to another plane and become their own works of art that assist us to better know ourselves and our world. They stand independent of the historical facts on which they are based and fulfil Shakespeare's belief that the purpose of art is to hold a mirror up to nature.

For that reason, it is shallow to condemn such plays because Shakespeare gets his history wrong. For the same reason, those plays could not now validly be compared with a modern-day film or play praising Hitler or Pol Pot, no matter what the genius of the modern writer.

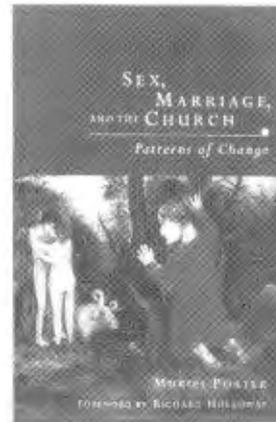
John Gartlan  
Eltham, VIC

*The letter that initiated this correspondence was published in Eureka Street, May 1996, p8.—Ed.*



**HarperCollinsReligious**

**Sex, Marriage, and the Church  
Patterns of Change**  
*Dr Muriel Porter*  
**\$16.95**



Well-known church historian, Muriel Porter has written a provocative and informative account of the Church's attitudes to sexuality and marriage. *Sex, Marriage, and the Church*

charts changes to Christian thinking over the past 2000 years covering such issues as divorce, contraception, de facto relationships, homosexuality and attitudes to women.

*'Muriel Porter has that rare ability to be able to relate history to practical and contemporary issues.'*

Fr Paul Collins  
Author of *God's Earth*

Available from Christian bookstores  
or call HarperCollinsReligious  
on 03 9895 8136



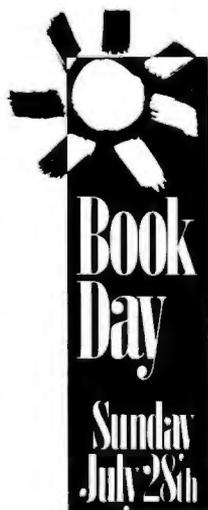
**Ordination of Catholic Women  
Third National Conference**

*The Fields are Ripe: Re-visioning  
Leadership in the Catholic Church*

in Melbourne, VIC, at Treacy College, The Avenue  
Parkville. Saturday August 3—Sunday August 4

For registration brochure and all enquiries:  
Convenor, OCW Melbourne Conference  
PO Box 1025  
Brunswick MDC  
VIC 3056

or  
Phone/Fax National Convenor OCW  
(06) 2514 513



# Bicultural, xenophobic

**S**OMETHING PECULIAR is happening in New Zealand. The Prime Minister, whose National Party has made New Zealand the darling of right-wing think tanks the world over, has been making strident speeches attacking racism. He has cast himself as the defender of immigration and multiculturalism, a role which, to Australian political sensibilities, seems to come more naturally to parties on the left.

This is due in part to an alarming phenomenon in New Zealand politics: Winston Peters, a one-time National Party minister, has formed his own party—rather ominously called New Zealand First. After a time in the wilderness, they have become a major force. Peters is most preferred Prime Minister; his party is second only to National in the popularity stakes and snapping very close at National's heels.

Peters has achieved this in large part by a campaign of racial fear and hate. He has been careful to avoid the more grotesque extremes of racist vilification, but his message is clear. He complains about immigrants not being committed to New Zealand; he complains that you can immediately spot immigrants in restaurants; he complains that immigrants have bought themselves into NZ—as if fulfilling government requirements were somehow corrupt—then blames them for the price of housing in Auckland, and—through a tenuous series of connections—a higher value for the currency and consequent rural poverty. 'Immigrants' is usually code for ethnic Chinese, most of whom are business migrants from Hong Kong or Taiwan, and Koreans.

This has played extraordinarily well to the punters, and is largely responsible for the doubling of Peters' popularity—and not just amongst rural rednecks, but in the metropolitan centres as well. The parties of the left—the much-diminished Labour Party (itself in the midst of internal bloodletting) and a motley

coalition of minor parties called the Alliance—have remained largely silent. They've left it to the New Right to defend New Zealand's recent immigrants. In the meantime the country's economy seems to be suffering from the indigestion that Peters' crude economic nationalism gives the financial markets.

So what's going on here? How can a party go from obscurity to be pushing a third of the intended vote and on the back of xenophobia?

There are some factors that people seem to agree on. When Australia had the White Australia policy, NZ had an even more restrictive British NZ policy. With few, though notable, exceptions (the 'Dallies'—Croats from Dalmatia—are one non-British ethnic group that have been here for generations), immigrants came from the United Kingdom or Australia. So the recent wave of immigration from Asia came as a shock.

Another factor is the economic status of many recent immigrants. In many places the profile of immigration is of a first wave of poorer people, with a gradual rise in average prosperity from generation to generation. Immigrants to NZ from elsewhere in the Polynesian Pacific are rarely well-off, but they are a special case. Immigration from most

countries is only possible if a rigorous points test is passed; it's increasingly likely that anyone who passes it will be wealthy. This means that many of the ethnic Chinese entering the country are wealthy enough to fan the flames of local xenophobia. It seems to gall that recent arrivals come complete with BMWs and enough cash to build houses beyond the means of the average Anglo-

Celtic or Maori New Zealander.

It's hard, though, to believe that all this is enough to explain the appeal of populist racist politics to so many, or the relative silence of those whom you might hope were the natural enemies of racism. There are die-hard racists in every country, but I can't believe that there are enough of those here to explain what is going on.

A key to understanding the phenomenon can be found in the attitudes to race amongst the country's politically correct. Right-on Anglo-Celtic Kiwis are sensitive to indigenous matters in a way that puts many of their Australian equivalents to shame; but the very same people are quite happy to make jokes about Asian drivers without the slightest twinge of embarrassment. This is because, to some, racism just means racism against the indigenous people, and complaining about the

alienness of ethnic Chinese doesn't fall into that category. To regard racism against Maori as just a special case of racism generally is thought to belittle the central racial fact of New Zealand: its bicultural status. University courses about race relations are courses about Maori-British relations. Some Maori, and Anglo-Celtic New Zealanders, go further: the foundation of New Zealand is the Treaty of Waitangi, a treaty between the

British crown and Maori.

That's an extreme view. But support for biculturalism—explicitly distinguished from multiculturalism—is widespread. What it means is subtle but important. Few New Zealanders conceive of their identity as deriving from the many cultures which now live there. Australia's equivalent of the Kiwi supporters of biculturalism understand



their identity as being constituted by the variety of cultures that, however problematically, contribute to the distinctive national mix. So part of what is alien about New Zealand to many visiting Australians are its ethnic lacunae, not the particular details of its Anglo-Celtic and Polynesian cultures. The politically correct attitude in Australia—an important cultural index even if it's not one actually held by vast numbers of people—would deem it improper for any of our cultures to merely *tolerate* the rest. Instead we *celebrate* our diversity.

Could biculturalism have something to do with the apparently low level of resistance in NZ to some forms of racism? It's a controversial claim, but I think warrants investigation. Biculturalism means that there is no expectation that the national culture has to modify to accommodate new peoples who are making their home in New Zealand. At best, tolerance is appropriate. Perhaps, generations on, newcomers might be regarded as true New Zealanders—but only after they have been thoroughly assimilated. A good window onto this sort of attitude is in the well-intentioned concern that some have for the effect of recent immigration on 'Kiwi' Chinese—the descendants of 19th and early 20th century immigrants. These people, it is complained, replete with Kiwi vowels and cultural attitudes, are being mistaken for foreigners because of the new wave of immigrants!

**I**T TAKES A CLOSER look at biculturalism to see its dynamic. Any bicultural society has a foundational question to ask: what are the two cultures? In New Zealand they are Maori and so-called Pakeha—the Anglo-Celtic settler culture. Perhaps there is something problematic in the conceptualisation of Maori culture, defined as it is in opposition to other Polynesian cultures, members of which live in New Zealand in considerable numbers. Certainly the concept of Pakeha needs closer examination. To have a real place in New Zealand, and not to be Maori, you must be Pakeha. But what does Pakeha mean? It certainly doesn't mean non-Maori.

Indians, non-Maori Polynesians, Chinese, Southern Europeans don't get to count as Pakeha. What does count? It's not a question you are really supposed to ask, because the answer is supposed to be self-evident. The paradigm Pakeha is probably a New Zealand-born Caucasian of Scots or English Protestant extraction: witness the mild unease about the Irish family background of Jim Bolger, the current Prime Minister. Of course you don't have to fit this mould perfectly to count as Pakeha; Bolger counts. But the further you get from it the less chance you have of being Pakeha. Easily assimilable groups (more Scots, some Australians) might make it as Pakeha without being born here. Some in the Dutch or Dalmatian community who were born here might count, just so long as they are culturally deracinated.

This is what makes the notion of Pakeha-ness racist: not, as some Pakeha claim, because it is a term of abuse used by Maori. Rather Pakeha-ness is an exclusive badge of privilege; the racism is implicit in the way it excludes other New Zealand citizens.

So how does this background ideology affect people's attitudes to the new immigrants? Some immigrants have no chance of being Pakeha, so they can't be one of the two approved cultures. This means that, even if they take out citizenship, there is a sense in which they are here on sufferance. Worse, Kiwi political correctness *requires* that these people be treated as interlopers, at the same time it condemns racism. No wonder people's attitudes to non Anglo-Celtic immigrants are confused! Anyone who is *merely* tolerated will become even less tolerated when they compete for jobs and educational opportunities. And it's hard to remain tolerant (if toleration rather than celebration is all that is required of you) when the aliens that you are supposed to regard as faintly second-class turn out to be much wealthier than you are.

This, then, is what silences New Zealand's Labour party on the racism issue: a defence of multiculturalism would get it into trouble with the guardians of Kiwi-style PC; and it is left to the right-wing National government to defend something like multiculturalism on purely economic grounds—wealthy migrants bring overseas investment with them.

But Labour's silence has done it no good. The enormous swing to New Zealand First has been largely at the expense of Labour and the left of centre Alliance. Unable to defend multiculturalism, Labour is also unable to endorse explicit racism, so they are powerless to win back the support that Peters is drumming up with racial fear.

Peters and his New Zealand First party may well be part of the next New Zealand government. While this will mean trouble, with luck much of his rhetoric won't have too severe an impact on recent immigrants, though future immigration may be halted or reduced. The cultural worry is longer-term. If the culture doesn't allow more ways of being a fully-fledged New Zealander than by being a Pakeha or a Maori, or relax the stifling monocultural conception of Pakeha, there will be real problems in the future.

I doubt if the children of recent immigrants are going to abandon their cultural background and imitate New Zealand's Pakeha. But if they grow up here, consider New Zealand to be home, and believe they have tenure in its future like any other New Zealander, while the rest of the country regards them as interlopers somehow excluded from the nation-forming pact between the Poms and the Maori—then that is a recipe for trouble of an altogether more indigestible kind. ■

**David Braddon-Mitchell** teaches philosophy at the University of Auckland.



# One vote no

*Frank Brennan watched the US Supreme Court in action for months. He came home convinced that an American-style Bill of Rights will not work in Australia.*



**M**ANY AMERICANS ON HEARING an Australian accent say they would love to visit Australia, if only to see the Barrier Reef, Uluru, the koalas and kangaroos. They know not all Australians are like Crocodile Dundee, but they have a sense of Australia being a natural frontier where the people and society are similar to themselves—just with different accents and emphases. The absence of a bill of rights is taken as evidence of our frontier status, natural law being the only barrier between individual liberty and the tyranny of the majority.

I came to the US to look sympathetically at the Bill of Rights. Approaching the centenary of our Constitution, some Australians are wondering whether we should have one. Having been mildly attracted to a constitutional bill of rights, I have returned home thinking we can probably continue to get by without one, provided we set down our principal rights in legislation that can always be reviewed and over-ridden by elected politicians. Why?

It is sometimes said that the US is the land of freedom and Australia the land of the 'fair go'. Individual liberty is the hallmark of public argument in the United States; in Australia discussion is more likely to focus on equality—what is good for everyone. The individualism of the US produces a sharp divide between the public and private; individualism encourages initiative, and rights are trumps. There is a strong sense that there are many things the state cannot and should not do, even in the public interest. It is for individuals to determine for themselves what is the public interest, how they want to contribute to it, and the extent to which they wish to forego their liberty in the interests of others. Political liberals argue that there can be no useful discussion about the common good. People of goodwill—even

legislators or judges—confronting new social problems are limited in how far they can impinge on the private realm. Gridlock is accepted as an inevitable cost of the separation of powers.

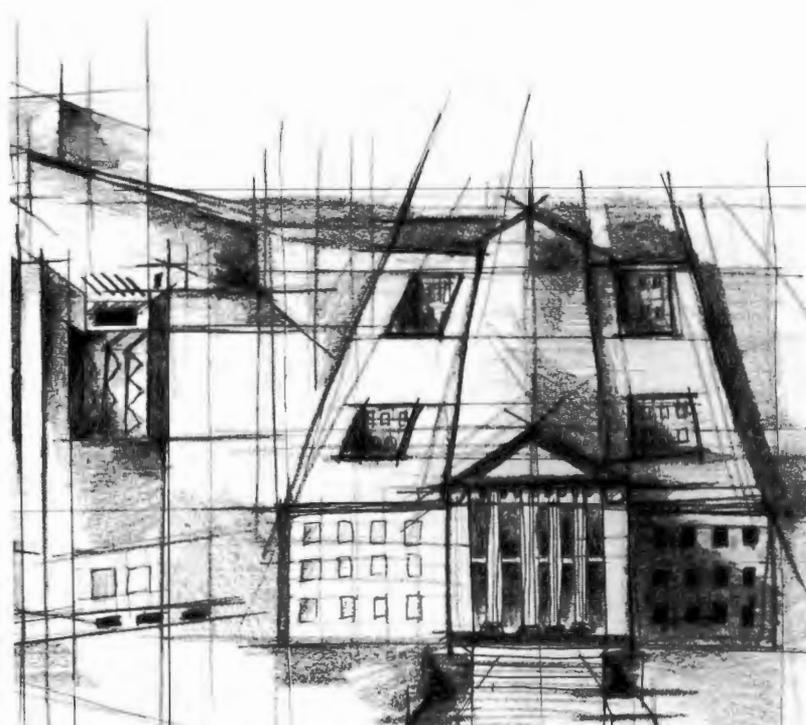
I have sympathy with many of these limits. But I have been surprised at how complex, incomprehensible and unworkable these limits have become in the US constitutional framework.

I cannot imagine the US without a bill of rights. But it is another question whether other societies, even those committed to freedom and equality, would want to adopt a US-style bill of rights now that it has become so home-grown and, on the face of it, insufficient to resolve the issues of the age. The present issues of abortion, euthanasia, gay rights, women's rights, free speech on cable television and the internet, commercial free speech, and electoral redistricting all require US judges to balance conflicting interests on scales already weighted with political considerations. The present court, which is very divided ideologically, has had to wrestle with all these questions.

The US Supreme Court, which gives decisions in only 150 of the 6,000 applications it receives each year, has many devices available to choose the moment and extent of judicial intervention. Justice William Joseph Brennan, the most liberal and interventionist US judge this century, once said, 'High Court judges interpreting a bill of rights may at times lead public opinion; but in a democratic society they cannot do so often, or by very much. Sometimes that means practising the passive virtues, exercising discretion not to hear cases or invoking various jurisdictional principles to postpone resolution of an issue best left undecided or best resolved by public officials.' For the last two decades, the Court has wrestled with the issue of abortion. It is now about to take on euthanasia for the first time.

To avoid an overtly political role, the judges try to set up barriers to fence themselves off from the difficult political questions which they, as unelected officials trying to apply a transparent judicial process,

*Political liberalism in contemporary America dictates that there can be no comprehensive doctrine of the common good that is enforceable by law. The public interest is a figment of the collectivist imagination.*



are ill-equipped to resolve. Or else, when they simply have to make a decision, they design tests such as 'undue burden' to disguise their value judgments. The result is that where there is a need for someone to balance the conflicting claims, the legislators are banned by the judges and the judges proceed to place restrictions on themselves. The balancing process is left incomplete and the only result is the vindication, by default, of individual rights over the interests of all.

Countries like Canada and South Africa, which have only recently constitutionalised a bill of rights, have set down a catalogue of rights but have then expressly conceded the power of the elected legislators to limit the exercise of the rights in a manner which is reasonable and justifiable in an open and democratic society based on freedom and equality. To US lawyers, these words of qualification seem to take away with one hand what was given with the other. The courts of these other countries have always looked to the US jurisprudence for guidance in the interpretation of the key rights and their limits. US judges rarely look elsewhere.

**T**HOUGH THE US CONSTITUTION does not contain any similar words of permissive limitation on the rights and liberties set down, the Supreme Court has long accepted that the ban on deprivation of life, liberty or property *without due process* requires the judges to strike a balance between individual liberty and the demands of organised society. They say the balance is struck by having regard for the traditions from which the country developed as well as the traditions from which it broke. This has meant that elected legislators have not had the last say in striking the balance. Rather, it has been the prerogative of unelected judges who are free to determine the relative weights of entrenched and broken traditions in defining the national ethos, once they have been chosen by a President and run the gauntlet of Senate confirmation hearings. But what is weighed against individual liberty? Political liberalism in

contemporary America dictates that there can be no comprehensive doctrine of the common good that is enforceable by law. The public interest is a figment of the collectivist imagination.

What then are the demands of organised society? How does the court determine the values of a society that has both maintained and broken traditions through its history? There is never any evidence that can be put before the court, only bold assertions of the historic tradition. For example, when the court was reconsidering *Roe v Wade* four years ago, the attorney for Planned Parenthood said the judges had to 'look very generally at whether the nation's history and tradition had respected interests of bodily integrity and autonomy and whether there has been a tradition of respect of equality of women'. The attorney insisted that guidance in determining the scope of liberty was not to be obtained by looking at whether or not abortion was lawful at the time of the adoption of the fourteenth amendment.

In trying to weigh the balance without articulating what is on the other scale, judges have tried to convert questions of substantive content into questions of judicial procedure, using content-neutral categories, or—worse—indeterminate value judgments. It all depends on whether the right in question is 'fundamental' or whether the petitioner is from 'a suspect class' (for example, being classed on the basis of race).

In scrutinising the abortion code of the various States, the court now attempts to determine if the law places an 'undue burden' on the woman making her decision. There is no agreement among the judges as to what constitutes an undue burden. While Justice Blackmun, the author of *Roe* said, '*Roe's* requirement of strict scrutiny as implemented through a trimester framework should not be disturbed', he lost out in *Planned Parenthood v Casey*. Justices O'Connor, Kennedy and Souter, whose thinking determines the outcome of any split decision on the present court, said, 'The trimester framework no doubt was erected to ensure that the woman's right to choose not become so subordinate to the State's interest in promoting foetal life that her choice exists in theory but not in fact. We do not agree however, that the trimester approach is necessary to accomplish this objective.'

No wonder the conservatives on the court, led by Chief Justice Rehnquist said, '*Roe* continues to exist, but only in the way a store front on a western movie set exists: a mere facade to give the illusion of reality.'

*The courts of other countries have always looked to the US jurisprudence for guidance in the interpretation of the key rights and their limits. US judges rarely look elsewhere.*

When under  
greatest pressure,  
the US system, as  
Justice Blackmun  
admits,  
depends on  
just one vote.  
So too in Australia—  
only there  
the person with  
the one vote  
is elected, and is  
expected to weigh  
individual rights  
and minority group  
claims over  
against the common  
good and  
the public interest.

It is an illusion that the US Supreme Court can strike a balance between the woman's right to choose and the State interest in promoting foetal life using a judicially applicable criterion of 'undue burden' as if it were not just a political decision or personal preference of the individual judge. In *Planned Parenthood v Casey* the middle votes of the present court thought they were consolidating the Court's task calling 'the contending sides of a national controversy to end their national division by accepting a common mandate rooted in the Constitution'. And this in a country that remains the most politically polarised over abortion of any country in the world.

As a foreigner privileged to sit and watch the Court in action over some months, I have no doubt this was *not* judicial conceit; it was a humble, failed attempt to discharge a mandate which can never be performed by unelected persons in a pluralistic, democratic society. Whatever the rights and wrongs of abortion, its legally permissible limits have been further politicised and rendered unresolvable in the US precisely because the issue has been constitutionalised.

Commencing his epic decision in *Roe v Wade*, Justice Blackmun said, 'Our task, of course, is to resolve the issue by constitutional measurement, free of emotion and predilection.' The spectacular failure of this effort is found in Justice Blackmun's last judicial utterance on the matter two decades later: 'A woman's right to reproductive choice is one

of those fundamental liberties. Accordingly, that liberty need not seek refuge at the ballot box ... I am 83 years old. I cannot remain on this Court forever, and when I do step down, the confirmation process of my successor well may focus on the issue before us today.' More than a dose of emotion and predilection in all that! The limits of the fundamental liberty depend not on the ballot box directly but on the view of the judge chosen and confirmed by those at the ballot box.

It is a bold step to assume that by constitutionalising an issue, everyone gains: the judges by becoming more important to the national life, the legislators by being able to sidestep the hard decisions, the unpopular and powerless by making gains nationally which could not be achieved locally, and the citizenry generally by being assured that there is a sphere of personal conduct which cannot be invaded by the State. But there are other ways which can be less costly for all parties. And when the issue impacts on all, it may be too one-dimensional a view of the human

person to portray the issue as a conflict between the individual David and the Goliath State.

If it ever comes to balancing competing rights or interests, the best the court has been able to do is to ask whether an undue burden or substantial obstacle has been placed in the way of the individual. Having constitutionalised the questions, the court has failed to provide a judicial method for balancing the incommensurable interests of the citizen as an independent individual and of the citizen as a member of a society. Its next foray into moral and political minefields will be constitutional challenges to state laws prohibiting physician-assisted euthanasia. This is also

a live issue in Australia in the wake of Marshall Perron's crusade in Darwin.

**T**HE NORTHERN TERRITORY'S RIGHTS of the Terminally Ill Act 1995 has legalised voluntary euthanasia for the first time. The decision of the Northern Territory Parliament has been opposed by the AMA and the Northern Territory church leaders. Having failed to hold the numbers on the floor of the Parliament, these community leaders have now turned to the courts to delay the implementation of the legislation, claiming it is beyond the scope of the Northern Territory's legislative power.

At times of such change, all parties concede that democracy in a pluralistic, developed society is about more than implementing the will of 50 per cent plus one. Australians, unlike Americans, have been more imbued with the sovereignty of parliaments. We have never expected courts regularly to restrict the activities of parliaments except where there is a conflict over the powers of the Commonwealth and of the States. The US was founded as a reaction against a sovereign parliament and an unelected monarch. It is commonplace for the US Supreme Court to strike down acts of Congress—not for trespassing upon the legislative competence of the states but for infringing the inalienable rights of the citizen.

While NT church leaders and doctors place their last hope in the courts striking down the NT legislature's attempt to extend the freedom of the individual to end life, Americans are preparing for Supreme Court challenges which will strike down state attempts to limit the individual's freedom. In 1994, a Federal District Court judge struck down, for the first time, a state anti-assisted-suicide law. She relied upon the claim by the three centre voters in *Planned Parenthood* that 'matters involving the most intimate and personal choices a person may make in a lifetime ... are central to the liberty protected by the Fourteenth Amendment. At the heart of liberty is the right to define one's own concept of existence, or meaning, of the universe, and of the mystery of human life.'

Given that this was part of the Supreme Court's new rationale for a woman's right to choose abortion, the trial judge thought it pointed to a right of a competent dying person to take his or her own life with

state-authorised assistance. Professor Ronald Dworkin in his recently published *Freedom's Law: The Moral Reading of the American Constitution*, claims that 'Making someone die in a way others approve, but he believes contradicts his own dignity, is a serious, unjustified, unnecessary form of tyranny.' Church leaders, the AMA and many others concerned to maintain the integrity of the doctor-patient healing relationship and the relationship between the dying person and relatives whom they do not wish to burden, want to limit the options available to the dying person so that all dying persons, doctors and relatives at the time of death may be spared the burden of choice. Some of these also espouse a principle of life's sanctity which they think the state ought to uphold. Such arguments have no place in the American balancing of ordered liberty.

Those who think such factors ought to be weighed by the ultimate decision makers have to accept that parliaments rather than courts are the better decision makers. Courts are neither equipped nor mandated to weigh the balance. If Australia, in the wake of the Northern Territory law, were to seek greater powers for the courts, over time the courts would follow America in giving primacy to laws enhancing individual choice regardless of common good considerations. Such considerations include the ethos of health care facilities which include death as a service, and the quality of relationships between doctor and patient, a dying person and family.

There can be no getting away from a balancing of interests. Who best to do the weighing, the legislators elected by all or the judges nominated by the few? I fear that the bill of rights ethos quashes any sustained public discussion of the common good. It inculcates the notion that rights are protected *not* because they contribute to the general public welfare but only 'because they form so central a part of an individual's life', as Justice Blackmun put it.

Politicians can weigh notions of individual liberties and public welfare and strike a balance. Judges are on thin ice when they try. In the US they are required to try very often. The bill of rights has probably given politicians greater licence over time to pass the buck to the judges. It has allowed the legislative process to be more loose and inconsistent. Politicians can pass laws for the display of the Ten Commandments knowing they will be struck down. They can wildly promise to ban abortion—even in cases of rape—knowing that the courts will not permit it.

Meanwhile, they satisfy their more fundamentalist constituents.

**I** RETURN TO AUSTRALIA UNCONVINCED that the complex issues of the day need to be constitutionalised, taken completely out of the hands of politicians, and reserved exclusively to judges who will go to great lengths in judicial reasoning to avoid simply having to apply their own values in weighing the conflicting

claims. I will continue to look to the US Supreme Court for a jurisprudence of individual rights which can be a corrective for those with a parliamentary system which places more trust and accountability in the elected law makers. I am delighted that the US has a robust tradition for debating the issues from an individual rights perspective. But in Australia, we do not have capital punishment. We do not interfere with the privacy of gays. Some US states still retain anti-sodomy laws which have been upheld by the US Supreme Court.

Tasmania's anti-sodomy statute is a dead letter since the Commonwealth Parliament responded to the UN Human Rights Committee recommendations against interference with the privacy of gays. In abortion we accord much the same level of protection to the foetus and the woman's choice. We do not have judges as the final arbiters of abortion codes and redistricting maps. We allow government to restrict indecent material on television, and I do not lose too much sleep over that.

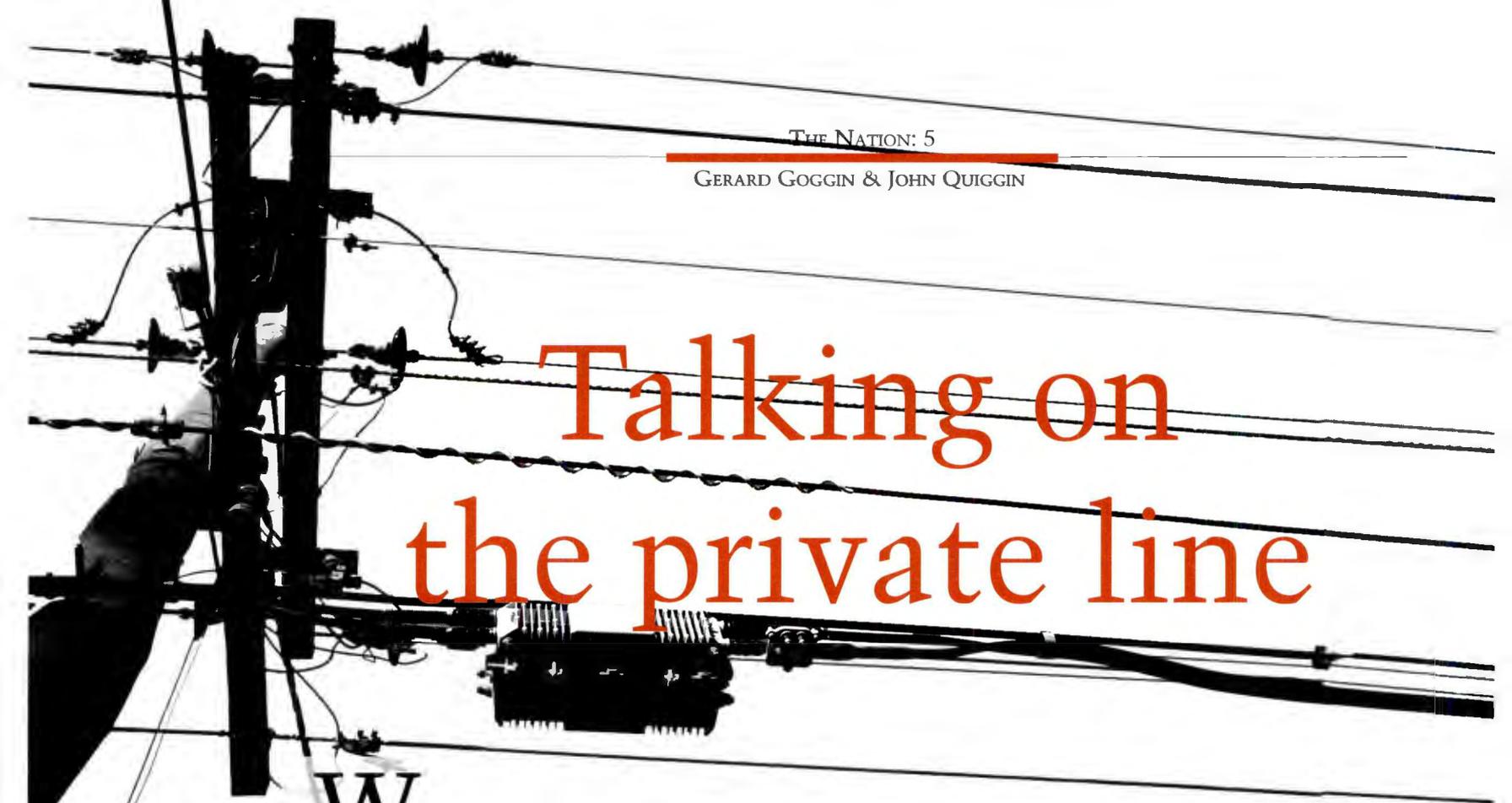
When under greatest pressure, the US system, as Justice Blackmun admits, depends on just one vote. So too in Australia—only here the person with the one vote is elected, and is expected to weigh individual rights and minority group claims over against the common good and the public interest.

In South Africa, it was the minority whites who insisted on a judicially enforceable bill of rights as a fetter on the newly-enfranchised majority blacks. The 'bill of whites' has been designed to provide judicial protection of those whose rights may be targeted by the majority. The shortfall in Australia's machinery for the protection and enhancement of individual rights could be rectified by the passage of a statutory bill of rights which could be overridden by specific later enactment of the Commonwealth Parliament.

A Senate Committee on Human Rights could scrutinise any bill proposing a limitation on the stipulated rights. Like the Racial Discrimination Act, the Parliament's bill of rights would become a comprehensive legislative standard. Departure from the standard would require political argument more compelling than a routine invocation of the popular mandate by the major political parties. This way, the controversial issues would not regularly become the sole preserve of the judges who constitutionalise them; they would be resolved by the legislators and judges playing their respective roles. ■

**Frank Brennan** SJ works at Uniya, the Jesuit Social Justice Centre. He has recently returned from the US where he was the first Visiting Fellow at the Centre for Australian and New Zealand Studies, Georgetown University.

*To avoid an overtly political role, US judges try to set up barriers to fence themselves off from the difficult political questions which they, as unelected officials trying to apply a transparent judicial process, are ill-equipped to resolve.*



# Talking on the private line

**W**ITH THE FEDERAL Coalition government settled in Canberra, or Sydney, as the case may be, the battle for Telstra and its spoils is on in earnest. The government is claiming a mandate to privatise the national carrier, and the Australian Democrats and others in the Senate are claiming a mandate to block the sale. The question is who will blink first in an endgame that could see a double dissolution, Australia's biggest ever corporate float, or, even the national communications infrastructure retained in public hands. The Telstra (Dilution of Public Ownership) Bill has been referred to a Senate Committee for examination over what promises to be a long winter of discontent.

So far public debate on the sale of Telstra has been characterised by a great deal of fiscal testosterone. What has been eclipsed in the rhetoric has been the effects of privatisation on residential consumers and the general public, the alleged beneficiaries of the transaction. The benefits of privatisation for consumers has been a neglected topic in debates over privatisation worldwide. Rather than generating detailed analysis of how consumers will fare until privatisation, debates have typically focused more on the reactions of markets and the implications for government

budgets. Consumers have been often invoked, but rarely taken into account.

This tendency has reached its zenith in the government's touchiness about any suggestion that the consumer benefits of privatisation need examination. Following an article by Democrats Leader, Senator Cheryl Kernot, in the *Australian* on 22 May 1996, she was subjected to ridicule, first by Minister Alston and then by Prime Minister Howard, for claiming that UK consumers have not benefited from the privatisation of British Telecom.

In responding to a Dorothy Dixier, Alston quoted some statistics from a paper given by British Telecom's Asia-Pacific head, Steve Burdon (former head of OTC when it merged with Telecom in the early 1990s). Burdon's figures sought to portray British Telecom, and the British experience of privatisation, in a favourable light: 'since privatisation to November 1995, the price of inland calls in the U.K. has been reduced by 53 per cent in real terms and 46 per cent for international calls'.

On the face of it, the statistic that inland call charges in Britain have been reduced by 53 per cent and international charges by 46 per cent since privatisation looks impressive.

Except that telecommunications is an industry where costs are rapidly reducing due to investment in new technology and productivity improvements. For this reason, it is misleading to compare telecommunications prices against the general consumer or retail price index only. John Quiggin has suggested it is reasonable to expect telecommunications prices to decline on average by about four to five per cent in real terms each year. He claims that this rate should be taken as a benchmark in assessing the benefits of structural reform, such as competition and privatisation. If we take the figure of five per cent as indicative, we would expect prices in Britain since 1984 to have dropped by about 46 per cent. Competition and privatisation do not seem to have added greatly to the expected downward price movement in international calls and have only added a few percentage points to inland long distance calls. Connection and local calls charges are likely to show a much less favourable movement.

In extolling the virtues of British reforms, Burdon was obviously trying to put the best face on British Telecom's reluctance to deliver real price benefits to consumers before the British regulator, OFTEL, wrung it out of the company with tighter

price controls. Alston turned this one-sided information into the QED of why Telstra should be sold, heaping scorn on the Democrats. One week later, the country sat down to their evening meals watching the Prime Minister flaying the Democrats further, relying on similar evidence. Howard quoted from a letter from Burdon, recycling the same statistics Alston had retailed the previous week. (Burdon had written to the Democrats, omitting to tell them that he had also sent a copy of the letter to the Prime Minister. Coincidentally, a number of newspaper reports at this time speculated on British Telecom's interest in buying shares in Telstra).

Two of the key arguments for the Coalition's case for privatisation of Telstra are that:

1. privatisation, even a modicum, leads to better quality services and lower prices.
2. privatisation will make Telstra more efficient.

Setting aside an additional argument—or plea, rather—from Minister Alston that every other nation has privatised its phone company, or is going to, so why shouldn't we, it is worth briefly dealing with these two arguments for privatisation in some detail.

IT IS UNCLEAR FROM the overseas experience that privatisation brings about better quality services and lower prices for residential consumers. As fatuous debates over 'best practice' bear out, the overseas experience of telecommunications privatisation is complex and difficult to evaluate because of variations such as cultural differences, industry structure, competitiveness of markets, geography and type of regulation. However, the experience of Britain and New Zealand suggests that there are real concerns for consumers from even a partial privatisation.

In Britain, a 1993 report by the National Consumer Council found that:

...trends in charges for telephone services important to domestic customers, especially local calls, have risen over the years relative to the charges for services used mainly

## Psst... Hey buddy, wanna buy a telephone company?

THE CASE FOR PRIVATISATION OF TELSTRA is not even valid in the narrow economic terms in which it is set. In a purely monetary cost-benefit analysis, disregarding the issues of community service raised here, the appropriate valuation for a publicly-owned asset such as Telstra is based on the saving in public debt interest represented by the flow of profits of the enterprise. The asset value is equal to present value of the flow of post-tax real profits discounted at the real rate of return on public debt. That is, the valuation is given by the amount of debt that could be sustainably serviced on the basis of the flow of profits of the enterprise.

The after-tax profits of Telstra in 1994-95 were \$1.73 billion, a figure that is likely to grow in real terms. If the sale of Telstra realised \$35 billion, the real interest savings at a rate of 5 per cent would exactly offset the loss of profits. But the likely sale price is well below this. The estimated value of 30 per cent of Telstra is around \$8 billion, implying a total market value of less than \$27 billion. Thus, the sale of Telstra will result in a substantial loss to taxpayers.

A number of misconceptions need to be clarified here. The first is the idea, implied by the treatment of asset sales as negative outlays in the Budget papers, that the proceeds of the sale of assets such as Telstra are equivalent to revenue raised from taxation. In fact, asset sales involve the loss of a stream of future income, and the proceeds should not be treated as current income. The present Treasurer correctly criticised the previous government for using asset sales to conceal Budget deficits and has announced an intention to focus on the underlying Budget deficit, which excludes the proceeds of asset sales and repayments of State and government business enterprise debt. Thus, the inappropriateness of treating the proceeds of asset sales as revenue has been clearly recognised.

Unfortunately, this issue has been muddied by the announcement of an environmental spending package of \$1 billion, contingent on the partial sale of Telstra. Since the sale or retention of Telstra will have no effect on the underlying Budget deficit, the question of whether the proposed environmental package is desirable and affordable is independent of the sale of Telstra. Indeed, the sale of Telstra will reduce public sector net worth in the long run, and will therefore reduce the Australian government's capacity to pay for desirable programs such as environmental preservation.

Next, many analysts focus attention on the flow of dividends remitted to the Budget sector, rather than on the flow of profits. That is, these analysts disregard retained earnings reinvested in the enterprise. This is an error in the evaluation of either a private or a public enterprise.

Finally, it is frequently assumed that the value of an enterprise in government ownership must be equal to its value in private ownership. This is not true. There is a large divergence between the rate of return demanded by private equity holders and the real rate of return on public debt or good quality private debt. This 'equity premium' reflects the inefficient and socially costly operation of private capital markets. Because of the equity premium, private ownership is preferable to public ownership only in cases where substantial improvements in operating efficiency can be achieved through privatisation. There is no evidence that this is the case for Telstra.

The undesirability of selling Telstra now may be seen clearly by looking at what would have happened if past proposals for privatisation had been accepted. The Fightback! manifesto, released in late 1991, proposed the sale of Telstra and up to 600 other Commonwealth assets with an estimated total sale price of \$20 billion (in 1991-92 values) over four years. No specific value was given for Telstra. However, the first year program (assumed to apply from 1992-93) included the sale of remaining shares in Qantas and the Commonwealth Bank, along with the AIDC, Snowy Mountains Engineering Corporation and Commonwealth Serum Laboratories, with estimated returns of \$5 billion. The AOTC (now Telstra) was to be sold in three tranches, commencing in the second year of the program. It follows that the total market value envisaged for Telstra in 1991, assuming sale over the period from 1993-4 to 1995-96, was no more than \$15 billion (about \$17 billion in current values), even if no value is placed on the hundreds of remaining assets in the government portfolio.

The current estimated market price for a sale of Telstra commencing in 1997 is around \$24 billion. Hence, even if Telstra is sold, the delay of four to five years in the sale prices has gained taxpayers around \$7 billion in real sale proceeds as well as several billion in dividends. Against this, the real interest savings assuming the proceeds of sale had been used to repay debt would have been no more than \$5 billion.

The benefits accruing to the taxpayer from delays in privatisation simply reflects the fact that the return to these assets exceeds the opportunity cost of funds. When the asset is sold, the government effectively cashes in the reinvested component of profits. But, if a short delay in privatisation is beneficial to taxpayers, a long delay is even more so, and permanent retention of the asset in public ownership better still.

John Quiggin is Professor of Economics at James Cook University, Townsville.

by business customers; ...the cost of first-time access to the service rose by over sixty-one per cent between 1985 and January 1993 for those new customers who have to pay full connection charges.

In Britain evaluation of privatisation has been made more difficult because British Telecom for many years did not publish adequate information on its prices, disconnections and quality of service.

The information vacuum on the effects of privatisation is even more pronounced in New Zealand. Nonetheless what information can be found on the New Zealand experience does nonetheless suggest cause for alarm.

Take, for example, the drop in people on the network from 95.7 per cent in 1989 to 93.7 per cent in 1994, unprecedented compared to virtu-

quality of service, network modernisation and new technologies and services for consumers in rural and remote areas will suffer even further. At present Telstra as a corporation is obliged to take into account the needs of country people through its shareholders, the government, who are directly accountable to voters. As a government business enterprise, Telstra is obliged to balance social and narrowly commercial objectives—although the balance is tilting in the favour of profit-making. Even a partial privatisation could upset this balance and leave consumers at risk of not receiving the price and quality of service benefits they should from an industry where technology and productivity improvements are driving costs down dramatically.

Allan Brown from Griffith University has argued that it is unclear

tivity of government businesses in Australia and elsewhere in the last ten years. In the case of Telstra, these productivity improvements were quite significant in the period immediately after corporatisation in 1988.

While privatisation often leads to increased profitability, as in the case of the Britain utilities, this does not mean that efficiency or other areas of performance have improved. The conditions under which privatisation is taken and the subsequent regulatory framework of the industries and government policies are all crucial factors in determining efficiency. For instance, in Britain it has been argued by John Ernst that 'this rapid rise in profitability following privatisation has had more to do with the generous terms of the privatisation settlement negotiated between the industries and the Government, than the efficiency initiatives introduced by the companies themselves'.

**E**FFICIENCY AND PERFORMANCE may be worsened by the incompatibility of competition and privatisation. If the government proceeds with privatisation before competition is fully established, competition may suffer as a result. The danger is that monopoly or dominant market power can merely transfer from public to private hands. Without competition, prices will go up and quality down.

The government released a discussion paper on the competitive framework for telecommunications after July 1997. In reference to this, the Minister has clearly indicated that the 'promotion of a competitive environment is of paramount importance and must have primacy over any desire for simple revenue maximisation from the sale of Telstra'. This is a nod to the competition ethos post-Hilmer (an ethos which has the same status that ether had in earlier theories of the world), but does not address the concern that competition will not be firmly established before Telstra is privatised.

It is clear that privatisation achieves a redistribution of wealth from taxpayers who have equal ownership rights in a government busi-



ally any other OECD country. Of course, the drop in connection may be due to the fact that the standard residential rental since 1987 has increased by approximately 30 per cent in real terms, while business access charges were reduced.

These signs from Britain and New Zealand add weight to concerns that privatisation is likely to result in further pressures on quality of service and price that are not favourable to residential consumers. Commercial pressures to cut costs mean that

whether private firms are inherently superior to public enterprises in terms of productive efficiency, and that 'it is likely that the difference between their levels of productive efficiency will be less than traditionally assumed'. Obviously, there is also the difference that public corporations generally are charged with significant non-commercial objectives, that contribute to the public good. It is not often recognised, also, that there has been a marked improvement in the produc-

ness to a limited number of private corporations and individuals. This manoeuvre is lauded by some economists such as ANU's Robert Albon, because it magically provides 'discipline'. Governance by an élite is preferable to the tainted and diluting powers of democratic control.

The Coalition, however, is sensitive to concerns over share concentration and has announced special provisions for ordinary people, especially low-income earners and employees, to buy shares. If the approach works, it will be a first.

Overseas experience shows that shares of privatised government corporations are owned in the longer term by larger corporate interests and wealthy individuals. According to the Australian Consumers' Association, ninety-six per cent of shares in Telecom NZ are now held by only 196 shareholders. John Ernst's study of UK utility reforms found that attempts to increase shareholdings by individuals in British utilities failed. Indeed, as Ernst notes, if the policy of extension of share ownership was to be properly implemented, shares in privatised utilities should be given out equally to all citizens for free.

Partial privatisation shows some promise to address concerns over full privatisation by keeping Telstra under government control. Yet the nature of this control, particularly in the long term, is unclear—not least because the move to full privatisation will not be long in coming.

The government has also promised a 'world class consumer framework' to provide protection if privatisation is to proceed. So far, however, the Coalition has only announced consumer guarantees in some areas through a patchwork of legislation, customer service guarantees, and codes of practices.

The Coalition has promised to accelerate network modernisation so that the digitisation of exchanges is completed by 1 July 1997, fast data Integrated Services Digital Network (ISDN) will be available. The government has also promised to consider upgrading the standard telephone service definition.

This timetable for upgrading the network is ambitious and there are signs that it may not be fully

delivered if it looks like adversely affecting the sale price. The Coalition has already gone quiet on its ISDN promise (though it was never clear quite whether this did mean ISDN to the home). And Minister Alston has come over all vague on exactly when the standard telephone service definition will be reviewed—it appears that even sending it to committee is likely to take some months.

The importance of this is underscored by the fact that it will be more difficult for the government to compel a partly privatised Telstra to carry out much-needed network modernisation in rural and remote areas. In the case of the broadband cable network being currently rolled out by Telstra to compete with Optus, privatisation would make it less likely that this network will reach many rural and remote areas.

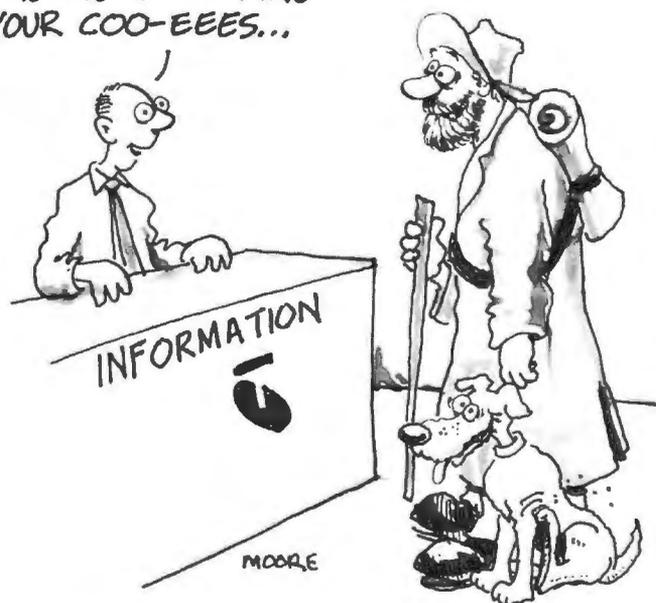
**U**NTIMED local calls remains the bright red panic button of Australian politics. In the recent election Labor campaigned hard on making privatisation synonymous with untimed local calls, but must have found it hard to believe their own overblown rhetoric. The real issue is the need for untimed local calls to remain the standard option for all residential consumers in face of competition and privatisation, and not be undermined by new services and pricing structures.

Proponents of timed local calls often accuse their opponents of being illogical. It is difficult to see, however, what is logical about paying more money for a basic service, threatening social and business uses of the telephone, and the burgeoning use of fax and data, such as the Internet. Local call prices should not be going up for consumers by the ruse of charging by time. The dangers

of the timed option are clearly demonstrated in the use of mobile phones. Telstra has paid for its analogue phone network several times over, yet both itself and Optus charge premium-timed local call rates to the over three million customers for what is increasingly a standard service.

The government has announced safeguards on untimed local calls, but they are something of a mixed

I SEE, SIR — SO  
YOU'RE CONVINCED  
SOMEONE IS TAPPING  
YOUR COO-EEES...



blessing. On the one hand, its privatisation bill extends the right to untimed local calls to business and all other customers as well as residential customers and charitable and welfare organisations. However, the right applies only to Telstra's service and only to the standard telephone service.

The government has suggested that all companies providing a 'fixed' local call service 'could be required to offer the option of untimed local calls to all customers (residential and business) where the obligation currently applies'. But in this case, Telstra would have to offer its present local call areas, while other service providers 'could be allowed to define the areas within which they provide local calls'. This is a significant back-down on the previous government's promise to ensure that all phone companies offer local calls at the

## CCI makes protecting your home and family as easy as calling 1800 011 028

Call 1800 011 028 now and find out more about CCI Home Building, Home Contents and Children's Accident Insurance. You'll find the service personal and attentive, the rates competitive and making a claim easy, right from the start. For honest protection for your home and family, call the Church's own insurance company - CCI Insurances.



**CCI Insurances**

Catholic Church Insurances Limited, A.C.N. 000 005 310  
324 St. Kilda Road, Melbourne, 3004

CCI 27/2

### TRAVEL WISE TOURS - responsible travel -



Community Aid Abroad  
One World Travel

Do you want to find out what is really going on, be welcomed by the people you are visiting and tread softly on their environment?

Come with us to:

- Solomon Islands
- Guatemala
- Brazil
- India
- Laos
- Mongolia
- Tibet
- Vietnam
- Zambia and Malawi



Phone (toll free) 1800 814 848  
Phone (local) (08) 232 2727  
PO Box 34 Rundle Mall, S.A. 5000

IATA accredited ACN 006 448291 Licence No 31384

current level. There is a further wrinkle in the government tying the untimed local call obligation to the standard telephone service, which is defined as a service used for voice telephony.

This means that consumers and other users who use data services such as the Internet or facsimile may no longer be guaranteed an untimed local call.

While the government has committed itself to retaining the status quo on universal service (or universal access to telecommunications), it views this very narrowly. Since 1991, universal service has been defined as the rights of all Australians wherever they live to the standard telephone service (and payphones). The government nominates a universal service carrier who is charged with this responsibility (presently Telstra). Other carriers then pay a contribution to any losses incurred in delivering universal service. After 1997, contributions to universal service will be based on revenue share.

This goes part of the way towards ensuring access to telecommunications, but not far enough, particularly with the spectre of privatisation and further competition on the horizon.

**F**IRST, THE STANDARD SERVICE to be delivered under the universal service obligation should be the standard telecommunications service, and should include as an absolute minimum data capability at a level of at least 9,600 kilobytes per second fax and data—or the level of service for most metropolitan consumers.

Second, with over 400,000 Australian households not on the phone network, universal service should be affordable. This means that, at a minimum, the entitlements available to pensioners from Telstra and Department of Social Security to assist with getting and staying on the phone should be extended to unemployed people. This financial assistance should be paid for out of the universal service obligation by the telecommunications industry.

Third, the government has foreshadowed provisions for tendering out of the universal service obligation in selected geographical areas.

This move raises obvious concerns that quality of service and availability of new services will run a poor second to saving money, as has happened in other tendering and contracting out exercises. If tendering out is to proceed, the details need to be known before the government's telecommunications reforms are put into legislation.

HI! - IS THAT  
"SELF-IMPORTANT  
LOUD-MOUTHED  
ATTENTION-SEEKING  
PRATTS WITH  
MOBILE PHONES  
ANONYMOUS"?



MOORE

The benefits to residential consumers of the partial privatisation of Telstra have not yet been demonstrated. In this light, it is unfortunate that the Telstra sale legislation was tabled in Parliament with no notice.

This has been rectified by the referral to examination by Senate Committee, which at least provides for some public input into the decision making process. The Senate Committee is due to report in August, unless the government moves to circumvent the Senate by selling Telstra without legislative amendment.



*The Telstra Corporation Act 1991* prohibits the Commonwealth from selling any shares in Telstra to outsiders. These restrictions do not, however, apply to holding of non-voting shares, which could be issued by the Minister amending Telstra's Memorandum and Articles of Association. Also outsiders are allowed to hold shares in subsidiaries of Telstra, and Telstra is also permitted to transfer whole or part of its assets to subsidiaries where shares are held by outsiders. (This has already happened with eleven subsidiaries of Telstra, where private interests hold shares.)

As one commentator has noted, 'there is nothing to prevent Telstra from putting a subsidiary such as the existing Telstra Multimedia Pty Ltd between itself and its subsidiaries, transferring its assets and liabilities to it, and becoming a holding company'. Shares in Telstra Multimedia could then be happily offered to the public.

**T**HIS PEA-AND-THIMBLE TRICK foreshadowed by the government cannot dispel the widespread public interest from the wider community in the Telstra privatisation and the government's competition reforms. Clearly, it is not good enough to close down discussion of the Telstra sale by reference to 'mandates' which are notoriously difficult to establish in any case, given the range of issues that influence people's voting patterns.

Upon his election, Prime Minister Howard indicated that he wished to govern on behalf of all Australians. It would be appropriate then that the government, as well as other parliamentarians, engage in an ongoing process of dialogue with consumers and citizens about telecommunications, and seek to demonstrate, rather than merely assume, what benefits the sale of Telstra might bring. ■

**Gerard Goggin** is Policy Advisor at the Consumers' Telecommunications Network, a national coalition of community and consumer organisations representing residential consumers of telecommunications. The views expressed are his own. (ggoggin@extro.ucc.su.oz.au)

## T Gene-rational change

**T**O THE END OF HIS CAREER SIR FRANK MACFARLANE BURNET—the Nobel Prize-winning former director of Melbourne's Walter and Eliza Hall Institute of Medical Research (WEHI)—remained unconvinced of the worth of molecular biology. In a paper published in 1965 he commented that 'however fascinating it may be as a scholarly achievement, there is virtually nothing that has come from molecular biology that can be of any value to human living'.

Yet today the techniques of molecular biology—such as genetic engineering and protein synthesis—permeate every corner of the research institute he guided to the forefront of the world stage. And WEHI's new director, Professor Suzanne Cory, is a molecular biologist of international repute.

By 1993 investors in the United States were pouring more than \$30 billion a year into gene technology research, in the hope of unearthing a new top-selling pharmaceutical. Is it any wonder that a high proportion of the bright young biological and medical researchers of the past decade have gone into genetics, biochemistry and related fields?

Yet, even as Archimedes writes, the wheel appears to be turning back towards more traditional biology. Several senior researchers at WEHI are concerned at the lack of good old-fashioned biologists, the ones who study organisms as a whole without reducing them to a set of biochemical interactions. These researchers can already see the day, only a few years hence, when the billion dollar human genome project—the once insurmountable task of unravelling the molecular structure of the DNA in the entire set of 46 human chromosomes—will be complete. The sequence of DNA in every human gene will be known. Then what?

The point is that genes do not work in isolation. The entire set is integrated. There are layers of genes interacting with and controlling the action of other genes. The subtlety and complexity of these management systems is quite staggering. Different groups of genes at different times and in different places are switched on and off to manufacture the proteins that operate cells. How else can one explain that exactly the same set of genes is responsible for the growth and action of nerve and muscle cells, heart and kidney cells, retina and skin cells?

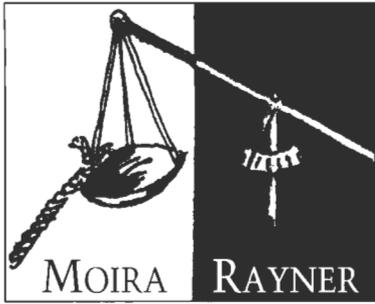
So, knowing the DNA structure of a gene may only put you a very small distance along the road to understanding how it works. 'We've been through reduction biology,' says Professor Don Metcalf, the legendary WEHI researcher who officially retired last month after more than 40 years studying the basis of leukaemia.

'We now need to take a step back, and look at how genes operate in whole animals. Ten years ago, work with whole animals seemed nearly finished. No-one wanted to be a biologist. Now we're desperately short of biologists, and it takes a long time to train them—up to a decade.' His views are echoed by fellow researcher, Dr Nick Nicola, director of the Cooperative Research Centre for Cell Growth Factors. He says that in the papers coming out of Boston—perhaps the area with the highest density of molecular biology research in the world—he has noticed a few researchers whose names continually crop up as co-authors. 'These are the guys who can look at a genetically altered mouse and immediately tell you the liver's shot to pieces or the eye colour is unusual.' And there is a dearth of them.

No-one is suggesting that we haven't learned an enormous amount from molecular biology, or that the effort put into the human genome project has been wasted. But it is beginning to look as though we've ended up with a marvellous resource which will take time to learn to manage and use effectively. It will also change the environment of medical research for ever.

The progress of science is rarely linear. But one doubts whether James Watson and Francis Crick, when they uncovered the helical structure of DNA, had any inkling that research in molecular biology, for which they provided the impetus, would proceed along much the same helical course. ■

**Tim Thwaites** is a freelance science writer.



# Contempt for the law

**T**HE VICTORIAN PREMIER WON'T BE prosecuted for contempt, again. A few weeks ago he told a Liberal Party Council—prefacing his remarks with 'this may or may not get me into more trouble, but I'll say it'—that there was something 'political' about the National Crime Authority (NCA) investigation into John Elliott.

The trial had already started. Preliminary argument about the admissibility of NCA evidence was under way in the Supreme Court, without publicity, to avoid prejudicing the jury yet to be empanelled. Justice Vincent, the trial judge, wrote to the Attorney-General. The Premier's QCs told the court he was sorry: the judge said he hadn't appreciated it; the Attorney-General consulted her Solicitor-General and decided not to prosecute Mr Kennett, and thus ended his third 'near miss' in as many years.

On the other hand, the unsilked, anarchic political activist Albert Langer was charged, convicted and went directly to jail a few weeks earlier for his

Langer infringed is a Commonwealth one.

Contempt has been headline material many times in the last year. *Who* magazine was punished for publishing information identifying the man accused of the backpacker murders. The Tasmanian Attorney-General, somewhat after the horse had bolted, tried to slam the door on publication of photographs of the man accused of the Port Arthur massacre, somehow acquired from his home while it was being searched.

TV stations have been ordered, or chose, to withhold current affairs stories in states holding trials which might be affected by them. Yet in the US, media have published, with impunity, speculation and commentary on high-profile accused such as the Menendez brothers and O.J. Simpson, in flagrant breach of the sub judice rule.

In the US, it would seem, the Constitutional guarantee of 'freedom of speech' and a relatively weak regime of defamation law has made a big difference to perceptions about the possibility of fairness. Does this mean that Australian juries are less sophisticated, or Australian judges more amenable to bias than US ones? Is the public's right to know more important than the public interest in maintaining a delicate reticence until the trial is over?

**S**O IT IS TIMELY TO CONSIDER the laws of contempt, and when they might guide the unwary to an all-expenses-paid holiday in Pentridge or a fat fine—which (lest we forget) a decade or so ago Neville Wran paid, for a remarkably similar outburst about the impending impeachment of the late High Court Justice, Lionel Murphy.

Of our three Constitutional institutions—the executive (of which the Premier is the titular head), the courts, and Parliament—only the latter two can punish for 'contempt'. It is 'contemptible' to say or do anything which is calculated or likely to usurp or frustrate their roles. The power to punish for contempt is a defensive weapon to protect their existence. Threats, blackmail, deception and disruption, even satire, might offend.

In late May the speaker of the Victorian Parliament was apparently so offended by an *Age* newspaper columnist's mildly funny critique of the erratic conduct of Premier 'Mr Felicity Kennett' as a footy-player off his form that the *Age* editor was summoned to account. The matter has apparently been resolved, which is just as well for Mr Guthrie. The Western



impertinent pre-election claim, before another judge of the same court, that his political rights were more important than the Electoral Act which makes it illegal to advocate a lawful way of voting without indicating preferences. It was the same court: a similar affront to the dignity and functioning of the democratic system, but the result was very different. Why? Because of our Federal legal system. Kennett's offence fell under the Victorian system but the law

Australian Parliament actually jailed the odious Brian Easton for a week in 1995 because he would not apologise for misleading Parliament. The tabling of his petition protesting at political meddling in his divorce preceded his former wife's suicide by a matter of days and led, ultimately, to the Royal Commission that immolated the political career of the then WA Premier, Carmen Lawrence. Easton has since been jailed for the more appropriate crime of perjury (in the Family Court), and the more satisfactory term of two years.

The more common use of contempt laws is in the courts. They protect the 'due administration of justice,' which requires that:

(1) everyone has access to constitutionally established courts to settle disputes about their criminal and civil rights and liabilities;

(2) those tribunals will not be biased and their judgments made only on facts which have been properly proved within them, according to laws of evidence and procedure rather than gossip;

(3) once a dispute has been taken to a court of law, citizens can be absolutely sure that no other person will usurp that court's function, which is to decide the dispute according to law.

Traditionally, the courts' power to punish for contempt has been initiated in one of three ways (the Law prefers trinities):

First, on the initiative of a principal law officer of the State, either the Attorney-General or, more recently (in Victoria) the Director of Public Prosecutions.

Second, the courts can initiate punishment themselves. They do so quite rarely and usually only where there is a 'need to remove at once the immediate obstruction to the demonstration of justice'—that is, in a 'live' trial. This is unpopular, because it is summary and without notice, and in part because it was grievously misused by judges in high-profile US civil liberties trials in the '60s and '70s. In 1969, for example, Judge Hoffman ordered Bobby Seale, one of the Chicago Conspiracy accused, to be gagged and tied to a chair. This was not a good look for American justice. Anyone who objected to his treatment—he was trying to insist on representing himself—got charged too.

It is more seemly, and more common, for the court to direct one of its officers to investigate and prosecute particular cases, such as threats to or

intimidation or bribery of witnesses or court officers.

The third way is to let one of the interested parties lay the charge. This is most common in civil courts and statutory tribunals. I have seen it done. A government department accused of race discrimination privately prosecuted the complainant because he discussed his complaint with journalists a couple of days before the Equal Opportunity Board was due to hear it. He was fined by an entirely different 'magistrates' court. This too was not a good look for anti-discrimination law.

More recently, the PNG landowners who took on BHP over the Ok Tedi mine in their country initiated contempt proceedings against the company for joining with the PNG government in an agreement, and later legislation, designed to intimidate them into

withdrawing their claims or be jailed. They eventually lost, not on the merits but on a technicality.

In Victoria, it would seem, the only authority who can prosecute for contempt is the Attorney-General: a Government Minister and member of the Executive. This was effected in 1994 when the *Public Prosecutions Act* was amended. It was an overlooked component—though in actual-

ity I mentioned it in my column in this journal in June 1994—of the general restructuring and disempowerment of the DPP, then one Bernard Bongiorno QC, the very DPP who had incurred Mr Elliott's ire over the decision to investigate him, and the very man who had publicly criticised and considered prosecuting Mr Kennett for asserting the guilt of a murder suspect!

The laws that protect the proper administration of justice, the right to a fair trial and the means of ensuring that, the role of the media in focusing public attention on the judicial process, and the policy behind the laws protecting reputation and public officeholders, are in a muddle. Unknotting them requires principled decisions about the proper balancing of individual rights and the public interest: the proper use of State power and equality before the law. It is not sensible to leave these laws—different from State to Commonwealth and between States and Territories—as they are: uncertain, unsatisfactory, and unresolved. A justice system so served by the law will come to deserve our contempt. ■

**Moira Rayner** is a lawyer and freelance journalist. Her e-mail is 100252.3247@compuserve.com.

*The laws that protect the proper administration of justice ... are in a muddle. Unknotting them requires principled decisions about the proper balancing of individual rights and the public interest; the proper use of State power and equality before the law.*

# Radiating life

**K**IDDIES' CANCER WAS THE NAME MY YOUNGER SISTER gave to the paediatric tumour, medulla blastoma, which lodged itself in the fourth ventricle of my cerebellum some 14 years ago. I was something of a medical freak then, being the oldest person in Australia though not in the world (the U.S. holds the prize) to have such a tumour. I should have been four, not 40.

I sometimes wonder whether I have been the subject of a learned paper in some medical journal: against the odds I have survived this tumour, although, courtesy of radiotherapy, I am not an undamaged survivor. Fourteen years on I feel the need to talk about my tumour and the long-term effects, not to lament or bewail what has befallen me but to speak the unspeakable and to sing the song of survival, to demonstrate that brain tumours are not necessarily death sentences and that there can be life after a tumour and radiotherapy.

The headaches began in the middle of 1982. They were postural headaches. I remember the first one. I was stooped over, gardening. As I stood up there was a painful pulsing in my head—a boom, boom, boom. But I did not see a doctor until September when the pulsation headaches became worse (signs of the blockage of spinal fluid to the brain, as it turned out). I had a CT scan at Royal Prince Alfred Hospital (RPAH) which showed nothing untoward. The neurophysician I saw decided I was suffering from an unusual form of migraine. But my headaches did not respond to the prescribed treatment. Despite the headaches, I managed to continue with my academic work at Sydney University. It was better to be doing something than sitting around feeling sorry for myself.

After I had completed marking and submitted the results, however, I lost all control over the headaches; they refused to be repressed. The boom boom booms became BOOM BOOM BOOMS. I went back to RPAH and had another CT scan.

This time the tumour appeared on the scan—it was so large it was compressing the fourth ventricle of the cerebellum. By then my balance was also affected, and I could no longer take 'dolly' (heel to toe) steps—an external sign of a tumour on the cerebellum, which controls balance. The medulla blastoma is a very sneaky tumour and does not differentiate itself clearly from normal tissue, which is why it did not appear on the first scan. By the time it was diagnosed I had a month of life left and a very large tumour to be disposed of. It was too late to explore the offerings of alternative medicine which my naturopathic friends felt I ought to do.

How did I react to having a head which was host to an unwelcome rogue cell? My first reaction, funnily enough, was relief. Knowledge, however unpleasant, was far preferable to uncertainty. Also, I preferred to take my chances with a tumour than to spend the rest of life chronically afflicted by migraine headaches. Did I feel anger, which was the response that some friends felt they would have experienced in the same situation? No. I did not ask 'why me?' but rather 'why not me?' What was so special about me that I should be spared the slings and arrows of outrageous fortune? I also reflected that for most of the world's population, 40 was a ripe old age—living until the 70s and 80s is a privilege enjoyed by the affluent West.

Most importantly, perhaps, I felt that the time had not yet come for me to meet my maker. I don't know why I felt this. Certainly it was not religious faith, of which I have little if any, although I did not object to an ardently religious friend praying fervently and noisily over my body. Although I found her prayers a bit embarrassing—they seemed to resound throughout the hospital—I felt that in case there were a God it would be a good idea to ask him/her to act on my behalf. It would also allow the Supreme Being to demonstrate his/her magnanimity and all-embracing love by saving

a non-believer. No, it was not religious faith which sustained my feeling that this would not be the hour of my death, that my time had not yet come.

Nor was it fear to confront the possible, indeed probable outcome of my illness (40 per cent survival rate before the operation, 50 per cent after radiotherapy). I had a rather stoical attitude towards my situation and accepted death as the probable dénouement of my tumour tale. Rather there was in me a strong will to live, of which I was not conscious—I never said to myself ‘I shall fight and defeat this alien invader’. My excellent neurosurgeon was aware of this will to live. He afterwards told me that he felt I was working with him during the operation. By way of contrast he referred to a woman who had died after an operation that was, in medical terms, as successful as mine. Her husband had recently died, and she had lost the will to live. I don’t think that one can conclude from this little tumour tale that the will to live inevitably ensures survival, but it does suggest the close and often unacknowledged connection between body and mind in illness.

I also felt there was a certain cachet in having a brain tumour, especially for an academic. In terms of the cancer hierarchy there is no doubt that the brain tumour is at the pinnacle. Equally the brain surgeon enjoys the greatest prestige. I myself feel a bit snobbish about my tumour. I doubt whether I would have wanted to talk about my illness had it been bowel cancer.

For the three months of the summer of 1982-3 RPAH became my home. The Festive Season and my 41st birthday were celebrated in hospital. I arrived with some hastily purchased night-dresses, my feather pillow, a notebook, and a big exercise book. The pillow was soft and familiar. The different beds on which I laid my body were alien, but the pillow on which I rested my ailing head gave me a sense of security.

The notebook served two purposes. Initially its function was to record the nature of my illness, possible after effects and life expectancy. I felt that having such a serious complaint might put me into a state of shock and affect my powers of reason. It didn’t. The second purpose was to answer my intellectual curiosity about my illness. I wanted to get to know my tumour and understand the various tests and treatments I was undergoing. The doctors reacted differently to my notebook. The radiologist who gave me an angiogram was very enthusiastic about his work and delighted by my interest. I was fascinated by the sight of my brain on the screen with the iodine coursing through to pinpoint the exact location of my tumour. I learned of the blood/brain barrier; iodine is one of the few substances that can cross it. The radiotherapist, on the other hand, felt threatened by my notebook, asked me about other doctors’ reactions, and was reluctant to impart information about the nature, experience and effects of radiotherapy. It was not clear to me whether this reluctance was to be read as a protection against being sued if anything went wrong or as an unwillingness to divulge the secrets and mysteries of the expert’s particular knowledge.

The third object, the large exercise book, was to record my hospital experience. It is incomplete and it ends, unsurprisingly, not long after the start of radiotherapy. It contains records of my experiences in intensive care, the neurosurgical ward, and in Gloucester House. It is on this notebook as well as my memory that I am drawing in the telling of my tumour tale.

**T**HE FIRST GREAT AID WAS A COPY OF Frances Hodgson Burnett’s *The Secret Garden*, an early edition with illustrations by Arthur Rackham, lent to me by a most sensitive friend, to whom I shall be forever grateful. It was not long after my operation. I lay curled up in my cot in the neurosurgical ward reading this story of how two children regained their health after they discovered and brought back to life a hidden and neglected garden.

Next (in order, not importance) came friends. I was lucky in having an army of friends who were wonderful during my illness. They visited frequently—sometimes leaving me quite exhausted after their visits. I entertained them with stories of hospital life, such as my discovery of the ethnic menu and my working my way through the different ‘E’s’. What was curious about the ethnic menu was the loose relationship between nation and cuisine. The Arabic menu included lasagne, while the Yugoslav menu included chicken cacciatore. Some dishes were ethnically universal, green bean stew being on all the ‘E’ menus. My friends entertained me with stories of the world outside. One friend had joined the protesters against the damming of the Franklin River in Tasmania and had been arrested. Another friend, an artist, arrived with a camera. She was assembling photographs for an exhibition of freaks and wanted to include



me. I rather fancied the idea of being in a freak show, having been fascinated by them as a child—the fat lady, the dwarf, the India rubber man. So I was rather disappointed when she decided not to include me. I am not sure whether this was because of an unnecessary sensitivity on her part or of my failure to appear sufficiently freakish. I thought I would have passed the freak test, weighing in at 35 kilos, completely bald, and with radiation burns on my head.

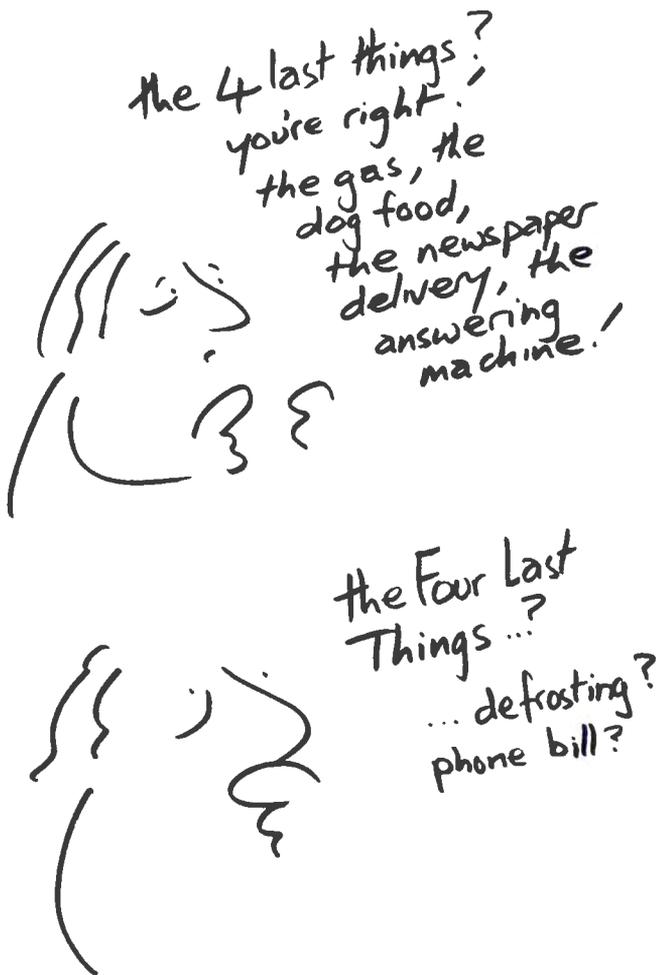
**N**OT ALL FRIENDS WERE WELCOME VISITORS. One who came to see me before the operation asked me if I'd thought of the Four Last Things. I hadn't; I didn't even know what they were. He returned after the operation with a beautiful life-glorifying bunch of flowers, but then told me how terrible I looked and proceeded to impart the contents of a book he was reading about a man who died of a brain tumour. His visit upset me at the time, but soon became the subject of one of my many comic tumour stories for other visitors.

There were also the cards, letters and flowers. At times the space around my bed looked like a florist shop. Prominently displayed were flowers from the Deputy Vice-Chancellor and a get-well note from the Vice-Chancellor. I found these useful in keeping the young residents in place. They treated me with a respect not normally accorded patients. It was as if the flowers and the card imbued me with something of the aura and power of our shared leaders.

My fellow patients were a continuous source of interest. I was surprised to find that some of them were not as interested in their illness as I was in mine. Indeed one was so terrified that she did not want to know anything about it. I'm not sure whether she even knew why she was in hospital. But my fellow patients were for the most part a brave and stoic lot with interesting stories to impart. There was, for example, the man with five great-grandchildren, a cheery soul, who told me about a blind friend in his 80's who arrived for a visit with a woman he had picked up on the way in tow. Then there was the 'traction lady' with a severe back problem, whose suffering found melodramatic expression and was incorporated into a narrative of her relationship with her husband. Her back problem would be a lesson to her husband who would cease to neglect her. At the same time she was anxious that her husband, a doctor, would not be happy at having an unhealthy wife. Her many visitors took on the role of the Greek chorus in this drama.

My position (bed 418A) on a veranda at Gloucester House—where I spent most of my hospital time—also helped. Gloucester House was not air-conditioned. For me this was all to the good. I much prefer to breathe 'natural' air and experience the uncertainties of temperature than to breathe artificially constant recycled air. Air-conditioning makes me feel I am living in a sealed box. My bed looked onto the grounds of St Andrew's College, and beyond that to the 'dreaming spires' of Sydney University with the city in the distance. Below me on the summer-yellow grass people strolled and jogged, walked their dogs and flew kites. To the right there was the college oval where a mini test match was in progress, the Commonwealth Bank Under Sixteen Cricket Competition. I am not a dedicated follower of cricket. But I love the culture of cricket. I love the words—'square leg', 'silly mid-on', 'deep cover'—although I am clueless as to their meaning. I love the sound of cricket—of the ball hitting the bat, the clapping of the spectators. I love the slow pace of cricket, a game played over days not hours. I love its summer associations with heat, lassitude and leisure and (to my shame) the echoes of England and her colonies. So I watched with pleasure the cricket on the oval, even though I had no idea of what was happening. Something less pleasurable to watch appeared with the beginning of the academic teaching year—freshmen at the college in academic gowns walking backwards and carrying a brick. This was probably one of the lesser humiliations imposed by senior students on the freshers, part of the male ritual known variously as hazing, bastardisation and fresher bashing. But I find such rituals ridiculous, offensive and demeaning. They can also be dangerous.

What about the help provided by those responsible for my care and recovery? The nurses in intensive care were excellent. So were the nurses in Gloucester House. I had more problems with the nurses in the neurosurgery ward who were for the most part young and inexperienced. It was in the neurosurgery ward that I had my one and only breakdown, the result of Christ-



the 4 last things?  
you're right!  
the gas, the  
dog food,  
the newspaper  
delivery, the  
answering  
machine!

the Four Last  
Things ...  
... defrosting?  
phone bill?

mas Eve thoughtlessness and neglect. There was also a tendency to identify helplessness, confusion and dependence with infancy. The 'neuros' (as we were called), might be helpless and dependent but they are still adults. Living in a cot did not help. No allowance was made for the fact that I was a relatively 'compos' neuro. I was repeatedly being asked my name, my location, the day of the week. For variety, one of the nurses asked me the names of the Prime Minister and the US President. This shift in questions presented Trivial Pursuit possibilities. I worked very hard at becoming 'gently ambulant' so that I might be returned to Gloucester House. By day four I was sitting up in the cot reading; on day five I took my first walk; on day six I had my first shower; by day seven I could reach up to the bed light. Not long after, I was back in my old Gloucester House bed, 418A.

The nurses did not revere the doctors and particularly resented the lack of communication and information. I often had to tell them why I was in hospital. Sometimes they had to rush after a patient being wheeled away on a trolley to find out where s/he was being taken. With a few exceptions, particularly the neurosurgeon, the neurophysician and the radiologist, I was not too impressed with the doctors either. They took little notice of the patients. I was bowled over by one in a corridor, who failed to see me. However I was not in awe of them. When the medicos formed themselves into a gaggle in the middle of a corridor, thereby blocking the way, I would declare 'patients have priority' and push my way through them. When asked to talk about my tumour to a group of doctors I insisted that I be called 'Dr. Cooper'—a hard-earned title, not an assumed honorific. If a doctor addressed me by my first name I responded in kind.

My radiotherapy tale is rather grim. Radiotherapy is like a prison sentence. My sentence was five days a week for five weeks. It began on my birthday. Nothing could have been grimmer than the RPAH radiotherapy rooms. They resembled a prison. The walls were windowless and painted a leaden grey. I could not understand why cancer sufferers should be put into such a desperately depressing environment. Why the absence of colour, of flowers, of decorative prints? Was this bleakness an intimation of what was in store for us? Were we breaking the laws of health by succumbing to cancer? Were we Kafkaesque characters being punished for we knew not what? We waited on chairs and in trolleys, all of us bald, skeletal, and as grey as the walls.

As preparation for radiotherapy I had spent a motionless and uncomfortable hour and a half on my stomach while the areas of my body to be zapped—my head and spine—were covered in a network of red and blue dots and lines. The radiotherapy room itself was a sinister place. I was pushed around into position by nurses who never addressed me directly, but referred to me as 'her', never 'you'. I was a body not a person. The machine above me was then turned on, and after a moment of deathly silence during which the nurses fell over each other in their haste to leave the room, there was a faint whirring, a signal that my body was being blasted by cobalt rays.

**I** WAS MEANT TO GO HOME AND MAKE DAILY VISITS to the hospital for my radiotherapy. The effects of the treatment were so violent, however, that I was allowed to stay in hospital. For five weeks I was very very sick, though not near death as some of my friends thought. I knew I was going through a very hard time, but I also knew I would come out of it. I coped by thinking of each day's radiotherapy session not as the interminable 'one day more' but as the terminating 'one day less'. During these dark days my friends came with all kinds of delicacies to tempt my appetite. But the problem was not loss of appetite but my stomach's capacity to hold onto any food. I was constantly vomiting, bringing up food, black bile, blood, the entire contents of my stomach. Sometimes I felt as if my whole body would be thrown up, liver, bladder, bowels, intestines, heart, lungs, the whole works, and that I would literally become skin and bone. I was too sick to record my hospital experiences, too sick to entertain visitors, too sick to do anything. I lost all my hair. My weight went down to 35 kilos. I had radiation burns on my scalp. But like many others I survived the experience.

My own radiotherapy experience has left me wondering about the violence to, the violation of the body by radiotherapy and its cousin chemotherapy. In her *Illness as Metaphor* (1979) Susan Sontag refers to the metaphors associated with cancer as being drawn from the language of warfare. Cancer cells are invaders who have to be fought and defeated. The body becomes a battleground on which the war against cancer is fought. Equally military is the treatment of cancer. Radiotherapy is a bombardment of the patient with toxic rays; chemotherapy is chemical warfare using poisons. Different therapies will produce different metaphors and it may well be that some time in the future gentler ways of engaging



with cancer will develop less violent and aggressive metaphors.

When I finally left the hospital in the March of 1983, it was with some trepidation. For three months all the decisions about my life had been made by others. I had no responsibilities. I did not have to go to work; I did not have to look after the house, feed myself, pay the bills. I had become thoroughly institutionalised. I now had to take up the reins of my life again and begin directing it. I had also to adjust to the effects of my illness and its aftermath.

**I** NITIAALLY I WAS TO BE UNDER MEDICAL SURVEILLANCE for ten years before I could be declared cured. However, I was pronounced to be clear after five years. For the first five years I held annual survival parties, around the time of my birthday in January. Thereafter they became post-survival parties. These parties became a feature on my friends' entertainment calendars. For me they were a celebration of my continued life and a thank-you to those who had helped me through my tumour experience. The last 14 years have been a time of living and coping with the aftermath of my tumour and radiotherapy. No one could predict what this might be, since there are not enough tumour survivors to constitute a data bank. The main effect of the tumour has been my unsteady balance.

The gifts of radiotherapy were much more extensive and far-reaching. My hair never fully grew back and I have a number of bald patches. This does not worry me unduly, as my hair was never my crowning glory and I am fortunate in having a 'hatty' head which I take advantage of. I was never interested in wigs and from the start and I concealed my baldness beneath scarves, berets and hats.

Radiotherapy also gave me an early menopause, of which I was unaware at the time. Again this did not particularly bother me. I had never had strong maternal urges. Losing my periods was losing a monthly nuisance. More serious was hearing loss, which happened gradually over the decade after my illness. But this problem has been partially overcome by the acquisition of very expensive state-of-the-art hearing aids which enable me to control what I want and do not want to hear. It is a power that my normal hearing friends do not have.

Lastly comes memory loss. This is without a doubt the most unwelcome gift of radiotherapy. I have always been noted for my vagueness. As a child I would sometimes go to school with my pyjamas under my uniform. But I had a well-functioning memory that could store and retrieve large amounts of information. Over the 14 years since my illness my memory has deteriorated. Very little makes the transition from the short to the long term memory. I forget names, dates, appointments, am unable to recall the films, plays and social events I go to. I rely on friends to construct my past for me. I have lost all sense of direction and get hopelessly lost. As a tourist in an unfamiliar city I spend more time looking at the map than the sights. I forget most of what I read. Academic teaching and research have become very difficult. I might spend a day on preparatory reading for a class, but I've lost it all by the time I meet with my students. Lectures are easier because they are written out and in place. I have trouble with conferences as I often cannot follow what is being said (though some would say this has more to do with the papers than my memory). Research has become a real problem, because I have trouble in remembering and assimilating the material which provides the foundation for research. Writing takes forever because between turning from the page to the word

processor I lose what I have read. Sometimes I think that it is fortunate that breathing is involuntary; otherwise I would be in real trouble.

How do I cope with this memory loss? When I first became aware of the problem I went to some memory classes, but I found their remembering strategies too complicated to remember. You need a memory to remember memory strategies. I have become a much more orderly person, an ardent convert to the dictum 'a place for everything, everything in its place'. I make detailed written records of everything to do with my life. This works as long as I remember to order and record. I am also learning to work within the limitations that memory loss has imposed upon me. Fortunately my mind and my imagination are still intact, and with the assistance of these I can move into a different kind of work, a different kind of writing that relies less on the memory. This means leaving the leafy groves of academia through which I have wandered as undergraduate, postgraduate and teacher for the last thirty-six years, as I go into medical retirement. But it is with excitement as well as trepidation that I look forward to my new post-university life. ■

**Robyn Cooper** has just recently retired as Senior Lecturer in Fine Arts at the University of Sydney.



# Too Many Miracles

*Honeycomb-tinted, billiard bald, unblinking,  
the baby stretches on his raft of lint—  
he is the one quite unselfconscious  
thing in a plethora of thinking  
and will give his parents no least hint  
of what their magic's done or yet will do:  
his head is huge, his penis a bold dildo;  
the prosthetic ends of life already  
exaggerated, our scion of all species  
prepares to venture far beyond the steady  
proposal of a humanistic thesis  
into some overworld—the kin in him,  
fancying his mother's breath a zephyr,  
knows this is miracle, not synonym.*

*Where clay foot trod and iron claw dispersed  
plants and unctuous animals, a fort  
of fragrance hides beneath the ruined grass—  
two and a half thousand years have done their worst  
to a once civil city and open tombs report  
their bodies missing and their souls as well.  
Leave the car and find if petrol fumes dispel  
the ambience of death: fought-over ground  
looks no different from the urban waste  
littering the road—here the sherdist found  
a crinkly stone and an official chased  
the village dogs away. Are they chimerical  
these glowing figures who return or is  
this just another necessary miracle?*

*We are not ready for any manifestation  
of our special case. But the best of us  
eschew conjecture and take by nature from  
the gifts encoded in our blood a ration  
of hope and then the joy of work—a fuss  
of ordered sounds, a roping-up of syllables,  
morality of colours, chartered skills—  
and far from dark Messapian trappings choose  
a sun-kind ripa of philosophy,  
as if to die were just to not refuse  
a visitable hospice by the sea—  
a conch-shell or a goat's horn cornucopia  
might spill the face of wonder on the sand,  
painstaking painting, miraculous sinopia.*

*And from the start our baby's being there  
will not be pedal note of all sustainable  
existence, merely the formula he's given  
to make accommodation of the air  
and every swarming truth imaginable.  
Henceforth equipment matters—tooling up  
for universal martyrdom, the cup  
which never passes, is his mise-en-scène,  
and love and patience and the drip of time  
are all apprenticeships. Words intervene  
to tell him there exists a far sublime  
since there's a word for it: he will discuss  
with friends the smoothness of the world and say  
too many miracles trouble the meniscus.*

**Peter Porter**

# The context of abuse

THE STRING OF RECENT REVELATIONS concerning the sexual abuse of children and adolescents by priests, brothers and lay teachers has aroused public anger in the community, and widespread disenchantment with the Catholic Church among its members. A bishop's being admonished in a Royal Commission for failing to act on allegations of abuse, that were brought to his attention by a young man, led to accusations of cover-up. Did the Church have any sort of care for victims of such abuse? Was it more caught up in preserving its own image?

There have been charges laid that, in some cases, reach as far back as the 1950s. But we may ask why it has only been in the last couple of years that these dark secrets have come to public awareness and caused such disquiet. The intense public interest in child abuse, as with any aberrant behaviour, needs to be interpreted amidst a broad range of societal concerns and sentiments. It would be a mistake to isolate child abuse from the array of social forces that have contributed to making it the recent focus of community attention and outrage. Why is it front-page news now? And why is the attention given to Church personnel offenders when the vast majority of child sexual abuse cases occur within the family?

Philip Jenkins, Professor of History and Religious Studies at Pennsylvania State University, in his book *Pedophiles And Priests* (Oxford University Press, 1996), argues that condemnation of child abuse among the clergy must be viewed as a political process. Seeing it now as a special problem is the result of what he calls the rhetoric of various interest groups and individuals with their own ideologies and assumptions. While not wanting to deny or underestimate the damage done through the abuse of children, Jenkins maintains that this social problem, like any other, reflects the fears, concerns and prejudices of our society. Why is it, he asks, do some behaviours rather than others come to be seen so uniquely harmful in certain societies and historical periods rather than others?

Our own time is characterised by a mistrust of powerful institutions that seek to limit our freedom. It is hardly coincidental that the abuse of children by priests, members of religious orders and teachers in church schools has been given most attention in Australia in a Royal Commission dealing with corruption within the Police Service of New South Wales. Police, politicians, clergies and teachers all belong to social organisations that wield enormous power and control over people's lives. Within the last decade, all have been investigated and found wanting. The Catholic Church in particular, with its perceived unbending moral condemnation of things like divorce, pre-marital sex, homosexuality, birth control and abortion, has been made vulnerable to charges of hypocrisy and sexual scandal within its own ranks. There does appear to be a

strong community urge to get back at those bodies that seek to control but are seemingly out of control themselves.

Nor can we overlook the increasing recognition being given to the rights of children. In many ways, this is a comparatively new social phenomenon. It is within recent memory that children could, for misconduct, be violently abused, physically and emotionally, simply at the whim of a teacher. It was called character formation. Current child-rearing wisdom urges teachers and parents to replace such punishments with good communication.

In ancient Greece it was normal for men to look for companionship and fulfil their sexual needs among young boys. At the beginning of the 17th century in the French court, young Louis XIII, at the age of 14, was put into his wife's bed, a girl aged thirteen. Philippe Ariés, writing on the social history of childhood, claims that by the late 17th century the idea of childish innocence, something that needed safeguarding and defending, began to emerge. There was an insistence on decency and modesty. The religious devotion associated with children being defended from moral danger by their guardian angels arose in European society at about this time.

NEW RELIGIOUS ORDERS, like the Jesuits and Oratorians, saw as part of their task the teaching of and caring for children. By contrast, the earlier preaching mendicant Orders of the Middle Ages, like the Franciscans and Dominicans, had devoted their attention to adults. By the late 19th century, in western countries, the family was no longer simply an institution for the transmission of name and estate. It now had the moral and spiritual task of nurturing bodies and souls. Society had begun to take seriously the welfare of children. This was certainly a feature of the Victorian Age that saw the rise of public education and philanthropic institutions for neglected children. Yet in Australia, Aboriginal children continued to be taken from their parents in great numbers by successive governments until the middle of this century.

It was in 1979 that the United Nations issued its *Declaration on the Rights of the Child*. Interestingly, a glance through psychology textbooks of the late 1970s and early 1980s reveal that they continued to hold the line that child sexual abuse in most instances had insignificant long-term effect provided adults didn't over-react to the disclosures made by children. How quickly the therapeutic movement has reviewed its findings concerning the impact of child abuse upon its victims! Freudian beliefs about the power of infantile fantasy have given way to therapists and law enforcement agencies accepting the capacity of children to be reliable in their descriptions of alleged abuse. There has been the controversy over

repressed memory therapy. The rights of the child continued to be pushed forward to assume such prominence in the 1990s.

Despite media headlines, not all cases (or maybe even most) of child abuse relating to church workers are instances of paedophilia. *The Diagnostic and Statistical Manual of Mental Disorders*, the bible of mental health workers, defines paedophilia as 'recurrent intense sexual urges and sexually arousing fantasies involving sexual activity with a prepubescent child.'

Paedophilia, then is a psychological abnormality relating to prepubescent males and females and so distinct from being attracted to under-age teenagers. Teenagers are adults and can be potentially physically arousing and sexually appealing to other adults. Such attraction need not be interpreted as being abnormal even if it is both inappropriate and illegal when physically expressed by an adult towards an adolescent who is legally a minor. Of course, other psychological factors may be at work, such as an inability to form close personal relations with peers that leads to an obsessive attraction to adolescents. The matter of governments legislating the minimum age for sexual relations is really one of social custom and subject to change. One aspect pertaining to the rights of children is the pressure within some quarters to lower the age of consent.

Along with the public distrust of powerful institutions and the growing recognition of the rights of children, the shifting emphasis of the media has been another factor resulting in prominence being given to problems within the Church over child abuse. Investigative journalism has enjoyed particular popularity despite protests about its invasive methods and 'guilty before convicted' approach to a story. Religious journalism has not been immune to such methods. Colleen McCullough's *The Thorn Birds* and the series of novels about the misconduct of the clergy, like *The Cardinal Sins*, by Chicago priest and critic, Andrew Greeley, prepared the way for the real thing.

It was the liberal American paper, *National Catholic Reporter*, that first exposed the problem of child abuse within the Catholic priesthood, in 1985. It launched a powerful attack against church authorities, accusing them of inaction over the clergy abuse problem. It detailed particular cases. Jenkins writes: 'NCR not only defined the abuse problem; it had established itself and its journalistic sources as authoritative experts on the question.' Clerical abuse stories soon captured the attention of the secular print media, radio and television. In Australia the regional newspaper, the *Illawarra Mercury*, took a particular interest in the subject. Media attention upon the Church has come a long way since the days of Bing Crosby's *Going My Way*.

It would be easy to explain this by simply accusing the media of anti-Catholic bias. But it ought to be recognised that the secular press and electronic media often present very positive religious reporting. As far as journalism is concerned, what is of first importance is a story. And in this age of investigative journalism, child abuse within the Church makes for a good story.

Feminism has been another social factor that has brought about the interest of the public in child abuse among clerics. Early feminist writings in the late 1960s dealt with rape and sexual molestation that were believed to thrive in a male-dominated society. Contemporary feminist writers, like Naomi Wolf, are now anxious for women to move beyond the victim role. Feminist theologians, like Rosemary Radford Ruether and Elisabeth Schüssler Fiorenza, maintain that traditional Christian thought projects onto the divine a system of male patriarchy and domination that then is capable of being legitimated in earthly relationships. Once cases of male clerical abuse first began to surface, feminist thinking felt

vindicated in its portrayal of church and society.

Our way of life in recent years has become caught up in litigation. Everyone from builders to brain surgeons lives in the fear of being sued. Although countries like Australia or New Zealand have not reached the level of litigation that now exists in the United States, taking matters to the courts is a fact of life pursued by special interest groups. The level of financial compensation from the Church for victims of abuse in the United States has been staggering. As well, action in the courts ensures publicity thus drawing attention to injustice as well as providing retribution that can help the healing process for the victims. The Church, with its enormous resources in real estate, has been a particularly attractive target in North America. For example, in 1994 the archdiocese of New York was confronted with suits demanding \$500 million for reported abuse allegations against one priest alone. Average settlements in that country are said to be about \$1million a victim. Financial dealings of this magnitude have ensured publicity and the Church realising its need to conform to a swift and proper system of reporting alleged abuse.

**B**OTH CONSERVATIVES AND LIBERALS point to the issue of child abuse to support their own view of the Church and its need to be different from what it is. Conservatives hurl their anger at a church in which post-Vatican II reforms are believed to have gone too far. In this view, lax moral teaching, no discipline and a priesthood that has identified itself too closely with the world, have led to the present crisis. For traditionalist Catholics, homosexuality is an evil and the younger clergy is populated with gays. No distinction is made between homosexuals and paedophiles, so much so that the victimisation of young girls is all but ignored.

More liberally minded Catholics argue that a church that insists on compulsory celibacy for its priests is going to have to expect sexual abuse. This is not to say that celibacy is not a possible, fulfilling and holy lifestyle. But wanting to be a priest and wanting to be celibate are not always the same thing. Children are an easy target for some susceptible men denied the normal and healthy expressions of affection and sexuality in an adult world.

Neither celibacy nor priesthood cause sexual abuse, argues Norbert Rigall, writing in the journal *Theological Studies* (March 1994). But he goes on to say that neither can celibacy nor priesthood be removed from the conversation, leaving behind nothing to discuss but mental dysfunctions of individuals. The liberal Catholic argument maintains that abuse thrives in hierarchical, authoritarian, sexually repressive institutions.

This conflict within Catholicism between liberals and conservatives can be seen as yet another factor that has brought sexual abuse within the Church out into the open. Both sides of the debate have been able to use the issue to support their own agenda.

Abuse of children by people working in the name of the Church has caused immense harm. Respect for the Church has fallen and its moral authority severely weakened. The integrity of its leadership has been severely tested. Anticlericalism will increase in a time of a renewed self-confidence among the laity. Vocations to the priesthood and religious life, already low, are likely to continue to drop as a result of this crisis.

But this crisis also has the potential for the Church to render itself more accountable. The clergy abuse issue is not an isolated problem but one that has attained such recognition from a very broad range of social and religious change within our communities. ■

**Peter Lynch** teaches Practical Theology at the Catholic Institute of Sydney.

# Bougainville escalates

*The worst violence in the Southwest Pacific since the Second World War has spread over seven and a half years and there is little prospect of peace.*

AS THIS ARTICLE GOES TO PRESS (late June), Sir Julius Chan has ill-advisedly loosed the Papua New Guinea Defence Force (PNGDF) in another attempt to search and destroy the Bougainville Revolutionary Army (BRA) in central Bougainville. Already there are reports that the ill-trained, ill-equipped, under-manned, logistically underserved and unpredictable troops are again committing atrocities. The Acting Premier, Theodore Miriung, who has been foremost in pursuing a compromise peace within the sovereignty of Papua New Guinea, is now said to be seeking a referendum on independence. This complicates further the tragic events in Bougainville and poses a fresh challenge to Australia to become more directly involved.

The war in Bougainville is not just between the PNGDF and the rebels. To complicate matters, there are 'Resistance' members who want eventual secession but oppose an outcome which would leave the revolutionary political arm, the Bougainville Interim Government (BIG), and the BRA in control of an independent nation. They experienced what this could mean when, in March 1990, Port Moresby withdrew its forces in order to curb further bloodshed. The result was an inchoate terrorist régime dominated by members of the largest language group in central Bougainville (the Nasioi) such that, in less than six months, the PNGDF returned at the request of leaders from Buka Island in the north. They have been saying that, if Bougainville becomes independent, they will *recede* to Papua New Guinea. By the time of the last national elections in mid-1992, the PNGDF had extended its presence, though not its control, throughout the province. This was done at the invitation of 'Resistance' groups. Under the Namaliu administration (1988-1992) it became policy to push forward only when local leaders requested it.

A new government under Paias Wingti (1992-94), a Highlander influenced by maverick Australian mining advisers, opted for a more aggressive policy. Wingti was persuaded that the Panguna copper-gold

mine could be retaken and a *cordon sanitaire* imposed. In 1988 the mine had yielded 17 per cent of revenue and some 40 per cent of export earnings. Better still, it was thought the rebel leadership would wilt or be eliminated and the revolution come to a stragglng end. Eventually in mid-1994 a foray succeeded in reaching the Panguna heights only, as its commander knew, to be bereft of logistic support and even of direct opposition. The PNGDF squad was sprayed with gunshot and a lightly wounded commander led his troops back in safety to the coast. Effectually that ended any hope of a decisive victory, though by no means all verbal bellicosity from Port Moresby.

In late August, Sir Julius Chan again became Prime Minister and immediately made a creative overture to the rebels. This led in October to a peace conference in the Bougainville town of Arawa under the surveillance of an international South Pacific force financed by Australia. Although a few observers from the rebels were there, their so-called 'chiefs' would not accept guarantees of safety. The conference did not lack credibility as leaders from all parts of Bougainville attended, except for the central minesite area where the revolt began. Most notable was the role played by Theodore Miriung, a former Acting Judge of the PNG Supreme Court and a legal adviser to the secessionists since 1990. He had defected from them and brought followers from the North and South Nasioi areas of the central coast.

WHILE THE PEACE CONFERENCE ended with Chan uttering dire threats against the secessionist leaders for not attending, there were further negotiations in Port Moresby out of which emerged a Bougainville Transitional Government (BTG) with Miriung as premier. While he, as well as his colleagues, remained at least a secessionist by preference, he said he was now prepared to accept, on pragmatic grounds, Papua New Guinea sovereignty.

However, even the two BRA squad leaders who attended the Arawa conference

reverted to terrorism. In return, the PNGDF obliged its critics by undisciplined sorties not just against known BRA locations but also against mere suspects. With neither force able to eliminate the other, some attempt at rapprochement was inevitable. In September 1995, with Port Moresby's approval, Australia sponsored a meeting in Cairns between representatives of the BTG and agents of the BIG resident in Australia and the Solomon Islands.

Exploratory only, the talks determined that there should be a further conference but including, this time, rebel leaders. Violence resumed but in December the conference was held in Cairns. Joseph Kabui, formerly premier of Bougainville (1987-90) and a minister in the BIG, Sam Kauona, commander of the BRA, members of the BTG led by Miriung, 'exiles' from Bougainville living in Port Moresby, and the province's four national MPs attended. Particularly important was the chairmanship of representatives of the UN Secretary-General and the Commonwealth Secretariat and the presence of observers from the Unrepresentative Nations and Peoples Organisation (UNPO) and the International Commission of Jurists (ICJ).

The second meeting broke up amicably with a resolution to have a new round of talks in March/April 1996 preceded by preparatory meetings to begin in mid-January. There were indications, however, that the question of sovereignty constituted an impasse. A letter was tabled from Francis Ona, the 'President, Republic of Bougainville', a cultist, who declared that he spoke 'in the name of ever-living God and the powers of the Holy Spirit', that he was 'fully supported by 99 per cent of the total population of Bougainville' and that his army 'controls 95 per cent of the total land area'. He was 'looking forward to take full control over all island (sic) very soon'. Not abashed by his self-election, he told the delegates: 'You are all mine and I love each one of you and I wish (you) to share with me the promises of our new nation of Mekamui' (a Nasioi word chosen by Ona for his new

republic and meaning 'sacred (land)'.  
Miriung (BTG) endeavoured to persuade rebel representatives that Papua New Guinea sovereignty was an insuperable fact while the Comsec and UN representatives pointed out that an act of self-determination was not available. The ICJ representative, however (judging by the Chairman's record from which this account is taken) appeared to hold out the prospect that self-determination was a right rather than a principle. He said that 'if there was any territory eligible for self-determination Bougainville fitted the criteria' although this was 'a legal, not a political opinion'. At the end of the conference there was some dissension among the rebel delegation as to whether they could expect outside recognition for their cause. Joseph Kabui believed that victory was over the horizon for this reason and because the struggle would otherwise bleed Papua New Guinea mortally.

Once again the peace conference was followed, not by a lull in fighting, but by an increase. How much this was due to provocation by the PNGDF can hardly be clear. However, as for the journey to Australia, Chan had provided a helicopter and safe conduct for rebel leaders to return to Bougainville through the Solomon Islands. There was an assurance that the PNGDF would maintain their positions and not take any military advantage during the conference period. The rebel leaders, however, preferred to spend three weeks of R and R in Honiara and to return by boat without notifying the PNGDF of their movements. When they approached the Bougainville coast they were fired on. The PNGDF had moved position. There were no casualties probably only because BRA were nearby to provide some cover.

**C**HARGES OF TREACHERY versus failure to keep to original arrangements flew. The BRA stepped up its aggression. One squad subsequently breached Buka Island's defences briefly. Nearly 20 members of the PNGDF have been killed since New Year. Chan has lifted the ceasefire imposed in 1994. Troops mistook this for declaring a state of emergency and overstepped the bounds of their authority to maintain order. Because of continued fighting there has been no follow-up to the December conference so far. There will be further conferences, no doubt, but it is difficult to be optimistic of any settlement in the near future.

In broad terms there are four possible outcomes to the Bougainville tragedy. First, that the impasse will continue into the foreseeable future: Papua New Guinea will

leave the solution to fatigue and attrition; the rebels will hope that Port Moresby will find the struggle too expensive of life and resources and withdraw. In view of its fertility Bougainville cannot be easily starved into submission; cultists can remain intransigent and, with lack of education, younger people will remain under their influence. The longer the conflict lasts, the more the mine depreciates as a resource. However, Port Moresby's interest in Bougainville is not solely the Panguna mine, the loss of which it has hoped to cover through other resources, but it does fear a secessionist domino effect, especially in the Islands where such sentiments are easily revived. Moreover, not only has Bougainville high-value agriculture and forests, its loss would also involve loss of a large area of territorial seas and exclusive economic zone. In spite of the body bags bringing home the dead and drain on national revenue, Bougainville as yet has had relatively little political impact. It will not be a decisive issue in the 1997 elections. Papua New Guinea can withstand this ulceration indefinitely.

## Bad Dreams, Christmas Eve

*Your friends contending, you're forced  
to lecture in pyjamas, the vanilla  
pair which don't do up—just a dream,  
the perfect stocking filler.*

*What are friends for if not to show  
the self the borders of belief  
and a dream to admit impossibility  
and give despair relief?*

*The gifts of others become personae,  
so you're in with great ones—Lear,  
and the fiends of heath—graves are old-time  
mouthpieces of fear.*

*All feelings beneath your seriousness  
crowd you as you dream—trendy  
trash grows wings and oracles speak only  
hatred, contradiction, envy.*

### Peter Porter

Second, in view of the remarks of the ICJ representative above, we can at least contemplate the chance that pressure could be mounted for a UN supervised Act of Self-Determination. Ostensibly this would mean the BRA laying down their arms, a most unlikely event except in some token way, as in the cease-fire of March 1990. However, no multinational supervisory team (MST) would be large enough or resolute enough or would stay long enough to ensure realistic disarmament. Without a lengthy preparation and the restoration of rural prosperity an act of self-determination would be conducted under coercive conditions. Once the MST withdrew, I believe civil war, payback fighting, would resume.

Third, Port Moresby could conceivably conclude that, as negotiations are futile, an external force should be recruited or sought. The use of 'Gurkhas' though once suggested, can be excluded. Although a neighbour such as Indonesia likes to see secessionism as some sort of 'communism' and would dislike, in principle, the implications of an independent Bougainville for East Timor

## NEW FROM CAMBRIDGE

### Artful Histories

Modern Australian Autobiography

David McCooey

An original account of modern Australian autobiography that radically revises current theories of autobiography and discusses a broad range of popular and literary texts. An important contribution to our understanding of autobiography, its history and the Australian experience.

\$29.95 (pb) \$90.00 (hb)

### Writing in Hope and Fear

Literature as Politics in Postwar Australia

John McLaren

A compelling critical and historical account of politics in postwar Australian literary culture traced through a range of literary journals, their editors, and individual writers.

\$29.95 (pb) \$90.00 (hb)

I want to invest  
with confidence in  
over 70 different



## ethical investments!

You can invest your savings and superannuation in:

- Saving Habitat and Rare Species
- Low Energy Technologies
- Clean Water
- Affordable Housing
- Recycling

and earn a competitive financial return from investing in the Australian Ethical Trusts:

- conveniently
- for a competitive return
- with as little as \$1,000
- with confidence
- monthly savings plan option

For full details, make a free call to 1 800 021 227.

The Australian Ethical Trusts are managed by Australian Ethical Investment Ltd, ACN (013 188 930), which was established in 1986 to pool investor savings to create a more fair and sustainable society. Investment can only be made on the application form bound into the lodged and registered prospectus dated 24th October, 1995, available from:

Australian Ethical Investment Ltd  
Suite 66, Canberra Business Centre  
Bradfield Street, Downer ACT 2602  
**for investors, society  
and the environment**

and Irian Jaya, assistance from it would be tantamount to a foretaste of invasion in the eyes of Papua New Guineans. Chan's dream of a South Pacific peace-keeping force is the more unlikely if there is the prospect of facing a baptism of fire in the Bougainville morass. This leaves Australia as the obvious source.

VERY RECENTLY THE AUSTRALIAN Foreign Minister, Alexander Downer, has reiterated a policy of no involvement further than already pledged general military aid to the PNGDF. Papua New Guinea must solve the problem and Australia supports a compromise solution based on a substantial degree of autonomy being given to Bougainville. It is likely that several corvettes guarding the province against contraband traffic, aerial or satellite surveillance, and a few platoons of support and advisory troops could strengthen the Resistance and dent even Francis Ona's morale. But after the helicopter fiasco of the late 1980s when Australia gave four craft to the PNGDF on condition they were not to be used in an offensive way, only to receive blame for the atrocities committed, there is little likelihood of any direct or even publicly acknowledged indirect assistance. It has been easy to attribute Australian concern, as Prime Minister Mamaloni of the Solomons does, to a desire to restart the Con-Zinc Rio Tinto of Australia (CRA) mine at Panguna. If true, this would reek of neo-colonialism. However, the mine is now in a real sense irrelevant to the fighting. There is no prospect of a restart.

So the stultifying situation for Australia is this: the PNGDF is incompetent, inflammatory even, but is indispensable as a garrison; Australia wants Bougainville to remain in Papua New Guinea and fears even unforeseeable consequences in independence; a PNGDF defeat and withdrawal could leave an even worse civil war behind for which Australia will still be blamed, perhaps even for lack of decisive action; Papua New Guinea could be severely affected by defeat in Bougainville and require some drastic intervention by Australia in support of an even worse law and order problem than currently exists; if Bougainville requires intervention, Australia will almost certainly be a major arm of whatever international force is recruited. However, whatever the most likely forecast, Australia can do nothing at present.

Fourth, the most happy outcome would be for the rebels to accept that they cannot win and join with Miriung in some compromise of provincial autonomy. So far,

however, Miriung has not made a firm proposal and Chan has offered no specifics. In view of the radical and precipitate ditching of the nation-wide provincial government system for the rest of the country last year, Chan will have to justify a special status for Bougainville in spite of past refusals to do so. This will affront even some of his political supporters who, as Wingti did, fantasise about a military victory. Moreover, Bougainville's exemption from the now more centralised system expires at election time next year. This is not a concern of BIG negotiators who seem to look forward to an indefinite series of conferences. Meanwhile, in view of Papua New Guinea's unstable party politics, the preoccupation of Chan (and every MP) is with re-election.

If a special status is to be offered, it will have to grant at least the *status quo ante bellum* as far as national-provincial relations are concerned as well as a rehabilitation package and amnesties and pardons. There will be no question of the mine restarting without at least a readjustment of equity and royalties similar to the one offered by Prime Minister Namaliu in May 1989, by which date it was too late to assuage minesite grievances alone. One major difference in such a new situation would be the absence of ranking outsiders ('redskins' as the jet-black Bougainvilleans call them). The BRA effected their 'ethnic cleansing' in 1989-90.

There would have to be some administrative mechanism to prevent indiscriminate movement into Bougainville again, circumventing the constitutional provision of freedom of movement. But that much is the bottom line.

EVEN MIRIUNG'S BTG WILL DEMAND more and his survival will probably depend on placating supporters who will seek some form of association just short of independence, as was done by the Bougainville provincial government's special committee in mid-1989. The chairman of that committee was assassinated by BRA in front of his family for his pains.

Meanwhile the 'stop-press' as this article is being submitted is that the PNGDF has been harassing the very Buka leaders who once invited it to return to their island to combat the excesses of the BRA. And that is probably an appropriately bleak note on which to end this part of the saga that has occurred in what was once the most prosperous and best-governed province in Papua New Guinea. ■

James Griffin is Professor Emeritus of History at the University of PNG.



# Our Republican heritage

**T**HE ONE THING THAT IS AGREED ON all sides of Australian politics is that we are in the midst of a period of structural change. Our trading profile has shifted dramatically, and this shift has been associated with a cascading series of transformations in our commercial and industrial lives. Our political system has been undergoing a series of shocks, with issues of official corruption and malpractice recurrently commanding attention, with a sustained push for managerial efficiency gradually working its way through the public service, and with growing tensions between the Federal Government and the Federal Parliament, in particular the Senate.

Our legal system has been transforming itself too, if only in a more subdued way, with a range of departures from traditions of English law; we are told that it is beginning to assume a distinctive Australian identity. And, finally, our cultural world has been turned upside down. We have begun to construct a society in which men and women play more equal roles. And we have begun to recognise some realities that were often invisible

in the past: the debt that we owe to Aboriginal Australia, the multicultural origin and character of our society, and the geographical position that we occupy, not so much to the east of Europe as to the south of Asia.

It would be good if we could find a shared perspective from which to be able to view these changes: one that would make it clear to all why change is necessary and that would indicate the broad sorts of changes which we should be seeking.

This need not mean a common view and I am not suggesting that we should be looking for an overall consensus: I think that the search for such a consensus would be futile and perhaps even dangerous; it might blind us to the real and important differences in our community. But it would be good to be able to agree, if not on concrete recommendations, at least on the terms of reference for the assessment of recommendations: it would be good to agree, if not on particular proposals, at least on the language in which such proposals are formulated.

*Graeme Campbell,  
John Howard and  
Lloyd Waddy in the  
tradition ...*

In Australia we are heirs to a common set of ideas that can play just the sort of role I envisage: they can provide a shared perspective on change, terms of agreed reference and a language for articulating what is and should be going on. That guiding set of ideas is republican in character. I want to present that republican heritage as a philosophy that can serve us well as we look for a shared perspective on a changing Australia.

**L**EST THE MONARCHISTS READ NO further, I should hasten to add that republicanism, in the broad sense in which I think of it, is consistent with monarchy, provided that the monarchy is constitutionally constrained; the only objection to such a monarchy is that it may give the wrong message, suggesting that we ordinary people are not up to the business of providing our own Head of State. Most 18th century republicans, for example, were quite reconciled to constitutional monarchy. A broad raft of historians tells us that in 18th century Britain all the important sides in politics were in agreement on the general framework of republican ideas. Yet none of those parties sought the removal of the monarch. So while I sing the praises of republicanism, I will not be giving much succour to either side in the present republican

debate. The bad news for the monarchist side is that we are all republicans, or at least all in good part republicans, by virtue of our Australian traditions. The bad news for the republican side is that this republicanism is not strictly incompatible—though it may be in symbolic tension—with the preservation of our British, monarchical connections.

The tradition that historians describe as republicanism goes back to Roman times: the time, in particular, of the Roman republic. This approach to government saw the state as a *res publica*, a public matter, as distinct from an arena for the pursuit of princely ambitions or private inter-

ests. Republicanism appeared as an influence in the political thought of modern Europe as a result of the conscious reworking of Roman ideas during the Renaissance: in particular the reworking by philosophers and politicians in the small city-states of northern Italy, like Florence and Siena and Venice. Such city-states looked back to Rome for a picture of the republican dispensation that they should be trying to realise within their own walls, and the republican ideas that they reforged spread throughout Europe in the centuries that followed. Partly as a result of being imported into England during the period of the Cromwellian resolution, those ideas had established themselves firmly in the common mind of

the 18th century English-speaking world. They provided what has been described as the language of political debate in England and America in that century.

We in Australia have been heirs to republican ideas on a double front: our earliest institutions were conceived and formed under the influence of 18th century republican ideas; and the institutions created at the time of Federation—the institutions that gave us the Commonwealth of Australia, to use its distinctively republican title—were conceived and formed under the influence of American, republican precedents. But while we are heirs in these two ways to republican thought, our republicanism has always remained unarticulated and anonymous. We have failed to register its place and significance in the evolution of our political life.

Republicanism in my broad sense is characterised by one key idea and three corollaries. The key idea in the tradition, especially as republicanism had crystallised in the 18th century, is a certain idea of liberty or freedom. I say ‘a certain idea’, because I believe that it is quite hard for us to tune into what republicans of the 18th century had in mind when they wrote of freedom or liberty. The 19th century tradition of liberalism generates too much static for it to be easy to get on the right wavelength.

Nineteenth century liberalism introduced the idea that non-interference—being let alone—was enough for freedom: in particular, that being let alone was enough for freedom even if you occupied a relatively powerless position in society—say, the position of a woman or an employee—and even if your masters and betters could interfere in your affairs with more or less impunity, did they have a mind to do so. This notion of freedom would have made no sense to republicans of the 18th century and earlier. For them, freedom required not just the absence of interference, but security against interference: not just the good fortune of having your rights respected by others, but the ability to command such respect from others. It required a social status under which it was publicly established and publicly recognised that no one—no husband or master, for example—could interfere in your affairs with impunity; no one had arbitrary power over you.

**O**NE OF THE MOST IMPORTANT republican texts of 18th century England was the anonymous *Cato's Letters*. The author of those letters gave nice expression to the notion of liberty as security, liberty as power, when he wrote: ‘Liberty is, to live upon one's own Terms; Slavery is, to live at the mere Mercy of another’. The Baron de Montesquieu, who did so much to persuade people that 18th century England was the model of a modern judicial republic, put the point in related terms: ‘Political liberty in a citizen is that tranquillity of spirit which comes from the opinion each one has of his security, and in order for him to have this liberty the government must be such that there is no reason for one citizen to fear another’. As articulated by Montesquieu, freedom means security, not just in the objective sense of being properly protected, but also in the subjective and inter-subjective sense of being able to deal with others without anxiety or subservience.

When 18th century republicans, and indeed

*We in Australia have been heirs to republican ideas on a double front: our earliest institutions were conceived and formed under the influence of 18th century republican ideas; and the institutions created at the time of Federation—the institutions that gave us the Commonwealth of Australia, to use its distinctively republican title—were conceived and formed under the influence of American, republican precedents.*

republicans of earlier periods, thought of liberty in this security-centred or power-centred way, they never dreamed that it could be enjoyed by people at large; they thought that the best that could be achieved was to extend such liberty to the subset of adult, property-owning males who constituted the citizens proper. But while pre-modern republicans were élitists in their view of who could hope to enjoy republican liberty—of who could hope to count as citizens—I don't think this should put us off. Their rich, admittedly élitist conception of liberty offers a challenging ideal of universal citizenship: an ideal that we might hope to realise in the lives of people at large, not just in the lives of property-owning, adult males.

Liberty as security was the key idea in the web of republican themes, but there were also three associated ideas. The first is the notion that a republic requires a rule of law which is binding on all; a rule of law which means that no one stands beyond the possibility of legal reproach: not a monarch, not the judges, not even an elected assembly. No surprise there. We can readily see why an ideology that prized liberty in the sense of security should insist on the need for a rule of law, since anything less than a rule of law—any arrangement that granted unconstrained and possibly arbitrary power to some figures or bodies—would mean that citizens were not secure against the invasions that those agents or agencies might perpetrate.

**T**HE SECOND OF THE THREE EXTRA strands in the republican tapestry is the idea that the republic requires, not just the rule of law, but also an arrangement under which those in public positions are disciplined by various checks and balances: checks and balances sufficient to ensure that there is no room in the making and administration of law for those in power to serve their own interests and compromise the liberties of others. Republicans envisaged a range of checking and balancing measures, including the separation of administrative, legislative and judicial powers, the exposure of administrators to interrogation in parliament, the more or less popular election of parliamentary representatives, the division of parliament into two bodies, and so on. The thought of republicans was that unless the powerful could be visibly contained by such measures, unless they could be supported by such measures against the temptations of office—the tradition was fairly realistic about human nature—then there was little hope for the rest of the citizenry.

The third strand that stands out in the republican tapestry of ideas is that of civic virtue. Republicans generally emphasised, though with differing degrees of vigour, that a rule of law and a régime of checks and balances would not suffice on their own for the promotion of liberty: that they would only work, if they were supported by, and were supportive of, a general culture of virtue. Those in authority would have to internalise the public interest and reliably try to advance it; no institutional arrangement could hope to combat corruption, and assure people at large of their liberty, unless the authorities were generally trustworthy. Those out of authority, on the other hand, would have to be vigilant in

the scrutiny and questioning of public figures and parties—they would have to avoid the vice of apathy—if there was to be any hope of guarding against the spread of corruption: any hope of keeping the bastards honest. The price of liberty, as it used to be put, was eternal vigilance.

These republican ideas are part of our common Australian heritage. I do not mean that they have bulked large in the ideologies around which politics has been conducted in our country in the last two hundred years. On the contrary, the explicit ideologies have often been unfaithful to republican ideas. The institutional life of our society has evolved under the low-level but sustained pressure, now in this area of life, now in that, of those ideas. The ideas have been like the genes of our system, dictating some crucial turns in its development since the time of the first European settlement. The heritage that they constitute has been lodged deep in the chromosomes of the body politic.

Some features of our development testify to the presence of a republican mind at work in our institutions. One is that from the penal beginnings of European settlement, as David Neale has recently shown, the idea of the rule of law played an important and growing role in the political and legal life of the Australian colonies. Another is that in the course of the 19th century, as Paul Finn has documented, various Australian colonies abolished or modified Crown immunity from legal suit and were among the first jurisdictions in the world to eradicate this scandalously anti-republican symbol, this assertion, in effect, that in some respects the government is above the law.

A third republican feature of our 19th century development, and one of more substantial importance, is the sustained reliance in the Australian colonies on the role of public boards and statutory bodies as a check on those in executive power: this, so far as the members of those organs of government were answerable to parliament, not to the executive, or so far as they had the status of a judicial tribunal.

A fourth was the assumption that those serving in those institutions, and public figures more generally, could be relied on as trustees of the populace: the 18th century notion of trusteeship, with its republican connection to civic virtue, was thereby reinforced in the Australian tradition.

A fifth feature of 19th century Australia can also be seen as evidence of republican ideas at work. This is the invention of the secret ballot—the Australian ballot, to use the name it received in other countries—as a means

*Republicanism, in the broad sense in which I think of it, is consistent with monarchy, provided that the monarchy is constitutionally constrained; the only objection to such a monarchy is that it may give the wrong message, suggesting that we ordinary people are not up to the business of providing our own Head of State.*

of making the responsibility of government to electors more effective: as a means, so at least it was hoped, of securing the voice of independent electors against threat of intimidation and blackmail.

The most important 19th century change in the development of our polity, however, was the move to

federation and we can readily see the impact of republican assumptions in the discussions leading up to federation—these were often mediated by the U.S. precedents that our founders focused on—and in the constitution that those discussions fashioned. The most striking example of republican ideas at work in the Constitution is the division of the Commonwealth into two houses, with the House of Representatives representing individuals across the country, and the Senate representing the States. The rationale behind such an enforced sharing of powers, like the rationale behind the corresponding division of powers in the US Constitution, was the old theme of checks and balances. Such a sharing of powers, it was thought, would help

to ensure that no one faction could gain control of the legislature and pass laws that were not in the general interest: in particular, not in the general interest of the states.

The upshot of the pre-federation developments that I have mentioned, and of federation itself, is that by the beginning of this century Australia was fashioned in much greater fidelity to the republican ideas of 18th century Britain than Britain itself. The rule of law was powerfully emphasised in the non-immunity of the Crown from legal suit and in the presence of a written constitution, in particular one that could only be amended by recourse to referendum. The rule of check and balance was highlighted by the provisions of the Constitution itself and by the growing body of safeguards against official corruption. And the rule of virtue was given prominence in the theme of public official as trustee of the populace.

Can we see any traces of republican ideas in 20th century Australia? Well, one development that would have made excellent sense by republican lights was the introduction of compulsory voting. If the main point of voting is to make our representatives responsible to their electors, if the idea is that the need for electoral support serves as an excellent check on the behaviour of politicians, then there is every reason why voting should be made compulsory. Under compulsory voting, after all, no politician can afford to assume that some group—say, the least privileged—will be under-represented at the ballot box and can have their interests neglected with electoral impunity.

*If we want to make good sense of where we should be going in the process of institutional shaping, we can hardly do better than look back to the heritage of republican ideas that have already played an important part in our institutional development.*

There have been other facets of 20th century Australian culture that we can also see, with a little imagination, as republican in provenance or character. The emphasis on the political independence of various public bodies—for example, and unusually, the Bureau of Statistics—the endemic distrust of politicians, the continuing concern about corruption and the abuse of public power, the frequent recourse to independent commissions of inquiry, the drive for more and more freedom of information, the establishment of a court for regulating industrial relations: all of these features of our system and culture fit well with the heritage of republican ideas; they manifest a republican logic—better perhaps, a republican ethos—at work in our public life.

If republican ideas are to play the sort of role that I envisage, then there are two tests that they must pass. First, they must be able to give voice to the claims with which the major groups in our society are identified: in particular, able to give voice to them in a language that other groups use and understand, even if those other groups continue to contest the claims. And second, the republican ideas must be able to articulate challenges that we may have ignored or downplayed up to now but that prove, on reflection, to be worth considering: they must give us new directions at the same time that they confirm our old bearings.

**T**HE REPUBLICAN ETHOS OF LIBERTY, with its emphasis on the centrality of the rule of law, and the need for checks and balances in public life, ought to be appealing, I think, to those on the right of politics who emphasise the dangers of crusading government and the fundamental need to give individuals space and stability for the organisation and pursuit of their own, private lines. But if it is to pass the first test, then the republican set of ideas ought also to recommend itself to those on the left who identify with the multi-dimensional movements that characterise progressive politics: movements in support of women, workers, indigenous people, the long-term unemployed, the handicapped, the aged, the sick, the imprisoned.

Once the republican ideal of liberty as security, liberty as power, is taken as an ideal for the population at large, and not just for property-owning, adult males, the issues that these movements represent get to be seen as causes that government has to take up. All that the republican liberation of property-owning, adult males required in pre-modern societies was the protection of the law and the regulation of those in political power: this, by means of a rule of law, a régime of check and balance, and a dispensation of moderate civic virtue. But much more is going to be necessary for the republican liberation of women and workers, of indigenous people and the unemployed, of those made vulnerable by age or sickness or imprisonment, and of those exposed, as we all are, to environmental hazard.

Republican liberation on this broad front is going to require, not just legal protection and the regulation of the strong, but also the empowerment of the weak by measures of the kind associated, in that misleading phrase, with the welfare state. I am thinking of measures that ensure that people are not rendered insecure against

interference—and, in republican terms, unfree—for lack of those general skills and opportunities provided by a good education system, by reliable media of information and broadcasting, and by an infrastructure that ensures a safe and user-friendly environment in our cities and in the bush. And I am thinking of emergency measures which ensure that people are not rendered insecure against interference for lack of resources in those special circumstances associated with handicap, sickness, unemployment, child-rearing responsibilities, old age, litigation and so on. Once we think in republican terms, we can see such initiatives, as we can see associated movements—for example, the trade union movement or the women's movement—as being inspired, at their best, by the drive to realise the public ideal of liberty as security and power in the lives of an increasing number of people.

The first of my two tests requires, not just that republican ideas be capable of articulating the major concerns with which different groups identify, but that they articulate them in terms which other groups use and understand. Those on the left are often impatient of the concerns of liberals and conservatives who insist on the virtues of small government. But perhaps they can understand those concerns better if they see liberals and conservatives as insisting that government should not be hyperactive: that it should seek change only by such well-tried channels, only at such a pace, and only with such a continuity that ordinary people can easily adapt; ordinary people can retain the sense of living in a world where they know the coordinates.

Those on the right of politics, on the other hand, are impatient of the ambitions of the left to extend the compass of government to embrace various welfarist, reformist causes. But perhaps they can make better sense of those ambitions if they see the left as being concerned with the very liberty that they themselves prize: if they see the left as being concerned to extend the enjoyment of liberty as security beyond the élite of property-owning males to the population at large.

The division between left and right is often put in terms of a division between those who support and those who oppose big government. From the republican point of view, however, this division is overdrawn. It is right to oppose big government, in the sense of hyperactive government. But it is right to support big government in the sense of government that recognises an obligation, not just to protect and regulate, but also to empower. By republican lights, government ought to be small in the sense of steady and procedural, and ought to be big in the sense of caring and encompassing.

The second test which republican ideas ought to pass, if they are to serve in the row of a common, orientating perspective is that of articulating challenges less obvious but still compelling. There are some more or less neglected challenges that come in focus from a true republican perspective, challenges that we must face if we are to assume the profile of a true republic.

1. The containment of ministers who are hell-bent on making a mark in their portfolio—introducing reforms that will bear their name—and who do not count the cost of change to the people affected.

2. The regulation of media ownership and media

control in a period when government and opposition are terrified of incurring the displeasure of owners and editors and must be suspected of being willing to do deals.

3. The regulation of the police in a culture where drugs are prohibited and organised crime thereby encouraged: the police are like the standing army that earlier republicans worried about.

4. The rationalisation of our criminal justice system in an atmosphere where politicians are more intent on showing they are tough on crime than on reducing crime and humanising—to everyone's benefit—the way in which we treat offenders.

5. The representation of our social security system in a proper freedom-enhancing light—its representation as a guarantee against powerlessness—in a culture where the unemployed too often get cast as dole-bludgers.

6. The facilitation of equal access to legal counsel, whether by legal aid, by the encouragement of class actions, by the development of accessible legal expert systems, or whatever, so that the relatively powerless are not at the mercy of those who can monopolise the best legal advice.

7. The explicit recruitment of community groups and social movements to the cause of promoting people's liberty as security and the recognition of those groups and movements as manifestations of civic virtue that are vital on a variety of fronts to the cause of liberty: vital in ensuring consumer rights, the proper treatment of the ill and aged, the support of women in conditions of domestic violence, the protection of all of us from environmental hazard, the reintegration of young offenders into their community, and so on.

**I**F WE WANT to make good sense of where we should be going in the process of institutional shaping, we can hardly do better than look back to the heritage of republican ideas that have already played an important part in our institutional development. Those ideas represent a potentially common language for Australian politics, yet a language that should be challenging to all sides: a language that puts new, compelling issues on the agenda as well as serving to articulate the issues already there. ■

**Philip Pettit** is Professor of Political and Social Theory in the Research School of Social Sciences, ANU. His *Republicanism: A Theory of Freedom and Government* is forthcoming from Oxford University Press. This text was originally broadcast on ABC RN as part of the Reshaping Australian Institutions Project.

*The division between left and right is often put in terms of a division between those who support and those who oppose big government ... By republican lights, government ought to be small in the sense of steady and procedural, and ought to be big in the sense of caring and encompassing.*

# Scepticism and Taboos

*Reflections on the Demidenko Debate.*

**S**OME CRITICS—I AM ONE OF THEM—of Helen Darville/Demidenko's novel, *The Hand that Signed the Paper*, are accused of having succumbed to a form of moralism that distorted their understanding of the standards that are appropriate when judging a novel. David Marr, Andrew Riemer and Dame Leonie Kramer said that such critics do not know how to read fiction. They also said that their moralism led most of the critics of *The Hand* to transgress the conventions of civilised discussion.

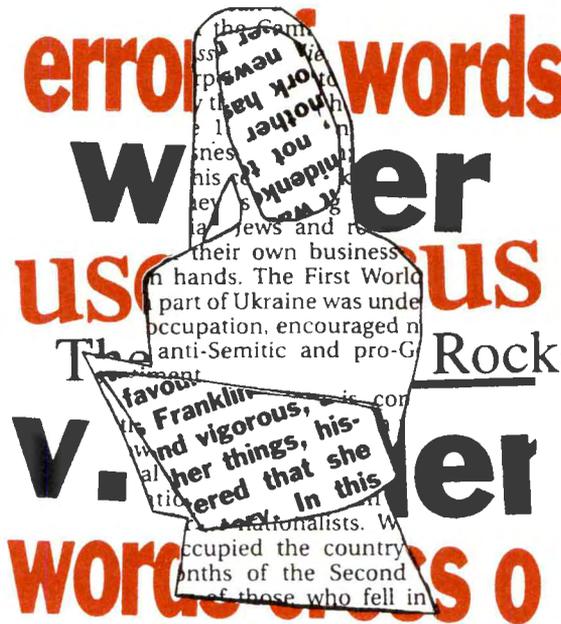
Dame Leonie and Andrew Riemer (*The Demidenko Debate*) even said that many of those critics are enemies of tolerance and free speech. Riemer has argued that their moralism expresses the critic's failure to appreciate the impact on our culture—and thereby on what a novelist is able to do—of a pervasive scepticism about value and truth. I want to explore some of these themes.

The charge that the passionate critics of *The Hand* are enemies of free speech is silly and offensive. However, the confusions in the charge that their moralism made them agents of political correctness are important and interesting.

Two telling events occurred at the end of the first stage of the Demidenko debate: the publication in the *Australian* of an article by Mackenzie Wark and a cartoon by Peter Wilkinson.

Mackenzie Wark finished an article in the *Australian's* Higher Education Supplement with these thoughts: 'To question accepted senses of certainty is not the same thing as "modish relativism". It is to begin again to ask the hard questions, here in the debris of the world that the eclipse of the Cold War and the cold warriors—has left us.

Wark had expressed qualified admiration for a claim made by Andrew Riemer in his recent book *The Demidenko Debate*, that any assessment of *The Hand that Signed the Paper* must acknowledge the pervasive scepticism about truth and value that characterises (as Wark puts it) 'thinking people of Darville's age'. His praise was qualified because he believes that Riemer had not



thought through, or was too timid to accept, the radical implications of that claim. Wark's posture of radical scepticism is par for the course—for him and for the times—and would not be worth commenting on were it not for the fact that it led him to say this: 'Darville's gesture is insidiously postmodern it is true. The scandal is that she undermines neat moral fables. There is no absolute evil in her world—and hence no belief in absolute innocence. Her Ukrainian killers are not devils, they are flawed human beings acting on a mixture of delusion and self interest'.

'Absolute' is a word to make muddles with. Wark does it when he speaks of 'absolute evil' and 'absolute innocence'. So does Andrew Riemer when he says that the outrage expressed by some of *The Hand's* critics 'is fundamentally religious, simply because they are concerned with notions of absolute evil'. The scepticism that Wark praises and that Riemer urges Darville's critics to take seriously, is not of absolute evil as opposed to evil, nor of absolute innocence as opposed to innocence. If it were

they would have pitted Darville against straw men, for none of her critics has relied on such a distinction.

Nor is there anyone who has contributed to our understanding of the Holocaust against whom 'thinking people of Darville's age' could say—we believe in evil, but you and your generation believed in absolute evil and expressed it in your fables about the Holocaust'. Who could say that to Primo Levi, to Elie Wiesel, to Hannah Arendt, to George Orwell, to Albert Camus, or to the historian Martin Gilbert? Yet, they are some of the most significant figures who shaped our understanding of the kind of evil depicted in Darville's book, but not understood by her.

The greatest of them, Primo Levi, was just the sort of secular humanist Riemer praises and, of the others, only Wiesel expresses what might reasonably be called a religious sense of the evil of the Holocaust. The trouble with Darville's book is not that it denies absolute evil. It is that it has no serious sense of the evil it depicts. If that seems incredible to those shocked by the evil she records, then I would remind them that they would respond in the same way to

SS reports which are of terrible evil, but without any sense of it.

**W**HAT CAN WARK MEAN when he says that we should rethink the Holocaust, free of the illusion that there exists absolute evil and absolute innocence? He cannot mean that there were many miserable human types, even criminals, amongst the millions of the Jews and the Gypsies who were murdered in the death camps and elsewhere. He cannot mean that because no one has ever denied it. Everyone knows that Jewish criminals were not sent to the camps as punishment for their crimes: they were sent and murdered because they were Jews.

The Jews were murdered in the spirit of ridding the world of vermin. Hunted relentlessly, they would have been murdered in all the corners of the earth if the Nazis had won the war. When people are murdered as

though they were vermin, nothing they did can diminish the evil done to them. Nothing that the Jews or the Gypsies had done could weigh in any scales against the evil done to them in the Holocaust. That would be a reason to speak of the *absolute* evil of the Holocaust, and of the *absolute* innocence of its victims, if one were so inclined. But there is no need to speak that way, and if one does, then the moral point that gives sense to it stands independently of anything that looks like religion.

Thus, even if for the sake of argument we were to grant Darville's thesis that Jewish Bolsheviks were understandably seen as the agents of the Ukrainian famine, that concession could not take us to Wark's meaning. When that thesis is asserted against the meaning of Holocaust, it is as irrelevant to claims about the guilt or innocence of its victims as is any true statement about the number of Jewish criminals who perished in it. A gap that is morally unbridgeable exists between those claims. Denials of the 'absolute innocence' of the Holocaust's victims achieve radical credentials of the kind Wark seeks, only if they try to span that gap.

It is not enough to say (rightly or wrongly) that the Jews must acknowledge the causal part they played in their own destruction. Anyone who wants to go beyond Riemer to assert that even the Jews who perished in the Holocaust were not 'absolutely innocent', must have the courage to believe that, to some degree at least, the Jews got what they deserved. Wark, while intending to praise Darville, joins her most severe detractors in attributing to her the thesis that even in the Holocaust, there is no such thing as innocent suffering.

It might just be muddle and hot air. In fact I think it is. But Wark's words matter even if he is too muddled or too unserious fully to mean them, because the foul claim which they are naturally taken to express was published in Australia's premier quality newspaper. Ten days earlier the same newspaper illustrated an article discussing the role played by the Australian Jewish community in the criticism of Darville, with a cartoon depicting her in a pose of Christian martyrdom impaled on a burning Channukah candelabrum. Either would have been unthinkable before the Demidenko debate prepared their way.

**C**ULTURES ARE PARTLY DEFINED and distinguished by what is unthinkable in them—unthinkable, not in the sense that no one ever thinks them, but in the sense that they are beyond argument; they are 'indefensible' because any serious attempt to defend

## Ballad

*'What's the bird humming in the treeless land?  
Why does the cloud spit on hissing stone?'*

*'Finch dawn and partridge dusk—the hoopoe  
skittered drunk across our summer days ...'*

*'It's simpler things I ask; I must break through  
the bird's reserve, the stone's bitter spite.'*

*'... and boats hooting loud from distant ports,  
people waving on the wharves to waving strangers.'*

*'Mother, that's as may be, but I must know  
what stifles the song, drives the shiftless cloud.'*

*'The bird's an orphan, son; it talks to itself.  
Into the drinking trough the tap drips brine.'*

*'I hear the drops, they ripple to rings my dreaming.  
But where's the path you trod to bring me here?'*

*'Go find grass fields and season-wise plains.  
The stone is stone. It neither takes nor gives.'*

### Dimitris Tsaloumas

them would show one to lack the judgment necessary for the proper exercise of reason on the matters in question. It is, for example, unthinkable that we should eat our dead or can them for pet food in order to reduce the slaughter of animals.

Any argument that led to such a conclusion would have found its *reductio ad absurdum*. It is also in the same sense unthinkable that we should consider murder as a means of political advancement. We have not considered this as an option in political life and rejected it on moral or other grounds. It is not, and has never been, up for serious consideration. That distinguishes us fundamentally from some other cultures, in which political murder is practised and—more importantly for the point I am making—considered an option amongst others, even though it is officially condemned. The fact that it is practised and considered an option does not, of itself,

make the official condemnation hypocritical, but anyone in such a society who said that it is unthinkable to murder one's political opponents would, at best, be whistling in the dark. They would be wishing that their practice was in conflict with its being unthinkable to consider it a reasonable option rather than merely with its sincere condemnation.

The difference matters enormously. What is unthinkable is different for different cultures and changes from time to time. It used to be unthinkable that we should kill children four weeks old or less merely because we don't want them. Peter Singer argues that we would not seriously wrong the children if we did it, and he is right to believe that the extent to which people are now prepared to consider that argument marks a shift in the moral boundaries which partially define our culture.

One would seriously misunderstand

what it means to treat things as beyond argument in this way—the place it has in an adequate conception of reason and amongst the defining conditions of cultures—if one construes it as a deeply internalised form of self-censorship. Self-censorship is of what we think, but believe we ought not to think or say. In a similar way, political correctness is directed against what many of us think and say. The distinction can be put

*In our culture it is gullibility rather than justified scepticism that often shows itself in the attacks on science, truth and objectivity. That is why our culture is marked both by the ubiquitous profession of scepticism and the uncritical certainties of political correctness.*

like this: self-censorship and the censorious pressures of political correctness occur *within* the boundaries of a culture; our sense of what is unthinkable is partly *constitutive* of those boundaries.

To believe, but not to say (or to believe, but to wish not to believe) because we judge that we ought not to, any of the following would be an example of self-censorship: that the Jews are too influential; that they played a significant part in the oppression of some European peoples who sought their revenge in the Holocaust; that the Jews have misused the Holocaust for their cultural and political purposes; or (to change the examples) that blacks have lower IQs than whites; that aboriginal culture may be inferior to European culture.

However to think that the Jews deserved, or even partly deserved, the evil done to them in the Holocaust is different, not only in degree, but also in kind. The former are conceptually appropriate targets for political correctness. The latter is not.

Take a different example. In its extreme form, Holocaust revisionism attributes the almost universal belief that the Third Reich attempted to rid the earth of the Jewish people to the success of Zionist propaganda. Because such revisionism is an offence both to reason and to morals, we often assume that its odiousness is what inclines us to say that it is *beyond* argument, when we really should say that it is *beneath* argument.

The thought is that although one may have moral reasons for not considering an argument, someone who was seriously committed to reason and truth over morality would find no support, in any adequate conception of reason, for considering anything to be intrinsically beyond argument. I think this is a mistake. To take revisionism

seriously is like taking seriously the claim that the earth may be flat, or that Elvis Presley is alive and working for the CIA. We rightly call people who believe such things cranks, and the concept of a crank is not that of someone who is so ill-educated that they believe things contrary to what has been so firmly established that it is common knowledge. The concept of a crank is of someone whose beliefs or whose doubts testify to

their radical lack of judgment.

That is far more serious than ignorance. Knowledge and understanding—and therefore, all serious radical critique—depend upon the exercise of sound judgment about what counts as evidence, about when authorities can be relied upon, when they are justifiably discredited, and so on. Lack of judgment makes us vulnerable to gullibility, superstition and, at the limit, insanity. Scepticism that is unrestrained by sober judgment is one side of the coin whose other side is gullibility. To oversimplify a little: the concept of sound judgment—as it is expressed in the ways things are ruled out of consideration—is partly constitutive of the conceptual boundaries within which concepts like evidence, common knowledge and authority mean what they do to us. In our culture it is gullibility rather than justified scepticism that often shows itself in the attacks on science, truth and objectivity. That is why our culture is marked both by the ubiquitous profession of scepticism and the uncritical certainties of political correctness.

**O**UR ACADEMIC DISCIPLINES—philosophy included—have been inattentive to the different kind of certainties and their correlatively different forms of doubt. It shows itself in the fact that certainty is commonly taken to be either a psychological state or a form of justified belief. The kind of certainty which is expressed in the claim that something is beyond consideration—that only someone who is a crank, or insane, or radically wicked, would consider it—is neither, and is more basic than anything that can be expressed by way of elaboration on the idea of a rationally supported belief. It is more basic because serious deficiency in

one's capacity for sober judgment undermines one's ability to apply properly the very concepts which give substance to the idea of a rationally supported belief: in the absence of judgment the application of these concepts will take us *away from* rather than *to* reality.

The fate of the concept of evidence in the hands of a paranoiac is an extreme, but instructive, example. It represents the parody of reason that prompted Chesterton to say that 'the madman is not someone who has lost his reason; he is one who has lost everything except his reason'. That is why the concept of the unthinkable, as I am invoking it, is not that of a taboo that has been so deeply internalised that it is psychologically impossible for us even to contemplate its critical examination. Taboos were broken during the Demidenko debate, but the concept of a taboo fails to distinguish between the thought that the Jews have *misused* the Holocaust and the thought that they *deserved* it. An appreciation of the differences is necessary if we are to understand—as everyone agrees that we must—what that debate shows about our culture.

The interesting thing about Wilkinson's cartoon is that its offence is not captured in an offensive proposition—not for example in the proposition, defended by Riemer, that the hostility expressed to Demidenko/Darville was in considerable part due to the influence of the conservative Melbourne Jewish establishment. That is not of itself an anti-Semitic proposition, but Wilkinson's cartoon illustrating the article that expressed it is anti-Semitic; and its proximity to classically anti-Semitic cartoons is what makes it so. If one put a leering Jewish face in the corner, then Wilkinson's cartoon would find its place in the pages of *Der Stürmer*. That reveals the real nature of its offence.

It is not just that the cartoon is anti-Semitic. Its deep offensiveness lies in the lack of regard—whether intentional or not—of what the Holocaust had made of anti-Semitism and the anti-Semitic cartoons that helped to convince people that the Jews were not fit to inhabit the earth with the Master race. Its astonishing indifference to the company it keeps makes Wilkinson's cartoon a pictorial equivalent of speaking the unthinkable.

In *The Culture of Forgetting*, Robert Manne has pointed out—incontestably, it seems to me—that no one would dream of defending a novel like Darville's if it had been about White Australian settlers and the aborigines rather than Ukrainians and

the Jews. That shows, amongst other things, that when the pain she and some of her defenders caused was justified by high-sounding theories about truth, about absolute value, about moral value more generally and about the relation of fiction to history and to morality, those justifications were 'just talk'.

Manne's *ad hominem* was not, as Margaret Simons suggested (*Eureka Street* June 1996), an attempt to 'demonstrate the unacceptable consequences of nihilism'. It was a call to sobriety and seriousness.

I have no doubt that if Wark were to respond to the spirit of that call, he would not say that while it is unthinkable to suggest that the Tasmanian Aborigines partly deserved their murderous treatment at the hands of the early settlers, Darville has made a case for believing that the Jews deserved what they suffered at the hands of the Germans and their collaborators. Nor does the anti-Semitic content of Wilkinson's cartoon show that he is an anti-Semite. Just as comedians who are not racists may make racist jokes because their judgment deserted them while they were pressing the internal logic of, say, an Irish or Jewish joke, so cartoonists who are not anti-Semitic, may follow a similar logic of their own craft and thoughtlessly produce an undeniably anti-Semitic cartoon.

Wark's column and Wilkinson's cartoon are the products of an instructive and frightening kind of thoughtlessness. Their significance does not lie in the degree to which they are offensive, for that might be mitigated by the state of mind of their authors. Their significance lies in the fact they express what had hitherto been unthinkable, and the concept of the unthinkable is not one that merely marks a high, or even an extreme, degree of offensiveness.

In publishing Wark and Wilkinson, the *Australian* violated the kind of taboo whose observance had been partly constitutive of our culture. It would have published nothing of the same kind about Aborigines, but not because to do so would radically contravene editorial policy. There is no such policy, for no one has a policy against doing the unthinkable. We need policy only for what is thinkable and all too likely to be said or done, and then we are within the conceptual space of self-censorship. Thus, elaboration on the thoughtlessness of Wark and Wilkinson, on the hectic life of a large newspaper and other things of that kind, will not explain why they were published. To explain that, we need to refer to a change in our culture, a change whose character can only be understood when it is located on a

conceptual map of the different kind of certainties and taboos.

We may argue about whether the rise of political correctness has, all things considered, made ours a better or a worse culture, but no culture can exist except by being, in critical part, constituted by what it treats as beyond consideration.

**W**E ARE A BETTER CULTURE because it is now unthinkable to suggest that the Aborigines got what they deserved at the hands of the settlers. By the same token, we have been diminished by the fact that it is no longer unthinkable to say something similar about the fate of the Jews at the hands of the Nazis. If we were seriously to consider Wark's suggestion that our past disposition to treat as unthinkable such a claim about the Jews was merely an expression of the jaded, thoughtless certainties of the Cold War, then matters would be even worse.

The Demidenko debate brought to the surface longstanding resentment of Jews and of what they had made of the Holocaust. For the first time, the concept of 'the unacceptable face of anti-anti-Semitism' appeared in serious public discussion. Expression of some of that resentment was long overdue,

*To take [Holocaust] revisionism seriously is like taking seriously the claim that the earth may be flat, or that Elvis Presley is alive and working for the CIA.*

and our culture will be better when it is openly discussed. But something darker than resentment, and darker even than anti-Semitism, surfaced in the debate. It pained Jews deeply in a way that Darville/Demidenko's defenders were quite unable to comprehend and it made some of them uncertain of their place in Australian society. It was, I think, because they sensed that the breach of the unthinkable that declared itself in the publication of Wark's article and Wilkinson's cartoon had been for some time a real possibility. It is now evident that many people justifiably resented the fact that critics of some of the antics of the Jewish establishment (during, for example, the debates over the War Crimes legislation) risked abuse as anti-Semites. In the Demidenko debate, such resentment became mixed up with something altogether unjustified and ominous. There are many reasons for this. Confusion over the different kinds of certainties enabled the more unsavoury of them to surface, and protected them with the misguided thought that the

pain they caused and the anger they provoked were merely the expressions of political correctness.

Peter Craven, reviewing *The Culture of Forgetting*, now says that although Darville shows some talent, her books is 'disgusting'. I do not remember anyone who defended the literary worth of the book, saying that during the debate. Many Jews (and others) believed that *The Hand* treats sympathetically, even if it does not itself advance, the claim that at the hands of the Nazis and their collaborators the Jews finally got what they had long deserved. Until Wark, all admirers of *The Hand* insisted that it made no such claim and that it showed no sympathy for it.

The matter is arguable, but it was not unreasonable for Jews to believe what they did. Others believed it too, of course, but I speak here of the Jews because it is their pain and the reaction to it that is at the heart of this argument. Their pain and incredulity that a book expressing such a perspective on the Holocaust should be honoured was compounded by the fact that the reasons for their pain were greeted with incomprehension, condescension and irritation.

They knew, even if they did not fully

articulate it, that that response to their pain and outrage compromised the lip service everyone (implicitly) paid to the proposition that if *The Hand* did claim what many Jews suspected it of doing, then it would, *of course*, be disgusting. The tension between the assertion that such a claim would be disgusting and the hostility to those who responded in ways appropriate to their reasonable belief that it had been made, enabled that claim to stay sufficiently close to the surface of the public debate for it eventually to insinuate itself as one that deserved discussion.

Perhaps that is why when one of Darville's admirers attributed that claim to her and praised her for making it, there was not a published word of protest. By comparison, the honours bestowed on *The Hand* by the Vogel and Miles Franklin Judges is a trivial matter. ■

**Raimond Gaita** is Professor of Philosophy at the Institute of Advanced Research, Australian Catholic University.

# A great wen

**The Oxford Book of London**, edited by Paul Bailey, Oxford University Press, Oxford and New York, 1995. ISBN 0 19 214192 9 RRP \$45.00 (hb) \$17.95 (pb)

**L**ONDON, YOU KNOW, has a great Belly, but no palate, nor taste of right and wrong.' So Thomas Hobbes, in 1680. Several decades earlier John Milton had written, 'Behold now this vast city; a city of refuge, the mansion-house of liberty, encompassed and surrounded with His protection.' It is a toss-up whether it would have been more disconcerting to fall into Milton's power or Hobbes', given their general attitude, but between them they set common terms of attention to London, as indeed to many another city, in every quarter of the globe.

'May my enemies live here in summer!' Swift wrote to a friend in Dublin; 'All I can say is that standing at Charing Cross and looking east west north and south I can see nothing but dullness' Keats wrote to his sister-in-law in America; 'London sits on my stomach like a Welsh rabbit at midnight' Henry Adams

one can love bits of it, and become interested in the rest.'

None of these utterances is to be found in Paul Bailey's *Oxford Book of London*, but any of them might have been. Lauds and complaints alike run through its pages, as do more neutral observations. A handsome painting in the recent Arthur Streeton exhibition at the National Gallery of Victoria shows Trafalgar Square, 'At the Heart of the Empire'. It is appropriately shadowed, as the heart of any empire must be, since much of the blood around that organ is not its own. The *OBL* is constructed by somebody well aware of the shadow side of a great city. Bailey remarks in his introduction that he has 'given London's poor ... prominence,' and it is clear that this has not been done from motives of aesthetic coherence or colour. If they are here, it is above all because they were there, and they have been given,

as they still are given, the testimony of some haunted observers.

Jack London, in *The People of the Abyss* (1903), writes,

Nowhere in the streets of London may one escape the sight of abject poverty, while five minutes' walk

from almost any point will bring one to a slum; but the region my hansom was now penetrating was one unending slum. The streets were filled with a new and different race of people, short of stature, and of wretched or beer-sodden appearance. We rolled along through miles of bricks and squalor, and from each cross street and alley flashed long

vistas of bricks and misery. Here and there lurched a drunken man or woman, and the air was obscene with sounds of jangling and squabbling. At a market, tottery old men and women were searching in the garbage thrown in the mud for rotten potatoes, beans, and vegetables, while little children clustered like flies around a festering mass of fruit, thrusting their arms to the shoulders into the liquid corruption, and drawing forth morsels but partially decayed, which they devoured on the spot.

No city of which this was the determining story could have lasted from then until now, and no doubt Jack London, here as elsewhere, was writing in some measure to a formula. But the view from below has as many rights as any other, and it shows a perpetual truth, whatever structures may be founded or rigged higher up. Paul Bailey, himself a Londoner by birth and residence, is of an age, an experience, and a practice as novelist to keep him alert to London's cruelties and vulnerabilities as they have displayed themselves in this century, and he has been intelligent and assiduous in culling excerpts from the past. The second-last passage is Peter Reading's 'Perduta Gente' (1989), the allusion to the *Inferno* explicit; the last a lamenting 'View from Brixton' by Angela Carter (1991): neither of them is quite the thing to send to your favourite travel agent. And back on page four, Richard of Devizes, in his *Chronicle* of about 1185, writes like a monk who has been reading *The Book of Lamentations* more often than is altogether good for him:

I do not at all like that city. All sorts of men crowd together there from every country under the

*It is difficult to speak adequately or justly of London. It is not a pleasant place; it is not agreeable, or cheerful, or easy, or exempt from reproach. It is only magnificent.*

—Henry James

wrote, once more with an eye to America. But there is also Sydney Smith's 'You may depend upon it, all lives out of London are mistakes, more or less grievous;—but mistakes', and E.M. Forster's 'Time has tamed me, and though it is not practicable to love such a place (one could as easily embrace both volumes of the telephone directory at once),

heavens. Each race brings its own vices and its own customs to the city. No one lives in it without falling into some sort of crimes. Every quarter of it abounds in great obscenities ... jesters ... Moors ... pederasts, singing and dancing girls, quacks, belly-dancers, sorceresses, extortioners, night-wanderers, magicians, mimes, beggars, buffoons: all this tribe fill all the houses. Therefore, if you do not want to dwell with evil-doers, do not live in London.

Richard's lament for lost innocence and violated honesty is only the first of the *OBL*'s array in similar vein, which includes such formidable figures as John Evelyn, Defoe, Pope, Johnson, Smollett, Dickens, Mayhew. But in his excellent introduction, Paul Bailey cautions against our being seduced by stylisation. He says, for instance,

The one spectacle in London that truly distresses me is of the hosts of tourists, young and old, gathered outside Madame Tussaud's every day of the week, every week of the year. These unfortunates have been assured that the place is a London landmark, where they can thrill to the Chamber of Horrors. What do they see inside but a collection of wax models of infamous murderers and politicians (the two occasionally combined in the same person) and actors and currently fashionable celebrities? London is not there, I want to shout at them. Ignore it. Tell your tour guides to cease being lazy and show you the real city. And even as I send them my silent message of imprecation, I know that the real London demands time and patience of its visitors as well as its inhabitants.

**T**HE REAL CITY': it is a notion to be mocked spontaneously by today's many dutiful students in *Scepticism* 101, and who begrudges them their rather elementary pleasure? But when such entertainments are done with, the fact remains that any considerable city is unimaginably dense with meanings, is a kind of White Dwarf of significance. William Blake (who is well represented in this book) made London uniquely his own in

his poetry: Vincent Buckley, in his *Golden Builders* sequence, saw Melbourne through Blake-adapted eyes: David Fitts, painting in part in response to Buckley's poems, produced another Melbourne, no less ours for being all his own. 'Turn but a stone, and start a wing' said a poet who had in mind the visionary apprehension of angels at Charing Cross: but even in the absence of angels, the stones

thought much, learned much, produced much; the little shabby furnished apartment ought to be sacred to me. I came to London as a complete stranger, and today I know much too many people... Such an experience is an education—it fortifies the character and embellishes the mind. It is difficult to speak adequately or justly of London. It is not a pleasant place; it is not agree-

*Two working men were in the Tube and began arguing whether a certain peculiarly dressed person in the same carriage was or was not the Archbishop of Canterbury. They bet. To settle it one of them went up to the person and said, 'Please, sir, are you the Archbishop of Canterbury?' The reply was: 'What the bloody hell has that got to do with you?' The workman went back to his mate and said: 'No good, mate. The old cow won't give me a straight answer either way.'*

—Arnold Bennett

are themselves tongued with eloquence—as (for instance) Streeton saw, like the London-painting Turner, to whom he owed much.

For most of my life, now, I have been fond (and afraid) of Mauriac's saying, 'We write the book we deserve to write.' It is eminently challengeable, which is no slight to any important truth: but one of its meanings is that a work of distinction does not come out of thin air, and in a real sense has to be lived onto the page—hence the rarity of works of distinction. And one obvious use of *The Oxford Book of London* is in its reminding us where some real living has been going on, and its introducing us to sources of vivacity of which we were unaware. The range of such figures may usefully be seen in two last examples: first, from the *Notebooks* of Henry James,

I have *lived* much there, felt much,

able, or cheerful, or easy, or exempt from reproach. It is only magnificent.

And finally, from the *Journals* of Arnold Bennett,

I was told the following at dinner last night. Two working men were in the Tube and began arguing whether a certain peculiarly dressed person in the same carriage was or was not the Archbishop of Canterbury. They bet. To settle it one of them went up to the person and said, 'Please, sir, are you the Archbishop of Canterbury?' The reply was: 'What the bloody hell has that got to do with you?' The workman went back to his mate and said: 'No good, mate. The old cow won't give me a straight answer either way.' ■

Peter Steele has a Personal Chair at the University of Melbourne.

# The inhuman condition

**Hitler's Willing Executioners: Ordinary Germans And The Holocaust**, Daniel Jonah Goldhagen, Little, Brown and Company, London, 1996.  
ISBN 0 316 87942 8 RRP \$39.95

**T**HE HOLOCAUST REMAINS a subject of permanent interest—and involvement—for Jews and non-Jews alike. The sheer volume of continuous publicity accorded it, in the West, only partly explains its place in the minds of Western Society. *This* publicity has not been wholly good: it has often distracted us from other, very serious, questions which demand consideration.

Some of this publicity actually contrives to create conflict, even encourage character assassination, which we can well do without. And some of the self-serving publicity almost approaches a trivialisation of this dreadful matter, and, through monolithic repetition, anaesthesia of effect among at least some of its recipients. Parts of our local media appear to be courting these risks; in the interests of what, or whom, one might ask. But the bedrock interest comes from quite different sources.

There is the permanent interest of Jewish people themselves, and this is wholly understandable. It would be strange were things otherwise. There is the natural human propensity to identify with the sufferings of others, the cosmic injustice of what happened: evoking compassion and indignation.

There is the perhaps curious, ambivalent, but very human fascination with cruelty, violence and death—especially unnatural death. This can feed upon itself, and it is a moot point how much of it should permanently be satisfied. Our media, films,



*A German soldier taking aim at a Jewish mother and child during the slaughter of the Jews of Ivangorod, Ukraine, 1942.*

literature, we know, are now heavily preoccupied with such topics. The vendors answer critics by saying that the demand is already there. If they are correct, then the human condition is even worse than we had supposed.

Then there are those who fear *It* could happen again, or—worse—is starting up even now. In such an atmosphere a cool, hard look at history, including economic causation, mass psychology, and political systems is recommended, not paranoia or rhetoric. And in this regard, close attention to the difference between Fascism and Right-Wing extremism, and Nazism is required. Thus, in teaching the history of the Third Reich (and the period preceding it), it is mandatory that the Holocaust should not

choke off interest in, and concern with, the other pathological features of the Nazi State, Nazism or *Hitlerism*. Here, Goldhagen's book is—almost, though not wholly of necessity—defective as a guide.

Another flow-on from the Holocaust should have been, one would have thought, a heightened attention to other dreadful human slaughterhouses and torture fields which have emerged, and are emerging, in many places, and to many peoples, even since WW1. But, curiously, concentration on the fate of Europe's Jews has sidelined these other great horrors.

Goldhagen's book is Eurocentric, Central-Eurocentric, even Germanocentric. This may be appropriate to the case, but it should not lead to devaluation, even

dismissal of other moral enormities, which have become almost part of the texture of life as the world now lives it.

Which leads to the whole matter of what human beings *are*—their potentialities for good and evil, the circumstances more likely to further one rather than the other. What is to be done here? To paraphrase Marx, the first thing is to understand Man, then to change him. But it seems we don't understand him very well.

**S**O NOW WE HAVE A MOST ambitious production by Daniel Goldhagen, which makes it clear early on that 'no one has demonstrated that the vast majority of Germans had at any time renounced their cultural heritage'. And that 'Germany continues to this day to remain infected by anti-Semitism'. I think that these statements, and many like them, set the tone, and are faithful to the overall temperature of Goldhagen's book.

There is, notwithstanding, a large and very detailed account of how the Holocaust was not simply a matter of scientific cold-blooded destruction from shtetl and ghetto, via the railways, to the camps, the gassing and the ovens. More than half died by other means, and I thought that photographs and commentaries at Yev T Shem revealed that. From memory, many locals and other non-Germans seemed to be much in evidence. But there were nearly 10,000 camps, often quite small, where Jews were done to death in long, drawn-out and revolting ways, by local police battalions, 'whole gangs of noisy louts, cavorting in torture gardens'—as Clive James said in his brilliant review in the *New Yorker*.

It seems to follow that far fewer people died in Auschwitz and the larger camps than we had earlier assumed. The slaughter was far more widespread, more far-reaching than we had supposed, and the author estimates that there might have been from 500,00 to 900,000 Germans directly or indirectly involved in this genocide. That is, perhaps, 1.5 percent of the population. (We leave out Kapos and non-Germans). So this was no remote, scientific operation—in fact the technology distracts, though I think it adds another macabre strand to this great nightmare. The author has opened a new important avenue to knowing what *really* happened.

But it is the use of this research, to help construct a variety of major conclusions about Germany, Germans and anti-Semitism, which seems to me, and many other reviewers, quite overdone.

The book is too long, and unflatteringly

repetitive. It liberally displays anger, vehemence and blame. Goldhagen seeks to exact a retrospective revenge on those who killed, tortured and humiliated his people; there are also signs that he might seek to transfer these revenge fantasies onto the present day—onto the Germans now living. He would not be alone.

But he, and they, would need a theory of national character—a story of a fatal flaw in this character; ineradicable, a variety of original sin. My mother used to sing while ironing: 'On land and sea, wherever you may be, keep your eye on Ger-man-y'. Of Edwardian vintage that song—a by-product of Lord Northcliffe's anti-German campaign, dating from 1900. Are we being told once again to keep our eye on Germany? And Germans?

Goldhagen announces that most of the historical interpretations preceding his are defective, inadequate either because they're missing important facts, or misleading because biased. Or just wrong. So he proposes to use earlier work and other contemporary findings sparingly and selectively, and to tell us the story as it really was, and *is*.

We were already familiar with other projects for relegating and devaluing past intellectual works: the Stalinists, the deconstructionists, hard-line feminists, exponents of American history as black history, did it and do it. It frequently leaves serious ignorance and much intolerance in its wake.

Goldhagen, I fear, performs a similar disservice for German history and culture. And, by leaving out so many of the earlier theories about Nazism, anti-Semitism and the Holocaust, he is able to re-invent the wheel. So he runs with A.J.P. Taylor's location of Nazi German bastardry as within the core of German history, culture, their whole political and moral style, their psyche. Their *character*. This theory was alive and well in WWI—only it was the citizens of the Kaisereich who were so warped. Incidentally, anti-Semitism was not mentioned then.

Goldhagen lacks a certain compassion as well as an understanding of pre-Nazi German history—particularly the area he focuses upon most: 1918-1933, the Weimar period.

There were many Germanics before 1870; and competing cultures—a *Kulturkampf*. Prussia, or rather the Prussian ruling military caste, drove one alternative culture after another underground, and many Germans overseas. The Liberals were crushed in 1848, the Catholics cowed into silence later on, and most energetic efforts made to fillet the socialists. They

weren't put down but they couldn't stop conscription, rising militarism, or the Prussianisation of the schools and universities.

Nevertheless it was expected, in 1914, that the SPD would win a majority in the Reichstag within a reasonable time. But then there was the War! From 1919 on, the German left polled between 35 and 40 per cent regularly until free elections stopped. Hitler never got more than 37 per cent in a free election, and then just at the end. Were these other Germans, along with the small 'l' liberals and the numerous intellectuals, artists who had said '*Ohne Mich ... do what you like but count me out, you're all rotten*'. Were these anti-Semitic too? Racists too? Goldhagen indicates they were—the SPD—on the strength of a couple of small, private party surveys that even Roy Morgan wouldn't pass.

The SPD was founded by a Jew, Lasalle—based its theory on a Jew—Marx. Its leaders and ideologues were people like Kautsky, Bernstein and David—all Jews; Luxemburg was Jewish. And the communists similarly. What were all these anti-Semitic Germans doing, sticking to these parties in the face of rising violence, a rigged and hostile legal system and press? Like the British workers, they never won a battle; they always lost, so had to obey, soldier on, or get out, as masses had earlier. It is the height of insensitivity to tar these people and that long tradition of earlier struggle with a brush meant for the Nazis and their friends.

**G**OLDHAGEN HAS BEEN CRITICISED for ignoring all other genocides, and the plight of the survivors who continued to carry on their life as though nothing was happening—even when it happened to their own family. Why didn't they *do* something, speak out, obstruct? Khrushchev had the answer to that. When he was speaking at the 20th Party Congress, retailing the horrors of Stalinism, the *real* fates of deceased comrades—with many of the faithful in tears—a voice came from the hall—'and what were you doing during that time?'

Khrushchev stopped: 'Who said that? Stand up!' No one spoke, no one moved. 'Yes,' said Khrushchev, 'that was what I was doing'.

There have been some absolutely satanic genocides this century. And as states lose authority and the social bonds snap in more and more societies, there seem to be fresh ones in the making. A new sub-discipline called Genocide Studies has now appeared. Rapid fire weapons and more and more people with the mentality of serial killers

make things a lot easier. There is no shortage of either in Bosnia—and I don't simply mean among the Serbs. The Croats, or *rather*, the Ustasha, had moments of glory in WWII, with Pavelich announcing *his* Solution—for the Serbs: 'Kill a third, convert a third, and drive the remainder out.' Of course there was nary a Jew left. Goldhagen does not mention this. Was this comparable? No, nothing is—not even Cambodia, which Goldhagen mentions as satisfying some of the criteria but not enough. No, there is a difference in kind, not of degree, apparently.

The 86 million who perished over the long Gulag period (Solzhenytsin's figures), the result of policies and attitudes which demonised and then dehumanised errant Russians; the 40 million who died in China due to Maoist policies, count equally as proper objects for our horror and indignation; as do the Cambodians, where 12-year-old boys were persuaded to bash out the brains of parents and family because they were designated anti the Government—or superfluous bourgeoisie.

How people can be induced to do such things, how many go in for 'doubling'—that is behaving normally and morally and intelligently for much of the time, and atrociously at other times—has produced a body of philosophical and psycho-analytical and religious literature from the 1930s on—important to some of us, with the search for the answer/s and the failure to find it, haunting us. But Goldhagen shows little interest in this. No one is going to be allowed to shoot the fox. The hunt is everything.

Nor does Goldhagen show much interest in the role of other nationalities, their contributions, their anti-Semitism, *nor* their hatred of one another. So Robert Manne's captive nations walk away unscathed. And the Austrians. Austrians? In Yugoslavia, of 5000 convicted 'German' war criminals, 2500 were Austrians. They were very active in the mobile murder squads, commanded 4 of the 6 main death camps and have been estimated to have killed nearly half of the 6 million Jews. Hitler was Austrian, Eichmann and the Gestapo chief Kaltenbrunner were Austrian. Kurt Waldheim was an Austrian.

Should we construct a second bad national character stereotype? Incidentally, Nazi doctrines came into Germany from Austria, where they were already alive and well. Some German anti-Semitism came in from the French and the English; Social Darwinism, if anywhere, from the Anglos. German anti-Semites and racists weren't very original.

**I**T SELMS GOLDHAGEN understood the German people better than Himmler and Co. In two key speeches, one early in the war to SS leaders, another in 1943 at Posen, to the principal Nazi leadership, Himmler detailed the Extermination Project and how it must be pushed through despite all opposition. The German people could not be trusted with these secrets; even SS officers were trying to protect their favourite Jews, good Jews etc. They must be stamped on, and 'we will tear the last Jew from the Generals'. To the SS earlier: 'we in the SS must bear a terrible secret. What we do is for the good of the *Volk*, and we know it. But too many ordinary Germans are still too sentimental, tainted with moralism, religiosity and compassion. They cannot be told; so we must carry this terrible secret alone. A great burden Kamaraden—but we are brave.'

Was the secret kept or not? Goldhagen says there was no secret, and that the average German would have willingly joined in. So Himmler and Co. read them wrong. Really? Goldhagen specialises in logical slides from some to all, from being anti-Semitic to wanting to kill Jews, and fails to distinguish between direct involvement, indirect involvement, tacit consent, and indifference. Far too many Germans suffered from this last, he complains. He should read Orwell on 'indifference' and 'tacit consent' in a totalitarian state for some clarification.

Penultimately, if we are seeing the revival of national character stereotypings as a political tool, Goldhagen has opened up a Pandora's box. We used to talk this way, and found that it led to slaughter and intolerance. So we stopped. As Grillparzer said, 'Humanity; nationality; bestiality'. If this Pandora's box is to be opened, it can't just be for the Germans, the Japanese, (next cab off the rank?) or the Arabs. Every nation could be called to account. Would Goldhagen be happy with that?

Finally, we have an old German community in Australia, of some 40,000. They might have been much more numerous, for before 1914 they were arriving at a rate which, had it continued till today, would have made them our largest community after the Anglo-Celts. But the vicious racial stereotyping in WWI stopped all that. They only came intermittently thereafter.

Our Germans have been subjected on and off to a covert, sometimes overt, anti-German campaign since 1900. Another present from England. Paradoxically, we as a nation preaching racial tolerance here and in the UN, are piling up a lot of runs in the game of compounding national and sub-national antagonisms. I thought the Ukrainian stereotype game was under way for a time, but cooler heads prevailed. So we have to become more vigilant about stirring the national character pot, for it is coming, in the main, from pressure groups with their own agendas and sometimes with a little encouragement from overseas.

In sum, for me, this book is interesting for its basic agenda, and as an object lesson in how *not* to approach history. ■

**Max Teichmann** is a Melbourne writer and reviewer.

These and other books are available from  
**The Jesuit Bookshop,**

PO Box 553,

Richmond 3121

ph (03) 9427 7311, fax (03) 9428 4450

WHEN PEOPLE MAKE LISTS of the finest singers of the century, Ella Fitzgerald has to be there. Doyenne of jazz-singing as she undoubtedly was, she transcended all the categories of jazz, blues, classical, whatever, to achieve completeness in her craft. Dietrich Fischer-Dieskau, the greatest baritone of this age, has long been one of her admirers.

Born in Newport News, Virginia in 1917, she was a baby when her mother and stepfather moved to Yonkers. Her early life is full of obscurities and conflicting stories; it is hard to find out for certain whether her mother was still living when Ella began to make her mark in swing at 16. What is certain is that in 1934 she won a talent contest on amateur night at the Harlem Opera House, winning a prize-of-a-week's professional gig there. She also came under the notice of the great drummer, Chick Webb, who became her musical mentor and, with his wife, her legal guardian.

Learning from a legendary drummer was bound to have a good effect on the timing of one already so talented: the minute she opened her mouth to sing people forgot that in real life she was plump, and a little shy. Suddenly there was a river of clean silver sound and that was all that mattered. Her devotion to the music itself has caused some critics to complain that her singing was not as 'warm' as, say, Sarah Vaughan's. But Vaughan can cloy, Fitzgerald never. Her rendition of Gershwin's masterpiece, 'Summertime', is an object lesson to singers who see it as an opportunity to emote all over the place: Ella never forgets that she is singing to a baby.

Yet she was capable of fireworks. When bebop arrived, most singers were left with just a short theme while the real musicians got on with the job, but her scatting was as tonally and rhythmically secure as any of, say, Benny Goodman's clarinet improvisations. Here she went beyond the boundaries of the mere chanteuse to become a co-creator with the composer, yet always judicious, never flaunting for mere show. With Ella you never lost the melody—you just saw all its possibilities worked out, as in a Bach variation. Yet she was human. In the famed Berlin concert where she forgot the words to 'Mack the Knife', she turned her error into scatting serendipity as an oyster turns grit to pearl.

After Webb's death from tuberculosis of the spine in 1939, she worked with eminent bandleaders and musicians—Dizzy Gillespie, Duke Ellington, Oscar Peterson, Buddy Rich among many. Peterson was quoted recently in *Down Beat* magazine (September 1995) as saying 'I have never truthfully played with a



Ella Fitzgerald 1917-1996

musician—and that includes an awful lot of them—who frightened me as much as playing for Ella. Because she has the kind of gift you can't describe.'

As a singer her gift is easy to perceive, but impossible to copy. She is, however a fruitful model for restraint and perfect technique: the naturalness, neither forced nor sloppy; the Mozartian verve and spontaneity within tight form; the pellucidity of her vocalisation and the deceptive ease with which she negotiated difficult passages. Aspiring singers in any genre could

benefit from listening to her.

To watch her when she was singing was to learn. Her jaw was perfectly relaxed, her posture straight, the ribcage raised and open, the diaphragm supporting the voice like the air under a hovercraft. She was able to cover her *passaggio*, (the break between head and chest registers) with an ease many opera singers would envy. She used joyously every bit of her voice in the service of the song; was able to shout, squeal, growl or carol with aplomb but also with a kind of honest humility to the music itself—a humility that made her the very best kind of musician: a performer who became a window through which the audience could discover the essence of the music, the truth in the composer's first inspiration. One of her de facto students was, of all people, Marilyn Monroe (whose real musical talents were very underrated). In 1951, when Monroe was to sing in the film of Irving Berlin's *There's No Business Like Show Business*, the musical director (Hal Schaeffer) gave her a heap of Fitzgerald's records and told her to learn how to be a proper singer from the best. Monroe applied herself to the task, surprising many with the result, and was forever afterward a Fitzgerald devotee. In fact Monroe's voice, though small and breathy, was always absolutely true and surprisingly sweet, her art subtle and pleasing. Schaeffer had chosen the model wisely.

IN THE END WHAT CAN ONE SAY about Ella Fitzgerald? She occupies a special place in the pantheon of the great musical interpreters and co-creators. She did for jazz and swing what Sutherland did for the coloratura soprano, what Segovia did for the guitar, Casals for the cello, Horowitz and Gould for the piano, Oistrakh and Stern for the violin: that is, create new standards for the art through mastery of the craft. Her death is a loss to all lovers of great musical art. Although her last recording was in 1989—*All That Jazz*—there had been a tribute concert planned for early July. Now it will be a memorial. ■—Juliette Hughes

# Aiming high

*Shooting Elvis*, by R.M. Eversz, Pan Macmillan, 1996. ISBN 0 333 66127 3 RRP \$29.95

**H**AVE YOU EVER FELT that there are lives out there as full of danger and excitement as yours is of sensible clothing and annual bus passes? That the person who brushes past you in the street is handcuffed to a briefcase, the contents of which are a mystery to them, as is their final destination? R.M. Eversz obviously has; in *Shooting Elvis* a life is changed from the ordinary to the out-of-this world as accidentally as you choose the wrong chocolate bar from a vending machine.

The original incarnation of her protagonist is Mary Alice Baker, a photographer at a nursery rhyme portrait studio in Los Angeles. Her most distinguishing features are her blonde hair and pink nail polish, which, as she herself observes, is hardly distinguishing at all. But after you throw in a boyfriend with a dubious body tattoo—and even more dubious judgment in business associates—a briefcase, two goons from Central Casting, a porcelain urinal, and an airport explosion, the quintessential American girl loses her spot on top of the wedding cake. In her place is Nina Zero, complete with black hair, body-piercing, a stolen truck, and a tendency to let guns go off at regular intervals.

After her dramatic metamorphosis, one would expect that her main problem would be the ruthless bad guys trying to turn her into sushi at every opportunity, but for most of the book this doesn't seem to faze our heroine. She accepts the danger of terrorism and extortion in the same manner others accept the hazards of smoking—secretly relishing the naughty habit. For Nina, the major concern is trying to cope with the parasites who feed on her fame as an overnight legend of the tabloids. There is a lovely encounter she has with a movie producer friend of the would-be-film-maker whose lower Hollywood flat she is hiding out in:

"The woman said, "You must be Nina. Or do you still prefer Mary?"

I said to Cass, "This is a Joke?"

A business card materialized between the woman's thumb and forefinger, she said,

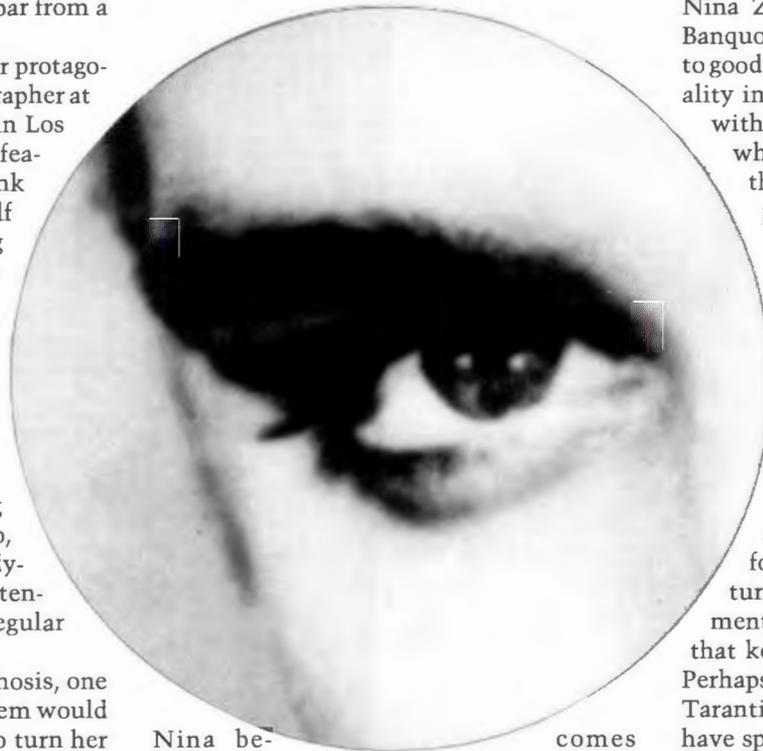
"Donna Wanker, Paramount Television. Vice President, Development." Said it that way too, each word capitalized.

... "We're talking Movie-Of-the-Week, major network, top stars. With this kind of package, we think we can get Madonna."

"Get her to do what?"

"To play you of course."

This is where the novel is pitched. As her story progresses,



Nina becomes larger than life, indestructible. In a passage which has her escaping from the two goons on a stolen Harley-Davidson, she drops the bike underneath a semi-trailer and slides through to the other side:

'It was all so fast and easy I thought I'd died, was dreaming it all up from the after-life, thought maybe this is what happens in death, you don't feel a thing. I sat up, looked for my dead body, like you sometimes see in the movies when somebody dies.'

Nina Zero does what only those who have the *Who Weekly* sort of fame can—live the kind of life the ordinary do vicariously with the help of a drip-feed of Hollywood plasma. She is an invention, a smoke and mirrors trick. What Eversz seems to be saying is that fame is a conjuror, and its illu-

sions, of which Nina Zero is one, are unreal but at the same time can no more be destroyed than Elvis could be shot—though some 600 home pages on the internet full of sightings of Elvis gobbling down tortillas in Formica-clad diners of small-town USA attest to this possibility.

The problem this creates for Eversz is that Mary Alice Baker—with her dead-end job and abusive father—is the first victim of Nina Zero, yet she keeps returning like Banquo's ghost. This could have been used to good effect by Eversz to describe a personality in transition, and perhaps in conflict with itself, but Nina is so intoxicated by what she can do with a free will that there is no room for self-doubt. She is power-packed and extra-strength and the film-maker and artist that hang on to her like sucker-fish fail to cash in on her notoriety, leaving Nina by herself—and doing nicely thanks very much—to handle the police and prime-time news.

As much as Eversz loses control of her heroine, she keeps the plot under very close guard. There is not much that is truly intriguing about the story to drag the reader forward—no twists and unexpected turns. There is plenty about at the moment, both in print and on the screen, that keeps the punter cerebrally engaged. Perhaps a few cooking tips from Quentin Tarantino or our own Shane Maloney might have spiced things up a bit.

*Shooting Elvis* is refreshing in so far as it is an exploration of myth-making and manipulation. It is also nice to have a woman pulling the trigger instead of taking the bullets for a change, and managing to avoid behaving like Arnold Schwarzenegger in drag. A bit more work on story and character development and it would have been an absolute ripper. The book's sleeve tells us that the author has relocated to Prague after working as a film-maker in LA for a decade. Maybe we can hope for a sequel involving the kidnapping of UN officials, 50 feet of electrical tape, and a car chase in Wenceslas Square. ■

Jon Greenaway is *Eureka Street's* assistant editor.

# C Much less mis-ery en scène

CLIFF WATEGO, in Richard Fotheringham's *Community Theatre in Australia* (Methuen, 1987), remarked a number of common elements in Aboriginal playwriting up to the middle of the 1980s.

Among these were the tendency of writers like Jack Davis, Gerry Bostock, Kevin Gilbert and Robert Merritt to use the stage for an 'exposition of the social and political injustices suffered by black Australians' (paralleling the 'protest' poetry of the same era). Watego goes so far as to say that, 'like many other modern dramatists ... who have attempted to use theatre as a vehicle for social reform, Bostock has no hesitation in assigning aesthetics a secondary role to artistic intention.'

Much of Watego's summary is borne out in what I see as a first wave of Aboriginal drama, including Davis's *The First Born* trilogy, Merritt's *The Cake Man*, Gilbert's *The Cherry Pickers*, Bob Maza's *The Keepers*, Richard Walley's *Coordah* and *Munjong*, Eva Johnson's *Murras*, and numerous others. These are certainly plays of protest, chronicling a generally grim history of oppression, racism, paternalism, loss of identity and culture and—in some cases—a seemingly inevitable slide into misery, even despair. Their often 'deadly' ironic humour does not deflect us from their essentially political character and aims.

This is largely true of black Australian drama until around 1988. Another key notion in a lot of these plays is that of a people 'caught between two worlds', as the white journalist June says to Koolbardi in *Coordah*. Characters like Danny Canoa in *The Keepers* and Koolbardi are clearly trapped in this identity crisis: the first is a classic 'coconut' (black on the outside, but really a whitefella on the inside) whereas the second is the 'magpie' figure of his Nyoongah name.

Elsewhere, we see characters attempting to fight back, by resisting colonialist oppressors or by preserving their black culture while adapting to the exigencies of the white world in which they must live. The pragmatic realist, Dolly (in Davis's *The Dreamers*), exemplifies the second kind of resistance, while the Millimurras' ironic corruption of the hymn 'There is a happy land ...' in the same playwright's *No Sugar* is an example of the first. The politics of real life are made manifest in all sorts of ways in the stage drama, as Watego suggested.

An aspect of Watego's 1980s analysis of which I am not entirely convinced is the matter of aesthetics. Jack Davis's first play, *Kullark* (first performed in 1979) is a case in point: a piece of fairly orthodox historical/documentary theatre, bordering at times on agitational propaganda, it leaves no doubt in its audience's mind as to its political agenda.

However, its stage backdrop consists of a stylised portrait of the rainbow serpent, reminiscent of the Swan River in the environs of Perth. The backdrop is composed of several moveable panels which, when turned around, reveal icons of the invading culture: the Union Jack is one of them, pictures of Captain Stirling and colonial watercolours of the Swan River are others. As the play progresses, the rainbow serpent's back is thus first seen to be broken by white imagery and eventually the serpent is totally fractured. One need hardly labour the importance of the rainbow serpent to Nyoongah culture and the visual symbolism of its destruction by 'wetjella' iconography; it is worth saying, however, that this was brilliant image-making, especially in a first play and a simple touring production!

To invoke another of the sister-arts (as Brecht has put it), Bob Maza's similarly historical/political drama, *The Keepers* (first seen in a Mainstreet Theatre production touring from Naracoorte in 1988) makes telling use of music in its opening moments. The first contact between Australia's indigenous people and their mysterious invaders (often awkward when attempted naturalistically) is here shown by the simple clash between the sounds of the (live) didgeridoo and the (taped) bagpipes of the Scottish family arriving to establish a Christian church. Again, a simple but aesthetically effective solution to a difficult dramatic problem. I would argue that aesthetic considerations play a large part in our apprehension of the political point.

IT IS NOT HARD TO DISCOVER some significant changes in style, structure and content, and even in the apparent relationship between aesthetics and politics, in a number of Aboriginal theatre works seen since the late 1980s. Change of these kinds was arguably ushered in by *Bran Nue Dae*, the musical by Jimmy Chi and Kuckles, first seen in Perth in 1990 and widely toured thereafter.

Recalling the rough white larrikin shows of the APG and Nimrod of the early '70s, *Bran Nue Dae* certainly doesn't shirk political and social issues, but its good-natured satire—of blacks and whites alike—and its highly eclectic rock music influences set it apart from the more sombre realist portrayals of the same issues in earlier plays. This is a piece with its tongue very firmly in its cheek.

MORE RECENTLY, WE HAVE SEEN a string of solo shows, all featuring (and mostly written by) female Aboriginal or Torres Strait Islander performers, which reveal further change. The pieces are Ningali Lawford's *Ningali* (premiered at Deck Chair Theatre in WA in 1994 and widely admired nationally and internationally since); Maryanne Sam's *Oh My God, I'm Black!* (a Melbourne Workers' Theatre production in 1995) and Wesley Enoch's and Deborah Mailman's *The Seven Stages of Grieving* (premiered last year by Brisbane's indigenous theatre company, Kooemba Jdarra, but presently touring nationally).

None of these is naturalistic; they feature story-telling via a blend of direct audience address and some re-enactment of the events recounted, songs, informative or illustrative slide projections and the simple, emblematic portrayal of many different characters as well as the central story-teller herself. All three pieces are presented from the standpoint of the present day. The present-day world portrayed in each is predominantly black; some white characters are certainly mentioned, but hardly any are given any stage-room or time. Moreover, each of the central figures and their ancillary characters are confidently black: these are people who have mostly kept their identity, language and culture and who are celebrating that with considerable brio.

In Lawford's story, for example, she didn't hear English spoken until she was in her teens; her monodrama is trilingual, using English, her own regional language and a form of 'kriol' and she makes a feature of several cultural rituals during the performance. Her statement is to the effect that 'I can go anywhere [as an Aborigine] and so will my son.' Enoch and Mailman use English as the spoken language of *The 7 Stages of Grieving*, but aboriginality is taken for granted from the start and songs are given in



Deborah Mailman, above, in *The Seven Stages of Grieving*.

a Queensland Murri language; cultural rituals are a strong feature of the performance.

Only Maryanne Sam's piece shows any sense of the identity confusion of earlier dramas. A Thursday Islander, she was mostly brought up 'down south' in the absence of her family and culture and it was only when rehearsing for an appearance on *Young Talent Time* as a teenager that she looked in the mirror and realised the real significance of the difference between her appearance and that of her white schoolmates. It is this moment that gives rise to the title of her show: *Oh My God, I'm Black*. The play is entirely in English and the popular songs woven cleverly into the narrative are mostly American; 'That old black magic has me in its spell' is particularly well exploited.

The sense of celebration (of survival of identity and culture) in these pieces is not accomplished without difficulty. Each speaks of the continuation of institutionalised racism and paternalism and motifs of police brutality and community intolerance and ignorance recur (if subtly) in each. But the choice of the mono-

drama/story-telling form serves to elevate artistic intention to a higher status than Bostock appeared to accord it, although it clearly goes hand in hand with political imperatives.

*The Seven Stages of Grieving* bears this out strongly. The piece combines Elizabeth Kubler Ross's five stages of grieving (from denial and isolation through to acceptance) with seven phases of Aboriginal history (from Dreaming, through invasion and genocide to reconciliation) in a narrative about the death and funeral of the central woman's Nana. A large block of ice hangs from seven ropes over a fresh grave, onto which it drips its tears; behind are screens upon which family snapshots, slogans and landscapes are projected. The grave contains a battered suitcase which in turn contains the actual snapshots of various deceased relatives, which provide the story-teller with most of her characters and material. Interwoven into the death/funeral/grieving narrative are elements of the woman's own story and the broader story of Aboriginal history.

All of the aesthetic, narrative and political elements in this superb 60-

minute performance come together brilliantly in the end, when she discusses the concept of 'reconciliation'. This word is artfully broken up and played with on the projection screens (in its component parts 'wreck', 'con', 'silly' and 'nation') before consolidating into the one big word RECONCILIATION. It then shrinks several times until it fits onto the opened lid of the symbolic suitcase and snaps shut, as if to capture it and fix the concept in the audience's mind.

Earlier, the familiar-enough story of aboriginal children taken from their parents is given a fascinatingly different 'spin' when little mounds of earth from the grave are used to illustrate the devastating effect on skin-group relationships of removing one part from the potential breeding pool. We seem to be witnessing a growing trend in Aboriginal theatre in which a drama of protest is gradually evolving into a new performance form. It will be fascinating to see where it goes next. ■

**Geoffrey Milne** teaches theatre and drama at the School of Arts and Media at La Trobe University.

# FLASH IN THE PAN



## Food poisoning

*The Last Supper* dir. Stacy Title (independent). 'Dying for a cause is easy, but if you believe in something enough to kill for it, then that's something special.' So we're told at the dinner table by Bill Paxton's troglodyte Zack, who so disturbs his hosts, who asked him in for a meal on a rainy Sunday night, that he is killed and buried in the backyard of their Iowa bungalow. This bunch of post-graduate students then begin a spree to rid the world of the extremism and intolerance which offend their liberal-humanist values in the way true to Zack's last words.

Each Sunday a new expression of hatred sits down at their table for dinner and a chat, and if they don't redeem themselves, Jude, Marc, Paulie, Pete and Luke (notice a trend here?) respond with a lethal hatred of their own. As this thing of theirs grows like the out-of-control tomato vine in the backyard, it forces changes upon them. Paulie and Pete revel in their omnipotence while Marc and Jude are weighed down with guilt

and the inability to stop what they've started. Luke leads his merry band with dictatorial flair, and it is his single-mindedness which nearly leads them to bag the ultimate prize of the neo-conservative talk-show host they despise so much. Alas, his rhetorical skill exposes the group to their slide into the depths of extremism before they can stop him becoming the great and all-powerful American demagogue.

*The Last Supper* is a cinematic smorgasboard. Clever dialogue, bright performances, wonderful imagery and a compelling story as the main course. The film reaffirms, in a none-too-subtle way, that the act of assuming God-like power is a moral corruptor and the greatest test of tolerance is intolerance.

—Jon Greenaway

(Alex Ratalowicz), only seven, wanders seamlessly through a post-war Australia rendered with an unusually fresh, unsentimental eye, not as a newly discovered episode of *The Sullivans*. Noah Taylor—together with his extraordinary hair—gives a very smart and funny portrayal of Helfgott as an increasingly eccentric student in '60s London. Taylor's feat is perfectly marked by 91-year-old John Gielgud's crystal-clear performance as Helfgott's tutor, Cecil Parkes. As the adult Helfgott, Geoffrey Rush delivers insane and hysterical babble with a melodic clarity that suggests links, however chaotic, between his madness and his music. Rush makes this more than just a biopic about a crazy genius: his portrayal is utterly compelling.

*Shine*, thank God, doesn't resort to standard representation of mental breakdown, or dwell ponderously on inadequate medical treatment, but does occasionally give you a little more than you need, with the odd symbol breaking cover unnecessarily. But that's a small price to pay in a film that treats us to such subtle vignettes of the life of art as that between a teenage Helfgott and an equally youthful Roger Woodward.

—Siobhan Jackson.

### EUREKA STREET FILM COMPETITION

Here's Fred Astaire wishing he'd taken the lift instead in the 1950s musical, *The Band Wagon*, directed by Vincent Minnelli. This month's \$30 teaser is to name his co-star and one other film they starred in together.

The winner of the May competition was Catherine Muhlebach of Lara, VIC who correctly named *Dead Calm* and *Days of Thunder* as the other Nicole Kidman films alongside *BMX Bandits* in which a conveyance of some sort figures heavily in the story.



## Can play

*Shine* dir. Scott Hicks (Hoyts and independent). Few lives could provide the cinema with a tale richer than David Helfgott's. Dominated in youth by his proud, cowardly and brutal father (played with extraordinary precision of mood by Armin Mueller-Stahl), Helfgott demonstrates prodigious musical talent. With offers to study overseas vetoed by his father, he finds enough encouragement from the writer Katherine Susannah Prichard (Googie Withers) to defy his father and travel to London and study at the Royal Academy of Music.

Despite a deal of success, David is tripped up by emotional conflicts and enters a decade of mental chaos and institutionalisation. While Helfgott's mind wanders the edges of mysterious places, some very brave people provide stability and love enough to aid his return to the concert stage.

The three actors who play Helfgott at various stages of his life are all impressive. The youngest

## Boar in shades

*Richard III*, dir. Richard Loncraine (independent). *Richard III* is Shakespeare's outrageous flirtation with preening evil. It moves so fast you think its contamination hasn't caught you: the suborned plotters and smotherers and throat slitters are in hell before they can whistle,

but the audience still stays with the gleeful Richard as he turns England into an abattoir. Unlike Iago, Richard doesn't refuse to tell what he knows. He is evil's PR man.

Loncraine and his collaborator/star Ian McKellen have caught much



Ian McKellen as Richard, much more interesting than Al Capone, with Kristin Scott-Thomas as a pale Lady Anne.

of the play's black brio in this short, spectacular film. Some of their transfer tricks—it's set in the 1930s—are literally breathtaking. The opening credits roll to the rumble of a tank that crashes through a wall into the royal sanctuary. Richard (McKellen) walks behind it, the executioner.

Cut to the court, swinging to a big band version of 'Come live with me and be my love'. Richard speaks his winter of discontent soliloquy straight to camera, with the weak king wheezing through a waltz behind him. When the speech shifts into *lèse majesté* Richard relocates to the urinal.

The jump cuts work. You don't have to go to Loncraine's rhapsodic lengths ('If Shakespeare lived today he'd be writing screenplays') to see that cinema's potential for rapid shifts works perfectly with Shakespeare's poetry. So, for a time, does the 1930s setting. The strains show when the visual apparatus of Oswald Mosley's England moves up—or down—a notch into full-blown Nazism: leather coats, thousand-year architecture and all. The tricks overload a script already tricky enough to keep any audience focused.

McKellen's performance is glittering. It is not his fault, I suppose, that he is obliged to utter the 'my

kingdom for a horse' lines from a bogged jeep. Nigel Hawthorne, as the hapless Clarence, provides the film's best moment as he eloquently prefigures his own death during a golden rainstorm in the exercise yard of the Tower of London—the inside of an abandoned gasometer. Magic! There is nothing magic about Annette Bening, who chews Queen Elizabeth's words like stale gum. Maggie Smith, as the dread Duchess of York is some compensation: her exchanges with son Richard give tart life to the idea of family values.

—Morag Fraser

## Keeping kosher

*Bitter Herbs and Honey* dir. Monique Schwarz (Nova cinema, Melbourne). This is the story of the Jews of

Carlton in Melbourne. But it is also a tender tracing of the tussle between identity and integration that will be so familiar to other migrants. Schwarz combines archival footage, re-enactment and interviews with those who grew up in Carlton. Eastern European Jews fleeing the Nazis created an argumentative and creative community that brought the best of the Polish *shtetl* to secular Melbourne.

All the concerns of the old world were transplanted to the new. The socialists quarrelled with each other and with the Zionists. The protagonists of Yiddish and English contested every element of cultural life. If the community was united, it was in its rivalry with the well-established Anglo-Jewish families south of the Yarra, who spurned their co-religionists in fear that their 'foreign' ways would reflect badly on them. The Anglos despaired at the Yiddish-speaking newcomers who argued loudly in public and tolerated women wearing red nail polish. The Carlton community cocked a collective snook at them.

Tellingly, however, the Jewish youngsters for whom Australia was rapidly becoming home began to feel embarrassment at their parents. It was the first evidence that the

Carlton community was reaching the end of its life-cycle. Schwarz intersperses interviews with languid strolls down Carlton allies, filmed in late summer sunshine, that creates an almost dreamlike feel. This is a film that all who know Carlton, and all who are interested in Jewish history, will luxuriate in. It offers a message of hope for anyone interested in the migrant experience—showing how a community can arrive clutching its cultural baggage, pick out the best, and stride out to play its part in the wider society.

—David Glanz

## Artfully yours

*What I Have Written* dir. John Hughes (independent). If betrayal is contingent upon deception, then a betrayal which never happened must be a very deceptive thing. This is the crux of the debut film by John Hughes based on the novel by John Scott, and at its nub is an artful work of fiction that distracts and perplexes a woman whose husband lies dying in hospital from a stroke.

The film begins with the academic Jeremy Fliszar (Jacek Koman) delivering a lecture on the Leonardo painting *The Virgin, Child and Saint Anne*. His interpretation forms a narrative that floats through the film, explaining and guiding the actions of the three characters involved. His friend Christopher (Martin Jacobs), a fellow academic and poet, has just returned from France with his wife Sorel (Angie Milliken). She had hoped that their trip might have reignited their doused passions, however it only seemed to take them further apart—his errant gaze, devouring other women, his cold and dismissive manner. Sorel thinks it is over until, curiously, Christopher makes love to her for the first time in years just prior to his stroke.

After he is struck down a novella, that she has no memory of his writing, is sent to her by Jeremy. It tells of a furtive encounter with a woman in Paris and of their letter writing which explore the possibilities of lust. Sorel searches the document closely for clues to her husband's thinking and she

discovers enough truth from the collage of art to see where the greater betrayal lay.

This is the sort of film that the Australian Film Industry needs. Confident and self-assured, it is complemented by a haunting score by, amongst others, David Bridie from *Not Drowning, Waving*, and cinematography which uses stills to symbolise memory and imagination. The story has lapses at times but these are quickly forgotten. Self-deprecating it ain't.

—Jon Greenaway

## Disconnection

*Cable Guy* dir, Ben Stiller (Hoyts). For those considering hooking up to pay TV let this film be a warning: you may find there are more than just square eyes awaiting a 'preferred customer'. Steven (Mathew Broderick) certainly finds more in the form of his cable guy (Jim Carrey) who decides he doesn't want Steve's fifty-buck-bribe for extra channels. Instead he wants to be his best friend, for life. Steve is less than enthusiastic, heaven knows why, given his mind-numbing job, his vacuous ex-girlfriend (her favourite film is *Sleepless in Seattle*) and his slobby, hoop-shootin' best friend. It would seem this guy needs the manic hysteria of Jim Carrey to get him off the Hollywood life support machine.

There are moments when you think they're going to flick the switch and let Broderick and Co. die with a little dignity, but no. Instead, some strokes of the most breathtakingly banal emotion bring Broderick, bonehead and buddy stumbling back into one another's arms.

Needless to say this film is a vehicle for Jim Carrey, and features a string of set pieces of inconsistent quality—some forced, some extremely funny and some educational. If you've ever wondered what to do with the karaoke setting on your hi-fi, *Cable Guy* will provide the answer. And an hysterical and menacing technique for warding off unwanted admirers as a bonus.

But no amount of Carrey madness could save this flick; while Broderick has sparkled in the past (remember his 1986 teenage master-

piece, *Ferris Bueller's Day Off*?) he is puffy and dull in this.

But the combination of Broderick's watchability and Carrey's bankability (his five previous films each grossed over \$100 million in the US alone) will guarantee that this film's a hit. It's just unfortunate that sometimes no matter how many channels you have, there's just nothing to watch.

—Siobhan Jackson.

### FILM SPECIAL

## Shutterbox set

**Renegades: Australia's First Film School**, Barbara Paterson, Helicon Press, Melbourne, 1996.

ISBN 0646234951 RRP \$34.95

There is something comfortable about the knowledge that Australian films are shot on a shoestring budget. We can allow ourselves to lapse into parochial glee when a home-grown production succeeds in the cinemas alongside the latest sausage churned out by the Hollywood factories, because its meagre proportions should have consigned it to obscurity. So if we consider the nurseries where Australian film-makers went through their teething, it's an extraordinary achievement that we have a film industry at all.

Barbara Paterson has written a history of the Swinburne Film School from its ever so humble origins in 1966 up to its merger with the Victorian College of the Arts in 1992. As Australia's first film and television institute and the poorer relation of the Australian Film Television and Radio School its achievements represent an opportunity, which Paterson does not pass up, for a bit of that provincial crowing that Melbournites love so much. But why not, considering the calibre of the people who have been associated with Swinburne in one way or another. (Phillip Adams, Fred Schepisi, Michael Leunig, Gillian Armstrong, John Ruane, Geoffrey Wright, John Flaus and Jennifer Sabine to name a few.)

Paterson makes the point that the constant struggle with the costly and involved business of making films as a Swinburne student has seen many good and creative flicks come out from under its leaky roof, unlike some other better endowed schools. I know from personal experience, having shared a house with a couple of Swinburne students, what lengths they went to (for about a year we had a stolen nine-foot rowing boat perched in the front yard of our terrace house; it had been discarded after a shoot). Square eyes, jabbering tongues, and barely contained madness was the rule when the deadline for the end of year projects was approaching.

An argument can be mounted that the experience of learning the trade of film-making at a school is counter-productive in so far as it produces graduates with ideas and skills not suited to the industry. True enough, student films don't usually roll off the screen like an episode of *Neighbours* (even though a Swinburne graduate has directed that very show) but producing the strange and the experimental provides great opportunities: to innovate, to find out what works and doesn't work, to



gain experience in all the aspects of film-making, and to provide a connection between theory and practice. *Renegades* is a solid piece of research by Barbara Paterson that provides good detail of Swinburne's three decades of innovation. May Swinburne, and its ilk, have many more.

—Jon Greenaway

*Shot from the set of a Swinburne film, appropriately named Breakdown.*



## The beggars' Oprah

**W**HEN YOU COME to such a pass that you must watch daytime TV or die, then at least choose *Donohue* while it lasts. Not the

others, I beg, for I would be loath to send the unwary viewer into the slough of awfulness that is the rest of daytime talkshow culture. Phil Donohue is in fact paying the price of catering to people with working neurones—he is being axed—because if your brain is functioning you tend not to watch daytime TV, or at least not *Ricky Lake* or *Oprah*.

Oprah Winfrey is the queen of the daytime talk shows. There are many others in America, but she has managed to be the TV version of *Women's Weekly* every day of the week. The only glitch in her career was when she was unwise enough to lose weight and *keep* it off, thus alienating an army of depressed overweight women who went channel-surfing for some other loser to identify with. She may have been earning nearly \$100 million per year but if she looked like us junk-food victims then she could float easily in the dreams of the couch potato.

She has rallied somewhat and marshals armies of famous friends (Arnie, Roseanne, Fran Drescher and a host of lesser lights) to come and spill the beans, sometimes messily, but never in the rowdy style of her peers such as Geraldo, Arsenio and the appalling *Ricky Lake*. Her style is somewhat reminiscent of Sibyl in *Fawlty Towers* on the phone to a suffering friend: (Ooh, I know dear. Oh I know. I know.)

Usually the context for this is the publication of an autobiography of sorts: Hollywood people are able to fill reams on the subject of their philosophy on success and their defaulting partners. The Loni Anderson interview was a classic of this type. The studio was suddenly a lounge room; you could smell the coffee and the gossip. And it all came out—how Burt (Reynolds) cheated on her, how much he spent on wigs, how his lawyers shafted her, how the Cadillac he'd given her went missing mysteriously from the settlement. The live audience nodded and oohed and aahed (I know, dear, I know!). And when Loni revealed how Burt's mistress had rummaged in her closets while she herself was away, the indignation of American housewifery against the Other Woman was palpable in a genteel frenzy of disapproval. Oprah's audiences are well-disciplined into the proper expressions of enthusiasm, negative or positive. Not as drilled or disciplined, however, as Michael Jackson's very obvious clique at the *World Music Awards*, a night-time extravaganza notable chiefly for Tina Arena's excellence, Diana Ross's decision to wear

a purple hedge, and the repellent strangeness of Jackson, crooning a legato ballad about saving the earth while jerking like a puppet with Tourette Syndrome. Weird.

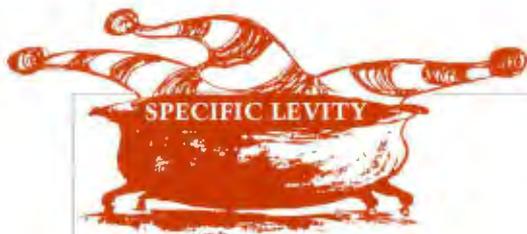
*Ricky Lake*, (the beggars' Oprah) screens at noon, for people who really have no life at all. The behaviour of both audience and guests on her show makes you wonder whether suffrage should still be universal. I suppose the gun culture has made certain Americans reluctant to engage in verbal duels over the back fence in case injury is added to insult, so they swarm onto *Geraldo* and *Ricky Lake* instead of killing each other. (You have to pay Rupert Murdoch to see *Geraldo* in Australia at the moment, so most of us are safe for a while.) Lake's guests come on air to do various things: dob in a relative for sleeping with the babysitter; dob in their friends for sleeping with someone else's spouse, and their neighbour for sleeping with the dog. They dump their lovers on screen. They propose evanescent marriage to one another. They screech vile abuse concerning maintenance evasion, ex-nuptial children, sexual harassment (or, against some hapless husbands, lack of it) and betrayal in general. Betrayal is the lifeblood of the show, which has all the social concern of an Ik-tribe casino authority.

It was with relief I turned to the Machiavelli program on ABC. Lately the ABC has been an oasis: Kerry O'Brien doing what a good interviewer ought to do, harrying the new head of BHP over Ok Tedi, *French and Saunders*, and—O frabjous day—*Fawlty Towers* again. It was also a relief to my family and friends, they of little faith, who had entertained grave fears for my mental health and moral fibre during my travels through the Mordor of the daytime talkshows.

Anyway, according to the Machiavelli program (from the BBC in 1994) the British Tories are all pretty Machiavellian chaps (or ladies). There were many quotes from a Mephistophelian Ian Richardson, interspersed with comments from politicians and commentators from both sides. The problem with UK Labour, one gathered, was that they were just too sweet and innocent to be unprincipled Princes. Not enough backstabbing; too much morality. A naïve lot really. But there was hope, it seemed. (Shots of Tony Blair announcing a new, pragmatic Labour Party.) It was but a short time later that Tony was whisked off to Rupert Murdoch's tropical hideaway to pick up tips from a true Prince Charming.

I can just hear him: 'Buy yourself a pig farm, mate, and start collecting clocks.' ■

**Juliette Hughes** is a freelance writer and reviewer.



## Eureka Street Cryptic Crossword no. 45, July/August 1996

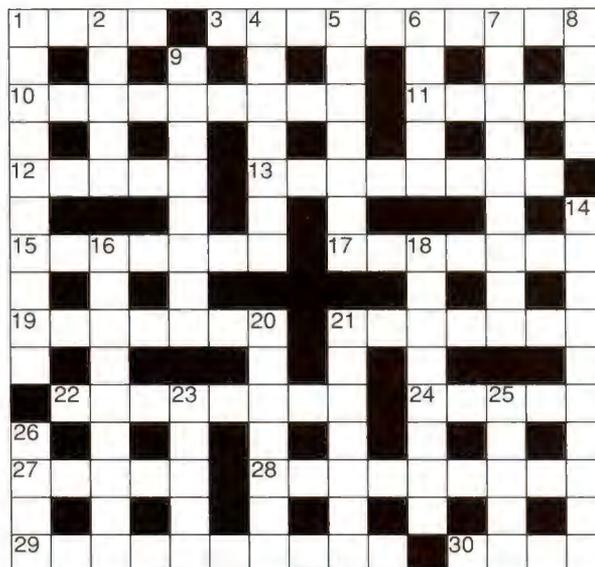
Devised by Joan Nowotny IBVM

### ACROSS

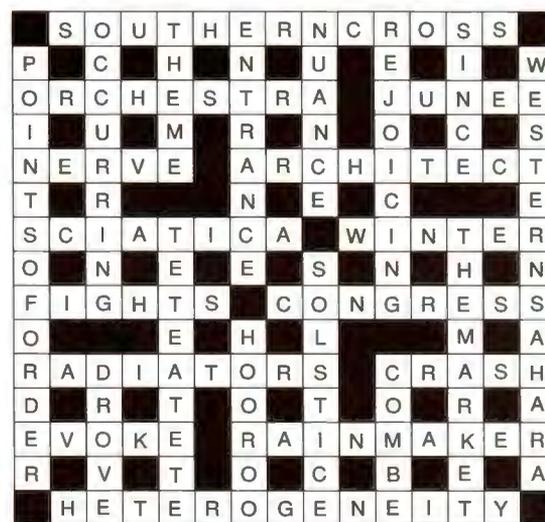
- 1 Symbol of 21-down—instead of a medal, perhaps. (4)
- 3 Popular with the crowd, they may save our fit athletes. (10)
- 10 Of course, colleague follows a turn that is somewhat unusual. (9)
- 11 See 5-down.
- 12 To take the course as prescribed can be an advantage. (5)
- 13 A cake for the emperor! It will cost about 20 old francs. (8)
- 15 Cry of praise heard on 1-across Sunday. (7)
- 17 Put it back on! What, the hat? No, the heading. (7)
- 19 Work I hear you leased to the Art Gallery, rich as it is! (7)
- 21 How I love sly placings of those explosive tennis shots! (7)
- 22 Not exactly civilised to bar a crib, repaired as ordered, from use at the crèche. (8)
- 24 It was some Bantu gal I asked, in Swahili, to make corn porridge. (5)
- 27 Her name evoked memories of heath on the moors. (5)
- 28 Player's instrument is tuned to start with. (9)
- 29 Tom Brown has cold soy mixture reminiscent, perhaps, of his life as a boarder. (10)
- 30 Palindromic action? (4)

### DOWN

- 1 Competitors in this event rely on the plant mixture prescribed for building muscle tone... (10)
- 2 ...Another plant with quite the opposite effect? It seems you lost because of it. (5)
- 4 Greek maiden who lost a race for the sake of golden apples! More gold here for her perhaps. (7)
- 5 & 11-across. Magic polymers are enzymes to build muscles, but there's no right to use them on this occasion. (7,5)
- 6 Knock back a drink if you win the race in noble fashion. (5)
- 7 The official gave an unusual prize to me even though I did act evasively. (9)
- 8 An indifferent performance—repetitive therefore! (2-2)
- 9 Put old coins round twisted tree for a prize? What a charade! (8)
- 14 Helpless, in a sense, stares at sun, sides shaking with laughter! (10)
- 16 Sickened by the unfairness, possibly, gave an order to quash semi-final result. (9)
- 18 Transformed dull piece by dropping eastern theme, thus becoming very clear in style and meaning. (8)
- 20 After unfortunate third extremely visible failure, finally flourished. (7)
- 21 State Conservative has a win. (7)
- 23 Some Alhambra vocalist's shout of encouragement! (5)
- 25 A team put in reserve. (5)
- 26 Scottish Island resort can be the means of opening the door to beauty! (4)



### Solution to Crossword no. 44, June 1996



## Master of Letters in PEACE STUDIES by distance education

The M.Litt. is normally taken externally over two years and involves three units of coursework and a dissertation of 20,000 words. Students are required to attend the University for five days each year.

Entry requires a relevant first degree at an above-average level of performance.

Preliminary studies are available for students with other backgrounds.

For the coming year, the coursework units are likely to be:

- geographies of peace
- economics of developing countries
- the environment, development and peace
- peacemaking and conflict resolution
- the philosophy and practice of non-violence
- educating for peace and justice

Enquiries: Geoff Harris, Coordinator of Peace Studies, UNE, Armidale 2351 ph (067) 73 2414 or 73 2781 fax (067) 73 3280.

Applications normally close 30 September

# HIGHER EDUCATION AT THE PASS

WHY A BILL OF RIGHTS  
IS WRONG FOR OZ

WHO OWNS THE PHONES:  
TELSTRA & PRIVATISATION

THE REPUBLIC  
AUSTRALIA HAS ALWAYS HAD

KEEPING AHEAD:  
SURVIVING A  
BRAIN TUMOUR

BEGGARS' OPRAH:  
NIGHTMARE ON  
DAYTIME TV

POETRY FOR WINTER

Tony Coady  
Bruce Williams  
Roland&Desmond Manderson

Frank Brennan

Gerard Goggin  
John Quiggin

Philip Pettit

Robyn Cooper

Juliette Hughes

Peter Porter  
Dimitris Tsaloumas

