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# The Sydney Papers

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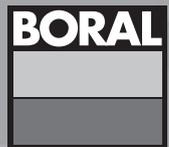
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Photo – David Karonidis

*Kevin Rudd*

On 19 September 2006, Kevin Rudd MP, as the then Shadow Minister for Foreign Affairs, Trade & International Security and federal member for Griffith, addressed The Sydney Institute. A member of Labor’s shadow cabinet since 2001, Kevin Rudd was elected leader of the federal Labor Party on 4 December 2006. Mr Rudd emphasised the three pillars of Labor’s foreign policy – Australia’s alliance with the United States, its membership of the United Nations and its policy of comprehensive engagement with Asia. According to Mr Rudd: “Creative middle power diplomacy must represent a core part of Australia’s national capabilities as we face the range of regional and global challenges of the decade ahead. Australia can either wait for events to unfold or Australia can be on the front foot and where possible be part of the solution.”

# LEADING, NOT

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## *FOLLOWING: THE RENEWAL OF AUSTRALIAN MIDDLE POWER DIPLOMACY*

**Kevin Rudd**

My argument to you tonight is that over the last decade, Australia has increasingly become a follower rather than a leader in international affairs. I will argue that Australia under the Howard Government, in a significant departure from its predecessor, has progressively abandoned the practice of creative middle power diplomacy. I will also argue that this approach has not maximised Australia's foreign and trade policy interests and the time has come for Australia to confidently redefine a new Australian middle power diplomacy for the twenty-first century. And I will argue all three propositions in an approach entirely consistent with Australia's obligations under the US alliance.

### **The three pillars**

The Australian Labor Party's policy approach to Australia's place in the region and the world is anchored in the three pillars of Labor foreign policy – anchored in turn in the ALP National Platform. These are:

- Our alliance with the United States;
- Our membership of the United Nations; and
- Our policy of comprehensive engagement with Asia.

Labor is proud of its role in the formation of the US alliance when Curtin looked to America in 1941. Every successive Labor government and opposition since Curtin has reaffirmed our commitment to that alliance. It is anchored in our view that in the post-war history of the world, America has been an overwhelming force for good. It is also anchored in our view that the US strategic presence in East Asia and the West Pacific in the post-1975 period has created the necessary strategic stability to underpin the economic (and in part political) transformation of East Asia.

Labor also believes that Australia's defence and intelligence needs are greatly enhanced as a result of our security and intelligence treaties with the United States. In this context, it is sometimes forgotten that Australia's accession to the UK/USA Agreement, that underpins our access to the US global intelligence network, occurred under the Chifley Labor Government well prior to the signing of the ANZUS Treaty under Menzies in 1951.

However for the Australian Labor Party, our alliance with the United States does not automatically mandate our compliance with every element of US foreign policy. This marks a fundamental difference between ourselves and the conservatives. We disagreed with Washington over Vietnam. We disagreed with Washington over the second Iraq war (having been the first ally militarily to support the US during the first Iraq war) and we disagree with Washington's posture on a range of other matters from global climate change to Guantanamo Bay. We also believe that such differences can be managed within the fabric of a robust alliance relationship.

The second pillar of Labor's foreign policy is our membership of the United Nations. Labor under Foreign Minister Evatt played a significant, middle power role at the San Francisco Conference in 1945 in carving out a place for middle and small powers in the drafting of the UN Charter and the emerging architecture of the United Nations Organisation. Evatt's logic remains valid 60 years later for middle powers like Australia: that is, we have a fundamental national interest at stake in an international rules-based order that protects smaller states from more powerful states. A rules-based order also enables smaller states to negotiate the international security, political and economic systems with a degree of predictability – free from the rolling threat of territorial invasion that regularly challenged the international order in the 1920s and 1930s.

For these reasons, Labor both in government and in opposition, has maintained a deep commitment to Australian multilateral diplomacy – both as a mechanism through which we can make a contribution to improve the international order, and at the same time using the multilateral rules-based system to leverage our position in pursuit of our national interests. While the conservatives under Menzies and Fraser never exhibited the same level of enthusiasm for Australian multilateralism as we saw under Chifley and Whitlam, it is fair to say this gap has widened greatly between Labor and the Liberals over the past 20 years.

The third pillar of Labor foreign policy is our approach to comprehensive engagement with Asia. This began with Chifley's and Evatt's support for the Indonesian independence movement in the 1940s, in defiance of the Dutch and to the dismay of most of the Great Powers at the time.

This tradition of engagement continued under Whitlam with the diplomatic recognition of China in 1972 (Labor's electoral loss in 1949 having prevented Australia from arriving at the same rational conclusion two decades earlier). If there has been a core conceptual difference between Labor and the Liberals over the last half century on Australia's engagement with Asia it has been this: Labor has sought to secure Australia's future *in* Asia, while the Liberals until most recently have sought to secure Australia's future by defending it *from* Asia.

The depth of these differences of approach to Asian regional engagement continued right through until November 2005 when the Prime Minister finally yielded to Labor's historical critique of Howard's opposition to Asian engagement. Following much public prompting from Labor, Mr Howard finally agreed to sign the Treaty of Amity and Cooperation with ASEAN which was a precondition for participation in the inaugural East Asian Summit. This was the Prime Minister who when Leader of the Opposition campaigned on the need to reduce Asian immigration to Australia. How things have changed. Nonetheless we should always be cautious about this Prime Minister's capacity to flick the switch to Hansonism if and when domestic political circumstances so dictate. In summary, however, on the question of Australia's long-term engagement with the region, let the history books record that Mr Howard has finally conceded the core argument to Labor.

These then are the three fundamental pillars of Labor foreign policy – and it is within this conceptual architecture that I argue the time has come for Australia to resuscitate its tradition of middle power diplomacy which we have so effectively deployed in the past.

### **Opportunities seized, opportunities squandered**

Last week at the Australian Institute of International Affairs in Canberra, I reflected on whether governments, in particular long-term governments, effectively use the political mandate they are given by the Australian people to advance the long-term interests of the nation. Or whether governments, even long-term governments, simply become trapped in the day to day politics of "issue management" with the overriding objective being the maintenance of incumbency rather than a program of long-term national reform. Let me restate what I had to say last week in Canberra. The purpose of government is not simply to be in government. The purpose of government is to provide leadership in the long-term national interest. Government provides opportunities which may be seized – or opportunities which may be squandered. The Hawke and Keating Governments seized the opportunities that they were presented with to lay the foundations for Australia's long-term economic prosperity. They did this through:

- floating the currency;
- deregulating interest rates;
- finance sector reform;
- dismantling the tariff wall;
- the negotiation and implementation of national competition policy;
- the far-reaching array of micro-economic reforms brought about through the new federalism; and
- a revolution in national savings policy through the introduction of universal superannuation.

These were big policy decisions. Each involved political pain. Each produced long-term policy gain for the nation. And they were driven by a long-term strategic commitment to enhance Australia's long-term international economic competitiveness by enhancing productivity growth.

One of the many core lies told by the Howard Government is that it is somehow responsible for Australia's prolonged period of economic prosperity. Both the Prime Minister and the Treasurer have laboured for ten long years to try and build the myth that this was all somehow their doing. It was not. Every mainstream economic commentator in this country acknowledges that without the fundamental economic reforms of the Hawke and Keating Governments, the Australian economy would never have turned around. The only significant action by the Howard Government to promote economic growth was its decision not to reverse the hard economic decisions taken by Labor.

The Howard Government has sought to portray the decisions that it had taken as enhancing economic growth. However, this is little more than political window-dressing. The introduction of the GST was marketed as a necessary underpinning for long-term economic growth. In fact, there was no economic modelling of any consequence to substantiate this proposition. The introduction of the GST simply masked a tax grab by the Commonwealth. The introduction of the new laws governing Australian workplaces has been marketed as a necessary long-term economic reform to enhance productivity. Once again, this is designed to mask the Government's real agenda, which is a political agenda, namely to crush the trade union movement because of the movement's close relationship with the Australian Labor Party.

When it comes to critical, productivity-enhancing policies in skills formation and infrastructure development, the Howard Government has been missing from the field. The recent publication of the OECD report on the Government's declining public investment in skills formation is a clear-cut indictment of failed performance. Hence declining productivity growth. Hence the re-emergence of inflationary pressures. Hence the concerns of the Reserve Bank.

On the economy, the last decade has been a decade of opportunities squandered rather than a decade of opportunities seized. The result is that Australia's economic growth is starting to slow. There can be no starker contrast between two philosophies of government: opportunities seized by the Hawke and Keating Governments to fundamentally reform the economy; in contrast to opportunities squandered by the Howard Government to sustain this reformist tradition. Instead of productivity-enhancing reform, we are served up politically self-serving ideology.

The same can also be said of foreign policy. The period of the Hawke and Keating Governments was a period of foreign policy dynamism for Australia. The Comprehensive Test Ban Treaty. The Chemical Weapons Convention. The Cambodian Peace Settlement. The establishment of APEC. The establishment of the ASEAN Regional Forum – the only pan regional forum on security policy matters to this day. All the product of effective, high-level Australian middle power diplomacy.

By contrast, the foreign policy legacy of the Howard Government has been reactive: following the United States into Iraq; following the United States in their refusal to ratify the Kyoto Convention on global climate change; failing to anticipate security policy challenges emerging with the rise of Jemaah Islamiah in South East Asia; the refusal to take the lead on the Solomon Islands until the Government's hand was finally forced; the failure to effectively respond to the emerging law and order challenges of Papua New Guinea; and a failure to anticipate East Timor's long-term security needs.

If there is one common denominator in this long list of policy failures, it has been a government responding to events rather than anticipating events. A passive rather than an active strategy for government. This is the exact reverse of Labor's foreign policy tradition which has always sought to be ahead of the curve, rather than behind it. Anticipating, not just responding to events. And, most critically, deploying Australia's formidable diplomatic capital through the creative foreign policy innovation of a respected middle power. Once again, opportunities seized. Not opportunities squandered.

The same is also evident if we contrast Australia's trade policy achievements over the course of the Hawke, Keating and Howard Governments as well. Australia under Labor Trade Ministers, Dawkins, Duffy, Evans, McMullan and Cook championed the cause of multilateral trade liberalisation – and agricultural free trade in particular.

Let's be absolutely clear about this: the Australian Labor government under Minister Dawkins put agricultural trade liberalisation on the GATT/WTO formal agenda for the first time. There had been nine previous failed attempts to do so going back

to the time when the GATT was first established in 1947. Australia succeeded at Punte de Este in 1986 because Australia established a new negotiating Group in the Uruguay Round (the Cairns Group), took over the Chairmanship of this group, and then leveraged the US and the Europeans to include agriculture for the first time. As a commentary in the *US Journal of Commerce* noted at the time:

The Mighty Cairns...[has] succeeded in embarrassing both the European Community and the United States into serious negotiations on farm talks.<sup>1</sup>

Fifteen years later, an OECD paper reached a similar conclusion:

The Uruguay Agreement on Agriculture [URAA] was a watershed, in that agriculture was finally subjected to multilateral rules and disciplines. Specific reform requirements were mandated in three areas: market access, export subsidies and domestic support... The disciplines on export subsidies were the most effective part of the URAA, with countries less able to resort to export subsidies when world markets weakened.<sup>2</sup>

In summary, the establishment of the Cairns Group and the critical role that it played during the conclusion of the Uruguay Round provided a further demonstration of Australian middle power diplomacy at its best. The Hawke Labor government through John Dawkins succeeded in initiating the formation of a “third force” of trade liberalising agricultural exporters capable of generating a new dynamic in the global trade negotiations process. In addition, the Hawke Labor government revamped the Trade Department and appointed Australia’s first Ambassador to the GATT.

And Labor Trade Minister Michael Duffy, who succeeded Dawkins, for the first time in the history of the GATT proceeded to prepare a comprehensive plan to reform world trade in agriculture. It was this plan that shaped the agreement to reform world trade in agriculture that was finally adopted as one of the historic outcomes of the Uruguay Round.

When the Coalition government was elected in 1996, it inherited the rich political and diplomatic capital that had accrued in Australia’s good name as a result of the central role that previous Labor governments had played in bringing the Uruguay Round to a successful conclusion. Ten years later this inheritance has been largely squandered. Australia did not play a leadership role in the resolution of the protracted debate of the Director-Generalship of the WTO between New Zealand and Thailand – both members of the Cairns Group that Australia had created. Australia also failed to play a leadership role at the Seattle Ministerial Conference in 1999 which simply imploded. And once the Doha Round got going, Trade Minister Vaile saw the Cairns Group which he chaired effectively

dismembered as 12 of its 18 member states defected to a new group (the G20) chaired by Brazil. If ever you wanted to see a single event which brought about the collapse of Australian middle power trade diplomacy, this was it. Furthermore, Australia under Mr Vaile's chairmanship of the Cairns Group, has not produced during the Doha Round so far a formal policy position of its own in order to break the impasse between the EU, the US and the G20.

Neither the Prime Minister nor the Trade Minister have advanced anything resembling a coordinated political diplomatic strategy in the capitals of North America, Western Europe, China and India in order to bring this Round to a successful conclusion. The Doha Round has suffered from the lack of a committed global product champion. This provided a country like Australia copious fertile ground in which to deploy Australian middle power diplomacy. Instead the government has run a thousand miles away, refusing to risk any of its political capital on an enterprise as risky as this. Despite all this, let's hope that Mr Vaile in Cairns this week, at this twentieth anniversary celebration of the establishment of the Cairns Group by Labor, manages to secure an agreement from the other participants on a fixed date, venue and agenda for a further meeting of the principals immediately following the US mid-term elections.

The over-riding point I am seeking to make across the economic policy, foreign policy and trade policy spectrum is that the dominant political model adopted during this decade of John Howard's incumbency has primarily been one of "being there". Politics for politics sake. Government for government's sake alone. As opposed to taking political risks in order to bring about policy dividends in the long-term national interest. The truth is, in policy terms, the Howard Government is one of the laziest governments in Australia's post-war history. It is first and foremost a government of political management. And like a rich child of the second generation, it has squandered the policy inheritance it received from Labor.

The collapse of Australian middle power diplomacy of the last decade has not just been shaped by a Prime Minister and Ministers unprepared to step outside their comfort zone. It has also been reinforced by an overwhelming predisposition on the part of the Howard Government to rely on bilateralism rather than creative multilateralism to advance Australia's national interests. We see this in security policy where the government stands idly by while the Nuclear Non Proliferation Treaty disintegrates before our very eyes in the absence of any effective multilateral initiative from Australia and while the government contemplates the possibility of a bilateral uranium supply agreement with India outside the framework of the NPT.

We see the same on trade policy where the government has dedicated the bulk of its political and diplomatic capital to the

negotiation of bilateral free trade agreements while refusing to dedicate parallel resources to the successful conclusion of the Doha multilateral round. We also see the same on global climate change where the government actively seeks to sabotage the Kyoto Protocol that it signed back in 1997, and remains with the United States the only two developed countries in the world to remain outside this multilateral framework.

A combination of political timidity, a bureaucracy which has been taught that creative policy innovation is not that which this government primarily rewards, combined with an over-arching preference for a bilateral deal over a multilateral initiative means that Australia's long-established tradition of creative and effective middle power diplomacy has withered on the vine.

### **The characteristics of middle power diplomacy**

The concept of middle powers in the international system and the strategic behaviour that they exhibit have been the subject of long debate. The concept dates back to the origins of the European state system. In the fifteenth century, the Mayor of Milan, Giovanni Botero, divided the world into three types of states – *grandissime* (empires), *mezano* (middle powers) and *piccioli* (small powers). According to Botero, a *mezano* or middle power “has sufficient strength and authority to stand on its own without the need of help from others”. Today, we would call this defence self-reliance.

In studying the gradation of powers in the international system, writers like Martin Wight, Carsten Holbraad and Hedley Bull have focused on military capability and economic development as the two broad criteria for measuring power in the international system. Middle powers were clearly larger and more able to project force than the small states, but lacked the global reach of the great powers. More recently, the concept of middle power diplomacy has also been broadened to include moral leadership within the international system: the former being about the potential exercise of hard power, and the latter, the exercise of so-called soft power.

The central characteristic of Australian middle power diplomacy has been coalition building with like-minded states in order to create the political momentum necessary to bring about multilateral diplomatic outcomes. This is because while Australia is not a super power, it is nonetheless a significant power, with a keen interest in shaping the strategic order. As former Foreign Minister Gareth Evans has described it:

Australia is a middle power. We are manifestly not a great or even major power; nor, however, are we small or insignificant. The characteristic method of middle power diplomacy is coalition-building with like-minded countries.

Five broad characteristics can be observed to describe an effective Australian middle power strategy over time.

- First, Australia has generally sought to maintain an independence of diplomatic action within an alliance framework. The US alliance of itself provides Australia with a certain diplomatic leverage in dealing with other states. But it also provides a flexibility and freedom of diplomatic operation in areas beyond the formal constraints of alliance obligations.
- Second, Australia's middle power diplomacy has historically demonstrated a strong commitment to the collective security principles embodied in the United Nations Charter. Collective security generally suits middle powers like Australia who have a limited range of force projection capability. As it occurs within the framework of the UN multilateral system, it provides us platform for what Professor J.D.B. Miller has described as Australia's "dogged low gear idealism".
- Third, Australian middle power diplomacy has had a strong, but no means exclusive, regional focus.
- Fourth, Australia's middle power tradition requires a high degree of defence self-reliance. In order to play a credible role in regional security dynamics, middle powers like Australia need to sustain sufficient strategic weight in order to influence security outcomes. In other words, it is the objective calculus of Australia's strategic weight which in part shapes the strategic choices of others.
- Fifth, an effective middle power diplomacy for Australia requires an extensive diplomatic network; well-maintained diplomatic relationships across a broad geographical spectrum (particularly if rapid diplomatic coalition building is to be possible); and a creative, innovative policy planning capability within the Foreign Ministry if "outside the square" diplomatic solutions are to be properly developed and implemented.

For Australia, despite a decade of neglect, most of the national software and hardware underpinning an effective middle power diplomatic strategy remains intact. However, the current government has demonstrated repeatedly a lack of political will to deploy our diplomatic assets in pursuit of important regional and global objectives. Furthermore, within our immediate region, specifically the Solomon Islands and East Timor, Australia has not been deploying that which could be credibly described as middle power diplomacy. We have by definition been acting as the great power within the region where military deployments have rapidly taken the place of concentrated diplomatic engagement.

Australia's military engagement in these small states of our immediate neighbourhood do not therefore provide illustrations of the

type of middle power diplomatic activism on the wider regional and global stage that have been the principal focus of my remarks tonight.

### **Australian middle power diplomacy for the future**

The truth is, at some stage during the last decade, Australia's long-standing tradition of innovative, independent diplomacy appears to have been snap-frozen. In the post-September 11 period, it is rare indeed to find the Australian government looking outside the alliance framework – even when there has been no alliance impediment for doing so. It seems that on most matters of foreign policy (be they bilateral, regional or multilateral), Canberra's default position has been increasingly to take Washington's lead. The problem with this approach is that the interests of Canberra and Washington do not always align; sometimes Washington is not as fully engaged with a particular foreign or trade policy matter in our region that Canberra needs to be; and occasionally Washington just gets it wrong.

Ask yourself this simple question: identify now which major global or regional diplomatic initiative the Howard Government is currently championing in its own right? It is hard to answer this question. I follow these debates closely and I could not do so. Certainly none come to mind at the multilateral level. And beyond the Solomon Islands and East Timor, none come to mind at the regional level either. And all this at a time when the global and regional challenges facing our country are of an unprecedented complexity.

Tonight I would like to identify five specific areas where Australia should now take the lead in developing an independent diplomatic initiative – in part because currently there is a vacuum; in part because the areas I propose to nominate are of great material relevance to Australia's national interest; and in part because Australia in each of these areas has long-standing *bona fides*.

First, Australia should establish a national diplomatic initiative aimed at restoring the integrity of the nuclear non-proliferation regime. Following recent developments involving North Korea, Iran, the sale of Pakistan's nuclear secrets by AQ Khan and the decision by the United States to engage in nuclear cooperation with India outside the framework of the NPT, the current non-proliferation regime is fundamentally fracturing. The consequences of the collapse of this regime for Australia are acute, including the outbreak of regional nuclear arms races in South Asia, North East Asia and even possibly South East Asia. The impact on Australia's long-term national security interests is immense. Australia, as a member of the Nuclear Suppliers Group, has a responsibility to promote the NPT.

However, in the past 12 months Australia chaired unsuccessfully both the G10 at the NPT Review Conference in May and the high level negotiations on nuclear non-proliferation at the last UN General

Assembly in September which failed to get a single reference to non-proliferation into the outcomes document of the Millennium Review Summit. This is an indictment in itself of Australia's failing middle power diplomacy at work.

Following these comprehensive NPT failures, Mr Howard must, as a matter of urgency, launch an Australia Initiative by convening an international conference of like-minded states in Canberra. This would work in conjunction with Labor's proposal to establish a diplomatic caucus of like-minded countries to promote the NPT. The fact is through the range of arms control and disarmament initiatives launched during Gareth Evans' Foreign Ministership, Australia has retained technical and diplomatic credibility within the field. That's why Australia should lead an initiative to explore options for reinvigorating and strengthening the NPT at this critical time. And that's why Labor will be debating the future of the NPT at its National Conference next April.

Second, Australia over the next three months must launch its own national Doha Initiative in order to achieve a breakthrough in the Round. The US fast track authority expires in July 2007. There is a narrow window of opportunity during a three month period between December 2006 and March 2007 when agreement could still be reached. The negotiating gap between the three groups on market access, export subsidies and domestic support is bridgeable. But once again this requires creative diplomacy and a Prime Minister engaging in an intensive global and regional political offensive to create the political momentum necessary to bring Doha to a successful conclusion. Australia launched a similar national initiative during a critical stage in the Uruguay Round. The time has come to do so again.

Third, China looms as a key to any effective global response to the challenge of global climate change. China (unlike Australia) has signed and ratified Kyoto. What is up for debate are the specific obligations that should accrue to China after 2012. Australia should initiate a government-to-government level Australia-China Commission on Global Climate Change. Australia has a good diplomatic relationship with Beijing. Australia is also a major energy supplier to China. Australia therefore has a direct environmental and economic interest at stake in helping shape China's response to global climate change.

Fourth, Australia as the chair of APEC in 2007 should develop an APEC Reform Initiative. The truth is APEC since the Kuala Lumpur meeting in 1998 has been steadily losing its political and economic policy momentum. Given that the establishment of APEC was the result of a Labor government initiative in late 1994, Mr Howard must now develop a comprehensive proposal to re-establish APEC as

the principal deliberative forum of the region. APEC possesses the potential to reduce over time some of the bilateral brittleness in the relationships between China, Japan and the United States. APEC also has the potential to be deployed to politically re-energise the Doha Round as it did in relation to the Uruguay Round in the early 1990s. One practical measure the Prime Minister should champion at the Sydney Summit (and in the 12 months leading up to it) is a truly integrated strategy for responding to regional pandemics, including Avian Influenza. In addition to this, Labor will be advancing further policy initiatives in the 12 months ahead.

Fifth, Australia should launch a high level initiative to accelerate the establishment of an integrated Regional Disaster Coordination Authority for the region. Earthquakes, Tsunamis and volcanic activity across South East Asia and the West Pacific remain of acute concern to all regional states. ASEAN and the ASEAN Regional Forum (itself part of an Australian diplomatic initiative) have begun some tentative work in this area. Australia should take the lead in driving this process forward both diplomatically and operationally. Australia should consider offering either Darwin or Townsville as an integrated regional headquarters for the coordination of national defence and emergency services contributions to a given regional natural disaster event. Apart from the positive contribution this could make in response to future disasters (where emergency response times have generally been slow), using the ARF for this purpose could construct over time a useful confidence and security building measure (CSBM) in a region which at present has few such measures.

If Australia in the future is to re-enter the field as a practitioner of effective middle power diplomacy, we need to recreate within its Foreign Ministry the policy horsepower to develop, finetune and implement initiatives of the type I have just referred to. This has not been possible over the last decade when Foreign Minister Downer has presided over the de-skilling of the Department, the denuding of DFAT's policy staff and the abolition of DFAT's policy planning function. DFAT in 2006 has less policy staff than it had in 1996: despite Bali and despite the regional campaign against terrorism and despite the proliferation of other security and trade policy challenges confronting Australia over that period. DFAT needs to be injected with policy resources to do the job it once did.

For this reason, a Labor government will establish an Office of Strategic Policy within the Department (with costs to be absorbed from Departmental resources) as a high-level policy planning capability for the Minister and the government. Rather than simply responding to international events as they unfold, Labor will establish a long-term policy and strategic planning capability with a view to shaping events and positioning Australia for the environment it

will confront in 10, 20 and 50 years time. All substantive Foreign Ministries around the world have such a capability. It is remarkable that Australia does not. Particularly in a period when our defence and intelligence agencies have had their resources augmented so significantly in the five years since September 11.

It is time to restore the balance when it comes to Australian foreign and trade policy. Renewing Australia's middle power diplomacy will be a priority of the next Labor government. Because the act of diplomacy is not to fight wars, it is to prevent wars. That is why Australia's diplomatic, security and intelligence efforts must be prosecuted in tandem if we are to maximise our national security and other interests in the decade ahead.

Creative middle power diplomacy must represent a core part of Australia's national capabilities as we face the range of regional and global challenges of the decade ahead. Australia can either wait for events to unfold or Australia can be on the front foot and where possible be part of the solution.

The Australian character is not to stand idly by. Rather, it is to act. To lead. Not just to follow.

## **Endnotes**

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- 1 Cited in Richard Higgott and Andrew Cooper ("Middle Power Leadership and Coalition Building: Australia, the Cairns Group and the Uruguay Round of Trade Negotiations", *International Organization*, 1990).
- 2 Jonathan Brooks and Carmel Cahill, OECD Observer, "Why Agricultural Trade Liberalisation Matters", October 2001.



Photo – David Karonidis

*Ross McMullin*

The work of historians makes real for us the stories, events and people that have built the nation and citizens we are today. Historian Ross McMullin has made an important contribution to the historical record with his recent biography of Will Dyson, *Will Dyson: Australia's Radical Genius* (Scribe Publications, 2006) – an artist now almost forgotten but a very great Australian. Born in 1880 on the outskirts of Ballarat in Victoria, Will Dyson became Australia's first official war artist. He was also a poet, orator and a world-renown cartoonist. At 29, Dyson moved to London where he achieved great fame before World War I. To recollect something of Will Dyson's achievements, Ross McMullin addressed The Sydney Institute on Thursday 21 September 2006.

# WILL DYSON:

## *AUSTRALIA'S FORGOTTEN GENIUS*

**Ross McMullin**

I first came across Will Dyson when I was doing research on a World War I project that led me to Australia's war art. A letter in a file about Dyson's war art jumped out at me. Dyson was not impressed by the proposed distribution of his war lithographs:

I see that the State Governors of Australia have been included in the list of recipients ... In the name of the digger I protest, especially as all the soldiers have been cut out [and replaced by] the collection of poor relations and broken winded English party hacks out to grass that make up the State Governors.

That letter made me sit up. I thought, here's someone interesting I'd like to find out more about. What I discovered was that Will Dyson was a remarkably talented and versatile artist-writer. He was a brilliant and forceful cartoonist. Australia has been blessed with plenty of outstanding cartoonists, but Dyson was right up there with the best of them. He was our first official war artist. Many artists followed Dyson in the First World War and later conflicts, but I'm not alone in believing that he remains our finest ever war artist as well as our first. Dyson was also a sublime writer of prose and poetry. He wrote about Australia's soldiers as superbly as he drew them. He took up etching in his later 40s, and won international acclaim in this field also. Besides all this, he was an instinctive radical with dazzling wit and a convivial personality. He married Ruby Lindsay and knew all her famous artist brothers well (Norman, Lionel, Daryl and Percy Lindsay).

Dyson was described in his heyday as the most famous Australian in the world. He should be much better known today than he is. But the Will Dyson story is not just a celebration of fame and achievement. This is a story about a sensitive soul, the ups and downs of a sentimental larrikin.



*Self Portrait*

It's partly a love story. It's about his love for Australia's soldiers: "I never cease to marvel, admire and love with an absolutely uncritical love our louse ridden diggers", he declared. He produced hundreds of Western Front drawings of profound empathy and sympathy, and was wounded twice in the process. It's about his love for his country. Will Dyson was born in Ballarat, grew up in Melbourne, and had a profound sense of attachment to his homeland even though he had to venture overseas to make his mark.

But this connection frayed. In 1929 he lamented that Australia had become "a backwater, a paradise for dull boring mediocrities, a place where the artist or [someone] with ideas could only live on sufferance". The "guidance of the country [had fallen] into the hands of rich drapers, financial entrepreneurs, newspaper owners, people who in other countries were kept in their place". Australians might have a reputation as hardy pioneers and explorers, he said, but what was overdue was some serious exploring of "our great empty mental spaces". In his final years he was describing Australia as "a beautiful country to die in". And it's about his love for Ruby Lindsay. In October 1918, nine years after their marriage, Dyson wrote that "never by any circumstance moral or physical did I deserve the wife I got". This was a love that never died, even after Ruby died.

As well as being in a number of ways a story about love, it's also a story about hate. Dyson revered Australia's soldiers and their achievements, but he utterly detested war. "I'll never draw a line to show war except as the filthy business it is", he told his friend Charles Bean, the Australian official correspondent at the Western Front. Dyson found the many months he spent at the front harrowing for more than the obvious reasons. Bean observed that Dyson experienced at least ten times more of the real Western Front than any other official artist, British or Australian. But it wasn't just the horrors and dangers that left Dyson feeling ripped apart. He felt inspired by the Australian soldiers' endurance and accomplishments, but at the same time he felt dismayed that a fine Australian generation was being destroyed before his eyes. And further on hate, the ferocity Dyson displayed as a cartoonist stemmed from his loathing of suffering, inequality and flagrant social abuses. His friend G.D.H. Cole said Dyson "hated the things a decent man ought to hate – oppression and snobbery and cruelty and highfalutin nonsense".

This book is also the story of a brilliant creative artist, a genius, who concerned himself with important issues affecting art, politics and society without ever losing his sense of fun. Dyson was convivial, amusing and a natural comic performer. He had a striking flair with words, evident in his witty cartoon captions, sparkling after-dinner speeches and scintillating conversation. He would dash off a letter on a long ship voyage saying "today is Sunday but it is so like any other

day that it would take a learned theologian to tell the difference". He would entertain onlookers at the famous Café Royal in London by pretending to carry on conversations in a variety of European languages that sounded exactly like the real thing when the only language he actually knew was English. If asked to provide a receipt, he would write: "I am graciously pleased to confer upon the above mentioned sum the distinction of having been received by me."

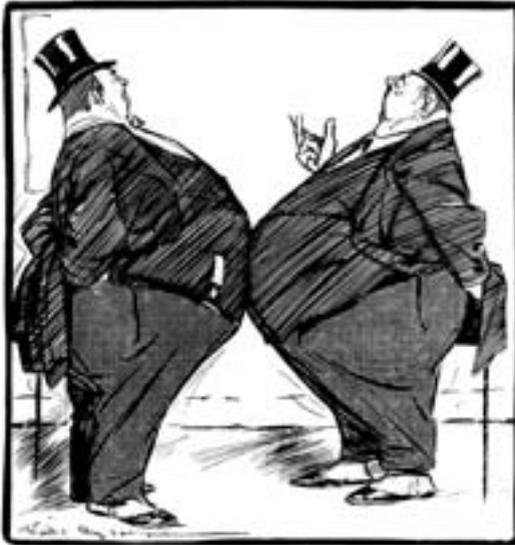
He would give an after-dinner speech to a gathering of Australian artists welcoming him home by saying "England [used to] send criminals to Australia, and we retaliated by sending artists to England". At this time he also remarked that "My work in London was finished ... There was no further use in continuing to live on the outer fringes of Empire—I resolved to return to the passionate throbbing life at its centre. I have bought a house at Moonee Ponds." This was of course well before Edna Everage made Moonee Ponds internationally renowned. And Dyson and his friend Jimmy Bancks, the creator of Ginger Meggs, often used to amuse themselves on a train in the following way. One of them would open a window and the other would promptly close it. A swiftly escalating exchange of insults would follow, to the alarm of other passengers. Just when it seemed that a nasty fight was about to commence, Dyson would ask Bancks which school he attended, Bancks would concoct a likely-sounding but non-existent institution in reply, and Dyson's attitude would transform in an instant. "Why, that was *my* school – this would not have happened if you had been wearing the old school tie! Have the window any way you want it, dear old chap!"

Dyson was born in 1880. During his 20s he displayed conspicuous talent as a caricaturist, cartoonist and writer, but struggled to find a niche in Australia. His big breakthrough came when he ventured to London and the radical *Daily Herald* engaged him as its cartoonist. The timing was perfect. This was a time of political, industrial and social upheaval in England. Strikes were numerous, suffragettes were militant, politics was turbulent. The *Daily Herald* gave Dyson editorial freedom and encouraged him to go for the jugular. He certainly did. Traditionally, English cartoons had lacked vigour and passion. Dyson's were very different. His angry, rebellious shafts against inequality and suffering were intensely passionate. The *Daily Herald* maximised their impact with whole-page reproduction.

Both workers and intellectuals admired them. The workers liked Dyson's boldly drawn figures representing clear symbols of the noble, wronged toiler versus his oppressive employer, whom Dyson drew and labelled as "Fat", an evil-looking man in formal dress featuring top hat and spats, with several chins and a huge paunch, sometimes waving a cigar and resting on a pile of moneybags. The intellectuals savoured Dyson's wordy, witty captions. Shaw, Chesterton and Wells

praised the Australian newcomer as the most brilliant and forceful cartoonist Britain had known for decades. Another Dyson enthusiast declared that the “capitalist is not merely drawn – he is quartered ... [in] some of the most passionate, skilful and unmerciful cartoons it has ever been my good fortune to encounter”.

A typical Dyson cartoon of this period showed two of these gross Fat men together, with one of them saying to the other: “The visionaries and Socialist demagogues may rant against us, my boy, but they can’t alter the divine law of the Survival of the Fattest!” Dyson called it Economic Darwinism. Dyson’s cartoons supported



*Economic Darwinism*

impoverished strugglers and militant suffragettes. In one inventive cartoon he combined both these concerns. With arrested suffragettes going on dedicated hunger strikes for their cause, the authorities responded with brutal enforced feeding. Dyson drew a destitute mother and daughter passing a newspaper placard headlining the latest news about this brutal treatment of the suffragettes. Dyson has the impoverished little girl seeing the placard and saying “Mummy, why don’t they forcibly feed us?”

Dyson’s *Daily Herald* cartoons had an astonishing impact. The *Daily Herald* took advantage of Dyson’s spectacular success by producing volumes of his cartoons. Sales were extraordinary. The first print run of 10,000 sold out in three days. The *Daily Herald* urgently printed another 25,000. The celebrated cartoonist blossomed as a speaker, excelling as an after-dinner speaker and even as a stirring orator at a huge strikers’ rally that generated a capacity audience at the Albert Hall. Dyson’s success was rapid, stunning and completely unexpected. A well-known Australian journalist working in London described Dyson as the most famous Australian in the world.

For Dyson, life was never better. He and Ruby, whose art had prospered in London, were residing in fashionable Chelsea, suburb of numerous artists. They had become parents with the birth of Betty in 1911.

The First World War smashed this serenity like a wrecking ball demolishing a house. Dyson loathed war, but felt England was entitled to defend itself against German aggression. Australia's contribution at Gallipoli moved him profoundly. He retained a strong sentimental attachment to his homeland. His emotions were further stirred when Australian soldiers became involved at the Western Front in 1916 and soon sustained immense casualties, almost 30,000 in two months. Dyson felt impelled to contribute. He volunteered to go to France and sketch Australian soldiers for posterity, to provide a record of this important part of the national story. His application declared that he wanted "to interpret in a series of drawings, for national preservation, the sentiments and special Australian characteristics of our Army".

Some Western Front artists gravitated to colourful landscapes or scenes of dramatic action – blood-and-thunder bayonet charges, lethal military hardware, straining horses dragging big guns forward. Dyson's focus was different. He concentrated on the men. What he drew in his black-and-white sketches was much harder to draw – exhaustion and endurance, grit and grime. He sketched Australians waiting, resting and sleeping. He captured them stumbling out of the line drained and dazed. He drew weariness, perseverance, fatalism. There were plenty of glowing reviews of these war drawings. Charles Marriott, for example. Marriott was an art critic without personal experience of the Western Front. He perceptively concluded that Dyson's drawings: "...are extraordinarily like the talk of the men who were there". Marriott added that:

Australians have good reason to be proud of the fact that it is one of their artists who, while ostensibly setting out to make nothing more than a local record, has given to the world an interpretation of the war as a whole which will seem truer and truer the further the war recedes into perspective.

Dyson was especially stirred by what they did in 1918. In this crucial year the Australian soldiers were influencing the destiny of the world more than Australians had ever done before and more than Australians have ever done since. When speaking here last year about Pompey Elliott, I talked about the Australians being rushed to the rescue after a massive German offensive drove the British back no less than 40 miles in March and April 1918. In these desperate days, with the fate of the whole war seemingly in the balance, the Australians arrived to plug the gaps with nonchalant reassurance for the distressed French women who were deserting their homes: "Fini retreat madame, beaucoup Australiens ici". Dyson was there. He depicted these stirring events in a drawing he entitled *Welcome Back to the Somme*. He showed Australian soldiers marching towards the fray and being greeted by civilians delighted to see them. The key to



*Stretcher Bearers*

the drawing is the raised hand of a woman who is beckoning to other retreating civilians, urging them to turn around and return, as she is doing, to their vacated homes because the Australian soldiers have arrived.

A few weeks later the German advance was threatening the city of Amiens. The sense of crisis for the British was still acute. The important task of safeguarding Villers-Bretonneux, a strategically vital town that overlooked Amiens, was allocated to a British division. Bean and Dyson were in the area on 24 April 1918 when the Germans attacked, drove the British out of Villers-Bretonneux, and captured it. Concern about this situation reached the highest levels. Two Australian brigades were assigned the task of recapturing the town in a daring counter-attack, a complex manoeuvre in the dark without artillery support. This daring venture on the third anniversary of Anzac Day (with General Pompey Elliott prominently involved) was brilliantly successful, one of the Australians' finest exploits, and signalled the end of the dangerous German thrust to Amiens. It intensified Dyson's worship of Australian soldiers, which was very evident in a letter he wrote to Ted shortly afterwards:

The boys are more eager, cheerful, bucked up and full of fight than ever before. Weather is good, food is good and they are at the height of their reputation. What they have done is in so striking a contrast to what the others did not do ... God alone knows what terrible things are coming

to them, but whatever they are they will meet them as they have met everything in the past. These bad men, these ruffians, who will make the life of Australian magistrates busy when they return with outrages upon all known municipal byelaws and other restrictions upon the free life—they are of the stuff of heroes and are the most important thing on earth at this blessed moment.

Dyson wrote about Australia's soldiers as superbly as he drew them. He produced a book called *Australia at War* that is little known but a classic. In this book Dyson reproduced some of his drawings with a personal inscription on the page alongside. To accompany his superb drawing *Stretcher-Bearers*, Dyson wrote this:

They move with their stretchers like boats on a slowly tossing sea, rising and falling with the shell riven contours of what was yesterday no man's land, slipping, sliding, with heels worn raw by the downward suck of the Somme mud. Slow and terribly sure through and over everything, like things that have got neither eyes to see terrible things nor ears to heed them ... The fountains that sprout roaring at their feet fall back to the earth in a lace-work of fragments—the smoke clears and they, momentarily obscured, are moving on as they were moving on before: a piece of mechanism guiltless of the weaknesses of weak flesh, one might say. But to say this is to rob their heroism of its due—of the credit that goes to inclinations conquered and panics subdued down in the privacy of the soul. It is to make their heroism look like a thing they find easy. No man of woman born could find it that. These men and all the men precipitated into the liquescent world of the line are not heroes from choice—they are heroes because someone has got to be heroic. It is to add insult to the injury of this world war to say that the men fighting it find it agreeable or go into it with light hearts."

This is what he wrote about his drawing called "Dead Beat":

He was there as we came back ... I have not drawn him as childish as he looked ... He ... had lost himself and floundered all night in shell holes and mud through the awful rain and wind ... He had floundered into the cover of the tunnel and stopped there, disregarded, save for occasional efforts to assist on the part of the men—attempts that could not penetrate through to his consciousness past the dominating instinct to sleep anywhere, anyhow, and at any cost ... he looked so very young—that quality which here has power to touch the heart of older men in the strongest way. To see going into the line boys whose ingenuous faces recall something of your own boyhood – something of someone you stole fruit with, or fought with or wagged it with through long hot Australian afternoons – to see them in this bloody game and to feel that their mother's milk is not yet dry upon their mouths.

This is sombre and sobering, appropriately so bearing in mind the context and what Dyson was witnessing and recording. Inevitably, though, being Dyson, he found scope even in these ghastly surroundings for his legendary wit and repartee. He sometimes did amusing drawings as well. When a machine-gun officer retrieved

a drawing Dyson had left near the front line, Dyson drew for this machine-gunner, as an impromptu thankyou, a caricature of a bedraggled wet digger. Although it's a quick black-and-white sketch, the artist's skill is very evident in the inflamed nose and dripping moustache indicating a heavy cold as this disgruntled digger ploughs through shin-deep mud and slush while rain continues to fall. He's clearly fed up with France in winter. Dyson's caption has him asking, "Isn't there ever any flamin' droughts in this country?"

And Dyson had a thing about quirky military cooks. He depicted them as eccentric in a number of drawings. To accompany his portrait study of one of these cooks, a tough, hardened veteran full of character, Dyson wrote a suitably droll inscription: "I sometimes think it is the primitive emotions of grief and disillusionment and ferocious despair induced by the cooking of the cooks that make some of our battalions so awe inspiring in the attack ... I have often suspected that Australian units select their cooks not on their ability as chefs but for the stories that can be told about them to other units."



*The Cook*

This was not the only kind of writing Dyson did about the Australian soldiers he so admired. He also wrote striking poetry. His book *Australia at War* included a dedication to the Australian soldiers in verse:

To you who go to do the work of wolves  
 Burdened like mules, and bandying with Death—  
 To hide the silent places of the soul—  
 The ribald jests that half convince the blind  
 It does not wholly anguish you to die—

To you who through those days upon the Somme,  
 About you still the odours of our bush,  
 I saw come down, with eyes like tired mares,  
 Along the jamming traffic of Mametz,  
 Creeping each man, detached among his kind,  
 Along a separate Hell of memory—

To you, and you, I dedicate these things  
 That have no merit save that they, for you,

Were woven with what truth there was in me  
 Where you went up, with Death athwart the wind  
 Poised like a hawk a-strike—to save the world,  
 Or else to succour poor old bloody Bill  
 Beleaguered in a shell hole on the ridge.

Dyson also wrote a moving lament to the loss of Australian innocence, entitled “At Villers Bretonneux”:

Weep for the evil need to kill and kill  
 Which from the golden gullies of our land  
 And all the bush bred quiet of our days  
 Brought out our young beneath the milk-white moon  
 With moon-white steel to slay and leave them thus,  
 Debauched of all the semblances of man,  
 ...  
 Weep! weep for them! for them whose feet seemed set  
 To tread for ever avenues of peace  
 Along the wattling ridges of our south,  
 Where Dynasty was like a tale forgot,  
 And War a fading memory of old Time.  
 Ah! weep for them that something in their souls—  
 And they were lesser men that had it not—  
 Drove them like chaff before the westering wind  
 From still cathedrals of the eucalypt  
 To all the edges of the outer earth.

Dyson was a member of an informal group that loosely gathered around Bean and included other war correspondents such as Keith Murdoch (father of Rupert) and photographers such as Dyson’s friend George Wilkins. This group influenced numerous decisions affecting Australia’s soldiers. Dyson, with his razor-sharp intellect and conversational sparkle, was a key member of the group, and involved himself in a number of significant developments: the controversial question of who should be the chief commander of Australia’s soldiers; a program to educate influential visitors about their exploits; the creation of a war art scheme involving other artists; and, especially, the post-war commemoration of the conflict in Australia.

Under the stars at Pozieres the group discussed Bean’s vision for the institution that became the Australian War Memorial in Canberra. It was Dyson who remarked that battlefield models had been especially evocative in equivalent institutions that he had visited, and his recommendation that they should be a priority for Australia’s memorial was heeded. The upshot was the creation of the superb dioramas that have been such a feature of the Australian War Memorial, and still are today.

Dyson provided the Memorial with over 270 drawings, a unique record of the war experience. Bean thought they were wonderful. He envisaged that the Australian War Memorial would have a special

Dyson gallery to display them. But by the time the building of the Memorial was complete, it was 1941 and another world war was under way. Later conflicts have further restricted the Memorial's capacity to display Dyson's drawings, but nevertheless Bean would turn in his grave if he knew that the number of Dysons permanently on display in recent years, of the 270-plus, is only four. (I should acknowledge that another seven Dyson drawings were part of a recent temporary exhibition at the Memorial, but when that is taken down in a few months the number on display will be back to four.)

Dyson's months at the front affected him severely. Although a non-combatant, he saw plenty of the real war. W.S. Robinson, one of the distinguished visitors Dyson guided around, described Dyson and his intrepid photographer friend George Wilkins as "two of the bravest men I've ever met". The effect of all this was obvious to Ruby. He "looks years older and is very grey", she observed. "I couldn't get over the change in him last time he came back. The war has altered him a lot". Worse was to come for Dyson. In March 1919, when he was just getting used to peacetime and the resumption of domestic life with Ruby and little Betty, Ruby died of Spanish Flu. She was 33. Dyson was devastated. The eulogies that poured in emphasised the remarkable impression Ruby's personality, manner and beauty had made on those she met, even briefly. Dyson was never the same again. Even managing a partial recovery took him months.

In this mood of bleak despair Dyson drew his most famous cartoon, "Peace and Future Cannon Fodder". It was his response to the notoriously one-sided Treaty of Versailles. In this 1919 cartoon he predicted not only that this tainted treaty would produce another world war, but also the actual year when hostilities properly began. This remarkably prophetic drawing has been described as one of the most outstanding political cartoons of all time. Still preoccupied with Ruby's death, Dyson was intent on producing two books in memory of her. One commemorated her art and was called *The Drawings of Ruby Lind*. In an introductory tribute Dyson wrote that Ruby's "death came after the Armistice, when it seemed that we might dare to hope again ... It was as though War before departing utterly from us had added her death as a footnote, to enrich with a final commentary the tale of his crowded horror." Dyson's other book about Ruby consisted of poignant poems he had written since her death. He called it *Poems in Memory of a Wife*. Its sombre tone was firmly fixed in the first poem:

There is no beatitude in death:  
 Death is but death;  
 Nor can I find  
 Him pale and kind  
 Who set that endless silence on her breath.  
 Death is but death!

In another poem called “Lament” Dyson berated the “grieffless Gods” for ruining his life “[t]hat lacking her lacks all that gave it worth”, so that now “silence tolls through nights that never end”. He imagined Ruby urging him to stop punishing himself with remorse, assuring him of her knowledge that she would always remain etched in his memory and embodied in Betty. In the final poem, “Surrender”, Dyson the poet called on himself to accept the tragedy and cease behaving as if his bereavement was different from countless others since 1914:

Now wrap you in such armour as you may,  
And make your tardy peace with suffering,  
Since grief must be your housemate to the end ...  
Nor is it meet that in these bloody years  
Such traffic you should make of common wounds.  
What is your grief above our mortal lot  
That in a world where all must carry scars,  
You clamour to the skies as though were fall'n  
A prodigy to earth in this your woe.  
Now make your peace, and go as you have gone:  
The world was so before this grief befell,  
But you, the broken, have in breaking learned  
A wisdom that you lacked when you were whole.  
... in your veins no flavoured stuff doth flow  
That fate should beat upon your head in vain.  
... Now bend thee to the yoke,  
And teach thy heart no longer to rebel.

The surrender that Dyson is describing is essentially a self-administered anaesthetic to cope with the pain of Ruby's death. But this deactivating of his ability to feel emotions at their most acute also had an impact on his cartooning. It deprived him of the emotional force that had inspired his best cartoons. In 1925 he returned to Australia, having accepted a five-year contract to work for the Herald group of publications run by his former Western Front associate Keith Murdoch. Back in his homeland he was a prominent cultural and social celebrity. Parties came to life when he arrived. He would often be called on to provide certain celebrated performances such as his imitations of Queen Victoria (with a chamber pot perched precariously on his head) or a South American tribesman calling to his mate. These were such hilarious impersonations that they repeatedly generated helpless tears of laughter among his audiences.

Socially he had a lively time in Melbourne, but professionally his return was less successful. Accustomed to having his say on a big international stage, he found Melbourne too restrictive and parochial. One day at the Melbourne *Herald* office, when he came across playwright Louis Esson talking earnestly to a senior writer, Dyson

interjected: "If you say anything intelligent in this place, I'll tell on yer!"

Partly out of frustration, he embarked in his later 40s on a new art form, etching, which he had dismissed decades earlier as "a medium for cold little people with a predilection for rain". He proceeded to make a pronounced success of this as well. Whatever Will Dyson did he did well. When he took his satirical etchings overseas, they were acclaimed in America and England. At that time America was grappling with the issue of prohibition. Dyson thought the solution was simple. What the Americans should do is apply psychology to the problem and ban soft drinks instead. It "should be obvious even to a legislator," he said.

By now the Great Depression had arrived. One of his etchings depicted a dazed, downcast representation of God lamenting to a forlorn Christ beside him: "My son, alas! We are powerless, the bankers have spoken". Dyson rejoined the London *Daily Herald* in 1931 as its cartoonist, and remained in that position until his death. During the 1930s Dyson flayed the fascist dictators in his cartoons. He ridiculed Mussolini mercilessly. A typical one showed Mussolini frustrated by the weather that was impeding the Italian invasion of Abyssinia. Dyson drew the Italian leader flummoxed by a small boy's innocent question: "But, Duce, can't you stop the rains?" Another international crisis arose from the English cricket team's use of the notorious tactic that came to be known as bodyline. Dyson followed the controversy from England with intense interest. Always interested in sport, and familiar with both English and Australian temperaments, he drew superbly inventive cartoons about bodyline, such as the one depicting an Australian batsman, injured but defiant, arriving to present his Leg Theory Protest at the League of Nations Council. With puzzled delegates from China and Persia looking on, the Australian is shown energising an attendant: "Tell 'em I'm here, Cobber. It's urgent!" The cartoonist signed this drawing "Will Dyson of Wagga-Wagga".

Will Dyson died in January 1938, aged 57, of heart trouble. His friend Nettie Palmer wrote that "something extraordinarily vital and irreplaceable has gone out of the world" and reiterated that Dyson was a genius.



Photographer: David Karonidis

*The Hon Malcolm Turnbull, Minister for The Environment and Water Resources, talks on ancient acqueducts and future water supplies for Sydney.*



Photo - David Karonidis

*Ernest Drucker*

Dr Ernest Drucker is the Professor of Epidemiology and Social Medicine and Professor of Psychiatry Montefiore Medical Centre in New York as well as Director, Division of Community Health at the Montefiore Medical Center, New York. His work on the trends in drug use worldwide and the links between incarceration and drug use, drug policy, and mental illness and brain injury has led him to study the growing seriousness of mass incarceration, especially of minority groups, in the US. During a visit to Sydney in 2006 Ernest Drucker addressed The Sydney Institute, on Wednesday 27 September 2006.

# **A PLAGUE OF PRISONS:**

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## ***THE EPIDEMIC OF MASS INCARCERATION IN AMERICA***

**Ernest Drucker**

*Epidemic* – from the Greek: *Epi* (upon) *Demos* (the people)

America is now in the thirtieth year of a great epidemic – one of the most devastating in this nations history. It has already stolen more years of life from American citizens than Yellow Fever or Cholera did in the nineteenth century, or AIDS in the twentieth. But unlike these other terrible afflictions, this epidemic is not caused by a deadly new virus or mutated bacteria. It is self inflicted – the result of deliberate social policies. Hundreds of federal and state laws mandate it and the expenditure of a great fortune has financed it with more than \$1 trillion in public funds over its 30-year course. This great American epidemic is mass incarceration – a plague of prisons.

Today there are now millions of Americans behind bars – over ten times the number we had 30 years ago. This epidemic has been fueled by the millions of arrests of the war on drugs, long mandatory prison sentences, and high rates of recidivism – the famous revolving door of the system that puts 67 per cent of prisoners back inside within three years of their release. But even a decade after drug use and crime declined sharply (reaching historic lows in 2005) the progression of epidemic incarceration is relentless – each week in 2006 there were over 1000 additional inmates put in prison, reaching 2,700,000 by 1 Jan 2007.

Yet, despite its vast scale and profound effects on the lives of tens of millions of American families, this epidemic goes largely unrecognised. Indeed, for most Americans, massive imprisonment is not seen as a problem at all. Despite constant exploitation in the media, with hundreds of TV shows weekly, the “story” is almost always about the epidemic of crime, not the epidemic of punishment. In the US, where epidemic incarceration is at its worst in the entire world, we hardly recognise it or the damage it causes. Like high blood pressure or diabetes, it is a silent epidemic – taking a toll that is largely invisible for all those people and families who are not directly affected.

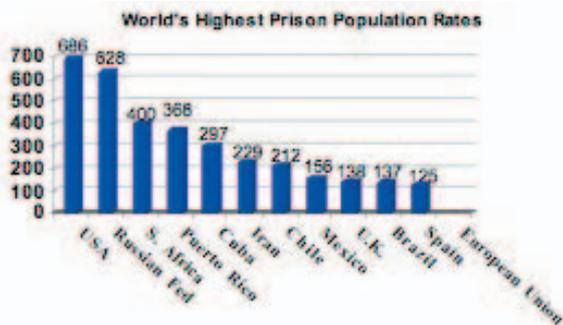
Nonetheless this modern American plague is one of the most destructive public health disasters we have faced in the last 100 years – a slow motion train wreck, spread out across the entire country, one that has been affecting tens of millions of Americans for three decades. With over 2.7 million in prison today, our country's use of long imprisonment terms for more and more offences is virtually unprecedented in this country's history: for the hundred years before 1975, US incarceration rates averaged about 100 per 100,000 population – today that figure is over 770. With an additional 5 million on parole or probation, over 7.5 million are now under the control of the US criminal justice system. Over 600,000 enter state and federal prisons each year and another 600,000 leave them, but over 60 per cent of these will be re-arrested within three years and imprisoned again – the famous revolving door of the penitentiary. And the numbers affected by long-term incarceration (in state and federal prisons) are dwarfed by those arrested and held in local jails – another 10 million each year. In total since 1975 about 25 million Americans have been imprisoned, more than all Americans incarcerated for all offences in the previous 100 years. These huge numbers are the most basic expression of the fact of mass incarceration in America.

Mass incarceration in America? The term conjures up images of foreign tyrannies and totalitarian despots – the domination of individual life under regimes of state power built upon fear, terror, and the absence of legal protection. When we think of mass incarceration we think of vast networks of prisons, concentration camps, the gulag archipelagoes of Stalin. We protest – not here, not now, not us. Yet the facts are stark: in the past 30 years, the United States has increased its incarcerated population tenfold, making the United States the nation with the highest rate of incarceration in the world, with rates that are unprecedented in our nation's 230-year history. For almost 100 years, from 1880 to 1975, the figure averaged 100-150/100,000 – one fifth of today's rate.

The long term prisoners of the state and federal prison systems account for 75 per cent of those behind bars on any given day, but imprisonment accounts for only a small portion of the population's exposure to CJS involvement: the throughput is huge – 10 million a year pass through the local jails system each year. And the concentration of CJS involvement within minorities is well known but still shocking in its implications of just how widespread this exposure is – 36 per cent lifetime risk of incarceration for all young black men.

The US now has the world's highest rate of imprisonment of any nation in the world – possibly the highest rate in the history of any nation. By comparison, European countries average less than one-fifth that rate, and many average only one-tenth of it.

Table 1: US Incarceration Rates in Comparison to other countries



Some have called this vast system the “new American Gulag”. With its millions of inmates and more than 5000 federal, state, and local prisons and jails, its scale approaches that of Stalin’s infamous network of prison work camps that imprisoned 18 million between 1923-1939. And like Stalin’s system it penetrates every corner of our society and its’ relentlessness and lack of public accountability seem the work of some malevolent power, beyond our citizens reach.

The US prison budgets are also unprecedented in American history, representing the diversion of public treasure from other great needs – education, health care, social security for the aged. Averaging over \$25,000 per inmate or about \$50 billion annually – most of it comes from state budgets. With another \$100 billion to build all these prisons, some speak of the “prison industrial complex”, a privatised “correctional industry”, and new investment opportunities on Wall Street. Despite studies showing few long-term economic benefits of this “industry”, for the localities that host them, prisons are often seen as an economic lifeline – especially in poor rural communities that have lost many industries to globalisation over the last two decades. Many states are hard pressed to sustain school budgets (in California there are now more prison guards than college teachers) and health care, retirement benefits, housing and community development programs are all suffering from the loss of public revenues.

Prison budgets are hard to touch because many powerful local political arrangements are built on them. In NYS 50 per cent of the prison beds are located in the upstate home districts of three powerful Republican state senators. In the last five years some states’ need to conserve funds has produced the first decline in new incarcerations in 30 years ( NY among them) , via the early release of some nonviolent offenders and a drop in arrests as crime has come down. But many of the sentencing policies that built and filled these prisons continue unabated, and in 2005 the size of the incarcerated population of the US still grew by 1000 inmates each week – 52,000 in the year.

Mass incarceration in America disproportionately affects minorities. Only 1 per cent of the country's white adult male population is in the criminal justice system; but for blacks and Hispanics the figure is 13 per cent. In most big cities, 50 per cent of all the African American males have been incarcerated in their lifetimes – in Washington DC the figure is over 80 per cent. For the hundred years from the end of slavery to the 1970s, blacks were incarcerated at 3-4 times the rate of whites. Today that ratio is 12 to 1; for drug offenses it is 40 to 1 – despite evidence that blacks use illegal drugs at the same rate as whites.

And this epidemic has another “hidden” face – an even larger population, none of whom are in prison, but who are powerfully affected – the “collateral damage” of mass incarceration. This group numbers as many as 20-25 million – all the children, wives, parents, siblings and other family members of those incarcerated over the course of the 30 year epidemic of incarceration. They are concentrated in the mostly urban communities targeted for mass arrests. These victims of mass incarceration are innocent of any crime but are also punished by the effects of incarceration, just as surely as if they were convicted.

In this 30 year epidemic over 25 million American children have been directly exposed to parental incarceration. They are the “innocent” victims of the war on drugs – the children of the “feeder communities” whose parents, siblings, uncles, aunts, cousins, close friends and neighbors. In these communities the epidemic of incarceration affects everyone – more damaging even than the drugs and other crimes that are the rationale for the arrests. In these communities incarceration has become the norm, spawning successive generations of prison orphans and gang members. Over 90 per cent of all the extended black and Hispanic families in the US must by now have had a member incarcerated in the last 30 years.

For over 100 years – through periods of war, civil unrest, violent social disorder, crime waves and the great depression – the US was able to grow and prosper with only one per thousand behind prison bars – about one tenth of one percent of its population. Today that figure is over 7 per thousand, and has been at this level for 15 years. This may not sound like a high rate in and of itself – after all 993 per 1000 are not in prison, but because of the concentration of imprisonment in specific populations and communities it looks like we have passed some tipping point that results in a cascade of effects that we are just beginning to comprehend.

Like the problem of global warming, epidemic incarceration is a complex ecology, with multiple interacting causes and delayed effects that may not be immediately visible to us – especially if we choose not to see them. These effects interact to re-enforce each other and play

out over generations – e.g. as increased risk of juvenile crime among the children of incarcerated parents. From the earth sciences and the study of climate and natural ecologies we now realise that seemingly small changes can multiply and produce very large effects over time. But for want of accurate and timely data about the scale and effects of mass imprisonment, data that captures its true impacts on health and makes them readily visible to us, we remain blind to incarcerations many harms- most of which occur outside prison walls. This blindness can cost us dearly.

Although almost everyone involved in criminal justice now says they'd like to do something about it, unprecedented rates of incarceration continue – i.e. the epidemic sustains itself and the prison industrial complex that we have created. Our attention must shift from defining everything as a crime to finding the chinks in the well developed armor of the carceral state – much as a new medication or vaccine fights a virus in an epidemic of a biological disease, we must find new ways to fight the epidemic of mass incarceration. If instead we continue to focus exclusively on crimes, transgressions, violations, and deviations as the problem, we will never get out of the increasingly destructive contagious cycle in which we are now stuck.

In my own research, I have examined the so called “collateral” damage of mass incarceration – its effects on the children and families of prisoners, on employment and housing for re-entering prisoners, on their voting and participation in civic life, and the impact of so many imprisonments on the social and economic life of the communities most heavily affected. And while the meaning and uses of imprisonment are very old, what is new and unprecedented is its current massive role- often to the exclusion of other approaches like reconciliation or restorative justice. We are beginning to understand how mass incarceration operates to sustain itself as an industry and, based on modern theories of social networks, how the carceral state operates as an epidemiological force, propagating on an unprecedented and massive scale, with rapid growth, and great concentration of the prison populations in America's poorest minorities.

But it is not enough to merely document a great plague. The epidemiological approach must help us find ways to fight it. That is the real challenge and ultimate test of the value of this new paradigm and its application to mass incarceration in America. We will need many people and programs – social and public health activists, community pioneers, and political and legal visionaries. I see these as the plague fighters: Individuals and organisations that are fighting mass imprisonment as the disease it is. They are our best hope of conquering the plague of prisons in America.



Photo – David Karonidis

*Kate Legge*

In 2006, journalist Kate Legge produced her first novel – *The Unexpected Elements of Love* (Penguin Viking) – which draws on many of the social issues she had written about for the *Australian* newspaper over years. In her novel, ageing and aged care are important themes expressed through the characters of Beth and Roy, married for 50 years and devoted to each other. Kate Legge also explores ADHD, the stresses on modern working families and even global warming which provides a menacing backdrop to the novel. On Wednesday 4 October 2006, Kate Legge addressed The Sydney Institute, and reflected on her life as a journalist and its effect on her move to fiction.

# FROM JOURNALISM TO *FICTION – HOW DIFFERENT IS IT?*

**Kate Legge**

I've just finished judging the Walkley award for best non fiction book. Crates kept arriving at my front door full of toe breaking hard cover volumes, and less onerous fly-swatting paper backs; several delved into true crime, another chronicled the heroic effort of SAS in Afghanistan. There was a history of the James Hardie asbestos fiasco, reporting on the Middle East, India, Iraq, books trekking across even larger canvases of global weather and motherhood. Many times I found my self wishing that I was judging a Walkley award for the best fiction book because then I would have been dipping into a shoe box of entries.

When he was launching my own novel, the treasurer Peter Costello suggested that inside every journalist is a great novelist, the great Australian novel yet to be written that will change the world as we know it. The trouble is, he said, most journalists write their novels in their journalism. They invent a few anecdotes, add a little bit of colour, they ascribe motives that aren't necessarily there. It would be therapeutic, he joked, for media proprietors to demand that every political journalist write their novel before giving them the job. But if journalists dream of writing novels, the overwhelming majority who write books end up on the non fiction shelves. Journalists are more comfortable writing biography, history, reconstructing events, arranging quotes, statistics and information to present a conclusive case. In fact non fiction books are becoming the new journalism. Bob Woodward breaks his stories these days in hard backs which *The Washington Post* extracts. Non fiction sells better than fiction. Navigating a path from journalism to fiction is more fraught. Creative writing courses around the country are cultivating novelists at the very time publishers are pruning their fiction lists. It is not just squeezing through the eye of this needle that troubles journalists who attempt to cross over from fact to fiction.

Recently *The Sunday Age* asked federal cabinet ministers to name the books on their bedside table. These polls are idiotic. As if Tony Abbott is going to own up to back issues of *Ralph* or *The Bride Stripped*

*Bare*. As if John Howard would allow himself to promote Robert Manne's latest collection of essays or admit to leafing through the Ikea catalogue. Would Nick Minchin lay claim to Dennis Altman's *51st State*. But newspapers love lists and Peter Costello kindly included my novel in his. The country's most prolific literary critic, Peter Craven, was called to adjudicate upon the merits of their brain food and he acknowledged grudgingly that the Treasurer deserved points for reading new Australian fiction, "albeit by a journalist".

Albeit by a journalist. Journalism is a professional dogtag worn like the mark of Cain, a hump back which diverts you to the cultural equivalent of the para-Olympics. Journalists have carriage of the facts but can't be trusted with them so for heaven's sake don't let them thunder around the fiction department. This is a measure of our rock bottom stocks for all the usual reasons. We're untrustworthy, we exploit, we distort, we're slippery, self-serving, we put people on a pedestal, we tear them down, we get people's names wrong, we blame the subs. All of these occupational hazards are in my mind preferable to Craven's assumption that we are a lumpen caste of sausage fingered lead footed scribes unfit for the higher altitudes of imagined worlds. This in an anti-protectionist era when professions are revolving doors, pit stops along an ever lengthening life cycle. Peter Goldsworthy is a writer in the morning and a doctor in the afternoons.

Journalists do not as a rule take up the scalpel but there is an apocryphal story of the former Labor staffer who became political correspondent for the *Sydney Morning Herald*. The journalist has an identical twin brother who's an obstetrician. One day, so the story goes, the wife of a federal Liberal MP was rushed in to a Sydney hospital for an emergency caesarian. She looks up from the operating table and thinks she sees the journalist gowned up, scalpel in hand and faints.

Gatekeepers like Craven suffer a similiar reaction when they scan the new release shelf for Australian fiction and see me nestled between the spines of novels by Kate Grenville or David Malouf. This snobbery spills into the market place. A friend who owns an independent bookshop in Canberra says she never knows whether to say when she's recommending my novel – "Kate Legge's a journalist who writes for *The Australian*" – because more often than not her literary customers screw up their nose at the mere mention of the word journalist as if she is proposing that they date Mr Baldy. Even critics who fall in love with your book can't help but trace the imprint of a journalist. One reviewer described a bitten off quality necessary to the tempo of my trade: "Small bundles of words, packets of conversation, description or reflection string together to fit intricately and smoothly into a wider frame." It is as though the journalism infects the fiction, particularly if you write about contemporary life.

This is not sour grapes. Journalism gives you a profile which helps grab attention and I've been blessed with more than enough praise and warmth to fire me up for a second effort. But I was asked to speak on the journey from fact to fiction which gives me a licence to at least touch on the experience of being misunderstood. Historian, Jennifer Kloester, writing in the *Australian Literary Review*, described *The Unexpected Elements of Love* as the "latest offering in the relatively new genre of 'issues-based' novels".

Kloester, like Craven, sniffs a weasel in the clover. She presents me as a journalist who has run off with the news list from the 5pm afternoon conference tucked under my arm. She applies standards of objectivity to my novel as if it should measure up to journalism's demand for balance. She says: "Legge's depictions of old age, nursing homes, married life, parenting and the weather are frequently negative, whereas many people find much that is positive and uplifting in their experience of these things". This is the sort of jab you might get from a newspaper editor cranky at bias.

My first instinct was to answer with a fistful of facts, because several years after writing my first draft I went on to cover aged care for *The Australian* and I was gobsmacked frequently by life's imitation of the fiction that lay in a folder under my bed. But of course it's absurd to argue back. After all we're talking about fiction, aren't we.

Would Kloester tell Lionel Shriver who wrote the acclaimed novel *We Need To Talk About Kevin* that most mothers are not ambivalent about their children and would never throw a child across the room so forcefully as to break his arm. Yes, according to Shriver, a columnist with *The Guardian*, who was flummoxed by a bossy subset of her audience insisting on applying non fiction standards to her fiction. Any day now she says she expects the British equivalent of DOCS to knock on her door saying, "Lady we're here to arrest your narrator."

The blurring of fiction and non fiction is disturbing. When I told people I was writing a novel I was amazed by how many educated Australians asked whether my novel was fiction or non fiction. The confusion reflects a confluence of cultural trends. These include the packaging of reality as entertainment; the rise of the historical novel; the fictionalised memoir, the role of research in fiction; and the pressure to boost sales of fiction through media interviews. Talking points provide a hook. You can't expect drive time hosts to debate literary traditions so authors are encouraged to peddle "iss-sews" unless they can fall back on an unorthodox childhood or the experience of surviving abuse, penury, dictatorship, migration or an epic tragedy. Authors find themselves dressing up fiction in the pin striped garb of fact. If you write about the here and now then your fiction inevitably leeches into fact. Every time there's a high school shooting, and we've had three of these episodes in the United States

during the past month, Lionel Shriver's fictional story about Kevin's involvement in a similarly grisly rampage seems somehow more authentic.

In 2003, David Marr urged Australian writers to address the times we live in. If the themes explored in my novel are presented as a tick list of contemporary anxieties it does rather sound as though I have plundered the news conference agenda. Climate change, working mothers, medicating difficult children, old age, dementia, fertility. The test of success is how deftly an author weaves social themes through the pages of the novel. But issues based novels are not new. Not even relatively new. The only new thing about issues in fiction is our use of the word "issues" for what was once the province of plot and character. I love Charles Dickens' novels for their panoramic social landscape. His depiction of London work houses, the transportation system, class, identity, patronage. Flash forward to Ian McEwan's brilliant book *Saturday* which unravels against the backdrop of a protest against Britain's involvement in Iraq and comments on empty nesters, ageing and dementia, class, competitiveness. There are issues on every page. Clearly I'm not in the league of these masters, but I have done what they do. I have observed what is going on outside my window in the nooks and crannies of our continent.

I grew up expecting to write a novel. My father is an historian who has published books. My mother was a librarian who furnished our lives with stories. I filled exercise books with girlish tales of outback adventures. I didn't discover journalism until I edited Melbourne University's student newspaper *Farrago* and realised I could get paid for having so much fun. A meal ticket one of my colleagues dubs the bubble bath cage. Comfortable, but ultimately limiting. I didn't consider for a moment that in these days of hyper marketing I might muddy my brand, flinging me into the vocational equivalent of Villawood, professional status in doubt.

To celebrate my arrival in this odd place I recently purchased a painting by Victorian artist Katherine Hattam called "*Fact-Fiction*". She has created a view of the Otway Ranges, using pages from non-fiction paperbacks which she has painted in shades of blue, leaving strips of finely printed text to suggest the spindly trunks and boughs of gum trees. The picture appeals to me for a number of reasons, not all of them aesthetic. Firstly the books Hattam recycles in her art are Penguins, and Penguin published my novel. Secondly the orange spines of Penguin's fiction classics are piled on a table in the foreground and one of these books is by Iris Murdoch who's life provided inspiration for my novel. But more than these personal resonances Hattam's picture describes the curious intersection of fact and fiction. The habit of taking what we know and turning it into something else. From afar the finely printed pages look like the

scribbly bark of trees. Up close you can read scraps of Freud and psychoanalytic theory.

I want to take you on a brief tour of this cross-roads – to look at how a lifetime of fact prepares you for a foray into fiction, for moving from the sprint of daily deadlines to the very different rhythm and pace of long distance writing; from newspapers dominated by men to a publishing industry colonised by women; from profiling other people to talking about myself; from stories where the plot is already written to crafting a narrative from scratch; from the business of quotes to the challenge of dialogue.

But for those in the audience who have not read *The Unexpected Elements of Love* I want to show you where the story comes from. I didn't set out to write about issues or social hot spots. One thing journalism teaches you is the fickle nature of news. What's hot one day, stinks the next. My first draft was written in 2000, six years before publication. The story of two families encountering unexpected disruption did not substantially change for all the whittling and polishing. Former journalist and Pulitzer Prize winning author Geraldine Brooks felt I captured the way we sound now, right this minute. Jo Case the deputy editor of the *Australian Book Review* described the world in my pages as disturbingly familiar. Reflecting on the death of many social novels which subvert character to story she thought I managed to pull it off. The exciting thing about the book she said was there so much to talk and think about.

The original manuscript was called *Under the Weather*, and the weather is a major character in the book. My interest in the weather goes back to a childhood short story, possibly science fiction, which I remember vividly. It told of a girl who dreams the world is freezing and wakes to find it frying instead. She touches the window and her skin sticks to the glass. I have been waiting for the warming ever since. City dwellers are disconnected from the weather. We have air conditioning, heating, automatic sprinkling systems to trick us into thinking we can control temperature with the flick of a thermostat. We live a long way from the country towns running out of water. In 1997 I went to interview farming families in dry far north west Queensland. They were not connected to the electricity grid and relied on kerosene generators to power everything from lights to ventilator machines for asthmatic children. Drought stricken they searched the sky for signs of rain. I returned to Sydney and remember driving home through a torrential downpour, city lights beaming from deserted office blocks.

In my book the weather intrudes, it talks, it menaces, it makes itself heard through the lives of the characters, principally the character of Roy, a famous sculptor in his 70s who is grappling with his last public commission as he experiences the first shudders of dementia. Iris Murdoch's slide into Alzheimer's gave me the idea for

Roy, but his art is inspired by the works of the Sydney sculptor, the late Bronwyn Oliver and the Vietnamese American Maya Lin who is best known for the Vietnam War memorial in Washington DC. Roy is a scavenger, an artist who pockets objects that take his fancy whether he walks along shore lines or inner city gutters. He's a man who hears the polar ice caps melting, who is desperate to wake the world to what is happening at the very moment that his mind and his cognitive faculties are beginning to fail him. Roy has his wife Beth beside him, a partnership of almost 50 years. In my book that feat alone is a work of art.

The parallel story to Roy and Beth traces the fortunes of a younger family who are having difficulty with their eight year old son Harry. Harry, like Roy, feels everything intensely and is afraid of the weather too. Harry and Roy are never formally introduced but they encounter each other in the opening and closing pages of the book. There is a sense that art will save Harry just as it has served Roy.

This is a book about creativity, art, the natural order of disorder as much as the un-natural fluctuations and extremes, the topsy of domestic climates and the turvy of larger global changes confronting us all. It is not a balanced presentation of "issues". Not even terribly well researched because after 25 years of chasing leaked documents and teasing information from reluctant sources it was bliss to write free of beady eyed PAs, press secretaries, media advisers all of them spinning, back pedalling, obfuscating, standing between me and a story. No notebook, no deadline, no hiccups with the tape recorder. No unreliable deep throats. No quotes. I could make the whole thing up. I could draw from life, working like a quilter which is the way novelists work, gathering swatches of memory and experience – the sound of a clock ticking in a grandmother's cool dark hallway, an eccentric uncle's habit of using snuff, details of life that lodge in your brain or your heart, an unforgettable gesture that sticks with you – these are the pieces you marry and sew together to create a pattern that is vividly original.

As a journalist I have always taken as much care of the writing as I have of the facts. The author Donna Tartt once described the hours she spends shifting commas around and I admit to wasting years in similar pursuit. One of my friends calls me the queen of the first par and I am still prone to dissolving into tears when I pick up the paper sometimes and see what has spewed out. When I joined *The Age* in 1981 the front page wasn't complete without a wry, beautifully written piece of colour, a musing, a meditation on a quirky character or aspect of life. I was taught that if my words rolled off the end of the typewriter they were cliches. The late Robert Haupt one of my early mentors hired me to cover Canberra when *The National Times* became *The Times on Sunday*. In our inaugural edition in May 1987 I put

together a preview of the forthcoming budget. Hauptie rang me from Sydney to brainstorm headlines. He didn't want to run a headline that said "big welfare cuts". He felt a new newspaper demanded a new language. We decided to go with: "The human face of the budget. colour it grey." Needless to say the paper met a premature death. Haupt was one of many gifted scribes or editors who influenced me – James Hall, Shelley Gare, Eric Beecher, Paul Kelly. "This reads like a thick doughy pudding," Gare once said. "You need some pockets of air to leaven it up." I've been lucky to work with the best.

There is less polish, and less attention to language in newspapers today. But I think a budding novelist can learn as much in a newsroom as she can in a creative writing course. My son recently did work experience at *The Age*. He went to a launch of fashion for the spring racing carnival being sponsored by the paper. An editor sidled up to him to teach him the importance of detail. "Look at that woman's legs," the editor said, indicating a lady on the podium who had applied tanning lotion unevenly. His lesson was critical. The novelist's eye for detail can mark the difference between a drab report and one that crackles. In journalism these details can be inflated and taken out of context. In fiction you can play with them endlessly like commas, magnify them, use them to telescope character or to thread a narrative necklace.

The snobbery amongst literary gatekeepers towards journalists is misplaced. Journalism teaches you to write. Its deadlines impose great discipline. If Neville Wran steps down for a Royal Commission and you're manning the Sydney bureau for a Victorian paper you bang out 3500 words – a news story, an analysis, a feature on the history of the Wran Government. You learn to stitch together swatches of material that do not fit. You visit peoples houses and tour their lives listening to their stories. You read faces searching for tension or emotion, you observe gestures of grief or frustration, you meet whistle blowers consumed by paranoia, you are invited into living rooms and kitchens and bedrooms. You might attend the handover of Uluru and travel through another Australia where town camps spill over with mangy dogs and petrol sniffing kids. Your curiosity tugs your gaze this way and that. You have conversations about ideas and trends long before the rest of the country.

Former US journalist and political spin meister David Gergen said that as a speech writer for Richard Nixon he was told that by the time he has addressed a theme so often that it makes him sick to regurgitate it again the message is only just being heard by the public. I read about the ageing of Australia in a dry bureaucratic report that came across my desk in Canberra 23 years ago, two decades before Peter Costello launched his inter-generational report, years before business, bureaucrats, friends and families began talking

about elderly parents. You have an ear to the ground listening for the rumble of subterranean shifts. You do this day in and day out. Honing your skills as a story teller. Earning a PhD in power and people. You learn to study problems from every angle. Your prejudices and assumptions are turned inside out.

What better training ground for a novelist. There are of course bad habits you have to unlearn. You have to uncouple yourself from the short term daily deadline. You have to write for the love of it and not at the behest of an editorial directive. You have to write because you have something to say or questions you wish to explore. You have to learn not to write the next three sentences giving the reader enough to tease their imagination and compel them forward. You have to learn to plot a narrative arc in a world where fiction is faster and pacier and Proust's amber coloured reminiscing would never be plucked from the slush pile.

Like Katherine Hattam's picture – *Fact-Fiction* – I have taken bits and pieces of the world I know and created another perspective. The test of success is whether readers feel the roughly sanded texture of social affairs or lose themselves in a world that is familiar yet freshly original. Art is a risky enterprise. You don't need a licence or a visa or a degree in creative writing to attempt a novel. You need a keen eye, a quiet place, a love of language, and a heart for adventure. It matters not so much where you come from but what you do once you get there that counts.

## FUNCTIONS - 2006



*Photographer: David Karonidis*

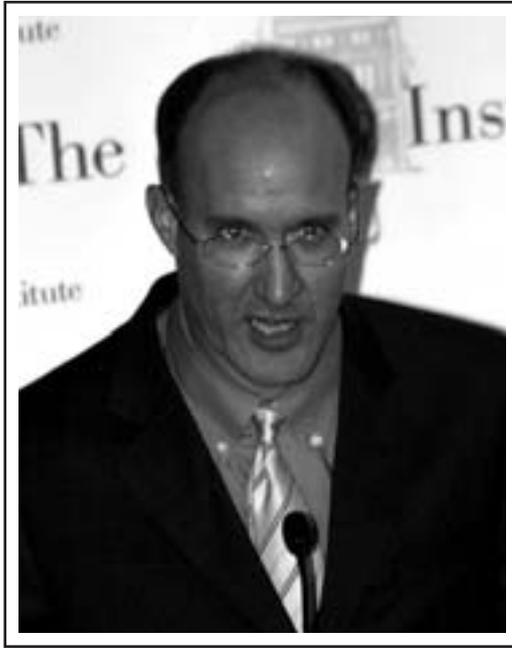


Photo - David Karonidis

*Zachary Abuza*

Zachary Abuza, who is Associate Professor of Political Science at Simmons College in Boston, says Al-Qaeda is not an “organisation” but “the rolodex of terrorism,” a network much like one might collect in one’s personal life, with wide international contacts that might wax and wane over time for particular purposes. This network, though comprising a tiny fraction of Muslim populations around the world, has been able to grow because of a number of ingredients that combine in a lethal concoction. To reflect on the growing threat of Muslim terrorist groups to security in South East Asia, Zachary Abuza addressed The Sydney Institute on Monday 9 October 2006. Dr Abuza’s visit to Australia was sponsored by the Australia/Israel Jewish Affairs Council.

# THE STATE OF JEMAAH

**ISLAMIAH**

**Zachary Abuza**

Jemaah Islamiyah (JI) is a radical Salafist jihadist organisation committed to turning Indonesia and the rest of Muslim Southeast Asia into an Islamic state (*Nusantara Raya*). Former members of Darul Islam, Abdullah Sungkar and Abu Bakar Ba'asyir, who had become frustrated with the organisation's quietest approach to implementing an Islamic state and the gradual political emasculation of Islamists, following the 1965 coup by Major General Suharto founded JI in 1992-93.<sup>1</sup>

JI was established with the explicit intent of being a covert organisation that would bring down the secular state through force and some political struggle. JI's leaders sought the approval of the Al-Qaeda leadership in the group's founding and received financial and material support from Al-Qaeda; several of its top leaders were concurrently members of Al-Qaeda and its top operatives were trained in Al-Qaeda's Afghan camps beginning in the late-1990s. JI established two paramilitaries, the Laskar Mujahidin (Malukus) and the Laskar Jundullah (Central Sulawesi) that engaged in sectarian bloodletting immediately following the fall of Indonesia's strong man Major General Suharto in May 1998. JI was quick to take advantage of the collapse of the authoritarian and overly centralised secular state. JI began its bombing campaign in 2000 and, since the Bali attacks of October 2002, JI has perpetrated roughly one major attack a year and employed eight suicide bombers (JW Marriott, Jakarta, August 2003; the Australian Embassy, Jakarta, September 2004; three restaurants, Bali, October 2005), making JI the most consistently lethal Al-Qaeda affiliated group in the world.

Yet, JI has been in throes since the war on terror began in the region. More than 400 members have been arrested, and Indonesia alone has prosecuted over 250 militants, including many of its top leaders and operatives; its regional system of cells (*mantiqis*) has been eviscerated, and overall command and control has significantly broken down. JI's capabilities have been significantly down-graded,

yet JI remains a remarkably resilient organisation, and one with a very long-term agenda.

In 2005, Noordin Mohammad Top announced the formation of a new group, Tandzim Qoedtatal Jihad (TQJ) that represents the JI faction that has a decidedly anti-Western, pro-bombing agenda. It is not clear the degree to which that the Tandzim Qoedtatal Jihad is still within the formal JI structure. It is possible that the announcement was simply to confuse the security services. Nor is it clear which of these members are in the TQJ, as several have ties with both sides of JI (i.e. Zulkarnaen). With the death of Dr. Azahari and the capture of his cache of explosives in November 2005, JI has not been able to perpetrate a major attack.

JI is a manageable threat, especially in the short-term. In addition to exogenous variables, there are seven factors that must be understood to determine JI's renewed strength and degree that it poses a threat to regional security.

### **Organisational Dynamics**

There are roughly 15 very hardened leaders still at large, some with significant organisation skills (Noordin Muhammad Top, Umar Patek, Abu Dujana), or technical/military capabilities (i.e. Zulkarnaen, Dulmatin), and a cadre who have regrouped on the southern Philippine island of Mindanao where they are protected by the MILF (Dulmatin, Umar Patek, Zulkifli bin Hir). Others have longstanding ties to Al-Qaeda and its financing mechanisms (Parlindigan Siregar, Aris Munandar and Zulkifli Marzuki). JI is a very horizontal organisation comprised of many autonomous and compartmentalised cells. Noordin Mohammad Top wrote an 82-page tract based on the theoretical model espoused by Abu Musab al-Suri, Al-Qaeda's leading theorist, on how to establish loosely affiliated jihadi cells.

Recruitment is based on trust, and the most important determinants are kinship (brothers, spouses-arranged marriage, father-son), mosque, madrassah, friendship and recruitment through participation in sectarian conflict. Their message is very basic and focuses on a few key issues that have broad resonance: Islam is under attack; the war on terror is anti-Muslim; Americans are aggressive, occupy Muslim lands and kill Muslim civilians; the west props-up apostate (*murtad*) regimes; it is a religious obligation (*fard ayn*) to wage jihad; and Muslim lands must be defended against foreign influence and occupation.

### **Ability to learn**

JI has demonstrated an ability to learn from past operations and from the experience of other organisations. *The General Manual for Operations*, a section of the PUPJI, details the four-stages of

operations: 1) Planning, 2) Execution, 3) Reporting, and 4) Evaluation. Emphasis is placed on education, meticulous planning, and learning from past acts (including mistakes). The shift from large truck bombs to small backpack bombs could be explained by a shortage of materials or simply a desire to increase the tempo of attacks, but it could also demonstrate learning; a desire to evade CT-counter-measures. JI members are cognizant that they have few resources and are confronting powerful states and, hence, must be adaptive.

### **Ideological Appeal: Islam Is Under Attack**

JI has done a very good job in broadening its ideological appeal, and increasingly people support both its means and ends. Mukhlas has broadened the concept of a “defensive Jihad,” which has allowed JI to co-opt parallel networks, such as using Darul Islam cells for certain operations. The October 2004 Muhammadiyah poll found an alarming upsurge in support for terrorists. Sixteen per cent of the respondents agreed with the bombers, while 25 per cent refused to disagree with their means and ends. “There is a significant number of Indonesians, at least half, [who] do not have a negative reaction to that and they agree with silence at least, or protect this kind of activity,” wrote pollster Saiful Mujani. “Of the 40 per cent of respondents who had heard of Jemaah Islamiyah, one third explicitly supported them.”

The Indonesia Survey Institute poll conducted in September to October 2006 found that 17.4 per cent of people supported JI’s use of violence to establish an Islamic state. A similar number, 16.1 per cent, actively supported the MMI, JI’s overt arm. Most alarming is that when asked if they supported the actions of Imam Samudra, who is now awaiting a firing squad for his role in the Bali bombing, 9 per cent of the respondents said “yes.” According to the pollsters: “They approved the bombings conducted... in Bali with the excuse of defending Islam.” “Jihad that has been understood partially and practised with violence is justified by around one in 10 Indonesian Muslims.” While the Pew Center for People and the Press 2005 polling data showed support for violent jihad had fallen from 27 per cent in August to 15 per cent, while those who said violence can never be justified grew from 54 per cent to 66 per cent, the Pew survey had one fascinating number that few analysts have latched onto: the number of Indonesians who believed their religion is “under attack” grew from 15 per cent to over 80 per cent. This is significant as Dr Christine Fair and Hussain Haqqani have found that the single greatest indicator as to why people support suicide terrorism is the degree to which people believe their religion is under attack.

## **Mindanao**

The Moro Islamic Liberation Front (MILF), a Philippine Muslim secessionist organisation, has given sanctuary and training facilities to JI since 1996. That training has been greatly diminished since 2001, but JI members arrested in Indonesia, Malaysia and the Philippines since 2004 have all confirmed that the training is continuing, albeit at a lower rate. Following an attempted November 2004 bombing by Philippine armed forces of an MILF safehouse where top MILF hardliners, JI members and a leader of the ASG were meeting, the MILF leadership expelled the three most well known militants: Dulmatin, Umar Patek and Khadaffy Janjalani who retreated to Jolo. While it was in the MILF's ability to arrest the three, under intense international pressure they simply pushed them out. Many hardliners in the MILF have little confidence in the government or the peace process and simply do not want to sever ties to the international jihadist community. The MILF maintains ties with JI at a low enough level that they are plausibly deniable.

At present, the ASG's ties with some five to ten JI members under the leadership of Dulmatin and Umar Patek is not in doubt. There are larger questions of whether the two have been separated from other JI leaders in Indonesia following the August 2005 arrest of Abdullah Sunata (the central Java cell leader in charge of liaison with the JI cells in Mindanao), or from JI cells in central Mindanao, now headed by Malaysian Zulkifli bin Hir.

There is now a historically unprecedented degree of security cooperation amongst the Philippines, Malaysia and Indonesia, especially in patrolling the waters between Kelamantan, Sabah and the Sulu Archipelago, which has proven to be one of JI's Achilles' heels. Australia has pledged 30 small maritime craft that will further assist the Philippine government's efforts. From 2002-2005, Philippine naval forces interdicted 5,000 illegal entries; though most were smugglers, it is also having a deterrent capability. In March-April 2006, Malaysians arrested a 12-man Darul Islam cell that was responsible for providing logistics and transportation between Indonesia and the Philippines.

## **Sectarian bloodletting**

While some contend that there are deep factional rifts in JI, between proponents of sectarian bloodletting and those who want to target the West, I see them as tactical rather than strategic shifts, but strategies that nonetheless are not mutually exclusive. There has been an alarming up-tick in attacks, including bombings, targeted assassinations, and raids on military/police facilities. Since October 2004, there have been at least 28 successful bombings, resulting in the deaths of 48. Most were small and a handful of larger bombs

killed the majority of the victims. Police found, seized or defused 260 IEDs. There have been more than 60 bombings since the Malino peace agreement was signed on 12th March 2001. More than 21 people, including five police, were gunned down, and most infamously, militants beheaded three schoolgirls. Most of the bombs are quite small and three were responsible for almost half the casualties.

Attacks, including the beheadings of three schoolgirls, are meant to undermine confidence in the state. Clearly people are out to undermine the Malino Accords. It is clearly a reprisal of the “*uhud* project” of 1998-2001 in which JI sought to establish *hijrah*, a secure base area governed by *sharia* where they could train and emanate outwards. JI seeks to provoke attacks based on its broadened definition of a defensive jihad.

### **The inverse triangle**

Finally, JI has adopted a relatively new strategy to both build up their popular support and forge greater links to Islamist parties and organisations: good deeds, social work, and charity, what I refer to as the “inverse triangle.” The inverse triangle is an organisational design, most famously employed by Hamas, in which most of a group’s activities are overt, such as charitable work, while only a small component of the organisation remains a clandestine terrorist cell. Previously, JI embedded members or co-opted two Saudi charities (Al Haramain and the IIRO) and their Indonesian counterparts (KOMPAK and MERC) that were used to support militant activities. While JI benefited from these relations, they were always ancillary organisations, created to assist jihadist activities. This is changing.

The humanitarian catastrophe caused by the December 2004 tsunami that killed more than 165,000 people drew out three militant Islamist organisations and charities linked to JI: the MMI, the Laskar Mujahidin and MERC. All of these organisations had been active in the sectarian bloodletting in 1998-2001 but were in retreat following the October 2002 Bali bombing. Following the June 2006 earthquake in Java, the MMI received a contract from the World Food Program to help deliver 95 tons of food. Australian diplomatic pressure forced the WFP to cancel the contract, an act that the MMI called “racist”. It was not racist, but legally mandated. Ba’asyir was designated by the US Department of the Treasury and proscribed under the UNSC’s 1267 Committee on 13 April 2006. The MMI’s acting chairman, Abu Jibril, was designated on 22 January 2003. Technically it is illegal for Ba’asyir, Jibril or any organisation connected to them to raise money.

In the coming years, JI will spend significant material and human resources on overt activities for four key reasons. First, there have been token arrests and release of key leaders, for whom militancy is simply an unavailable course of action. Moreover, they have experience

in running JI's overt arms in the past. Second, the government has tolerated this in the belief that these JI leaders can be weaned from violence; that it is better to have them involved in overt and non-violent activities, which are welcomed by the state. Third, few politicians are willing to expend the political capital or incur the wrath of the Islamist parties to try to halt their activities. Fourth, JI wants to emulate the Prosperous Justice Party, the fastest growing party, which increased its share of the vote from under two per cent in 1999 to almost 8 per cent in 2004; in large part because of their social welfare program not their call for *sharia*.

In short, JI has taken advantage of an opening at the same time that militancy had become counter productive and as political will to take on the terrorist infrastructure waned. JI's emphasis on *da'wah* and charity will make JI more durable over the long term. While the Indonesian government has shown remarkable resolve in going after and putting people on trial for direct participation in terrorist acts, it has not targeted JI's social networks. Inexplicably, JI is still not criminalised and mere membership is not a crime. Indonesia has defaulted in its obligations to both freeze the assets and ban fundraising of those on the UNSC's 1267 list. While the government announced that, "As a responsible member of the UN, we will follow Resolution No. 1267, which obliges us to ban those on the list from traveling", the government made no mention of Indonesia's concurrent financial obligations. Jibril and Ba'asyir continue to fundraise. Aris Munandar, likewise, was designated but KOMPAK's operations continue. While the Indonesian branch of Al Haramain was designated on 22 January 2004, they are operating under a new name. There is little evidence that the Indonesians have seized any of the assets or halted the activities of the IIRO, which was designated on 3 August 2006.

This unwillingness to take on the terrorist infrastructure is both regrettable and negligent. JI has a very long-term timetable. By pursuing overt strategies JI is able to forge closer ties with Islamists who might otherwise eschew their violence. JI is thus no longer seen as a radical fringe, though their agenda has not changed. There is scant evidence that JI can be weaned off terrorism.

JI has a 30-40 year timetable for their initial goal of turning Indonesia into an Islamic state. They have a very long-term agenda and are not defeated by short-term setbacks. The organisational model, as established by Abdullah Azzam, theologially justifies strategic retreats. In sum, JI as a short-term threat has been greatly reduced by significant improvements in policing and intelligence collection and international cooperation. Yet, JI remains a long-term threat to regional security. At present JI is focusing less of its activities on perpetrating attacks than in patiently rebuilding its depleted ranks, indoctrinating a new generation

through overt da'wah activities, and building up popular support through social welfare organisations.

## Endnote

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- 1 Darul Islam (DI) was founded in 1947 by Sekarmadji Maridjan Kartosuwiryo and its espoused goal of DI was to establish an Islamic state in Indonesia (Negara Islam Indonesia). To that end, Indonesia's anti-colonial war against the Dutch was in reality a triangular war, with Kartosuwiryo's forces battling Sukarno's nationalists, as well as the Dutch. Kartosuwiryo was captured and executed in 1962, and the group fell into disarray and factionalized. Under Suharto's New Order (1965-1998), DI in some way paralleled the Egyptian Muslim Brotherhood under Anwar Sadat. Though the organisation was illegal, it had become non-violent and individual membership was quietly tolerated by the regime. JI is a direct offshoot of Darul Islam and many JI members are the children of Darul Islam members. JI has also been able to effectively tap into DI networks for operations, including the JW Marriott bombing in Jakarta in August 2003, which has extended the group's reach. In many ways DI is the foundation upon which JI has been built, though it is clear that many – but not all – in DI reject the Al-Qaeda strategy of targeting the far enemy.



Photo - David Karonidis

*Peter Debnam*

NSW Liberal Leader Peter Debnam, in a speech to The Sydney Institute on Wednesday 11 October 2006, outlined his Party's determination to "change New South Wales". Facing the grueling task of Opposition Leader in the lead-up to a State election, Peter Debnam made clear the distinction between Labor and Liberal policies for New South Wales, and vowed a Liberal government would "swap bureaucrats for nurses, teachers and police. ... to take the funding out of the bloated bureaucracy and move it to frontline services or tax cuts".

# MY VISION FOR NEW

## *SOUTH WALES*

**Peter Debnam**

A little under six months before the election it's great to have an opportunity to have a chat to such a distinguished crowd of people. Tonight I want to talk to you about what I believe my role is as Leader of the Opposition and also outline my vision for New South Wales.

### **The job of Opposition**

First let me explain to you what I see my role is as the Opposition leader and what is the job of the Opposition. I believe it's threefold. First it's to highlight the failings of the State government, and the difficulty we've got with that is that the government is falling apart at the seams in every single portfolio. One of the challenges in highlighting their failings is that there is finite media space so we have to ration the issues and try to make sure that in each media cycle, each day, we are out getting one of those issues up that is making a real difference to the people of NSW, and I'll come to those issues in a minute. So highlighting the failings of the government is clearly one of the major roles of any Opposition and it is what is expected of us throughout the political cycle.

Our second role is to propose alternatives. In the Westminster system what you get is oppositions putting up ideas, and we are continually doing that, but if they're good policy and good politics, the government would have to be completely stupid not to actually take them. What they typically do is wait two or three weeks, and if it is good policy and it is good politics then they adopt it themselves. That doesn't fess us, because one of the challenges for us is to make sure commentators in the lead up to the election are actually saying we are credible, and reporting the fact that we are actually leading the policy debate from opposition, and even implementing change from opposition.

So for example over recent years we've pushed the tax debate, including Land Tax, going back to 1997. We have also campaigned for cutting Payroll Tax and we have campaigned against Labor's Vendor Tax. We have campaigned against the business taxes, the

nuisance taxes that should've gone under the GST, and we have also campaigned on freezing the Clubs Tax, where we reached an agreement with the Clubs in October last year. It took the government about five months and then they also reached agreement with the Clubs. On all these tax issues we've led the debate, and we've pushed hard for change. We've also campaigned hard for change on Worker's Compensation and we've actually achieved significant reductions on Worker's Compensation Premiums, and there's more to come.

On the Desalination Plant, if you remember, a little over a year and a quarter ago the government decided that desalination was a good idea. They made that decision because at that time they were doing the same calculation we were, which was that if it didn't rain between early last year and the election in March next year the water in the dam would run out three weeks before the election. So they decided that they had to do something about it, and their first response was to go out and buy an off-the-shelf water machine. It was going to cost a little over \$2 billion dollars and it was a bad idea, but the reaction of the community at the time was, "well at least they're doing something". But after three or four months the community actually started to realise it was environmentally a bad thing to do and that it was a very expensive option to deliver water, and the people of the Kurnell peninsula certainly didn't want it so the government changed its mind.

We've also led the debate on police numbers and policing strategies. Over the last three years the Labor Government has cut 650 Police out of New South Wales and we've forced them to promise to reinstate those police. They're now going to do it within six weeks of the election, so when we get to the election those numbers will be reinstated. So we've forced them to change policing strategies over the years and that's a good outcome. We've led the debate on alternative fuels in New South Wales, and especially on ethanol. I've held a couple of industry roundtables about ethanol over the last three months, and we have actually achieved a significant shift in the attitude of not only the state government but also the federal government that has actually made more subsidies available to promote ethanol in the last few months.

On mental health, we were the first to actually appoint a frontbencher in Australia, in government or opposition, on mental health issues in February last year. A lot has changed in a year and a half, and there's been a significant improvement in that situation, not necessarily in New South Wales in terms of funding, but certainly across Australia in acknowledging mental health is a real issue for everybody in the community. This morning Gladys Berejiklian and I launched our Mental Health Policy for the election at Rozelle.

Hopefully that will get some media in the next 24 hours in addition to the coverage it received in the *Sydney Morning Herald* this morning.

The third job of the Opposition is clearly to win the election and our view is the people of New South Wales will judge us at that election on how well we hold the Government to account and also how well we set out a credible alternative and lead the agenda. In terms of the election itself there's three things we've got to focus on. There's candidates, one's fundraising and one's campaigning. In terms of candidates, in my twenty years in the Party, I have never seen a better crop of candidates in New South Wales in the State Election. And we're very proud of that. We've expended a lot of blood, sweat and tears in getting a lot of people through a lot of pre selections this year, in what is a democratic process in the Liberal Party compared to the Labor Party. And it's taken a lot of energy on the part of quite a few of us. But we've ended up with great candidates who are now out in the field and doing a great job.

In terms of fundraising we've got to be relentless because we are competing with the Labor Party that literally vacuums millions of dollars from the union movement. The union movement is in great difficulty so they are very happy to pay protection money to State Labor and to Federal Labor if they can protect the union hierarchies. So there are millions of dollars flowing that way. In terms of campaigning we've got to get our planning right. We've done that and I think we're in a better position now than we've been in previous elections. The Queensland election shows that you absolutely have to have campaign preparations in place. If you can't do the basics in an election campaign, the community will back right away. That's a shame because in Queensland it was clear that Peter Beattie was going to get quite a hammering. He may not have lost the election but he was certainly going to be held to account.

### **Why do it?**

So that's the job of the Opposition Leader. A lot of people say to me, why do you do it? – why do you put yourself through this, what some people consider one of the hardest jobs in Australia. I actually enjoy it. I will never convince people that it is actually a very positive experience because the serious side of politics is very negative. But it's actually a very positive experience and I enjoy what I do. As Opposition Leader, I can also change New South Wales from opposition. So I think the sense of satisfaction is enormous so long as you stay relentless and focused and often ruthless pursuing issues. The stereotyping of politics is all about conflict and you'll never change it because conflict is newsworthy. So what you'll see on TV, in the newspapers and radio is often just the conflict side of politics. That's unfortunate but it's reality.

Local MP's and Shadow Ministers really do see the best and worst of the state. We're confronted regularly and frequently with tragedies where we should be able to do something for people, but quite often we can't. It's those tragedies that actually create the mood for change in state politics. As Opposition Leader I will never meet the six and a half million plus people in New South Wales and local MPs will never meet all the forty four thousand voters in their electorate, but you do meet some of them. Those that you don't meet simply hope that they've elected a person who will do the right thing. It's as simple as that. Most of the voters would never even consider ringing you or writing to you or stopping you in the street. They just hope you're going to do the right thing. I'm very conscious of that responsibility and I know most of my colleagues are.

In terms of what's happening in New South Wales and how I go about my job, what's becoming very evident is that for 12 years you've been paying more and more in New South Wales and getting less and less. That's a message that's coming through, not just from me but also from the community. Everybody knows that. They know that after 12 years of Labor administration in this state the system is paralysed, the bureaucracy is paralysed, decisions aren't being made and it's very costly. People are also taking exception to the fact that many decisions are made in pursuit of political expediency not in the community interest. That comes through very strongly from the community.

I went in search of the vision for the NSW government and tried to find it on their website. I searched the home page of the government and I also thought Premier's Department would have it, but I couldn't find one for Premier's Department or for the government. So I went to the next best, and that's Treasury. Treasury actually has a one sentence vision statement that says, "Promoting State resource management to achieve a stronger New South Wales economy and better public services." Well if that's their vision then they have failed. After 12 years they've simply failed. We don't have better resource management. We don't have a strong New South Wales economy and we certainly don't have better public services. That's the highest-level vision statement I can find from the New South Wales government, and they have failed.

## **A vision for New South Wales**

So what is my vision? First let's have a look at the "visions" that other people use.

Remember some of the guiding statements for a number of other politicians? Bill Clinton had, "it's the economy stupid". In New South Wales it certainly is the economy but with State Government it's also about delivery – delivery of services and infrastructure. If you've had

the opportunity to travel to Queensland recently you would have seen billboards for Peter Beattie in every electorate around the State. Up on each billboard there's a photo of Peter Beattie on the left and a photo of the candidate on the right. And there's three bullet points.

The first bullet point is Strong Leadership, the second bullet point is Strong Economy and the third bullet point is Strong Queensland. That's probably not a bad summary of what it should be in Queensland. There's no doubt Peter Beattie has given strong leadership. In terms of a strong economy, the economy up there is doing fairly well – because they're bludging off us. They're taking some of our money, our GST money, and were trying to get it back. We've been trying to get it back for years. They're benefiting from that. In terms of a strong Queensland, I don't think so. They have had some appalling services, most notably in the hospitals with the Dr Death scandal. They've certainly failed the people over that one. But as an aspirational vision statement I don't think Beattie's billboard message is bad at all.

Go back 20 years and in New South Wales the Labor Party used the same strategy 20 years ago of replacing the Premier to actually pretend they have changed Government.

Barry Unsworth came out and said his vision was “back to basics”. I actually think that's probably right. In the end he didn't do it. He used media manipulation and spin but failed to deliver and the voters recognised that. But he did come out with words that I think mean something, “back to basics”, because that's what state government is all about.

If you listen to Morris Iemma's rhetoric at the moment, he's using “open for business”. Nothing could be further from the truth in New South Wales at the moment. “Open for business”, it's certainly not. In terms of my vision, I don't see it's about process. I don't see it's about rhetoric. It's got to be about people and it's got to be about outcomes in New South Wales. State government is not about finding a formula for world peace. It's actually about managing some of Australia's largest businesses to deliver services and infrastructure. It is an accident of history that if you have a look at the public sector in New South Wales, we actually have the largest businesses in Australia. And if you take your eyes off them they go off the rails. So whatever we do in this State it's got to be very focused on that management approach.

My vision is to ensure that in four years, New South Wales leads Australia again:

1. As the nation's economic engine room;
2. As the most competitive investment market;
3. As a leader in infrastructure delivery;
4. As the most effective in service delivery;
5. As a dynamic innovator in public sector reform;

6. As a transparent and accountable public administration.

## **Responsible government**

We have to deliver change in government. It's also very important we answer the question that everybody else in New South Wales is asking over the last few years, "Where's the money gone?" It is very important that we find out what this Labor administration did with \$400 billion over the last 12 years. \$400 billion was paid out in expenses and on infrastructure projects and yet the backlog in infrastructure projects now goes on for miles itself, and in terms of delivery of services we're well below par. So the first thing we need to do is find out where the money went. Where's the money gone?

To do that we'll establish a Commission of Audit on day one, that will report next year on exactly what happened to all that \$400 billion of revenue that came into the State and also report independently of Treasury on the structure of the Budget and the weaknesses of the Budget and the forecasts. We'll also drive economic renewal from the top, and I'll do it with the assistance of an Economic Development Advisory Board that will draw in the expertise from the business community, from the universities and from the finance sector to make sure that we have got this state headed in the right direction economically and we don't end up with the 12 years of economic vandalism that we've just seen.

We will rationalise the structure of government. It is long overdue and as I said since Nick Greiner reformed the public sector in New South Wales, very little has happened. Jeff Kennett made great strides in Victoria but we haven't seen the same progress in NSW. We will swap bureaucrats for nurses, teachers and police. It's an argument I've been having with the Labor Party for a year now. We announced our recruitment freeze a year ago. The aim is very simple, to take the funding out of the bloated bureaucracy and move it to frontline services or tax cuts.

We will also introduce performance benchmarking. It is something we've spoken about in New South Wales since before I came into parliament 13 years ago. It has never been done and this government has resisted comparisons with other states in most portfolios. We will introduce Ministerial accountability. I announced a few weeks ago that we would be unique in government by actually saying to our Ministers that they will get their ministerial salary based on outcomes. Our Ministers will be judged against key public performance benchmarks each year. If they perform poorly, then they won't get all of the 50 per cent of the ministerial salary that we'll withhold for the year, and unlike this Labor government if they perform badly, they'll get sacked.

My colleagues were actually very enthusiastic about this policy of ministerial accountability. Most of us come from the private sector and most of us have no difficulty with actually tying ourselves to performance. Just about every government around the world now pays senior bureaucrats based on performance pay. They actually say to the senior bureaucrats, “you actually have to perform against outcomes otherwise you won’t get paid”. We are going to do the same with our Ministers.

We will also introduce transparency and parliamentary reform. We will have more to say about that in the next few months and we will highlight the fact that this secret society in New South Wales has to be broken down. This Labor government has fought tooth and nail against letting the most basic information flow into the public domain. We need to change that. We also need to update the processes of Parliament in the community interest, not in the interest of partisan politics.

We want to get government off your back and get out of your pocket. We want you to get on with your job and your life, let you use your creativity and make sure government is not frustrating you as you pursue that objective.

### **Warm, strong and lean**

How would I describe the type of government I want to lead? I’d go with “warm, strong and lean”. We need a lean government. I also think it’s very important that it be a strong government with strong leadership, and it must be warm, because there are a hell of a lot of people in need who are actually not getting the services and support that they deserve and they need in New South Wales.

It is also important that government be focused on outcomes not inputs. Time and time again you will hear the Labor Party tell you that they’re fantastic because there’s a record budget in health, there’s a record budget in police or there’s a record budget in education. They miss the point. Money by itself does nothing in the public sector. We must ensure the funds are available to deliver those services, but it’s also important that we have a management system in place that achieves against outcomes.

Journalists are always asking me, how are you going to pay for all this? A year ago we committed to implement a recruitment freeze on Sydney bureaucrats. 10 per cent of public servants retire or resign every year, and two thirds of the bureaucracy is in Sydney. When these Sydney bureaucrats retire or resign we won’t recruit from outside of the public sector to replace them. That will save millions of dollars a day. We will also rationalise government departments. And we will reduce government advertising. The government is doing an extraordinary amount of advertising on a daily basis on radio,

television and in newspapers. They have perfected the art and they're spending somewhere in the order of \$100 million in this financial year before the election. On average they have spent \$90 million each year for the last 12 years on government advertising and we need to reign that back. They are also spending obscene amounts on consultants despite the fact they've got 366,000 public servants – full-time, part-time and casual. In fact they spend an average \$90 million a year on consultants. We need to reign that back as well.

There's no shortage of examples of other waste and mismanagement that we can reign in. These are big dollars that can be saved and redirected to frontline services and tax cuts. In terms of round numbers the New South Wales Budget is about \$45 billion dollars. The cost of the public servants in New South Wales is around \$21 billion. According to the New South Wales Treasury around 20 per cent of those public servants are backroom bureaucrats. I reckon it's a little higher than this, about one third, meaning every year \$7 billion dollars is put in to the bureaucracy and not into the front line. Not to police, not to nurses, not to teachers, not to frontline managers, not to support staff of the frontline, but \$7 billion each year into the backroom bureaucracy.

So where are we going to be in four years? I'd like you to invite me back as Premier in October 2010 and I want to be able to say to you then that we've achieved a number of things. To me what we can achieve in those four years is the vision that I'm working towards.

My vision is to be able to meet you again in October 2010 and say yes we have:

- Reduced the tax burden and we've attracted investment back in to New South Wales, because currently investors are turning their backs on NSW.
- Achieved significant economic growth in this State because currently Morris Iemma is sending growth through the floor over the next six months.
- Achieved real jobs growth, where currently we've had negative growth over the last year.
- Achieved a 20 per cent reduction in the cost of business regulation, because we've quantified it with the Director-generals of departments and tied their pay to a 5 per cent per annum reduction in the cost of regulation.
- Recovered the housing sector from the worst slump they've seen in forty years, because we're actually building fewer houses today than South Australia, and we're building fewer houses than we were four years ago.
- Lifted secrecy around the budget and around the infrastructure planning process. One of the policies I had in 1999, for the election, was to put on the website the list of

infrastructure, the demand for infrastructure, whether it had been approved or not, what the grading for it was, how it was to be financed. We are actually going to shift that information from the public sector into the public domain and we'll have a dialogue with the community about it.

- Recorded a fourth year of defence industry growth in New South Wales, an area of potential growth that this government has turned their back on for a decade. We've left it to the other states to actually pursue the defence work and there is a lot of dollars out there for us to actually say we want our market share.
- Significantly lifted tourism, another sector in crisis at the moment, and achieved major events every month in those years, something this government has decided not to fund.
- Recycled one of the major ocean outfalls and tripled the number of rainwater tanks in New South Wales through our promotions of subsidies for that.
- Significantly lifted investment in renewable energy technology.
- Reduced commuter travel time. Last year the government actually slowed the train system down in an attempt to make the trains run a little better on time. It hasn't worked and it means that people are spending more time on the train than they are with their kids. If you live in the mountains you are spending an extra two hours a week on the train instead of at work or with your family. We want to change that.
- Achieved a fourth record year in preventative health activities in New South Wales and achieved a drop in obesity and diabetes rates to actually start shifting the balance of funding towards preventative health instead of crisis management.
- Achieved a fourth year of improved dental care, including reducing the waiting lists in dental care. For 10 years we have witnessed a debate about whether dental health is a state or federal responsibility. It was always a state responsibility, and it has now got to the point because the funding hasn't been there that there are 215,000 people on the dental waiting list who just want to get their teeth fixed, including kids of all ages.
- Lifted New South Wales' preschool participation rates to the national average. We are the only State that actually has only 50 per cent of our four year olds attending preschool for two days a week. Almost all the other states are actually at 90 per cent.
- Ensured that every family who's caring for a disabled person gets respite care once a month. The money involved is chicken feed but it's not being done in NSW at the moment. It brings

tears to the eyes of every local MP dealing with this issue as families despair because all they are asking for is one weekend a month of respite care, whether they are dealing with a child or an adult suffering disabilities.

- Led state and federal reforms, especially in the reduction of duplicated bureaucracies and also in reducing business costs and regulations. Some of these absurd duplications across states that are only still in place because they are taxation measures – car registration for example. These duplicated measures are a frustration for everybody, especially in business and we can resolve many of those by getting agreements across the states.
- Delivered a fourth state of the state report that records another year of reduced bureaucratic overheads, more effective services and substantial infrastructure investment. This will be a report card to the community, beyond the budget papers and dealing with outcomes. Those are the objectives I am working towards for our first term in government.

## **Infrastructure**

For 100 years state election campaigns have been fought on health, education, law and order. If you ask people today what the issues are, they will nominate infrastructure, health and the economy, then education, and then law and order, unless they live in southwest Sydney, when law and order will come up near the top of the list. When I came into parliament thirteen years ago you could use the word “infrastructure” and nobody really understood what you were talking about. Now everybody talks to us about infrastructure.

Whether it is water, rail, roads, school maintenance, hospitals, or the planning system failing them, the community is catching all that in the word “infrastructure”. Hospitals also remain critical for families across NSW and it’s the emergency department that they’re particularly concerned about. The fact that our hospitals are not properly funded and the staff are run of their feet is a major concern.

The community is also increasingly concerned about the state economy, particularly in Western Sydney. Families know that while the rest of Australia enjoys economic good times New South Wales has major economic problems, and under the high tax, high cost, high regulation burden in New South Wales, the economy is being suffocated and driven down.

They are the issues that the people of New South Wales talk to me about as I travel around the State and they also tell me they want a government to do what it’s elected to do. In the last twelve years, the Labor government hasn’t done that. A year ago when people met me in the street and talked about the election they were saying good

luck. Now people stop me in the streets and say “you have to win”. The people stopping me in the street include the mother who actually gate-crashed my mental health press conference this morning who wanted to tell me that she had fought for years to get mental health support for her son who is ill. He is now 23 and she just despaired for years. A mother came up to Deborah and me at a Wests Tigers game in Campbelltown and said again, “you have to win, because the resources are not getting to the frontline”. She talked to me about her daughter who was 13 and had suffered from anorexia and was within months of dying before a friend of hers managed to find a way through the system to get her in touch with a specialist at Westmead. Until that point she just couldn’t break through the system to get specialist help.

Then there’s the train driver who stopped me at a press conference outside Miranda Police station and said, “keep going Peter you’ve got to win”. He sent me an email the following day and in that email he told me he was a train driver in the city rail system, he just wanted to be able to do his job without interference from the union hierarchy, without political interference. He just wanted to be able to do a good job for the people of New South Wales.

It’s for those people that I want to make sure we do win, and then I want to make sure we actually do what we are elected to do. In focusing on that win next year on the 24th March, it comes back to me that my job in opposition and my job in government is to stay absolutely focused on achieving results for the people of New South Wales and stay absolutely focused on the issues that matter to them because there are 6 million plus people in NSW who love this state as much as I do and they are getting a lousy deal at the moment.

We’ve got to turn this State around to lead Australia again, because it’s only with a growing economy that we will actually have a healthy state budget, and its only with a healthy state budget that we will have the funding for the nurses, the teachers, the police and to also fix the roads and the other infrastructure.

## **Endnote**

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At the State Election, on Saturday 24 March 2007, the Iemma Labor Government was returned to office.



Photo – David Karonidis

*Mark Scott*

Fairfax editor Mark Scott was appointed Managing Director of the Australian Broadcasting Corporation in May 2006. In an address to The Sydney Institute on Monday 16 October 2006, Mark Scott announced newly revised Editorial Policies at the ABC and predicted they would “stand as the most significant public statement of values made by an ABC Board in over twenty one years”. Mark Scott defended the ABC as the “largest media organisation in the country” but also accepted that criticism of the ABC for bias in some of its content and presentation needed to be addressed.

# THE EDITORIAL

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## *VALUES OF THE ABC*

**Mark Scott**

I am delighted to be able to join you this evening to discuss a very important issue: the editorial values of the ABC. And I very deliberately wanted to speak about this issue here, at The Sydney Institute. It isn't just in the hope that by being my gracious hosts tonight, Gerard and Anne Henderson, might be hospitable to me and sheathe their rapier-like criticism of the ABC for an evening. They are known for calling it as they see it and I appreciate that. So I am ready for an evening of rigorous, intense and well-mannered discussion.

Critics should force the ABC to ask hard questions of itself. I welcome openness in criticism and debate. After all, it's your ABC, and you are all entitled to have a view. You will appreciate as I do, that some Managing Directors of the ABC leave the same way as they arrive – fired with enthusiasm! However, I am heartened by the helpful and positive discussion I have had with staff since my arrival in July, the strong encouragement and support of the Board and the bipartisan way my appointment was welcomed in Canberra.

In my first major, public address on the ABC, I wanted to come and speak on the organisation's editorial values. I would hope in the years ahead, there will be time and opportunity to discuss many other pressing issues at the ABC that go quite beyond the particular focus of tonight's discussion. Because the ABC is entering a period of major transition, as we define what it means to be a public broadcaster in the digital age. We are broadcasting much more than we ever have before: on radio, on television. We are dramatically increasing our online services. We face challenges of dealing with user-generated content and the digital world is voracious in its demands for new material.

We face big operational decisions as the largest and most geographically diverse media organisation in the country. It is a billion dollar annual operation, with more than a billion dollars invested in capital and assets. The precise shape of the organisation in the years ahead, however will be influenced by numerous variables impossible to predict at this point: speed of technological innovation, funding and revenue streams, competition, government policies on spectrum

allocation and digital rollout. In my first months, it has been quite fascinating to wade into these issues. Discussions of such matters are for another time. My initial focus has been on issues that we can control. And in that light, tonight I want to square up to one of the most controversial issues for the ABC – the nature of how it broadcasts its content – its editorial role.

There are three main areas I would like to cover this evening. Firstly, to consider the critics of the ABC and what they are saying. Then to look at how the ABC operates editorially and changes we are making to key policies. Finally, I want to discuss the process by which we can have confidence that the ABC can meet the expectations we set for it.

In my early weeks as Managing Director, I have called on some of the ABC's harshest public critics. And almost to a man and woman, they have been at pains to point out to me how much they love the ABC. The important role it plays in rural Australia, its impact in the region, the diversity of local and international programs on television, the breadth of radio content across five networks. Then comes the "but" – and as my father-in-law has often warned me – ignore everything before the "but". Because after the "but", comes the critique – particularly of the ABC's editorial perspective. A sense that the organisation has issues with balance – and fairness – particularly through its news and current affairs content although some critics would suggest, across its entire content.

I am committed to addressing this issue because I think the organisation has been, at times, too defensive in the face of such criticism. And I think it has been to the detriment of the organisation at times, because in many ways – as even most of its fair-minded critics acknowledge – what the ABC achieves is remarkable. As Managing Director, and as Editor-in-Chief at the ABC, I see we need to address the criticism carefully and comprehensively. To ignore it or reflexively dismiss it only serves to limit ourselves, and is at odds with the ethos of open debate and discourse that is central to our reason for being.

So, who are these critics? From the inside, as the barrage of criticism lands year-in, year-out, it is easy to get defensive in the face of those who are doing the complaining. Let me tell you the arguments I have heard inside the ABC in my first 100 days about the Corporation's critics. Firstly, you might hear about those elected representatives from all sides who complain that questions are too tough or slanted; who do not like probing and rigorous cross-examination. Politicians who complain when they are not invited on for interview and then upset when they are. Politicians who seek to make their professional mark by leaving a mark on the ABC and its Executive – especially through Senate Estimates hearings.

Then you might hear about the columnists from a particular stable who enjoy sport with the national broadcaster in a move that has a little salience with their readership and a lot with their master – a longtime critic of publicly funded media around the world. Where similar lines of criticism can be read in *The Times* of London and *The Australian*; the London *Sun* and Sydney's *The Daily Telegraph*. You might also hear about some of the hardliners – who – when listening to arguments that do not accord with their personal views – take offence and cry bias. Internally, it is too easy to think that if there is enough noise, from enough sides, then we must be averaging out alright.

And then perhaps there are those who sound off against the institution but appear never to be reluctant to sound off before an open microphone and receive an endorsed appearance cheque. Where criticism can be triggered by a scarcity of invitations – and whose criticism can often sound like an audition for a local version of *Grumpy Old Men*.

From the inside, it is easy for the ABC to think it has heard all these criticisms before – over 40 years – from governments of all colours and interest groups and commentators over and over again.

And herein lies a danger. Instead of facing up to these criticisms, it is easy to take comfort in the market research that suggests, conclusively, that the ABC is remarkably popular with its owners – the public. A recent Newspoll indicated 90 per cent of the public believed the ABC provides a valuable or very valuable service. They are numbers every other organisation in the country would covet. And there is comfort in the recent research by Young and Rubicam that said the only brand more popular in Australia than the ABC is Vegemite. Internally it is easier to dwell on surveys like the *Fin Review's* power edition, which said that Radio National was “just a romp in” in terms of cultural power.

The man who described Radio National as a “romp in” was Mark Burrows – investment banker, Chairman of Lazard Australia and Deputy Chairman of Fairfax. Whenever I attended Fairfax Board meetings, I never saw Mark wearing a Che Guevara t-shirt or weaving baskets. So it is easy for the ABC to tell itself that the critics aren't right on who is listening to Radio National. The voice of Fran Kelly accompanies the Prime Minister on his daily dawn power walks. Heather Ridout, of the Australian Industry Group, said that at Radio National, “They're asking questions; they're really testing issues; they're trying to lead agendas.” And, as *The Australian* reminded us recently, when it comes to national reach and influence, nothing beats Radio National breakfast.

Within the ABC, it is easy to say people like us, the ratings are reasonable and the critics are the ones who really don't get it. At times it does appear that criticism of the ABC takes the form of set-piece

theatre – everyone knowing their lines and going through well-known rituals. But finally, such an approach is unwise and not in the interests of the ABC. A certain predictability in the arguments and a defensiveness in response misses the real point – is there substance in the criticism? Does the ABC have a problem with editorial values? It is an important question. It is very clear to me that this pattern of critique and reflexive defence needs to be challenged. It is like a ritual dance with only two steps – and it is unproductive and unedifying for all concerned.

What I am outlining tonight represents the ABC taking the lead to break this ritual. It is a challenge to both ourselves and our critics to learn some new steps and think afresh about how we deliver balance, diversity, impartiality.

First, some context. The ABC is, by far, the largest media organisation in the country. At times when other companies are aggregating, we are getting more local. Tomorrow morning, there will be 65 live microphones broadcasting under the banner of the ABC – different announcers delivering national and local content to practically every place in the country where people live. We run two television networks in Australia – and another into 41 countries across Asia-Pacific. We have countless websites: dominating regional traffic through our local radio ‘backyard’ sites; we have the leading websites for children and a news site set to be relaunched with more video and audio content than any other news site in Australia. And in news and current affairs we are stepping up and delivering more – just at the time our competitors are vacating the field. Channel 9 cancels *Business Sunday*, but the ABC recruits Ali Moore and starts *Lateline Business*. Between 7pm and midnight during the week, the ABC produces two hours of news and current affairs a night – and that’s not including *Four Corners* and *Foreign Correspondent*, nor factoring in eight state and territory based news bulletins.

More than a million Australians a day are watching the 7pm *ABC News* and *7.30 Report* on television, around a million listen to *PM* each week and two million to *AM*, and well over 500,000 pages of ABC News Online are read by Australians every day. NewsRadio has been a wonderful addition to the media diet for thinking Australians over the last decade and is the first choice of quality taxi drivers around the nation.

We deliver two hours of radio current affairs daily on local radio; run a range of regional news and have more journalists in more places than anyone else in the country. And more Australian reporters reporting from overseas than anyone else, by far. When one critic of the ABC told me recently that none of our broadcasting competitors had concentrated on a particular issue we had covered in a program, I had to ask – who else is broadcasting news and current affairs seriously

in serious volume, these days? Just because you call a program *A Current Affair* doesn't mean it is a current affairs program.

And commercial pressures on journalism are felt more every day, everywhere in media companies. I have been there, as the CFO comes calling when the revenues are soft and the editorial budgets need to be cut again. It isn't fun. At the ABC we do a lot, as we should. We are given a lot of public money to do it. And I am pleased to say that last year's KPMG report, commissioned by the government, said that the ABC is an effective steward of this taxpayer money, finding the organisation efficient and effective in its management. This may not always have been said about the ABC, but there have clearly been significant management improvements in recent years.

Given this, it is only reasonable, that as the public broadcaster using public money, the ABC set high standards for itself; higher standards than anyone else in the Australian media. Many of the guidelines that govern the way we broadcast are covered in a set of Editorial Policies at the ABC. These policies were last published in 2002, and updated incrementally in July 2004, February 2005 and June 2005. Now they have been written anew, and stand as the most significant public statement of values made by an ABC Board in over twenty one years. Back in August 1985 the ABC Board published a pamphlet described by the Chairman, Ken Myer as the Board's "philosophical statement". Its title was "The role of a national broadcaster in contemporary Australia".

These Editorial Policies too are just such a statement. A document that has emerged from lengthy and detailed discussion between staff including journalists and senior policy officers, and the Board – and which has the approval of the Board and the endorsement of the senior management team. A document that will shape and guide ABC content so that it is even more differentiated from other media providers. These policies are the best means through which the ABC can, in years ahead, live up both to the trust that is placed in it, and the requirements of the ABC Act.

The Australian public invests its trust in *all* ABC content, regardless of its source within the ABC. The new policies reflect this reality. The policies will "ensure that ABC audiences can see and hear a broad range of viewpoints on matters of importance". Our policies create a series of expectations on our announcers, producers and program makers. It outlines how we will work and how we will fulfil those commitments set out within the ABC Act.

Today I have commenced a program to brief staff on the changes and to move towards implementation in March 2007. The new Editorial Policies are contained in a document that runs to some 50 pages, but let me outline for you a few highlights. It says upfront that as a creator, broadcaster and publisher of news and current affairs

content, there is a requirement for impartiality at the content or program level. Each news and current affairs story and program must be impartial.

Now for opinion programs or programs of topical and factual content, individual items of content can take a particular perspective, but the ABC must be able to demonstrate that it has provided audiences with a range of different perspectives on the subject under consideration on each platform, be it radio, television or online. On contentious matters, we need to hear the full range of voices. The ABC has to be the place for the contest of *all* ideas. Across the range of ABC content, audiences must not be able to reasonably conclude that the ABC has taken an editorial stand on matters of contention and public debate.

The policies set out four main types of content the ABC produces: news and current affairs, factual and topical, opinion and performance – each with different requirements. And meeting these minimum requirements will be mandatory for all staff involved in the production of content. We have taken another look at fairness and what it means to be impartial. Impartiality is a long held expectation of our news coverage. Our news stories and news analysis are to be presented without favour, even though, without “fear or favour” might sometimes upset some people in the community. Being a responsible public broadcaster is not synonymous with universal public popularity.

The Editorial Policies now require the ABC to be impartial as a broadcaster and generator of content. As we assess the output of each of our platforms – for example, ABC TV, Radio National, local stations such as 702 ABC Sydney or 774 ABC Melbourne – there is now the expectation that there is platform impartiality. That there is a demonstrated plurality of opinion and perspective.

This will have particular impact on our documentary production and acquisitions as well as content that is clearly designated opinion. We want passion and conviction. But passion and conviction that comes from the widest range of perspectives on the things that matter for all Australians. The new category of Opinion will be content presented from a partisan point of view about a matter of public contention. This content will be signposted as opinion and the impartiality test will be – over a period of time: has the ABC presented a plurality of views? And in doing their work, the ABC will expect staff to operate in a way reflecting key values of honesty, fairness, independence and respect.

The policy goes into great detail on a range of matters: from the use of hidden cameras (rarely) to the practice of cheque book journalism (never). From reporting news while respecting privacy and not intruding into grief, to outlining how the ABC complaints process

will work. All in all – a massive rod for our own backs. A weapon our critics can beat us with. More grounds for more questions in Senate Estimates. A very high bar.

But a very important one for an ABC which takes its reputation for fairness, accuracy, balance and objectivity seriously. We are planning to introduce these new editorial policies in the new year. Before then, we have the significant job of training our staff in how they operate. We need to be assured that we have the appropriate mechanisms internally to ensure that they are understood, they are working and they are adhered to.

After the training is done, we are looking to have three mechanisms for quality assurance around the implementation of our editorial policies. The first and most important, is the regular program and performance review, operated through line management in the organisation. As part of the regular reviews we do of programs, executives will be looking, not just at how we have created and communicated relevant and compelling content – but whether we have done so in a way that complies with the editorial policies. And secondly, of course, we have our established mechanism for dealing with external complaints, a team of people from outside our content areas who examine complaints from the public. There is an internal appeal mechanism in this process and, of course, an external complaints process through the Independent Complaints Review Panel, whose Convenor is the Honourable Michael Foster QC. Today, I have announced the creation of another mechanism to provide confidence and assurance that the organisation is meeting its obligations to the highest standards in the Australian media.

In recent years, we have seen the rise of divisions in organisations specifically addressing issues of financial audit and risk. Firms know that breaches of financial policies and internal disciplines can have a grave impact on an organisation's health and reputation. The audit and risk function is designed to provide assurance and assistance, but giving an independent assessment of performance and advice on vexed issues when they emerge prior to critical decisions being made. Good audit and risk management is a key to healthy organisations and I believe that the establishment of such a function to monitor editorial health at the ABC is an important step.

The Director of Editorial Policies will report to me in my role as Editor-in-Chief of the ABC. This Executive will have the ability to undertake independent audits on ABC programs and the coverage of issues covered by the ABC across its different divisions of News and Current Affairs, TV, Radio and New Media and Digital Services. The person in this position will be able to provide independent advice on how effectively we are implementing our editorial policies and whether they need further iteration or review. The Director of

Editorial Policies will undertake research and be able to commission research, to provide better insight into whether we are meeting our own expectations. And when staff are dealing with a difficult decision in light of interpreting editorial policies or I am concerned about a matter prior to broadcast or publication, the Director of Editorial Policies will be able to provide independent advice.

Now, I suspect there will be some who may roll their eyes and suggest this is yet another layer of bureaucracy. Others will fear it is an anchor on courageous and independent journalism. On the first, let me say, it is no more bureaucratic for the ABC to have an editorial audit and risk function than it is for Woolworths or Westpac to have a financial audit and risk function – providing independent assurance that we are getting it right. Trust and verify. It is a long established principle of good management and need not be bureaucratic. I have reflected at length whether focusing on risk minimisation and policy compliance will have the effect of putting our journalists and content makers in unsustainable straitjackets. Our journalists need to be able to undertake courageous journalism. Our radio broadcasters need to be lively and engaging and provocative at times to win and keep an audience. And so too with television and online.

We want editorial policies that would allow Chris Masters to expose corruption in *The Sunshine State* through *Four Corners*; *Lateline* to address issues of abuse in Aboriginal communities. And I think it would be a shame if one of our journalists could not ask a supremely confident new leader on a memorable political day whether there was blood on his hands. Our policies promote the spirit of enquiry, not dampen it. And given the astonishing growth industry of media management within politics – possibly the greatest job creation program since the Great Depression 70 years ago – this kind of questioning will become more necessary, not less.

As I have explained to our newsrooms – I want them to practise great journalism. To find the big stories and to hold those who seek to lead us: in government, in business, in trade unions, to account for the promises they have made and the truths they espouse. But to achieve great journalism, you need to practice good journalism.

Journalism that is fair, accurate, balanced and objective. Journalism that lets the facts speak rather than the private opinions of a reporter. Journalism that is rounded and complete rather than half-baked and half-told. If there is a deference in these policies, it is a deference to the primacy of ideas, deference to the intelligence of an audience, deference to the right of audience members to make up their own minds.

There's no willingness here to get into post modern antics about objectivity being dead or passé, impartiality impossible. The ABC has to say *no* to any such thoughts and it's a *no* that begins with an

ethical rejection, and ends with a legal one – Section 8 of the ABC Act – which says we must be independent, accurate and impartial. And unlike some of the commercial media, we have to serve *all* of the public, not just those who would come to the ABC for comfort or confirmation. We're not here to hold anyone's hand, but to confront, challenge and explore a broad range of views.

There is no reason why the ABC cannot practise outstanding journalism, utilising the best we have in television, radio and new media, under these new editorial policies. As a rule, I am resisting the temptation to second-guess 75 years of ABC corporate history. I have refused to be drawn in numerous interviews as to whether I think there has been or is bias at the ABC. I suspect the truth is that we are by no means as bad as our critics might suggest and not as blameless as our defenders might wish. My focus, however, is on the future and ensuring our performance is better in the future. I want us to be hard-nosed in assessing the bias question ourselves because there are few more serious allegations that can be made against serious journalists. The ABC cannot afford to be biased, or be seen to be biased. It can take no editorial position in its news. And while there is opportunity for opinion on the ABC under the new editorial policies, there needs to be a plurality of opinion.

The last thing any of us would want is an ABC that is stripped of strong opinions. On the contrary the prominence given to Opinion content in the new Editorial Policies is to facilitate strong opinions, but in a way that guarantees a range of viewpoints are heard on any particular contentious issue. It is fair to say there is something of a disjunction between the critics' and the public view of bias and the ABC. Of those 170,000 contacts the ABC receives from the public every year, just half of one percent (.5 per cent) are complaints about political bias. And, as I said earlier, 90 per cent of the Australian public believes the ABC provides a valuable service. When it comes to complaints out of Canberra, it is important to remember that this government has been the strongest critic of the ABC – since the last government. Ken Inglis recent volume *Whose ABC?*, an ABC history from 1983-2006, reminds us that governments of all persuasions have felt the ABC is set against them, while Oppositions complain the ABC does not give them a decent go. In recent weeks, senior figures of both the government and the opposition have assured me that it is their side that gets the harder time from us.

In the area of political debate, more so than most, the scrutiny is intense, the views are passionately held, the stakes are extremely high, so these views are understandable. But let me say this. The ABC covers political and policy debates in more detail than any other media outlet. We provide more airtime to more politicians than any other broadcaster. We take this seriously, as we should, and our goal

of providing balanced coverage of political debates is reinforced and strengthened in these new Editorial Policies.

I think there is some truth about serious-minded broadcasters and print journalists – that they want to play the role of the leader of the opposition. To challenge, to question, to contest. It is a style of journalism widely practised, but I do not think it is, of itself, biased or inherently disrespectful. It is rigorous. And the best politicians know that to be subject to a cross-examination, by a Kerry O'Brien or a Tony Jones, by a Virginia Trioli or a Jon Faine and hold their own – increases their political reputation and support. That's why the best politicians keep going on.

I think the success of the ABC's *Insiders* program has shown the value, however, of ensuring a range of political perspectives on the issue of the day. Every Sunday morning, no matter how you view the world, someone on Barrie Cassidy's couch is making good sense – and I think that makes for good television and good journalism. *Lateline* has always encouraged a good range of voices to be heard on issues, using the flexibility in its format to good effect. But under our new editorial policies, we will be looking for *further* diversity of voices – ensuring the ABC is the town square where debate can flourish and different voices are heard. I have encouraged the Director of Television to work with the *Media Watch* team to review their format and content next year to ensure there is more opportunity for debate and discussion around contentious and important issues. It is a popular program, has a loyal following and I hope, a long future at the ABC. And in 2007, Jeff McMullen will host a new televised discussion program for us, *A Difference of Opinion*, that will ensure that on contentious issues of the day, there is opportunity for the full range of opinions and perspectives to be heard.

Over time, I hope we are getting more sophisticated with how we view the matter of bias. Discussing some heated exchanges over stem-cell research, the Prime Minister said recently on AM: "What happens in these debates is that you do tend to look at them through the prism of your own prejudices and you tend to see a strong expression of the opposite view as being ill-tempered and that moderate views are those that accord with your own. I mean, that's the nature of these debates."

Where there actually is bias in an individual story, it is often easy to detect. But at times, there are matters of tone – how a story is framed, issues to do with language and inflection that can convey a message beyond words. It was the criteria used by ACMA – the Australian Communications and Media Authority – to bring a finding of against an ABC program in July 2006. In the story, the right people were spoken to, all views were expressed, but ACMA found "the cumulative impact of the instances of subjective and emotive language

over the course of the program was the principal reason that the program was not impartial”.

I can understand how they reached that finding. We have asked our journalists and executive producers to be attuned to these issues of tone. Our editorial policies will state the overriding objective of the ABC is to report the facts clearly, accurately and impartially, to enable audiences to make their own judgments and form their own conclusions. I am also concerned that we are not unnecessarily narrow in our news selection, reporting on interests of great interest to the newsroom, but of less interest to our broader community. By definition, journalists are interested in news and they work surrounded by people who share their passion for a story. This is a challenge for newsrooms everywhere, but particularly those populated by intelligent, thoughtful and serious-minded journalists, like our newsrooms.

I hope this is something that will be picked up in our reviews, both by line managers and by the Director of Editorial Policies. Are we confident we have our content mix right, not just on a day, but on a program over time? It is important to remember that most of our radio current affairs is broadcast in the context of local radio – where we have been highly successful drawing in large audiences, much younger than our competitors, with a wide and varied diet of talk radio. And the role of the ABC is to lead and inform debate, not just to hold up a mirror and reflect an audience back to itself or to turn programs into market research driven mush. The challenge to our news and current affairs producers is to surprise the audience. Tell us the news, but tell us things that we didn't know, that surprise and engage us. To serve a community far wider than the community of journalism. Don't be predictable. Create content that gets people talking – as *Lateline* has this year on indigenous issues.

Of course, with 65 live microphones, with so many hours of television broadcasting – producing so much more content than anyone else – there will be times where we do broadcast content that has errors, that is incomplete, that conveys opinion as fact.

And what I have outlined today is a process whereby we can monitor and review and measure – and improve our performance as a consequence. Overall, by setting higher standards, I appreciate we are in effect setting ourselves up for moments of inevitable, human failure and times where our policies do not work.

There is not a publishing or broadcasting organisation in the world that delivers flawless execution under the crippling time pressures that we operate under daily. Are we going to make mistakes? Of course we will. We'll never put our critics out of business, but through these policies, we can reduce their opportunities. In many ways, we're putting up umbrellas before it rains. But I trust our critics

will recognise the integrity of the standards we seek to attain and the rigour with which we will attempt to implement them.

Let me say in conclusion that much of the work done on the development of these editorial policies was under way before I commenced at the ABC in July. And in particular, I want to thank the Executives at the ABC and the Board members, especially John Gallagher QC, who heads the Editorial Policies committee of the Board. All who worked on these policies: our policy staff, our program makers, our Executive and our Board – saw in their rewriting, a unique opportunity to strengthen the ABC, and seized it.

We have a proud tradition. We are a much loved and admired organisation in the community. And we believe that our best days are ahead of us – that we can be a great public broadcaster in a digital age. These changes I have outlined today are an important step in the ABC fulfilling its commitment in a 21st century context – setting the highest standards for ourselves with a plan to deliver them for our owners, the Australian people.

## FUNCTIONS - 2006



*Photographer: David Karonidis*



Photo – David Karonidis

*Catharine Lumby*

*Why TV is Good For Kids*, by Duncan Fine & Catharine Lumby, describes the myths about contemporary family life; and debunks one in particular. For Lumby and Fine, TV is good for our kids and the panic over TV, as a debaser of childhood, is unwarranted. Dr Catharine Lumby is Director of Media Studies, University of Sydney. To elaborate on why she and Duncan Fine came to this conclusion, Catharine Lumby addressed The Sydney Institute on Tuesday 24 October 2006.

# THE GREAT MORAL

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## *PANIC: CHILDREN AND TV*

**Catharine Lumby**

When my partner Duncan Fine and I conceived our first child Charlie we did what almost every new parent does. We drove ourselves mad with anxiety reading books and articles and devouring current affairs programs that warned us of all the dangers our unborn child faced.

We had books that subdivided the trimesters of pregnancy into months, weeks, days and minutes. We read journal articles on how to enhance the personality of the foetus. At times, lost in the fog of information, we'd recognise familiar landmarks and wonder why they'd been rendered so strange and dangerous to us. Microwave ovens, we learnt in one bestselling parenting book, should be banished from any house an expectant mother enters. Children over the age of one, we learnt in another, should never be allowed to see the parent of the opposite sex naked in case they developed a subconscious attraction.

The other (pseudo) fact we learnt in all our early reading was that the very worst thing you can ever do to your kids, short of physically assaulting them, is to let them watch television. TV we were told in countless media stories, often grounded in the claims of conservative anti-pop culture US psychologists and paediatricians, causes brain damage in toddlers, slows learning in school age children, makes them fat, violent, lazy and incapable of enjoying Shakespeare.

Except that's one panic we didn't buy into because both of us, for different reasons, knew there was another side to the story. Duncan has spent a good part of his career writing for children's TV, as well as having worked as a "serious" theatre director and writer. He knew how carefully the content of TV aimed at preschoolers was monitored. Every script he was ever involved in writing was vetted by an early childhood educational expert. He also knew that there was no advertising to preschool children in free-to-air television time and that popular kids' shows were extremely careful about the food and products they endorsed because of their strong awareness of parental concerns about media influence on children.

I'd personally spent five years reviewing the literature on children and media consumption in preparation for an academic book I'd almost signed on to write. But the more we both encountered as new parents of the simplistic – and often frankly simplistically prejudiced analysis – of the way children make sense of media, the more we thought that we should pool our knowledge and write a book which would appeal to other parents facing the dilemmas of how much television is too much and whether they should worry about their teenage daughter wearing Paris Hilton crop tops.

If you pay any attention to popular media, you'll know that there is currently an obsession with stories about how popular media is ruining childhood and adolescence. Paradoxical, yes – and yet equally predictable. History tells us that moral panics about the corrupting influence of visual images and consumerism on young people have a long history.

In one eighteenth century image of a young woman who had been indulging in the dangerously popular and new trend of novel reading, a painting by J.M. Moreau titled *La Dormeuse*, the caption reads: "Her eyes are closed today as her heart is to love". The poet Coleridge was one of many who thought that reading novels "occasioned the entire destruction of the powers of the mind" and that young women were particularly susceptible to ruin. Physicians claimed that reading novels caused actual physical damage to the brain and organs. "Novelism", the *Methodist Magazine* proclaimed, produced vacant countenances, led the reader to live in a fantasy rather than in the real world, and made young women precociously sexual.

In Australia, the 1930s saw the beginning of the great comic book panic which ended in a 25 year ban on US comics which were said to turn children into armed robbers and to literally carry disease (some critics claimed Americans were fishing them out of hospital rubbish bins to infect our children). In 1954, Dr Frederic Wertham a US psychiatrist and the author of the book on the screen, launched a crusade against comic books which led to a full-blown US Senate Inquiry into the corrupting effects of such decadent heroes as Superman and Batman and Robin.

A television program aimed at encouraging the literacy of underprivileged children, which has since been acknowledged as a leader in the field, was initially described by one critic in this way: "The young mother who sits her child in front of the TV to watch Program X might be better hiring Fidel Castro as a babysitter... While parents study the horrors of communism Program X introduces their tots to real life Reds, and sugarcoats those Reds to make them look like good guys".

Still guessing which program drew this kind of extreme attack? According to a clinical psychologist, commenting on the same

program, the show turned children into “zombies who compulsively recited serial numbers and letters and inspected their inanimate surroundings like restless wound-up robots”. Here’s the final clue: when the program premiered, its editing style was said to prepare children’s brains for taking acid trips, *The face of evil? Sesame Street*.

Perhaps I’ve chosen a particularly old-fashioned example. Perhaps these kind of silly panics over children’s popular culture are a thing of the past. Permit me, then, to take you through the reception the *Teletubbies* received in the 1990s.

The *Australian* newspaper noted that the show was under attack from experts because of its “blithe disregard for reality”. Another newspaper noted that the analysts had warned that the show was encoded with symbolism that promoted “drug inspired behaviour which was potentially more dangerous to the psyche than smoking crack”. This is a direct quote. The show is aimed at two year olds.

A recent story that really demonstrates the depth and persistence of the media panic over children and media consumption is a relatively recent *Sydney Morning Herald* story which was predictably grounded in the sweeping and US-based claims of American paediatricians. The caption said it all: “The Wiggles seem safe, but paediatricians have warned parents to keep toddlers away from the tube”.

The Wiggles *seem* safe? Three members of the Wiggles have degrees in early childhood education. The Wiggles teach children how to count, dance, spell and – well – wiggle. *Unsafe?* My broader point here is that these kinds of extreme claims about the effects of media and pop culture on the young have a long history.

My more precise point is that we’re not getting the full story from the media when it comes to the way children and teenagers interact with popular culture. The problem is that far too often the only research that gets attention is research that makes extreme claims about the impact popular media has on our kids. It’s research which is often driven by a narrow cause and effect model of understanding media consumption – a model which makes scientific claims to truth but which is not, in empirical or peer-reviewed terms, supported by the best and deepest research conducted in the field of media studies. It’s also research which is almost always done in the US by paediatricians and psychologists who begin with very anti-pop culture ideas. It’s research which often starts with a prejudice – it begins with the assumption that TV or computer games or music videos can’t be good for young people and works backwards. It’s research that is often done by people whose normal job is to look for what’s making kids unwell.

As a researcher who has been funded extensively by our federal government to explore a vast amount of national and international research in the field it is clear to me that there is now an equally

large body of empirically careful and peer-reviewed research in the humanities and social sciences which tells us that, used in an age-appropriate way and as part of a balanced life, TV and other forms of popular culture have a lot to offer our children. That apart from being an enjoyable part of their social world, popular media can enhance their imaginations, their literacy, and their understanding of the world around them.

This latter type of research is research which often begins by asking children and young people what they get out of popular media, what attitudes and behaviours they learn from it, and how they take these into everyday life. It's research that looks at television or internet chat rooms as part of family life – it studies the role of media in situ, not in isolation. The results of these kinds of studies give a dramatically different picture of the part media plays in our children's lives.

Certainly, we find there's almost always a level of conflict between kids and adults over how much TV they watch, how much time they spend online and whether they're allowed to watch this or that movie or video clip. Popular media is often the forum where the inevitable tussles over authority and agency are acted out. And children have always wanted more access to the adult world than they're allowed.

It's perhaps because of these struggles that it's easy for us as parents or others who care for children, to see TV or the computer as a hostile intruder into our lives and as a source of division. But the same studies that show that these battles are pretty universal, also show that a medium like TV can bring families together. In the days before radio and TV, information came primarily via print media that was very segregated in terms of gender, age and class. Television is a far more democratic medium and one which offers a lot of programs which speak across generations. Used wisely, TV and DVDs can give families a chance to share a sense of humour, a taste for drama or to engage in politics and social issues in a way which is accessible to all members. Time in front of the TV is also, incidentally but importantly, the time when kids and even teenagers are most likely to have a cuddle with their mum or dad.

There's an awful lot one could say here about research into the positive effects of encouraging popular media literacy in children. But given limited space, I'll confine my comment in this paper to one very contentious area. It's an area which, I hope, will also demonstrate the problems I perceive with the allegedly scientific model for understanding children's media consumption.

It's a case study which brings me back to the front page *Sydney Morning Herald* story on the Wiggles. The study on which the story was based seemed highly credible. It was a study published in the April 2004 issue of *Pediatrics*, the US journal of the Academy of

Pediatrics, a reputable peer-reviewed journal. Yet, like many, many studies done by people in the medical sciences it treated television like a pathogen – like a virus – rather than as a potentially benign part of the social world. It studied it to find signs that it “overstimulated” children. And it claimed that you can isolate the effect of television viewing on two year olds from everything else in their lives – as if watching television has a cause and effect akin to a bat hitting a ball. The study concluded that no young children should be allowed to watch TV because it put them at risk of brain damage and ADHD.

Alarming stuff as the “real” mum who was interviewed about letting her two year old watch *Teletubbies* noted. Her name was Claire Eaton and on cue she vowed never to let her young child near a TV again: “You don’t want to think that something as innocent as half an hour’s peace and quiet could reduce your kid’s chances later in life”.

It’s an understandable response when you’re confronted by experts telling you they can see inside your child’s brain and have already found signs of “overstimulation”. But I think it’s important to remain sceptical about the kinds of assumptions medical science brings to cultural consumption and about their history of getting it wrong. We’ve already seen the claims that were made about the “effects” of reading novels on young women’s nervous systems and internal organs in the eighteenth and nineteenth century. And, frankly, having read a great deal of what’s published in the medical sciences on the effect of screen based media on young people, I think some of the same blunt prejudices are influencing research today.

As Professor John Hartley, one of our most eminent humanities academics and someone who has published some of the most important work internationally on children and TV, puts it: “The idea that you can measure hours of television watching against percentage of attention disorder is spurious. No life has that degree of mathematical predictability about it”. Professor Hartley went on to note that any researcher trying to understand the real impact of television viewing on children faced a very important obstacle: “They can’t ask children who are preverbal what meanings they are making. They can’t ask them if they love the *Teletubbies* because their smiley faces remind them of mummy.”

What we have essentially is a clash of research paradigms. Those in the medical scientific world often assume that media consumption can be understood as a primarily biological process – our brains light up, our hormones flow, our central nervous system is stimulated. The concerns medical professionals raise about young children watching TV tend to focus on the idea that it’s the medium that is the message. That it doesn’t essentially matter what kids are watching on TV or

what kind of games they are playing on the computer – it's the process which is the problem.

The question arises then: what does empirical evidence about the educational attainments of young people and the opportunities they pursue tell us about how well our media-saturated society is serving them?

Certainly there are those who claim that most children and teenagers today are culturally illiterate because the school curriculum has been so “dumbed down”. As a 2005 report by the then Federal Government's educational consultant Kevin Donnelly claimed “new age” courses are failing to teach our kids to read and write.

It is, however, interesting to note that only a year before Donnelly released his damning report, an OECD study of 41 countries found that, when it comes to the reading levels of 15 year olds, only students in Finland had a better reading level. Australian students also scored above the OECD average in all areas tested. And, significantly, the gap between the highest and lowest achieving students was less than the OECD average. The study used real-life problems to assess students' ability to apply maths, science and reading and writing skills.

So what's the reality? What's the truth behind the heated debates about methods of teaching literacy?

One of the problems is that this term “literacy” is now used by lots of different people to mean lots of different things. When traditionalists talk about literacy they generally mean the ability to spell long words, construct a grammatical sentence and eventually read Chaucer for fun. But the term is also used by advocates of media education to talk about the importance of giving students the skills to use and interpret media.

A smarter way of approaching the question of what literacy is might be to ask what literacy is for. What does it mean to be literate in the modern world? What will it allow our kids to do? Answering that question means paying attention to how much media and information technologies have changed the world.

To do that, you need to put the literacy debate into perspective because these media and political panics about literacy are not new. They go way back and they recur with tedious regularity.

Hands up if you sat the English exam for the 1946 Leaving Certificate? Let's hope none of you have ever been guilty of complaining about “kids today” and their atrocious grammar. Here's what the Chief Examiner in English, Professor Waldock, had to say about you: “It is disappointing to find that students imagine they can pass a Leaving Certificate without being able to write a sentence”.

In 1994, academics Bill Green, John Hodgens and Allen Luke published a seminal report tracing debates around literacy in Australia starting in the 1940s. They concluded that “literacy crises

have very little to do with actual literacy standards themselves". Speaking of media panics around literacy in the 1970s, Professor Luke comments: "What we found is sources ranging from *The Australian Women's Weekly* to the local press to regional advertising magazines, making incredibly high-faluting claims. I've got one here from *The Australian Women's Weekly* in 1997 that says a quarter of a million people in NSW cannot write as well as a ten year old." There is, he says, little empirical evidence offered for such claims. Media generated panics about literacy, Professor Luke suggests, are ultimately a smokescreen for concerns about broader social, cultural and economic changes which might include things like new waves of immigration, technological innovations, changes in the labour market, and changing social relationships between men and women.

Debates over literacy, in other words, are often disguised debates about "the youth of today" who, in every generation, are always said to be in moral decline by their grumpy elders. What constitutes literacy is constantly in flux. Student populations and demographics change. Different kinds of reading and writing are valued because the job market changes. 1950s curriculum, for instance, emphasised penmanship. Today, computer skills would be seen as far more important.

Go back to 1960s Australia, of course, and multimedia entertainment meant listening to the cricket on the radio while acting out the play with your best mate in the backyard. Today it doesn't matter where you live in Australia, most of us are dealing with a continually accelerating rate of change when it comes to media forms, technologies and content. This has huge implications for teachers as much as students. If you're teaching Shakespeare, you can be pretty sure that you know more about the Bard than your average 14 year old. But if you want to start discussing video games, it's a totally different story. Nor can we assume that playing a computer game can be compared with reading a novel. As a range of experts who've actually studied the subject have shown, gaming has much more in common with solving a mathematical problem than absorbing a complex plot and characters.

Professor David Buckingham directs the Centre for the Study of Children, Youth and Media at London University and is regarded as one of the foremost international experts on children and media. He is very careful to distinguish different kinds of literacy. Understanding film and television programs, he notes, requires just as much skill as reading a novel. You need a knowledge of genre, of film language (we learn, for instance, how to 'read' point of view through camera angles and edits), and of references back other programs and or narratives which exist outside the actual film or program.

He writes that media education “should encourage students to acknowledge the complexity and diversity of their pleasures in the media; and to recognise the social basis of all such judgements of taste and value, including their own”. That latter remark is, of course, controversial. There are many on the left and the right who see all contemporary popular culture as contemptible.

But even those critics of the education system will find it hard to deny the most compelling evidence – that today’s youth are better educated than ever before. Go back to the supposed Golden Era when teachers still wielded the cane and learning was largely rote. In the 1950s, only 16 per cent of kids finished high school. Today that figure is 75 per cent. And the diversity and range of young people going to university has sky-rocketed.

Given the size of the group, it’s highly unlikely that even the majority will acquire a taste for difficult literature or fine art. But, let’s face it, that’s always been a minority pursuit. At least we can offer many more young Australians the capacity to understand and think critically about the culture they do consume. And if we want better popular culture, educating consumers is a very good start.

The problem is that modern culture has been made into a scapegoat for everything we perceive as wrong with our children, their behaviour and their attitude to life. And when it comes to the way children behave we all seem to have amazingly short memories. If our eight year old refuses to go to the park and improve his hand-eye coordination, it’s easier to blame his love of Scooby Doo cartoons than remember how irritated we felt when our mum told us “put down that book and get some fresh air” or my personal favourite “if you’re bored take an apple and a long walk”. Deprived of television I spent a lot of time reading highbrow literature, plays and poetry. As a result I took the only obvious course – I went to university and eventually earned a PhD in Media Studies. Shakespeare doesn’t always have the desired pedagogical effect.

## FUNCTIONS - 2006



*Photographer: David Karonidis*



Photo - David Karonidis

*Christopher Hill*

On a short visit to Australia, following two weeks of meetings in the Pacific, United States Assistant Secretary of State for East Asian and Pacific Affairs, Christopher Hill addressed The Sydney Institute on Sunday 29 October 2006. In his talk, Christopher Hill stressed the importance of the US-Australian alliance, and the need to look for ways to work towards a stronger and more united Pacific region linked with Asia, as he put it, “to have a trans-Pacific approach rather than a pan-Asian approach”. He looked forward to the important role the next heads of APEC meeting would play in this, less than twelve months on and being held in Sydney. Soon after delivering his talk, Mr Hill cut short his visit to Australia and travelled to Beijing where, at short notice, the Six Party talks resumed. What follows is an edited transcript of Christopher Hill’s speech on the day.

# ASIA AND THE PACIFIC

**Christopher Hill**

When I arrived in Sydney yesterday, we were fourteen hours ahead of Washington, today we're fifteen hours ahead of Washington and when Washington has their time change tomorrow we'll be sixteen hours ahead of Washington. As you can see from these calculations, one of the great things about being jet-lagged is that you stay up at night; and at three in the morning you start thinking of things to get you back to sleep. I worked out the time changes.

I have been on the road now for two weeks; I'm totally out of shirts and socks and so forth. The trip started in Tokyo, then I went to Seoul and back to Tokyo to meet with Condoleeza Rice. We then returned to Seoul, Beijing and, from there, Secretary Rice went on to Moscow. I went to Hong Kong, Fiji and Nadi. In Fiji, I decided to do something else in the Pacific Island States. I looked at a map, saw Vanuatu and planned a trip there. The US has no embassy in Vanuatu, unlike Australia. We have a High Commissioner's Office. For me, it was a unique occasion to see another side of the problems that we face in the Asia-Pacific. In Vanuatu, I visited three villages, the day before yesterday, to see the problems our Peace Corps are dealing with there. Those villages have no electricity and basically no running water. One village had no water at all; you had to take a dug-out canoe over the inlet to get running water.

It was truly extraordinary to see the range of problems there are in the Pacific. It's also very instructive. In the area called Port Havana, on the west side of the island, in the spring and early summer of 1942, some 81 American ships assembled with 17,000 marines. It was from that particular site that they began the invasion of Guadalcanal. While I was there last week, I found 25 US Peace Corps volunteers getting ready to do whatever possible now in the villages of Vanuatu. I met with some of the older villagers who have seen Americans come and go. To talk to these elders about seeing our soldiers there so long ago and witness our Peace Corps volunteers at work today was really quite moving. It was for me a real demonstration of the need for the United States to continue our commitment to the Pacific Island States.

Australia, together with New Zealand, has taken on a lot in the Pacific Islands. I worry sometimes that the United States needs to be

more engaged, because if we do not address some of the problems in the Pacific Islands states, small as they are, these issues can become rather large. The world's problems don't necessarily happen at the world's centre; they happen in small places at the edge. So when I see some of our countrymen, and Australians, working in places like Fiji or Vanuatu I'm reminded of the great importance of that work, of the need to try to make these countries successful.

At the Pacific Islands Forum it was quite instructive to sit at the table, as I did, with some twelve prime ministers. It is something I never thought I would live to see. You talk to them, these prime ministers – from Nauru with its 12 000 people, the Marshall Islands with a similar small number – and you are aware that these are countries which have trouble with governance. Especially the Solomon Islands. I had the opportunity to meet with the Prime Minister of Solomon Islands and hear his perspectives. These are tough problems for us all and we should be there in support because these are problems that are not going to be solved overnight. So I take my hat off to what Australia is doing there.

The relationship Australia and the United States have forged together is certainly one of our most important relationships. Australia has a world perspective and views on problems all over the world. The USA does too and I'm pleased to say that the views coincide in many respects. We're able to work together in many areas. To have the opportunity to talk to Australian officials and to exchange notes with some of these island states on the problems to be tackled, whether governance or capacity building, is a test of that relationship. Similarly with matters dealing with some of the really tough issues of our day, of being on the ground together and in fact having come in together in Iraq. It is a test that we are passing together, a test of our enduring alliance, and enduring friendship.

It is a truism to say that the US relationship with Australia is one of our most important; we have none closer, I can assure you. Australia has emerged as a country taking on problems that in some respects, in some places, the United States isn't even aware of. I was in the White House for the meeting with Prime Minister John Howard and President George W. Bush. As the Prime Minister explained what Australia is dealing with, it was quite a catalogue of issues; there was Solomon Islands, then East Timor. East Timor has flared up again in the last few days. I don't think we're going to see the end of these issues easily and it's very important we have a strong relationship, a strong alliance to deal with that.

The two of us have also been able to work with New Zealand. As you know, the United States and New Zealand have had a problem dating back some 20 years having to do with the view in New Zealand not only of US nuclear ships, that may or may not have

nuclear weapons on them, but ships that were propelled by nuclear energy. Obviously this is a problem and it's a problem that went to the question of whether we could call New Zealand an ally. Yet I believe New Zealand also looks at some of these issues in the Pacific and understands it also has a role. We're very pleased to work with New Zealand on such matters. I was very pleased to meet with Prime Minister Clark in the Fiji Pacific Islands forum in Fiji.

Let me turn a little to North Korea. If you look at the landscape of North East Asia you see some truly historical developments. There is China, which I never thought in my lifetime would accomplish what it is now accomplishing and what it will accomplish. It is truly remarkable. We see a Japan that has emerged since World War II to become the world's second largest economy. Japan has, it's fair to say today, a new sense of optimism about its economy, a new sense of dynamism. Russia remains a country with many, many problems. Nevertheless, recalling Russia 20 years ago you might not have been able to imagine Russia today; there's a lot of good news there with its economic strength and its willingness to work with others. Russia is doing well. South Korea is truly extraordinary. I've had the opportunity to work there on a couple of occasions in my career. As late as 1971 South Korea's main exports were textiles, plywood and human hair wigs. To now see South Korea emerging as one of the top economies in the world, with the most advanced technology, is an astounding development.

So much good has emerged in North East Asia. Then, as you look at the map, you see this tiny little place called the Democratic People's Republic of Korea and you realise that this is a part of North East Asia that exists as a kind of museum piece in terms of its lack of economic growth; a county that has problems providing food for its people, a country that if you look through all the social indicators the World Bank puts together, all the social indicators of how they should be doing, you realise North Korea is in really difficult shape.

I was reflecting on that while in Fiji and Vanuatu, reflecting on the fact that in many respects, the living standard in Vanuatu was higher than the living standards in North Korea. And yet, in the midst of this economic nightmare, a nightmare caused by a political system that in a very fundamental way doesn't work, we have a country that is trying to build deliverable nuclear weapons. This is an issue that began some 30 years ago when North Korea imported its first nuclear reactor from Russia, a reactor which has no role in making electricity, and never has had any role in making electricity. It is a reactor known as a graphite moderated reactor whose only purpose is to produce plutonium rods that can be reprocessed into weapons grade materials.

So we have engaged in negotiations for many years over this, and some progress was made in the 1990s. But clearly it wasn't solving

the problem. In fact, during that time we found (through de-briefing in places like Pakistan) that North Korea had purchased (whether they were successful with it or not is another story) some materials – centrifuges and rods that were connecting the centrifuges. We know that they had rods and manuals to try to reproduce the centrifuges, all of this for the purpose of developing nuclear material for bombs from highly enriched uranium.

It was clear that while they were upholding the freeze on their plutonium production, they were busy trying to develop another source of material. Meanwhile they were busy trying to develop missiles in the late 1990s; they tested a medium range missile. Clearly, as we know from debriefs in Pakistan, they're interested in selling missiles and buying nuclear technology.

This is, as I say, a problem. We felt it was not just the US's problem or even not just China's problem; it was everybody's problem. We worked hard to put together the Six Party talks which involve all the neighbours in North East Asia to ensure that if North Korea is to walk away from a deal they're not just walking away from a deal with the US, they're walking away from a deal made by all their neighbours.

We got together in Beijing in the northern summer of 2005 and we worked very hard through day and night to come up with arrangements. We put a lot of things on the table; we had an agreement in principle. It was just two and a half pages but those two and a half pages had all the elements needed if North Korea wanted to join the international community. As we worked through this, the North Koreans were becoming more and more nervous about it. They asked for more and more breaks, supposedly to go the bathroom but really to go to the telephone and get more instructions. In short, the further we went, the more difficult it got. Finally we felt we had made some progress so we called a recess. The recess was to give the North Koreans time to go back to Pyongyang and figure it out. They came back to Beijing a few weeks later and said they were ready to proceed but that they wanted to make sure that we'd be prepared to provide them with another form of nuclear energy, the so-called light water reactor.

North Korea acknowledged through these negotiations that all of their nuclear programs, not just nuclear weapons programs, but all of their nuclear programs were for military purposes. So to come to us and talk about wanting a light-water reactor, which they said would be for electricity, was frankly troubling. They had never used nuclear energy before for energy. But we agreed to put in the agreement that once they were out of the nuclear bomb making business, once they had put all of their nuclear programs to bed and have them verifiably

and irreversibly dismantled, we would sit down with them and talk about the provision for a light-water reactor.

They seemed happy with that on the day and I know the rest of us were very happy that day. There were a lot of sleepless nights to be sure. But within hours (I was still on the aircraft going back to Washington), the North Koreans announced they were not going to dismantle their graphite moderated reactor until they had a light-water reactor. That wasn't going to be possible.

In the meantime, and on a very separate track, the United States and others were looking at the problem of North Korean financing of various illicit activities. A lot of people would say look, on the one hand you're talking about nuclear weapons and on the other hand you're talking about illicit activities, counterfeiting of drugs, counterfeiting of currency. Why do you bring up those things when the subject is nuclear weapons? Our argument is, and I feel very strongly about this, that this is all part of the same mentality. It's a mentality which says for North Korea there's somehow different rules than for the rest of us. That somehow because North Korea has graciously agreed to discuss nuclear weapons they should be allowed to counterfeit the US dollar. Lots of people counterfeit the US dollar, alas, by the way. You can find counterfeit US dollars throughout Latin America, pretty good ones in fact. But it's pretty unusual, and I would argue pretty unique, that a government should be openly involved in counterfeiting US dollars. And so you want to be patient, you want to be nice but there's a point at which you just have to say – no, you can't do that.

We took an action in Macau against the bank Banca Della Asia, telling US banks, pending the outcome of this investigation, not to do business with this bank. Usually people like to have publicity, good or bad, and I thought that would be the case with Banca Della Asia; it's the fourth smallest bank in Macau. But when US banks were warned that there could be an issue there, they started pulling their money out and Banca Della Asia had problems because other potential investors didn't want to put their money there. Within a couple of days, Banca Della Asia had a major problem and the Macau authorities froze the accounts there, including the North Korean accounts. That took place over a year ago and to this day the North Koreans have refused to engage in negotiations until that issue can be resolved.

That issue is still under investigation with a lot of people working on it, but you have to ask yourself this question – and we estimate it's \$24 million worth of accounts – why would the North Koreans hold up a nuclear agreement over such a small amount, an agreement that if it went forward would amount to, in terms of dollar amounts for North Korea, some \$24 million a week. You have to ask yourself the question, why have they done this? I think you reluctantly, but

inexorably, are drawn to the conclusion that they don't want the deal. And that's where we are right now. We have made very clear that we are prepared to implement that deal from last September; we are prepared to begin negotiations whenever the North Koreans want to begin negotiations. But we are not prepared to look the other way when our currency is being counterfeited, we're not prepared to pay them something to come to the talks. We're prepared to tell them there is a lot on the table for them, but that it's up to them to figure out how to get back to the table.

In the meantime, of course, North Korea continued to proceed with its missile tests and in July they fired off a number of missiles. They had some short range missiles, some scuds, they had some medium range missiles and then they had a larger missile which apparently did not succeed. Certainly the Nodongs would be capable of reaching Japan, the Scuds could reach South Korea at any time or, frankly speaking, China at any time. So it was a rather defiant act. Then something very important happened. The Chinese decided it was time to get tough with the North Koreans. The Chinese had repeatedly warned the North Koreans not to fire their missiles but the North Koreans ignored them. The Chinese finally sent a delegation and the North Koreans ignored the delegation. The North Koreans went ahead and fired off their missiles. At that point, the Chinese sent a delegation to Pyongyang, at deputy prime minister level, to warn the North Koreans, yet again, and to tell them to come back to the talks. The North Korean leadership refused to meet them.

Well the Chinese are very patient people. Indeed, throughout my negotiations, it's the same dynamic. They ask me for more patience and I ask them for a lot less patience. But at this point something began to change for the Chinese. They began to realise that they had a situation where their time honoured remedy of patience may not be sufficient. Two months later, and we knew it was coming but weren't sure exactly when or how, North Korea tested a nuclear weapon. They informed the Chinese ahead of time that they were going to test a weapon of four kiloton range. The four kiloton is basically what countries often do when they're about to start a nuclear testing program. The Chinese promptly informed the other members of the Six-Party Group. Very interestingly, Japan's new Prime Minister, Shinzo Abe, only in office for a matter of days, made his first overseas trip to China. This was a very significant event. And as he was flying from Beijing to Seoul, and before he landed in Seoul, the North Koreans tested a nuclear weapon.

In short, the North Koreans have made a very defiant act, against everybody. The question now is, what is everybody going to do about this? The fact that they have walked away, until now, from the agreement that was reached in the Six-Party talks has meant

that other countries, not just the US, are invested. China is very concerned. For this reason, China has joined with the US to support UN Resolution 1695, the Resolution which was passed after the missile test. China has now joined the US not only in passing Security Council Resolution 1718, but also in seeing that 1718 is going to be implemented. In short, we need a Security Council Resolution that will make clear to the North Koreans, the international concern. But we also need one that will have teeth. So we have been working with the Chinese to do just that.

So when Secretary Rice came to North East Asia two weeks ago she found a region unusually united, a region where China and Japan are working more closely together. She began her visit in Tokyo and realised that in Japan we have a country which is very much committed to the Security Council Resolution with its own set of bilateral sanctions. The message Secretary Rice gave Tokyo was the same message she brought to Seoul: that the United States will stand by its treaty commitments to Tokyo and Seoul and if either country is attacked, the United States will be prepared to use its full deterrent potential to deal with that attack. In short we are prepared to do whatever it takes to defend those countries. It was a very clear message not only to North Korea but also one that said to Japan and South Korea that they do not need to build nuclear weapons as their own deterrent.

In addition to working through the issues with our allies in Tokyo and Seoul, Secretary of State Rice went to Beijing. In Beijing, as well, we found that we had a real meeting of minds. We emphasised the need to work on the implementation of this resolution but, equally important, we need to begin to work on the architecture for detecting nuclear material which may be passed through the world's sea lanes. This is a problem we need to deal with worldwide. It's a problem that goes beyond North Korea. The fact is the North Korean test has galvanised us in this process. But it may not be the only challenge to this entire international regime, so we need to strengthen the Non Proliferation Treaty. We have found very close cooperation with the Chinese on that.

Several months ago, we began an informal process or discussion in Kuala Lumpur bringing the ASEAN countries together for talks about the North Korea issue. This is something that goes a little beyond the Six Party talks and brings in other countries that have a great interest in non-proliferation in the Pacific. That process has continued several times and we will continue it because the North Korean nuclear test is an added reason for working with every country in the Pacific.

In Kuala Lumpur, we thought it important to get other states that have a real stake in the Pacific to agree that it was time that ocean lived up to its name – the peaceful ocean that joins us all. We put

together what we're informally called the five plus five. The Chinese had said we could put together a Six-Party talk in Kuala Lumpur but when that wasn't possible the suggestion was made that we could have a six minus one. That is if the one, North Korea, didn't want to come. Then there was our proposal, because the Chinese didn't want to have the six minus one, that we could make it a six minus one plus two; that is to have New Zealand and Australia. So we began to talk about the six minus one plus two. The Chinese, very correctly, suggested we have the head of the ASEAN countries, as major players, plus Indonesia which has traditionally played an important role in the Pacific. At that point we started talking about a six minus one, plus two, plus two. But the Secretary of State was very interested in getting Canada as well. Canada has had an election and they have a new Foreign Minister who is very interested in these issues. So we ended up with something called the five plus five – or the six minus one plus two, plus three.

Interestingly enough, we had that discussion in Kuala Lumpur and it was a good discussion. So at the UN General Assembly during September, with lots of meetings going on, Secretary Rice asked if we could have that meeting again and we did. The Chinese were not able to come but we had had plenty of discussions over the week with the Chinese and we were again able to have that sort of multilateral discussion with the Australians at the table. One of the reasons we want to continue this sort of multilateral dialogue is because at some point we will get beyond the problem of North Korea. We need to have a thickening up of the architecture in the Pacific. It may well be that the five plus five becomes a sort of embryonic effort and ends up strengthening some other forum. It may be that the Six-Party talks themselves go beyond the North Korea problem and address prosperity and security in North East Asia. It may be that we do more with the ASEAN regional forum, perhaps use some of the seminars and discussions that the ASEAN region. For example, getting our militaries to work together on the many difficult humanitarian missions. We found during the tsunami that the Australian military was there, the US military was there and the Japanese military. Maybe we could do some exercises in this regard. Now is a time when we have to, in that infamous phrase, let a hundred flowers bloom and see what we can develop to build an architecture in the Pacific which will help create a sense of community in the Pacific.

I started this talk with Fiji and the Pacific Islands Forum. That's an example of a forum which is not quite sure of the role it's going to play. Work is being done on the Pacific plan and that's how we could work together on these kinds of things, and come up with agenda items. It's an example of how we could look for ways to work together so that we could be stronger and do more in the Pacific. Obviously,

the United States and Australia share this view; that what we really want to have is a trans-Pacific approach rather than a pan-Asian approach. We think the Pacific and Asia are inexorably linked and we would like to stress the role of an organisation like APEC in that. In that regard, it could be of historic importance when, a little less than a year from now, Sydney hosts the APEC meeting, an APEC meeting. I hope this APEC meeting will be able to help strengthen some of what APEC does, maybe deepen some of its tasks, and also put a spotlight on some of these Pacific Island issues.

If you look around the world, and the Asia Pacific region in particular, and look at countries which can produce security and not just consume security, Australia is probably the key country. We are very pleased, and very privileged, and we are very proud to work so closely with Australia, a country that sees so clearly what it needs to do, what its interests are, and how to pursue those interests. We look forward to continuing to work with Australia in the Pacific and beyond.



Photo – David Karonidis

*Alexander Downer*

The Hon Alexander Downer, Minister for Foreign Affairs, spoke for The Sydney Institute on Wednesday 1 November 2006. After almost a decade as Australia’s Foreign Minister, Alexander Downer addressed the issue that has come to dominate his portfolio – international terrorism and fundamentalist Islam. He reminded his audience that while in countries throughout the world the vast majority reject violence, and that “the experience of Afghanistan under the Taliban demonstrates so clearly that a radical and uncompromising approach to society is unworkable”, we should also remember that the extremists narrative “has some appeal in Muslim countries”.

# TERRORISM: WINNING

## *THE BATTLE OF IDEAS*

**Alexander Downer**

I want to talk today about the threat we face from terrorist groups like Al-Qaeda and Jemaah Islamiyah. I'm conscious that many people wonder where this violent extremism has come from and what could possibly drive a person to become a suicide bomber. Australians naturally ask: why are we a terrorist target and how we can eventually defeat the terrorists?

Al-Qaeda and its kind are different from terrorist groups that have come before them. They exploit the openness of our society, deliberately targeting innocent civilians. Their ambitions and reach are global in scale. And their ideology attracts followers around the world – including in Australia. They represent a challenge to our security that may take a generation to defeat. Australia is fighting this violent extremism at home, at our borders and in the region. We have committed over \$8 billion to counter-terrorism activities since 11 September 2001, including nearly \$400 million on regional counter-terrorism cooperation. All this is essential. But by itself it will not be enough. Unless we counter international terrorism, unless we engage in and win the battle of ideas it represents, no amount of good police work or improved intelligence will be effective.

To some extent, we have already made progress on the ideological front. Support for Al-Qaeda has fallen in Jordan, Pakistan and Indonesia. Indonesia has tried and convicted more than 160 people for terrorist crimes since the Bali bombings in 2002. Public opinion in Indonesia is also shifting, with the percentage of Indonesians who support suicide bombings or violence against civilians falling from 27 per cent to 10 per cent in the past four years.

In all countries, the vast majority will reject violence as a means to pursue political goals. But for a small minority, extremist ideology will have its appeal. As Voltaire once said, "anyone who has the power to make you believe absurdities has the power to make you commit injustices". So, today I would like to discuss how I think we can join with the international community to counter what is described as the terrorist narrative with a more powerful and coherent narrative of our

own – a narrative that embodies values and democratic principles that are shared by the vast majority of people from all faiths and cultures.

Al-Qaeda and its fellow extremists pursue goals that are political in nature, but they use extreme and twisted interpretations of Islam to justify their actions. Mukhlas, one of the Bali bombers, says – and I quote – “according to Sharia law Almighty God commands the faithful to become terrorists”. Thus, for the terrorists, violence becomes a justifiable end in itself.

This is a tragic distortion of Islam, and one that is rejected by mainstream Muslims and religious leaders everywhere. But this is sometimes a sensitive debate for non-Muslims to enter into. Our repudiation of violent extremism can be misinterpreted as an attack on Islam itself, or indeed on all Muslims. This is simply not true, of course, but it is a myth the extremists like to perpetuate as it suits their desire to stoke conflict and resentment.

As I talk this evening about the extremists’ ideology and the ideas we should use to counter it, I want to make clear that the heart of this contest is not about religion. Islam commands respect as one of the great religions of the world and Muslims are valued members of our Australian community. Rather, the heart of this contest is about the totalitarian mentality of violent extremism. It is about the *values* on which the terrorists base their ideology. It is about how they wish to organise societies and countries. This ideology can and will be defeated if people of good faith everywhere stand up against it. Increasingly, this is happening.

And we need to do this cleverly, with a mind to politics. We should be under no illusions; those who promote the extremist message are clever operators with a sophisticated approach to winning over mainstream Muslims. It will take a concerted campaign from politicians and opinion leaders from all countries to discredit their ideology. And it won’t happen if we are perceived to be weak, or if people think we just don’t care. Silence is not an option, it is a sign of acquiescence.

## **Extremist narrative**

So what is extremist Islamism, and where does the urge to conduct violent jihad come from? Let me take a few minutes to outline what the terrorists believe and what they want. These are some of the things we commonly hear that make up the terrorist narrative:

- Islam is under attack from the West. The Islamic world is divided, and Muslim countries are either occupied by or under the sway of the morally corrupt West. The reason for this is that Muslims have strayed from the “correct” religious path and most Muslim countries are run by leaders who are servile to the West and have renounced Islam.

- Democracy is a false religion because only God can exercise sovereignty over worldly communities. The personal liberties and materialism that characterise the Western way of life, including the freedoms enjoyed by women, constitute a mortal threat to Islamic society.
- The West is responsible for the eviction of the Palestinians from their land and has occupied Iraq militarily in order to enslave its people and plunder its oil wealth.

The terrorists argue that the only way to unify the “Islamic nation” is by eliminating all Western influence in Muslim countries and overthrowing the current regimes. The means to do this is violent Jihad, which is a religious duty. They argue that since the Muslim world lacks the military and technological means to win this conflict, terrorism is a legitimate tactic. In place of the old regimes, the terrorists want to found a new order – Islamic states based on extreme interpretations of religious Sharia Law. Some dream of recreating the Islamic Caliphate that existed in the seventh century and extending this into our region.

Surprising as it may seem to Australians, this narrative has some appeal in Muslim countries. It capitalises on the lack of economic progress and political freedoms in many Muslim countries, particularly in the Middle East. It distorts the role of foreign troops in Muslim nations. It draws strength from the natural tendency of people to turn to religion in times of change and uncertainty. And it offers simple, utopian solutions to complex problems, a method that has attracted recruits to radical causes down through the ages.

## **Countering the extremist narrative**

The question arises then: how can we best combat this ideology? It is a question that is being pondered in many places:

- in the United States, which is the object of most of the extremists’ vitriol;
- in Great Britain, which has been rocked by home grown terrorist attacks and plots;
- in countries such as Saudi Arabia, Egypt and Jordan, where terrorism has brought grief, pain and economic hardship;
- and in Southeast Asia, where terrorism threatens development and democracy.

This is not a problem that Australia or any one country can solve by itself. We need to work together. In particular, we need to support our near neighbours in their struggle. And in doing so, we will also be addressing the problem of home-grown terrorism. There are broadly four ways in which we can address the challenge of the Extremist Islamist world view.

*First*, we need to make it very plain what the extremist ideology means in practice. Incredible as it might seem, Afghanistan under the Taliban is held up as an example of the sort of society the extremists would like to establish. The Indonesian cleric Abu Bakar Bashir says – and I quote – “the closest we ever got to an Islamic state was the Taliban government in Afghanistan”. Let us recall the reality of life under the Taliban. Within twenty-four hours of taking Kabul, the Taliban imposed the most authoritarian system in place anywhere in the world. All women were banned from work, even though one quarter of Kabul’s civil service, the entire primary education system and much of the health system were run by women. Girls’ schools and colleges were closed down, affecting more than 70,000 female students.

Almost every form of entertainment was banned, including television, videos, satellite dishes, music and all games including chess, football and kite-flying. Taliban soldiers stood on main streets arresting men without beards. Public floggings, stonings and executions were regular events at Kabul’s football stadium. This was a regime that demanded that all Shia Muslims convert to Sunni Islam, leave for Iran or die. Many of these people escaped and a large number were given asylum in Australia.

The Taliban went on its own cultural revolution. The great statues of Buddha at Bamian had stood witness to nearly two millennia of history. They survived even the Mongol invasion of Genghis Khan, which left the town of Bamian in ruins. The Taliban blew them apart with artillery and dynamite. The Taliban had virtually no program to deliver public health and education. In July 1998, they closed down all NGO offices, triggering an exodus of foreign aid-workers from Kabul. More than 1.2 million people relied on NGO assistance, and women and children were the immediate victims when that aid was cut off. And so it went on.

I don’t think we make enough use of this tragic example. The experience of Afghanistan under the Taliban demonstrates so clearly that a radical and uncompromising approach to society is unworkable. It’s also an indication to Muslims everywhere of what life would be like if the extremists achieve their aims. The average Muslim in Jakarta or Amman clearly would not wish to live in the sort of medieval society that the extremists wish to impose. They may question the status quo, and they may be disappointed in the flaws in the modern world. But the way to deal with modernity is not to retreat into the past.

This is a fatal flaw in the extremist philosophy, and one that should prevent them from winning widespread support – people value the opportunities that come with development. They value education for their children. They want access to information, whether it’s through literature or on the internet. They want to travel and they

want to be able to communicate by mobile phone. The terrorists would use new technology to gain power and then switch it off. So we need to draw a very clear linkage between the welfare of the average person and how a society is organised. While a utopian system modelled on the way of life in the seventh century may be superficially attractive, human history tells us that successful societies are the ones that learn from the past and move forward through investigation, study, negotiation and respect for the rights of others.

*Second*, we need to emphasise that there is no conflict between the West and Islam. We need to underline the shared common values and aspirations that Muslims and non-Muslims hold dear. At the end of the day, there is more that unites the world's great societies, cultures and religions than sets us apart. Tony Blair saw it clearly earlier this year when he said this is not a clash between civilisations, it is a clash about civilisation. It is about the ideas and values that should underpin all of our societies. The terrorist mentality is one of extremism – dogmatic, intolerant, irrational and violent. But Australians and civilised people of good will everywhere have a different mentality, one that values reason, moderation, tolerance and pluralism.

We need to emphasise how much the great faiths of the world have in common. Muslim scholars have noted that the Koran elaborates a range of rights, including the right to life, to respect and equity, to justice, to liberty, and to acquire knowledge. All Australians would recognise those rights and regard them as fundamentally Australian in character. Indeed, we would regard them as universal.

We need to continue to promote inter-faith dialogue. In our region we have held two interfaith dialogues already and a third will be held in New Zealand in May next year. These dialogues are a powerful tool – by bringing religious leaders together they are able to identify how much the major faiths have in common. Out of this comes positive messages on tolerance and understanding. To demonstrate the common values thesis, we are building links between Muslim communities in Australia and Asia and within Southeast Asia itself. We already have exchange programs with Thailand and Indonesia, where Australian Muslims visit those countries and Muslims from the region come to Australia.

We have brought teachers and academics to Australia to look at how schools manage to teach an Islamic curriculum in conjunction with the Australian curriculum. We will be looking to expand these international linkages. We'll look for ways that prominent moderate thinkers can share their experiences, whether they are sports people, journalists, clerics or development specialists. In our dialogue on common values we must emphasise one very powerful concept – which I think is the extremists' Achilles heel. That concept is democracy. The extremist vision for organising society is a closed, totalitarian

one. There's no getting around it. Yet the latest Pew Global Attitudes survey finds that majorities in every Muslim country say democracy is not just for the West, but can work in their countries. Another survey found support for democracy amongst Muslims scored 87 per cent, against 86 per cent amongst non-Muslims.

We need to explain that democracy does not necessarily mean the exact secular version that many Western countries have adopted. Some Muslim-majority countries have modernised very successfully while retaining and preserving the Islamic character of their societies. But the underlying point is that a democratic system is better able to deliver prosperity, security and personal happiness. It has the checks and balances to prevent the sort of abuses witnessed in Afghanistan. And democracy is more than just elections, it requires freedom of speech and an independent judiciary, which in themselves lead to dignity and justice for all citizens. In the long term it ensures development that is fairer and more evenly distributed than a system that is dominated by a ruling elite.

*Third*, we need to be aware that, given the religious mantle the terrorists wrap their ideology in, a good part of the debate has to be conducted between Muslims. Non-Muslims have a limited capacity to influence this, though we can provide support to mainstream Muslims in their efforts to speak out against extremism. After all, they have the greatest stake in the outcome of this conflict. And it is very often Muslims who are the victims of terrorist attacks. Many eminent Islamic scholars and theologians have condemned the way the extremists appropriate language and concepts drawn from the Muslim religion.

And while the controversy and violence over the Pope's recent comments was unfortunate, some good came of it. Recently, 38 of the foremost religious leaders of the Islamic world wrote an open letter to the Pope. What is important and greatly uplifting about this letter is both its clear intent to engage in a dialogue founded on reason and tolerance and its clear rejection of the extremist narrative. "Those with utopian dreams", these eminent scholars wrote, have disregarded a long and well-established tradition and "do so of their own accord and without the sanction of God".

King Abdullah II of Jordan has also shown courage and leadership in his efforts to promote a dialogue within Islam. He convened the first International Islamic Conference in July 2005, bringing together Islam's eight main schools of religious law. The conference reached a consensus on critical issues such as the illegitimacy of terrorism. Muslim leaders recognised the diversity within Islam and condemned the practice of labelling the followers of another school of Islam as apostates.

Indonesian political and religious leaders are increasingly speaking out against radicalism – recognising the need to combat the terrorist ideology. And Indonesian scholars are taking up the fight, arguing that radicalism destroys culture and that violence has no place in religion. This is not to say that non-Muslims cannot raise their voices in support of the common values I have talked about tonight. Indeed, we have a right and a duty to do so, given the challenge extremism poses to the values that underwrite all civilised society. In doing so, we recognise and sympathise with the distress that many Muslims currently feel as a result of the internal and external pressures that are being placed on their faith. Terrorist atrocities can all too easily hijack popular perceptions of Islam in the non-Muslim community. And we should not fall into the trap of identifying people solely by their faith. Identity is more complex than this. In our own community, Muslims, Christians and Jews are also Australians. They are fathers and mothers, sons and daughters, doctors, teachers, business people and students.

*Fourth*, all countries need to work harder in their international public diplomacy to promote our common values. We must refute the blatant mistruths about Western intentions and reiterate our desire for genuine cooperation with the overwhelming majority of the Islamic world. This will necessarily be a joint effort because in many areas, again, the real debate about extremism must take place within Islam itself. Those communities most at risk must take it forward. But we can support those who wish to better defend their own moderate and pluralistic values. Education is a critical tool; as is countering the spread of terrorist propaganda and extremist interpretations of Islam on the Internet. We can help with research to better understand the viewpoints and aspirations of at-risk communities. For example, in August, I launched a book we funded called *Voices of Islam in Southeast Asia*, which sets out the views of the widest possible cross-section of people in the region.

As the region becomes more democratic, we can help communities to better understand what drives grass roots opinion. We can help societies understand the terrible costs of terrorism and more clearly articulate the criminal nature of those who commit terrorist acts. And we can help to give a voice to the victims of terrorism, most of whom are ordinary citizens of the countries where the bombs go off. All this will help to better define and promulgate the sort of key messages that will have most impact in countering the extremist narrative.

We can also support work to better understand the pathways to radicalisation. We know that alienation and disenchantment among young people can make them vulnerable to recruitment and indoctrination. By working with communities here and abroad we ought to be able to identify early warning signs that may enable their

families and friends to intervene in time to turn them away from this destructive path.

## Conclusion

I appreciate that what I have said tonight may sound daunting. Most ideological challenges are – it did after all take most of the second half of the last century to see off the challenge of Soviet communism. But let's not pretend there are easy choices here. In our instinctive urge for a quieter life, let us not forget the lessons so vital to the survival of the Western liberal democratic model in the twentieth century.

The inescapable facts are these: a totalitarian ideology, founded on a mindset of violent subjugation, cannot be negotiated out of existence; an ideology founded on the legitimacy of one set of beliefs to the exclusion of all others cannot be accommodated strategically. This latest totalitarian ideology, like all before it, must therefore be confronted, and defeated. It will fail only when its supporters understand they can never win.

It is crucial to understand the political dynamic here. The worst thing we can do is send out a message of faint-heartedness. The struggle against fascism was very nearly lost in the 1930s because our societies were uncertain in their conviction of the need to fight. Likewise, the intense opposition in the 1970s and 1980s to US missile deployments by those who argued it was easier just to co-exist with a predatory communist ideology.

Part of the extremist narrative is that the West is decadent and weak. The Islamists draw inspiration from the US pullout from Lebanon after the suicide bombings of the early 1980s. They celebrate the collapse of the UN peacekeeping mission in Somalia in the 1990s. They seek to claim credit for Israel's withdrawal from southern Lebanon and Gaza. Their reason for demonising the West will change over time. Jihad is always justified in their minds. It used to be the Soviet occupation of Afghanistan; now it is the West's support of that country's democratically elected government. It used to be the American presence in Saudi Arabia – the land of the holy places – and now it is the presence in Iraq. In the case of Israel and Palestine, they are not looking for an equitable solution. Their aim is the very destruction of the State of Israel. Or if that cannot be achieved, which it cannot, then a state of perpetual conflict will do.

Osama bin Laden has what he calls the “weak horse” theory – the notion that, when confronted by an enemy prepared to embrace the notion of total war, the Western powers will take fright and run. On this calculation, if the extremists commit enough atrocities, if they spill enough blood, if they destroy sufficient lives, if they wreak sufficient havoc, they will force societies like our own into retreat.

Al-Qaeda and its offshoots are making careful calculations about what impact their actions will have on political processes in societies like our own. They are conscious of how public opinion can be shifted. They are conscious also of how events in Iraq and Afghanistan can play into the electoral cycle. And they will be constantly on the lookout for any hint of the only vulnerability that might bring democratic societies undone: the collapse of will. The greatest danger is to send to these people a signal that they are winning, or can win. The more we do that, the more we empower them

That said, I would not want to leave the impression here that we are somehow falling behind in confronting the terrorist threat or that the challenge is beyond us. Far from it. For a start, the measures we have already undertaken, nationally and in concert with neighbours and allies, have had a real impact on the terrorists, denying them safe havens, reducing their access to deadly materials and making it more difficult for them to cross borders. But they are skilled and resourceful and we will need to be as nimble in adjusting and improving our counter terrorist measures as they are in responding to our pressure. And as I said earlier, we will only be able to declare victory when their ideology no longer attracts young recruits and is seen by Muslim communities the world over for what it is – a recipe for social and political paralysis and economic disaster. And that is why we need to be engaging in a battle of ideas in the ways I have outlined this evening.

In 1960, the libertarian Friedrich Hayek wrote of the need to “rally a sufficiently strong part of the world behind a common ideal”. Hayek was writing in another time about another great struggle with totalitarian ideology, but his words resonate today. Our generation’s challenge is to rally behind the common ideals of tolerance, pluralism, moderation, democratic freedom and liberty under the law.



Photo - David Karonidis

*David Dodge*

Dr David Dodge, a former Deputy Minister of Finance and Deputy Minister of Health, is currently the Governor of the Reserve Bank of Canada. In an address to The Sydney Institute, on Monday 6 November 2006, David Dodge drew many parallels between the economies of Canada and Australia, pointing out that both countries “should be well placed to cope with whatever developments come about in the global economy”. But also that both Canada and Australia must “work hard to help shape that global economy”.

# **PROSPERING IN TODAY'S**

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## ***GLOBAL ECONOMY: CHALLENGES FOR AUSTRALIA AND CANADA***

**David Dodge**

I'm very happy to be here in Sydney this evening to talk about our two economies, which have so many features in common: healthy growth, low unemployment, solid prospects for the future, and sound macro-economic policies. But I'd also like to talk about our economies in the context of the wider global market in which we both trade. Further, I'll discuss just how essential it is to our economic well-being, and that of future generations, that we buttress the global institutions that are so vital to stable international trade and financial systems.

As major producers of commodities, both Canada and Australia rely heavily on international trade for our economic expansion, and we each rely extensively on global capital markets. So, what I would like to talk about first is how we see the global and Canadian economies unfolding and what we might expect to see in the future. Following that, I'll also talk about some of the policies that can best help countries like ours to deal with the challenges of today's global economy, looking at this from both a domestic and an international perspective.

### **Canada, Australia and the global economy**

In Canada, we're feeling pretty positive right now about our prospects, despite the fact that the pull back we are now seeing in the US economy is larger, and has come faster, than we had expected. That slowing has serious implications for global demand, of course, but it hits home particularly hard for us, since the United States is, by far, Canada's largest trading partner.

After several years of strong expansion, the US economy is cooling down, restrained by a pull back in the housing sector and slowing demand for autos. After growing robustly in the first quarter of this year, US growth slowed to 2.9 per cent in the second, and the advance estimate is that growth was just 1.6 per cent in the third quarter. The Bank of Canada now projects that US economic growth will average 2 to 2 1/2 per cent in the last half of this year and the first half of 2007.

Activity should then recover to above 3 per cent in the second half of next year and throughout 2008. Slower US growth has clearly caused Canadian GDP growth to fall short of expectations in the second and third quarters. After expanding at a 3.6 per cent annual rate in the first three months of this year, GDP growth slowed to only 2 per cent in the second quarter, and we expect a similar figure for the third quarter.

But it's important to think of this as a mild, and likely very short-lived, cyclical slowdown for Canada. With near-term weakness in the US economy, net exports will likely exert a considerable drag on Canadian growth. However, consumer spending and business investment are expected to remain robust. Overall, we at the Bank of Canada project 2.8 per cent growth for real GDP in 2006, slowing to 2.5 per cent next year but coming back up to 2.8 per cent in 2008. Core inflation is expected to move a bit above 2 per cent in the coming months but return to the 2 per cent target by the middle of 2007 and remain there through 2008. Total inflation will likely average about 1 1/2 per cent through the second quarter of 2007, before returning to the 2 per cent target and remaining there through to the end of 2008.

The main upside risk to the Canadian economy continues to relate to the momentum in household spending and housing prices. This momentum is linked to strong consumer credit growth. By increasing home equity and thus expanding the availability of collateral, the recent strong increases in house prices have contributed to robust growth in consumer credit. There is a risk that these linkages could be stronger than assumed or that house prices could continue to grow more rapidly than expected, resulting in higher-than projected household spending and, hence, greater upward pressures on inflation.

The main downside risk to the Canadian economy relates to the possibility of a sharper slowdown in the housing sector in the United States and a broadening of the weakness in the housing sector to consumption and investment. A larger decline in domestic demand in the United States would lead to decreased demand for Canadian exports and broader weakness in the Canadian economy. This development would also lead to lower inflation. The slower growth in the US economy is a sharp reminder of just how important a role its powerful appetite plays in absorbing the exports of many countries and just how critical that strong US demand has been to global economic growth.

Of course, the United States has been far from alone in absorbing goods and resources from around the world to feed its economic expansion. The extent of the strong worldwide demand, particularly the demand for commodities coming from the emerging powers of China and India, has fuelled Canadian and Australian growth and

also has reminded us of just how closely intertwined countries have become.

Canada has traditionally been known for its net exports of non-energy commodities. Minerals and lumber continue to be important commodity exports for us. However, over the past decade, thanks to plentiful oil and gas reserves and sharply higher prices for oil and natural gas, we are now increasingly known for our energy riches. Similarly, Australia's reserves and exports of minerals, uranium, and coal are among the largest in the world, and demand for those commodities helps to shape the views of global markets about your country. As well, we're both major exporters of grains, traditionally among the top three in the world. As such, I can certainly understand and sympathize with your farmers who are suffering the effects of drought.

With such strong world demand and interest directed towards our commodities, it's perhaps a good time to pause for a moment and reflect on how we might try to strengthen the global trade and financial systems that we rely on so much. World commodity markets are subject to ups and downs. The movements in commodity prices and our exchange rates can pose serious economic challenges for firms and workers. In turn, central bankers and governments must design policies that allow businesses and workers to react rapidly to changing economic circumstances. The healthy, steady prosperity of our two economies is a testament to domestic policies that are working to encourage flexibility, and thus facilitate adjustment.

### **Policies to encourage flexibility**

On the domestic front, it seems that both Canada and Australia have been on the right track – and we both have the economic record to demonstrate that! In terms of monetary policy, both the Bank of Canada and the Reserve Bank of Australia have embraced a policy of inflation targeting backed by a floating exchange rate. For over a decade, both the Reserve Bank of Australia and the Bank of Canada have concentrated on maintaining low and stable inflation.

Inflation targeting helps to preserve confidence in the future value of money and, in that way, anchors inflation expectations. This helps business in making appropriate investments, by maximizing the clarity of the signals that are sent by prices. Controlling inflation is also crucial to maintaining the confidence of markets at home and abroad. Central banks pursue inflation targeting by adjusting interest rates with the goal of keeping total supply and demand in the economy in rough balance. By aiming to keep the economy running at or near full capacity, monetary policy can make it easier for resources to shift from sectors that are shrinking to sectors that are expanding. This is particularly important in times such as these, when large swings in

relative prices highlight the need for rapid adjustments in economic activity. And it's especially important for countries like Canada and Australia – open, trading nations that rely particularly heavily on the production and sale of commodities for their economic wellbeing.

Of course, a central bank that targets inflation must have a floating exchange rate. Experience has shown that for countries such as ours, exchange rate flexibility facilitates adjustments to shocks. Both Canada and Australia have reasonably flexible economies, by which I mean they have the ability to quickly adjust to changing circumstances. And while we recognise that both countries have taken steps to improve flexibility in recent years, there is still much more to be done. In my own country, for example, we continue to grapple with the need to make labour markets more flexible and to foster competition. We also recognise the need to make financial markets as efficient as possible.

In the past decade, both Canada and Australia have followed very good fiscal policies. In Australia, this has been built on an earlier period of debt reduction, while in Canada, we are in the process of reducing debt to levels that will be sustainable in light of forthcoming demographic pressures that we, like so many other nations, will be facing. But flexibility and good macro-economic policy at home still aren't enough to guarantee our future prosperity: it's crucial to us all that we maintain a well-functioning international financial system, an issue to which I will now turn.

## **Promoting a stable, well-functioning international order**

It seems very clear to me that it is absolutely in the best interests of Canada and Australia to promote freer trade and greater financial stability around the globe. With respect to trade, it is vital that the multilateral negotiations that began five years ago at Doha under the World Trade Organisation be restarted and brought to a quick and successful end, and that we all work to continue to strengthen the WTO. The future prosperity of so many nations, in the developing world as well as the developed, depends on these crucial trade talks.

In terms of international financial issues, I think we can all recall quite clearly a fairly recent example of what can happen when the international financial order breaks down. The Asian financial crisis occurred almost a decade ago, yet who can forget how rapidly it swept around the globe; knocking down currencies, shaking up markets, spreading to other emerging-market economies, and throwing many into a tailspin. Demand for commodities contracted sharply during the Asian crisis, which eventually led to a dramatic decline in many world commodity prices. Some commodity prices hit lows not seen

since the end of the Second World War, and that led to a sharp depreciation of our currencies.

Some progress has been made since then, including the establishment of bodies such as the Financial Stability Forum and the G-20. The G-20 brings together systemically significant industrial and emerging-market economies and, as you know, will be meeting in Melbourne later this month. I'm looking forward to this meeting, and I want to say how much I appreciate your country's strong support of this very important forum. Such a forum can provide emerging markets, in particular, with an opportunity to improve the quality of their macro-economic policies and their regulation of financial systems. And I think it's fair to say that thanks to these and other efforts, the global financial system today is more robust than it was in the late 1990s.

But there is so much more that must be done. The Asian financial crisis reminds us of how closely connected economies have become, and of the vulnerabilities of open, trading nations like ours. We can best flourish when the rules of the game are clear and when everyone follows them in deed, as well as in word.

This is why the work of strengthening the International Monetary Fund is so important. Born 60 years ago at Bretton Woods, New Hampshire, the IMF was part of a movement to create an international order, whether in finances or trade, that would work to the benefit of member states. As economies become more integrated and new players have emerged on the global stage, the Fund's central purpose – to promote a well-functioning international monetary and financial order – is more relevant than ever. And it remains crucial to countries such as ours, which are heavily involved in global trade. Underlying this purpose is a basic premise: that the welfare of all our citizens is enhanced by a growing global economy, with rising standards of living and with realised gains from the exchange of goods and services across countries.

Canada's need for a well-functioning international financial order helps to explain why we have been working so hard to see real reforms to strengthen the IMF, and to shift everyone's focus back to the original goals of its founders. With the size of capital and trade flows in today's global economy, we need – now more than ever – a fortified IMF that is truly able to promote a well-functioning, market-based international financial system. By "well-functioning", I mean a financial system that is both efficient and stable, so that markets can do their job of allocating savings to investments through the pricing of capital, and of smoothing economic adjustments through movements in relative prices.

How should the IMF be reformed? Well, to solve global problems, we need to have everyone represented at one table and all participants

fully engaged. But since 1997, the work of the IMF has suffered. Over the past number of years, many emerging-market economies have shifted some of their attention away from the centre of the global financial system, towards regional initiatives. This trend must be reversed. The fastest-growing parts of the world economy should have a growing voice at the IMF. At its recent meeting in Singapore, the Fund began the process of making itself appropriately representative of today's global economic reality. But the importance of this step will be lost unless we can improve the Fund's effectiveness in promoting a framework that supports a well-functioning global economy.

I believe the key to that improvement lies in a strengthened surveillance function. So, how exactly should surveillance be strengthened? In my view, the IMF can play a pivotal role in mitigating serious global risks by serving, in the words of John Maynard Keynes, as a "ruthless truth teller". This expression is a wonderful turn of phrase, not only for its colourful language, but because it neatly encapsulates the critical objectives of effective IMF surveillance. The Fund's surveillance should determine the "truth" about the economic policies and circumstances of member countries, and then "tell" or communicate this truth transparently to all members and to the international community at large.

To determine the truth, the IMF must be focused on the right surveillance priorities; namely, the exchange rate, monetary, fiscal, and financial policies of member countries. Surveillance should focus on these areas alone, and on the potential spillover effects that these policies may have on other members. These are the priorities that reflect the reality of an increasingly integrated global economy.

This is not to say that there is one single prescription for macro-economic and financial policies that all countries must rigorously follow. But what is important is that the particular policies chosen by a country must not hinder economic adjustment. The purpose of IMF surveillance must then be to determine whether the policies being followed by a country are coherent, and whether they have the potential to cause spillover effects in the rest of the world. Surveillance must not get bogged down in domestic micro-economic issues that have little or no bearing on the functioning of the global economy.

Once the Fund staff have done their best analysis of the truth, the Fund must communicate, or tell it, clearly and transparently. I understand that being told the truth can be difficult for national authorities. After all, I was one of those national authorities back in the 1990s who was on the receiving end of IMF criticism. While at that time, we in Canada did not enjoy hearing the truth about our deteriorating fiscal situation, the criticism did help provide the impetus for us to take some tough decisions. Transparent truth telling also serves a very important function in that it allows markets to

discriminate in the event of a global disruption. When investors have good, reliable information, they can make better decisions. This can help limit contagion and minimise the occasions when countries are side-swiped by the poor policy decisions of others. This is particularly important for emerging economies that do not have the wealth, income levels, or institutional capacity to withstand a serious shock.

While the meanings of “truth” and “tell” are fairly clear, what can be said about the word “ruthless”? What this means is that surveillance must be uncompromising and free from interference, political or otherwise. If the policies of any country – large or small – pose risks for spillovers or impede market-based adjustments in the global economy, the truth must be told. Market integration and leverage have magnified the potential impact of policy spillovers. While risk sharing has also increased, markets remain far from complete; more and more countries can now have systemic effects.

To sum up, we need to agree that the IMF should provide a candid assessment of policies that can create external instability or that can prevent adjustment to external imbalances. A more robust IMF can help to maintain the stability of the international financial system that is so important to our businesses and to our economies generally.

## **Conclusion**

It’s very clear that Australia and Canada have both benefited greatly from the strong global economic growth in recent years. But we can’t take that growth for granted. I have discussed domestic policies that are especially important for open trading nations like ours: sustainable fiscal policies, a monetary policy based on inflation targeting, a flexible exchange rate, and flexible markets that can respond to changing economic circumstances. By following these prescriptions, both Australia and Canada should be well placed to cope with whatever developments come about in the global economy. But we must also work hard to help shape that global economy. We need to do our utmost to ensure continued free trade in goods and services and to resist protectionism.

And we must work together and with other countries to make the international financial system as efficient and effective as possible. An important part of that effort must be to modernize the IMF. With a stronger international system and solid domestic policies, both Australians and Canadians can look forward to continued strong economic growth in the years ahead.



Photo – David Karonidis

*Mary Crock*

War is the primary factor in the creation of child refugees. Forced military recruitment of children is a serious and growing practice. Many are less than 10 years old. Mary Crock is Associate Professor and Associate Dean, Post Graduate Research, in the Faculty of Law at the University of Sydney and the author of *Seeking Asylum Alone* (August 2006). On Wednesday 8 November 2006, Mary Crock addressed The Sydney Institute to explain some of the issues relating to child asylum seekers entering Australia. The article which follows is the product of a major research project funded by The Myer Foundation, The Australian Research Council and the John D and Catherine T MacArthur Foundation (Chicago).

# **TRAVELLING SOLO –**

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## ***UNACCOMPANIED AND SEPARATED CHILDREN IN AUSTRALIA'S REFUGEE PROCESS***

**Mary Crock**

In 2003, I was privileged to join an international research team to inquire into a phenomenon that is sweeping the world – and from which Australia has not been immune. Children are travelling the world in increasing numbers, all alone, as migrants and as refugees in search of protection. The resulting study was released in early August 2006,<sup>1</sup> This short article provides an overview of the research and highlights some of the matters that have made the work highly topical. More importantly, it summarises the main areas where Australia needs to re-think its laws, policies and practices regarding the most vulnerable of child migrants. Some of these are matters that can only be addressed by our politicians; others are matters that are within the province of the bureaucrats and administrators. It is a source of great encouragement that the Department of Immigration and Citizenship (DIAC) is committing itself to work at an operational level to ensure that the poor practices documented in *Seeking Asylum Alone* are consigned to the past. It is my great hope that this document will quickly become a testament to (past) historical practices. Sadly, it is not yet possible to make this claim, although substantial improvements are being made.

### **Background to the research**

Consistent with international trends, the number of unaccompanied and separated children seeking asylum in Australia has increased steadily in recent years. The UN Refugee Agency, UNHCR, estimates that between 5 and 7 per cent of child migrants around the world are unaccompanied or separated children. In Australia, DIAC uses the term “unaccompanied minors” to encompass both children who arrive in Australia without a parent or other adult relative to care for them; and those who do not have a parent, but are in the care of a relative over the age of 21.<sup>2</sup> In this

respect, the Departmental category roughly corresponds to the international category of “separated children”. The term “separated children” is used to describe children under the age of 18 years who are outside their country of origin and separated from both parents or from their previous legal or customary care-giver.<sup>3</sup> Experience has shown that many children fleeing situations of conflict and turmoil are not truly “unaccompanied”. They travel in the care of an adult or extended family member), but nevertheless face similar risks to those encountered by unaccompanied refugee children.<sup>4</sup>

For the *Seeking Asylum Alone* study, the research was focused on a particular group of children who arrived in Australia as asylum seekers between 1999 and 2003.<sup>5</sup> Of 4089 asylum seekers who were registered as being under the age of 18 at the time of arrival, 290 were classified as “unaccompanied minors”. Such children continue to arrive: for example, 5 of the 43 fugitives from West Papua in 2006 were unaccompanied children and virtually every boatload of illegal fishers apprehended includes such children, working as crew.

DIAC asserts that of these 290 unaccompanied children, 3 arrived by air on a visa, 4 arrived by air without a visa, and 283 arrived by boat without a visa. The majority were young males from Afghanistan aged between 13 and 17. The youngest was 8 years old. In *Seeking Asylum Alone* particular study was made of 85 of these young people: 77 were from Afghanistan; with two each from Kenya, Vietnam and China and one from Sudan and Rwanda. All but two were males, with ages ranging from 11 to 17. Immigration detention was experienced by all but two, with at least half (42) being detained between 5 months and 4 years.<sup>6</sup> The children studied all fit the description of “smuggled” children, as they were conveyed to Australia in an irregular fashion in exchange for payment.

The children we were privileged to get to know over the course of the three year study were and are remarkable. These young people showed great courage and patience in agreeing to recount – yet again<sup>7</sup> – their experiences as travellers and as asylum seekers.

The report opens with the accounts of “Ghandi” and of “Halimi”<sup>8</sup> and her little brother. Ghandi was smuggled out of his village at the dead of night in a coffin-shaped space made in a pile of bricks strewn with animal offal. He was 16 years old; already married (his wife was with child). He was being targeted by the Taliban commanders in his area because he bore a physical resemblance to the son of the village leader who had unwisely killed one of the Taliban. When the village leader’s wife was abducted and returned in pieces, Ghandi’s brother-in-law arranged for his escape. Unlike many of the other boys we interviewed, he was smuggled from Iran to Singapore in a cargo vessel on board a freight ship in a trip that took 6 weeks and left him barely alive. He was nursed back to health in Singapore before

travelling on to Malaysia and Indonesia whence he made his way by boat to Australia. Ghandi was incarcerated in Woomera Detention centre for only 3 months. He went on to complete his high school education, emerging as dux of his high school. Although he earned a scholarship to go to university, he is now driving taxis, having dropped out of university twice.

Thirteen year old Halimi and her 11 year old brother were two orphaned children who were put on the road by their grandparents. The pair endured great dangers to make it to Australia, only to be incarcerated in Woomera Detention Centre at the height of the riots, disturbances and general unhappiness that characterised immigration detention in Australia following the *Tampa* controversy in 2001. The young pair gained recognition as refugees after enduring nearly 8 months in detention, much of it in a part of the centre reserved for persons “screened out” or deemed not to engage Australia’s protection obligations. This situation appears to have developed out of an initial interview process where the young (obviously Hazara-Afghan) Halimi was interviewed by officials without the aid of any form of guardian or adviser. The girl’s failure to use the correct “trigger” words so as to articulate a “well-founded fear of persecution” appears to have led the officials to rule that she could not be considered for refugee status. Only after long delays and her discovery by refugee advocates were Halimi and her brother transferred into the full status determination process. The young people are haunted to this day with worries about what happened to their grandparents, of whom they have heard nothing since leaving Afghanistan in 2001. Against everyone’s advice, Halimi travelled to Pakistan by herself in an effort to find them. She is not able to tell me their full names or to give any description other than to say that she looks like a young version of her grandmother.

What, then, are the main findings of the *Seeking Asylum Alone* study? In a meeting with the leadership team of DIAC in late September<sup>9</sup>, Secretary Andrew Metcalfe noted that the book touches on virtually every aspect of the Department’s functions – from the interdiction program known as the “Pacific Solution” through compliance operations, on-shore refugee processing and detention to refugee and humanitarian resettlement. In truth, the work is not happy reading. It suggests that in the past we have failed to both identify and cater for vulnerable non-citizen children travelling alone. In too many respects the governing legislation – the *Migration Act* 1958 (Cth) and accompanying Regulations – makes no distinctions whatsoever between adults and children. Australian officials have been given scanty guidance and even less training in dealing with unaccompanied and separated child refugees. Decision makers and migration agents/ lawyers and advocates have not thought properly about how legal principles can and should be adapted to

deal with the protection needs of these children. The regime for the grant of temporary protection visas to asylum seekers in Australia – with consequential restrictions on family reunification – has been debilitating for unaccompanied child refugees.

It is beyond the scope of this short article to deal with all of the matters canvassed in *Seeking Asylum Alone*<sup>10</sup>. Rather, an attempt will be made to provide an introduction to some key aspects of the research. The objective is to increase awareness of the problems engendered by vulnerable children travelling alone and to start a discussion about how solutions are to be found.

### **How and why they travel.**

When we began work on the *Seeking Asylum Alone* project, immediate problems were encountered in trying to determine how many children have been coming to Australia as solo travellers in need of protection. The statistics supplied through requests to parliament over the years are best described as contradictory and confusing, if not radically unreliable. According to DIAC,<sup>11</sup> this situation reflects serious problems facing the bureaucracy hampered by aging computing systems that made the collection and reporting of statistical data problematic. Even if this is the case, the poor record keeping is rather shocking given the relatively modest number of children categorised as unaccompanied minors (see above). It is difficult to avoid the conclusion that at least in the early days of the period studied the Australian authorities were not paying sufficient attention to the humanitarian challenge unfolding before them. It is to be hoped that the injection of funds into DIAC to upgrade its computing systems after the Cornelia Rau and Vivienne Alvarez-Solon<sup>12</sup> scandals will make this problem a thing of the past.

Information was sought also on how many children had been trafficked into Australia in recent years. The distinction here is that victims of trafficking are conveyed across borders for exploitative purposes that involve a continuing (post arrival) relationship with the trafficker. Children are trafficked typically to work as sex slaves or as child labour. In response, the government asserted that one child was *trafficked* into Australia from Thailand in 1994. This is in spite of the fact that the US State Department has recently listed Australia as a category 1 country on the estimation that between 300 and 1000 people are being trafficked into Australia each year – predominantly to work in the sex industry.<sup>13</sup> Either Australia is in a unique position in this part of the world in avoiding almost completely the regional and global pandemic of trafficking in children, or we are not noticing the trafficked children when they arrive or after they are taken into the community. In the absence of programs akin to “Operation Paladin Child”<sup>14</sup> (through which British immigration officials are locating and

“redeeming” trafficked children in the United Kingdom), it is difficult to avoid the conclusion that Australia’s vigilance is not as good as it might be.

Amongst the children studied for *Seeking Asylum Alone*, it is interesting to note that few if any could really be described as “agents” of their own predicament. While children do arrive sometimes as stowaways on large ships, in recent years most children have come to Australia embedded in a larger group of smuggled persons. In many instances it is remarkable that the children have made it all the way to Australia alive and (more or less) in one piece. The vast majority had tales of great endurance and hardship. A common feature in the Australian cohort<sup>15</sup> is that many had no control over any aspect of their travel to Australia. Most appear to have been put on the road by adult relatives in response to an immediate personal threat to the children’s safety and well being. Many were the oldest surviving sibling in a family where the older brother or father, brothers, cousins or uncles had been abducted, killed or mutilated. They spoke of payments made to strangers; of a signet ring handed over at point of arrival to be returned to a family member as proof of safe delivery. Many left in the dead of night: smuggled out in the true sense of that word. *Ghandi*’s experience was not so unusual; another boy was secreted under bales of hay. Some left in groups of young boys – all fugitives of Taliban forces. Others left in the care of adults, with at least one of the young boys studied reporting that his smuggler sexually abused him. In view of the shame and guilt associated with such abuse, it was rare indeed for the young people to disclose these types of experiences.

How much the children understood of what was happening to them varied according to age and experience. Some had been so cossetted by their families for fear of the Taliban that they appear to have been exquisitely ill-prepared for the rigours of either the voyage to Australia or the challenges that awaited for them upon arrival. Others were more streetwise and toughened to hardship. All were bewildered by their reception in Australia.

### **The burning issue: access to protection for vulnerable children**

In the context of the debate over the “Pacific Strategy” and refugee processing “offshore” on Nauru, the first issue warranting consideration is that of access to territory. Guidelines from the UNHCR and international bodies such as the Separated Children in Europe Programme all emphasise that separated children should be immediately allowed to enter the territory of the destination State.<sup>16</sup> In the course of the UNHCR’s Global Consultations on Refugee Children in 2002, it emerged that in some destination states,

separated children are routinely denied access to territory altogether, and are given no opportunity to seek asylum.<sup>17</sup> In Australia, children who make landfall in Australia have generally been admitted into the asylum process, with full entitlement to legal assistance and appeal rights. The same has not been true of children intercepted as part of the “Pacific Strategy”. Asylum seekers processed on Nauru have no access to legal or other assistance in articulating their refugee claim and no right to access Australia’s refugee appeal system. No exceptions are made for unaccompanied and separated children. As a result, children processed under the “offshore” system have been much more likely to have their refugee claims rejected. They are also more likely to be sent back to their country of origin and into unsafe circumstances.

According to the International Organisation of Migration (IOM), 55 unaccompanied or separated children were registered among the asylum seekers prevented from landing on Australian shores in 2001-2002, and taken to Nauru for processing. None of the 290 unaccompanied and separated children whose refugee claims were processed in Australia was expelled from the country. In contrast, IOM reported that 32 of the 55 children processed on Nauru were returned to Afghanistan in 2002-2003. These numbers may reflect a higher failure rate; and/or the general despair experienced by Nauru children. The number of returnees may also reflect the promotion by officials of the government’s policy of paying \$2,000 AUD to individuals who agreed to return to their country of origin voluntarily. According to research undertaken by the Edmund Rice Centre,<sup>18</sup> at least one of the Afghan children was killed upon return to that country.

The measures instituted by Australia constitute a significant impairment of the right of separated children to enter Australia as a country of refuge. There are also strong grounds for arguing that they place Australia in breach of its fundamental obligation not to *refoule* or send back to persecution genuine refugees.

## **Identification and initial reception**

The next issue that merits inquiry is the means by which unaccompanied and separated children are identified, and the action taken following such identification. Relevant international guidelines all recommend that specific procedures be put in place for the identification of unaccompanied and separated children.<sup>19</sup> Where children are accompanied by an adult, the guidelines also recommend that care be taken in determining the nature and implications of their relationship.<sup>20</sup> The SCEP also notes that if an age assessment is necessary, a qualified expert should complete the assessment and any benefit of the doubt should be given to the child.<sup>21</sup> After having been

identified as a separated child, international principles mandate that a legal advisor or guardian be appointed.<sup>22</sup> The guardian or advisor should have the necessary expertise in children's issues, and be able to represent the best interests of the child.<sup>23</sup> The guidelines then state that an interview should be conducted by professionally qualified persons; with an interpreter if necessary, and in an age appropriate manner. Sadly, this has not been the approach taken in Australia.

All non-citizens who arrive in Australia without authorisation are interviewed by immigration officers to establish their identity, where they are from, their reasons for being in Australia, and if, *prima facie*, they engage Australia's protection obligations.<sup>24</sup> The interviews are one-on-one, with an interpreter present, and there is no nominated time limit. They are taped to ensure an accurate record of the interview. Reports of interviews are then considered by a senior staff member of DIAC "who have training and experience in matters relating to Australia's international obligations as a signatory to the United Nations 1951 Convention and 1967 Protocol relating to the Status of Refugees"<sup>25</sup>.

The problems with this system are twofold. First, it is doubtful that DIAC officers have been sufficiently trained in the art of locating children who do not present "obviously" as unaccompanied child asylum seekers. The failure to identify any trafficked children since 1994 (see above) is symptomatic of the shortcomings in the system.

The second problem with this "screening" regime is that few if any special arrangements are made for the children who are being interviewed. They are not given access to a legal or any other advisor or *effective* guardian until after the initial screening is completed. The process is not explained to them. They are not even entitled to the transcript or tapes made of this part of the process,<sup>26</sup> notwithstanding the fact that their statements can be used to impugn their credibility if they change their account at a later date. In this respect it is the legislation that is weighted clearly against "solo" child asylum seekers.<sup>27</sup>

Little wonder that the research found children who had slipped through the cracks, suffering rejection or classification as individuals who "did not engage Australia's protection obligations". The failure to instantly identify Halimi and her little brother as *bona fide* asylum seekers in 2001 is an egregious example of the shortcomings of this system – which remains unchanged.<sup>28</sup>

The Australian report recommends strongly that Australia adopt processes similar to those used in the United Kingdom. There, children identified as unaccompanied or separated child migrants are immediately allocated an independent guardian for the purposes of all dealings with officialdom. The children are not interviewed at all apart from for the purpose of determining their identity and origins.

Under the *Immigration (Guardianship of Children) Act 1946* (Cth) (the (IGOC) Act”) the Minister for Immigration is the statutory guardian of all non-citizen children who arrive in Australia without a parent or adult relative to care for them.<sup>29</sup> Section 6 of this Act provides that as guardian, the Minister shall have “the same rights, powers, duties, obligations and liabilities as a natural guardian of the child would have, until the child reaches the age of 18 years or leaves Australia permanently...”.

This provision was considered by North J in *X v Minister for Immigration and Multicultural Affairs*.<sup>30</sup> After examining the legal concept of guardianship and relevant principles of international law, North J found that the Minister’s responsibilities as guardian under s 6 include the responsibilities which are the subject of the United Nations Convention on the Rights of the Child.<sup>31</sup> Section 6 is concerned with according fundamental human rights to non-citizen children in Australia.<sup>32</sup> The Minister now delegates this function as a guardian under the *IGOC Act* to officers of the child welfare authority in each State and Territory – but only once the child has been through some significant immigration processes. Before that delegation occurs, the children are without an effective guardian. There is an inherent conflict in the Minister’s dual role as guardian of unaccompanied children and as decision-maker under the *Migration Act 1958* (Cth). For the children studied, there could be no doubt that it was the Minister’s immigration control function that predominated.

## **The detention issue: improvements at last**

International law and guidelines are unanimous in their call for special care and protection for child asylum seekers, particularly those in *Seeking Asylum Alone*.<sup>33</sup> They also stress that children should not be kept in detention, and once again state that this is particularly true for separated or unaccompanied children.<sup>34</sup> In Australia, however, detention is mandatory for asylum seekers who enter the country without a visa or other authority.<sup>35</sup> And while detention is not supposed to extend to children where it is not in their “best interests”, until June 2005, detention was the norm rather than the exception for child asylum seekers, whether travelling alone or with their families. The changes instituted in 2005 represent a radical improvement. According to the Department:<sup>36</sup>

In making decisions concerning the welfare and care of unaccompanied minors in immigration detention facilities, DIAC draws upon the advice of people with expertise in child welfare, such as psychologists and state child welfare authorities.

This practice is being formalised in Memoranda of Understanding (MOUs) that are being developed with state child welfare agencies on child protection.

The research into the children who arrived in Australia before 2005 suggests that the policy of detention – and the treatment afforded to the children in detention – had adverse impacts on all of the children. Although further longitudinal research is warranted, the preliminary impression was that a direct correlation is to be found between the length of time individual children spent in immigration detention and how the children are faring today. Those detained for the longest periods (some for over 4 years) are having had the greatest problems in settling into education and basic employment. It is fair to say that much has been done to address the scandalous deficits of the scheme for receiving immigrant children (accompanied or otherwise) before 2005. The *Seeking Asylum Alone* research suggests that there is still much that needs to be done to bring Australian laws and practices in line with international legal standards and with the practice and procedures in comparable Western Countries.

### **Illegal fisher children**

Of particular concern is the practice of keeping the children found on the boats of illegal fishers from Indonesia in hotels pending their removal back to Indonesia. On the one hand, it is not apparent that these accommodation arrangements are a true alternative to detention. While the beds may be softer than in some of the rougher detention facilities that have been used in the past,<sup>37</sup> the restrictions on the liberty of the children and their denial of access to child protection authorities or other independent advice and assistance remain.

The general assumption appears to be that these children are not refugees and therefore do not invoke any kind of protection obligations on the part of Australia. The point to make here is that Australia's obligations with respect to non-citizen children are not limited only to children who are covered by the Refugee Convention. The Convention on the Rights of the Child creates more general duties to act in the best interests of children (Art 3(1)) and to ensure that they are only detained as a matter of last resort and for the shortest possible period of time (Art 37(b)).<sup>38</sup> The plight of unaccompanied and separated children is also given specific attention in Art 20, which places obligations on State parties to provide "special protection and assistance" to the child "temporarily or permanently deprived of his or her family environment". Of equal importance for older children is Art 12, which provides for the full participation of children in all decisions affecting their lives.

In June 2005 the Committee on the Rights of the Child, the treaty body overseeing the CRC, issued a “General Comment” on unaccompanied and separated children. This calls on States to take seriously their obligations under the CRC not to discriminate against these children on the basis of their alienage and lack of legal standing. The Committee called on States to accord these children access to the same services and benefits afforded to vulnerable local children in matters such as health, housing, and education. The General Comment also addresses directly the care and assistance of unaccompanied and separated children within domestic administrative processes. It recommends the appointment of both guardians and adequate legal advisors and stresses the importance of taking into account at all times the expressed wishes and views of the children themselves. The issue of immigration detention is addressed with the observation that many States continue to detain children in inappropriate circumstances. States are urged also to prioritise the reunification of refugee families, either in the State of origin (where this is safe and feasible) or in the destination country. The Comment warns against the repatriation of children into situations where the child could face harm or lack of support structures.

The present practice in relation to the children caught with the illegal fishers is to ensure the speedy return of the children to Indonesia. The rationale is that the children’s best interests are to be returned to their home environment. Whether the assumptions being made about the children’s circumstances are correct, however, is an open question. Without access to the children, the question is not one that is easily answered. However, some consideration should be given to the fact that the illegal fishing enterprises have become both increasingly sophisticated and more obviously “criminal” in their operations in recent years. In some cases, it may be that the children are being used on the boats for exploitative purposes. Although their situation may not be directly analogous to the appalling abuses of child soldiers in Africa, illegal fishers may be using the children on the understanding that Australia will exact lesser punishments on such crew; or even that such children will be speedily returned to Indonesia, from whence they can be re-cycled into a fresh enterprise. In extreme cases, children found on illegal fishing boats may even meet the definition of trafficked children, in the sense that they are being used across national borders for exploitative purposes. If we don’t ask, how can we know? In such cases, it is difficult to see how a speedy return to Indonesia, with no oversight of what happens afterwards, is in anyone’s interests, save those of the illegal fishers.

## **Protection outcomes and the national interest**

There are two final points that need to be made about the end stage of the administrative processes facing “solo” child migrants in Australia. Both relate to the type of status granted to children found to be in need of protection. Beginning first with children who may not meet the Convention definition of refugee, it is a matter of enduring concern that the law in Australia does not provide a ready alternative or “complementary” form of protection for vulnerable children. In this respect, Australia stands in sharp contrast with both the United Kingdom and the United States of America. In the first of these countries, the identification of a child as a minor without the support of a responsible adult is sufficient to gain the child immediate “leave to remain” in England – at least until the child reaches her or his majority at age 18.<sup>39</sup> In the United States, a special (permanent) visa category has been created for non-citizen children found to be at particular risk. This visa gives the child immediate protection, although it comes with the nasty proviso that the holder is forever banned from sponsoring his or her family as migrants to the US.<sup>40</sup> In Australia there are no equivalent visa classes for vulnerable children. The only alternative is to seek an exercise of the Minister’s “non-compellable, non-reviewable” discretion to grant a visa. This is an avenue that could never be described as a reliable safety net.<sup>41</sup> Australia needs to adopt a visa class that caters for children who lack the protection of a responsible adult.

The second, obvious problem that needs addressing is the nature of the protection given to individuals who are recognised as refugees. The need to make this change for solo child refugees is compelling.

If the Australian government is angered and frustrated by the phenomenon of irregular child migration, there comes a point at which the national interest and the best interests of the immigrant child naturally coincide. This occurs where it is apparent that for one reason or another it is not possible to return the child to his or her country of origin. It may become impossible to return a child as a matter of fact (because of failed negotiations with a foreign country) or it may become apparent that return will result in such serious harm to the child as to amount to a gross abuse of the child’s human rights. If a child cannot easily be removed, it is arguably in the interests of both Australia and of the child to ensure that the child is permitted to become a fully participating member of the Australian society. Participation in this sense is embodied in the notion of “resettlement” of the migrant through access to work, education and, most notably in the case of the separated child, family reunification of some kind.

In Australia, refugees who arrive without the authorisation of a visa are entitled at best to three year temporary protection visas.

No special regime has been created for unaccompanied or separated child refugees. Temporary Protection Visas enable the holder to work and to study, but only upon the payment of foreign student fees. The sponsorship of family members is not permitted. At the expiry of the three year period, refugees who arrived before September 2001 are generally eligible for Permanent Protection Visas if they can successfully re-negotiate Australia's refugee status determination system. It is a regime that has seen most unaccompanied child refugees in Australia waiting for six years or longer before gaining permanent in the country. While special "split family" rules enable children holding permanent visas to find and sponsor their parents, once a child reaches her or his majority, this option disappears.

The meanness of Australia's response to the challenge of resettling unaccompanied and separated children recognised as refugees is starkly apparent if we compare the stories of the children in Australia with the "Tampa Boys" who were accepted for resettlement by New Zealand in 2001. By 2005 every one of the children sent to New Zealand had become citizens of that country and most had managed to both locate their families and sponsor them as migrants to New Zealand. The boys have become minor celebrities, with their life milestones and achievements celebrated in the local press.

The story in Australia could not be more different. Most of the unaccompanied child refugees have now gained permanent residence in Australia and some have taken out Australian citizenship. While there are a handful of young ones who have located their families – mostly in Pakistan – few indeed have managed to secure their passage to Australia. In the course of our research, we came across some inspiring success stories. The work done by the Brisbane community in re-creating family for the boys who make up the Tiger 11 soccer team stands out as a shining example of what can be achieved. For the most part, however, the stories are far more mixed. Ghandi, for example, became dux of his final year at high school and secured a scholarship to attend a prestigious university. One year later, however, he was driving taxis. Adris managed to complete his high school (in a manner of sorts) and was overjoyed when his parents and two siblings were granted visas to come to Australia as humanitarian migrants. Since their arrival he has been overwhelmed with the burdens of suddenly becoming head of the family (at 19). He has yet to secure himself a steady job, although he is enrolled in a TAFE course. There is another young one who has at last secured an apprenticeship as a painter. This means that the 18 year old is no longer spending his nights at the gym or watching Afghan movies, sleeping through the day so as to avoid engagement with the world. There have been numerous incidents around the country of unaccompanied child refugees falling into sad and sorry states, getting into fights, forming

street gangs. In October 2006, one young man stabbed his former flatmate to death after the two came to blows over unpaid utility bills. This former unaccompanied minor had recently returned from Pakistan where he had found his family and married a young woman. He is presently in custody on remand – his dreams shattered.

As one advocate interviewed for *Seeking Asylum Alone* acknowledged, the temporary protection regime creates nothing but misery and “corrosive uncertainty” for child refugees. This is particularly the case for children who endured great hardships before coming to Australia; and considerable traumas after their arrival – most particularly those detained for long periods of time. It is a system that ultimately does not operate in the national interest. What is required now is an intensive intervention program targeting young people who came as asylum seekers – together with the unaccompanied child refugees who continue to arrive under the offshore resettlement program. There is a pressing need to ensure that these young people become properly literate; that they receive counselling and appropriate psychiatric care; and that they are mentored into appropriate skilled and unskilled occupations. The success stories both in New Zealand and across Australia all have one thing in common. In each instance the child has managed to secure a substitute family – even if there is only one person who has stood in and declared their interest and affection for the child. As the children “age out” of their childhood, the need for family and for a mentor does not disappear.

If the children given asylum by Australia have been greatly damaged by their experiences, this is not a new or completely unique problem for the country. After the Vietnam war, Australia took in close to 28,000 unaccompanied and separated children. The experience forced the development of formalised refugee resettlement programs. The initiatives taken in the form of supervised foster homes and intensive youth development programs in the 1980s were as good as any in the world. While some of these children ended up in street gangs and the misery of dysfunctional lives, for the most part these programs were highly successful – a fact that is evidenced by the high participation rate today of ethnic Vietnamese Australians in higher education, employment and in the general cultural life of the country.

Australia can do better than it is with this latest group of children who have come here *Seeking Asylum Alone*.

## Endnotes

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- 1 See Mary Crock, *Seeking Asylum Alone: A Study of Australian Law, Policy and Practice Regarding Unaccompanied and Separated Children* (Sydney: Themis Press, 2006) (Hereafter DIAC, *Fact Sheet 80: Caring for Unaccompanied Minors* dated 27 June 2002. DIAC also makes a further distinction within

the category of unaccompanied minors. Children who do not have either a parent or adult relative to care for them in Australia are referred to by as “unaccompanied wards”. Those children who do not have a parent, but do have a relative over the age of 21 to care for them are referred to as “unaccompanied non-wards”. – Australian Report).

- 2 DIAC, *Fact Sheet 80: Caring for Unaccompanied Minors* dated 27 June 2002. DIAC also makes a further distinction within the category of unaccompanied minors. Children who do not have either a parent or adult relative to care for them in Australia are referred to by as “unaccompanied wards”. Those children who do not have a parent, but do have a relative over the age of 21 to care for them are referred to as “unaccompanied non-wards”.
- 3 Report of the Secretary General to the United Nations General Assembly, *Protection and Assistance to Unaccompanied and Separated Refugee Children*, 7 September 2001, (A/56/333). In contrast, “unaccompanied children” are children under the age of 18 years who have been separated from both parents and are not being cared for by an adult who, by law or custom, is responsible for doing so: UNHCR, *Refugee Children: Guidelines on Protection and Care* (Geneva: UNHCR, 1997).
- 4 UNHCR, *Trends in Unaccompanied and Separated Children Seeking Asylum in Europe*, 2000 (Geneva: UNHCR, November 2001) at 1. To capture the broadest range of children, reference throughout *Seeking Asylum Alone* is to both unaccompanied and separated children.
- 5 The following information was provided by the Immigration and Multicultural and Indigenous Affairs Portfolio in response to Questions Taken on Notice, Additional Estimates Hearing: 11 February 2003. See *Seeking Asylum Alone – Australian Report*, at Ch 2.
- 6 See *Seeking Asylum Alone*, 45-46. See in particular Table 7. Note that for 7 the period spent in detention was not known.
- 7 Since 1999 many asylum seekers in Australia have been subject to a regime that results in the grant of 3 year temporary protection visas to those recognised as refugees. This meant that most of the unaccompanied children recognised as refugees have had to undergo status determination processes (and the multiple interviews these entail) at least twice. Children who claims were rejected and who exercised their right to appeal have been through even more drawn out processes. For an explanation of the system in Australia, see Mary Crock, Ben Saul and Azadeh Dastyari *Future Seekers II: Refugees and Irregular Migration in Australia* (Sydney: Federation Press, 2006), ch 6; and *Seeking Asylum Alone*, Part 3.
- 8 All of the children studied for the report chose pseudonyms so as to preserve their anonymity.
- 9 Attended by Associate Professor Mary Crock and Ms Anna Sampson of A Just Australia, DIAC Offices, Belconnen, 26 September 2006.
- 10 In particular, little attention is paid here to issues relating to the conduct of administrative processes in cases involving children. There is also no discussion of how the definition of refugee needs to be interpreted so as to accommodate the protection needs of children. See *Seeking Asylum Alone – Australian Report*, chs 9-11; and ch 12, respectively.
- 11 Meeting with Secretary and other officials, above n10.
- 12 *Future Seekers*. Insert ref to Palmer Report.

- 13 See *ibid*, 44 -45. Category 1 is the lowest ranking given. However, the government's submission to the US investigators was that it should not be rated at all because the incidence of trafficking is so low.
- 14 See *Paladin Child: The Safeguarding Children Strand of Maxim funded by Reflex : A Partnership Study of Child Migration to the UK via London Heathrow* Reflex, Metropolitan Police, the United Kingdom Immigration Service, Association of Directors of Social Services, NSPCC, London Borough of Hillingdon, 2004.
- 15 This is not typical of unaccompanied and separated children in other countries – particularly those with shared land borders. See Jacqueline Bhabha and Mary Crock, *Seeking Asylum Alone: A Comparative Study of Laws, Policies and Practices Regarding Unaccompanied and Separated Children in the United States the United Kingdom and Australia* (Sydney: Themis Press, 2006), at Ch 2.
- 16 UNHCR, Guidelines on Policies and Procedures in dealing with Unaccompanied Children Seeking Asylum (February 1997) at 5; Separated Children in Europe Programme, *Statement of Good Practice* (Second Edition, October 2000) at 7 (hereafter 'SCEP').
- 17 See Global Consultations at 2.
- 18 See Edmund Rice Centre, *Deported to Danger*, available online at [http://www.erc.org.au/index.php?module=documents&JASDocumentManager\\_op=viewDocument&JAS\\_Document\\_id=1](http://www.erc.org.au/index.php?module=documents&JASDocumentManager_op=viewDocument&JAS_Document_id=1).
- 19 UNHCR (1997) at para 5.4; SCEP (2000) at 7.
- 20 *Ibid*.
- 21 See SCEP C 6
- 22 UNHCR, *Refugee Children: Guidelines on Protection and Care*, 1994 at 54; Global Consultations, at 3; SCEP, *Statement of Good Practice*, October 2000 at 8.
- 23 UNHCR, *Refugee Children: Guidelines on Protection and Care*, 1994 at 54; Global Consultations, at 3; SCEP, *Statement of Good Practice*, October 2000 at 8.
- 24 DIMIA, Fact Sheet 75: Processing Unlawful Boat Arrivals
- 25 *Ibid*
- 26 For an example of a recent case where the Full Federal Court held that adverse information based on an airport interview did have to be disclosed to the applicant on appeal to the Refugee Review Tribunal, see *SZEEU and Others v MIMA* [2006] FCAFC (24 Feb 2006).
- 27 See *Migration Act* 1958, s 91V which empowers officers to request a "non-citizen in immigration clearance" to "make an oral statement, on oath or affirmation, to the effect that the information (provided by that person) is true." If the person refuses to sign or make such a statement, or complies with the request in circumstances that suggest a lack of sincerity, "then, in making a decision about the non citizen under this Act or the regulations, the Minister may draw any reasonable inference unfavourable to the non citizen's credibility."
- 28 See *Seeking Asylum Alone – Australian Report*, at Ch 8.2.
- 29 Under s 4AAA of the Act, the term "non-citizen child" is defined as a person under the age of 18, who enters Australia as a non-citizen, and intends, or is intended, to become a permanent resident. It does not apply to children who enter Australia in the charge of, or for the purposes of

living in Australia under the care of: a parent; a relative who has turned 21; or an intended adoptive parent.

30 *X v MIMA* (1999) 164 ALR 583.

31 *X v MIMA* at para [43].

32 North J also commented, obiter dicta, that s 6 of the Act and s 39B(1A)(c) of the *Judiciary Act 1903* (Cth) confer upon the Federal Court a jurisdiction, analogous to the *parens patriae* jurisdiction, to supervise the Minister's function as guardian of non-citizen children. *X v MIMA* at para [79].

33 Article 20 of CRC places obligations on State parties to provide "special protection and assistance" to the child "temporarily or permanently deprived of his or her family environment". Under Art 22, States must ensure child refugees "receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth ... in other international human rights or humanitarian instruments to which the said states are parties".

34 See for instance, CRC Art 37(b), which states that detention should "be used only as a measure of last resort and for the shortest appropriate period of time" for children. The European Separated Children in Europe Program (SCEP) Statement of Best Practice at C 1.1 and C 7.

35 Under s 189 of the *Migration Act*, detention is mandatory for persons known or reasonably suspected to be "unlawful non-citizens".

36 DIAC, *Fact Sheet 80: Caring for Unaccompanied Minors* (Public Affairs Section, Department of Immigration and Multicultural and Indigenous Affairs, Canberra, 27 June 2002).

37 In 2000 the author toured facilities in Western Australia at Willy Creek, near Broome, where illegal fishers were being detained in the roughest imaginable disused cargo containers. Some of the fishers were permitted to sleep on their boats, before these were destroyed by Customs officials.

38 For an excellent overview of Australia's obligations under this Convention, see Human Rights and Equal Opportunity Commission, *A Last Resort? National Inquiry into Children in Immigration Detention* (HREOC April 2004), ch 4.3.

39 See Jacqueline Bhabha and Nadine Finch *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the UK*. (Themis Press, 2006). The report is available online at [www.humanrights.harvard.edu](http://www.humanrights.harvard.edu).

40 This is known as Special Immigrant Juvenile Status program. See Jacqueline Bhabha and Susan Schmidt *Seeking Asylum Alone: Unaccompanied and Separated Children and Refugee Protection in the US*. (Harvard University, 2006), ch 4. The report is available online at [www.humanrights.harvard.edu](http://www.humanrights.harvard.edu).

41 See *Seeking Asylum Alone- Australian Report*, at Ch 6.2.4.

## FUNCTIONS - 2006



*Photographer: David Karonidis*



Photo - David Karonidis

*Virginia Hooker*

Dr Virginia Hooker is Professor of Indonesian and Malay, Faculty of Asian Studies, Australian National University. An author of a number of books on contemporary Islam, her most recent work is *Voices of Islam in Southeast Asia: A Contemporary Sourcebook*, edited and compiled with Greg Fealy, Institute of Southeast Asian Studies, Singapore (2006), the first sourcebook to present a wide selection of contemporary materials on Islam in Southeast Asia, most of which have not previously been available in English. Virginia Hooker addressed the Sydney Institute on Tuesday 14 November 2006.

# ISLAM IN SOUTH EAST

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*ASIA*

**Virginia Hooker**

While much of the Western world has been engaged in debating the pros and cons of Samuel Huntington's hypothesis that there is a "clash of civilisations" between Muslims and non Muslims,<sup>1</sup> there have been other, in my view, more significant "clashes" occurring within communities of Muslims. It is these intra-Muslim debates which are the focus of this paper. Clearly in the brief time available we have to be selective in the material we can present here, but a more detailed picture is given in a recently published *Voices of Islam in Southeast Asia*.<sup>2</sup> For the first time, this book makes available extracts in English from the writings and speeches of Southeast Asian Muslims so that non-Muslims may experience first hand the nature and tone of the intra-Muslim arguments and counter-arguments.

It is worth spending a few moments explaining the gestation of the book because the process of putting the book together is itself a sign of closer and more productive engagement between Australia and key individuals in Southeast Asia.

In December 2003, the annual meeting of the Committee for Security Cooperation in the Asia-Pacific (CSCAP) was held in Jakarta and members were concerned that political leaders and policy makers throughout the region (including Australia) be better informed about "Islam". Even key policy makers, it was thought, needed more information about trends in Muslim thinking. Professor Anthony Milner and Professor Desmond Ball, co-chairs of the Australian committee for CSCAP, together with Dr Greg Fealy and a selection of experienced analysts such as Yusuf Wanandi (Centre for Strategic and International Studies, Jakarta) and Sidney Jones (International Crisis Group), discussed how this might be achieved. It was agreed that a Sourcebook or Reader which presented representative extracts of Muslim thinking on key issues would be the most effective way of providing information about contemporary Muslim thinking in the region.

Foreign Minister Downer, who had attended the Jakarta meeting, supported the concept and through his Department provided

funding for the project. The implementation was entrusted to Dr Fealy and me and the project began with a workshop in Canberra to which we invited representatives of the major Muslim communities in Southeast Asia. The workshop identified the issues of primary concern to Muslims in Southeast Asia and participants fully endorsed the project. With a small team we then assembled materials from books, legal codes, magazines, websites, diaries, teaching manuals, popular music, interviews, discussion groups and the media. Our selection criteria were strict. The material had to meet the following conditions: be primary sources (not commentaries) written or spoken by contemporary Muslims<sup>3</sup>; representative of the views of a particular group and provide a particular perspective on an issue. Our main challenges were to provide a range of views on an issue (the supporters as well as opponents and detractors) so that readers could judge for themselves the opinions and thinking being presented.

Where possible, we provide examples of moderate, mainstream positions, conservative and literalist views as well as hard-line, militant positions which may or may not advocate the use of violence in the name of Islam. Each extract is introduced with a brief explanation about its author, its context, and its significance for contemporary debates but we deliberately avoided judgmental commentary to allow the reader to experience it without a filter we had provided.

One of the major contributions of the book is the presentation of material which is difficult to obtain, has not been previously published, and/or has not been published in English. A team of translators worked with us on materials in Indonesian, Malay, and Thai and an Arabic speaker assisted with the transliteration of Arabic terms from Arabic script into our roman alphabet. Besides the extracts from primary sources, the book also has a section devoted to succinct overviews of the political and social history of Islam in each Southeast Asian nation – Brunei, Burma, Cambodia and Vietnam, Indonesia, Malaysia, The Philippines, Singapore and Thailand. This section provides up to date information on the state of Islam in all parts of the region.<sup>4</sup>

The best way to show how the *Sourcebook* works is to take you through some of the translated extracts – which we present here in a more abbreviated form so that we can illustrate a range of views on just four topics: Gender and the Family; Sharia (Islamic law); Jihad; and Relations with non-Muslims.

We begin with Gender and the Family because the status of women in Islam arouses heated debates, not least in Southeast Asia. Muslim women activists have campaigned for more than 15 years to convince their fellows that gender equity is sanctioned by the Qur'an and that women have a major role to play in Islamic society.<sup>5</sup> Central to the debates on women is interpretation of those verses of the

Qur'an which are often quoted to show women are NOT the equal of men. The following extract is by Professor Nasaruddin Umar, Professor at the State Islamic University Jakarta and Director of Religious Guidance in the Ministry of Religion. He is planning a new translation of the Qur'an into Indonesian, a translation which would provide new translations of disputed verses in the Qur'an particularly those concerning women and concerning jihad. This translation, he believes, would greatly strengthen the arguments of moderate Muslims when they urge fellow Muslims to give greater weight to contextual (rather than literal) interpretations of key verses in the Qur'an.<sup>6</sup> The extract begins:

The interpretation of the Qur'an is often done on the basis of rejecting gender equality. Works of exegesis have become references in defending the status quo and legalizing the system of patriarchal life, which gives special rights to men and has the tendency to sideline women. Men are viewed as the principal sex, and women as the second sex. [...]

The primary mission of the Qur'an is to liberate humankind from various forms of anarchy, inequity and injustice. The Qur'an always calls for justice (Q.S. al-Nahl/16:90), security and tranquillity (Q.S. al-Nisa'/4:58), and prioritizes good and the prevention of evil (Q.S. Ali 'Imran/3:104).<sup>7</sup> It is these verses that also bring into being the primary goals of sharia (*maqasid al-syari'ah*).<sup>8</sup>

If there is an interpretation that is not in accord with the principles of justice and human rights, then that interpretation must be reconsidered. Almighty God is Most Just, thus it is not possible that His Holy Book contains anything that is not in accord with these principles.

In Islam there are various controversies connected to gender relations, among others: the origins of the creation of women, and the concepts behind inheritance, witnesses, polygamy, reproductive rights, women's rights to divorce and the public role of women. If we read the verses connected to the said issues quickly, they give the impression that there is bias (injustice) against women. However, if we scrutinize them deeply, using the analytic methods of semantics, semiotics and hermeneutics, and pay attention to the theory of *asbab nuzul* [Ar.: *asbaabun-nuzuuli*; circumstances and context for the revelation (of the Qur'an)], then we can understand that these verses constitute a process of creating justice in a constructive manner in society. All the verses connected to the above issues, for example the origins of women (Q.S. al-Nisa'/4:1), inheritance for women (Q.S. al-Nisa'/4:11), women as witnesses (Q.S. al-Baqarah/2:282), polygamy (Q.S. al-Nisa'/4:3, Q.S. al-Nisa'/4:129), the right of unilateral divorce (Q.S. al-Baqarah/2:231), reproductive rights (Q.S. al-Baqarah/2:223, Q.S. al-Nisa'/4:23), the public role of women (Q.S. al-Ahzab/33:33) and the political rights of women (Q.S. al-Nisa'/4:34),<sup>9</sup> were in fact revealed with regard to specific cases which happened at the time of the Prophet, on whom be blessings and peace. This means that these verses all have a specific character.

According to Yvonne Yazbeck Haddad,<sup>10</sup> the Qur'an is a source of values which, for the first time in the long history of the human community (*umat*), devised the concept of gender justice. Among the cultures and civilizations that existed at the time of the revelation of the Qur'an, such as the Greek, Roman, Judaic, Persian, Chinese, Indian, Christian and Arabic (pre-Islam) cultures, there was not one that placed women in a more respected or prestigious position than the values introduced by the Qur'an. [In a footnote, the author refers the reader to Haddad (1980: 56).]

However, we also cannot arbitrarily say that every interpretation that is not in accord with contemporary thinking is wrong, because every Qur'anic commentator (*mufassir*) is a "child of his times". They also have the right and capacity to understand Qur'anic verses according to the logic and cultural contexts that are in accord with their times. Perhaps what needs to be done is [to think about] how the reinterpretation of the Qur'an can be considered an ongoing process, which must be done every moment, in line with social changes. We can elucidate a number of verses that are judged to be gender-biased in our social environment, by doing research into those verses repeatedly and critically.<sup>11</sup>

The next extract is from an extended ABC radio interview with Zainah Anwar, one of the founders of a Malaysian women's NGO called Sisters in Islam. Established in 1987 by a small group of professional women to support Muslim women in the sharia courts, they have been active in Malaysian media and abroad to raise awareness about the position of women and to educate Muslims about the need for new interpretations of the Qur'an. The extract begins:

**Terry Lane:** In passing, you referred to the Qur'an as revealed. Do you mean that literally? Do you mean that this is literally the revealed word of God?

**Zainah Anwar:** Yes, definitely.

**Terry Lane:** You say 'Yes, definitely', but if I make a comparison between Islam and Christianity, Christianity only lost its ability to control the lives of women when that very notion of revealed truth was rejected.

**Zainah Anwar:** Well you see there is a difference between what is revealed by God – and that is the words in the Qur'an, there are exact verses in the Qur'an that comes from God, that's revealed from God – and what is human understanding of the word of God. In understanding what is the word of God, there is the human agency, the human intervention. So the minute [you begin] the process of reading the Qur'an and what you say as a result of reading the Qur'an, and what you understand as a result of reading the Qur'an, the process of human agency, of human understanding and human intervention, has come in and interacted with the revealed word. So this is the point we are

making, that all these laws that are codified, all these pronouncements and fatwahas that are made in the name of God, in the name of Islam, are human understanding of God's word, and because they are human understanding of God's revealed message, therefore it can be challenged, it can be changed, given the context of changing times and circumstances. So we need to make, and this is a big problem that we have as well in the Muslim world, that there is a difference between what is the revealed word and what is human understanding of the revealed word.<sup>12</sup>

Zainah Anwar represents a small progressive group in Malaysia. By contrast, the next extract is an official statement made by the largest Muslim social movement in the world, Indonesia's Nahdlatul Ulama (35 -40 million members). Issued in 1997, it sets out the official NU position on the status of women. As Sally White explains: "It clearly lays out its decision that women have a right to a public role while at the same time affirming women's reproductive role as primary. ... The other major Islamic organization in Indonesia, Muhammadiyah, accepted women's public and political role as early as 1972."<sup>13</sup> The extract begins:

Islam gives women the same rights as men to devote themselves to religion, homeland, people and state.[...]

[Quotes from the Qur'an and Hadith are presented to support this statement.]

It must be acknowledged that men do indeed have different functions [from those of women] that are caused by *natural and innate (qodrati/fitri)* differences. There are also roles in social life for both men and women that are *not predetermined by kodrat (non-kodrati)*. Each has responsibilities that need to be shouldered and carried out with the support of the other. Such are the words of Almighty God:

The believers, both men and women, support each other; they order what is right and forbid what is wrong (Sura at-Taubah: 71). [Q9: 71, Haleem]<sup>14</sup>

The true and natural role of women is the domestic role, of being pregnant, giving birth, breastfeeding, being the primary educator of children and other functions associated with the family that clearly cannot be replaced by men. Almighty God decreed:

He creates whatever He will – He grants female offspring to whoever He will (Sura Asy-Syura 49). [Q42: 49, Haleem]<sup>15</sup>

And Islam has set down the rights and duties of women in family life, which must be accepted and followed by both husband and wife.

However, there is also the *public role* of women, where women as members of society and as citizens with state and political rights have demanded that they have a more distinct, transparent and protected social role.

According to the principles of Islam, women are permitted to have *public roles* and are therefore viewed as being capable and having the capacity to hold such public and social roles.

In other words, the position of women in this complex society and nation-state system is wide open, although their quality, capacity, capability and acceptability must be the yardstick. At the same time, the main natural and particular role of women should also not be forgotten.

NU has the responsibility to initiate cultural transformation and promote equality, empowerment and the participation of Indonesian women in the non-predetermined sectors. This in turn will help advance national development in this era of globalisation.<sup>16</sup>

The final extract in this section on the status of women, is taken from a textbook used in the women's section of the Islamic boarding school Al Mukmin Ngruki at Surakarta (Solo) in Central Java. The boarding school was founded in the 1970s by two scholars, Abu Bakar Ba'asyir and Abdullah Sungkar, who later became leaders of Jemaah Islamiyah. In contrast to the previous extracts, the Ngruki textbook interprets the Qur'anic verses on women's behaviour in a very literal fashion. The boarding school is popular among parents who seek a conservative, pious education for their daughters. Many sincerely believe that by following the advice of their religious teachers they are following God's will and will be rewarded in the afterlife. Each statement in the extract is supported by a Qur'anic quote given first in Arabic and then translated into Indonesian. The extract begins:

[A pious woman:]

1. Is obedient and submissive to God.
2. Guards herself when her husband is away. See QS. An Nisa'/4: 34.

Means:

*Thus pious women are those who are obedient to God and guard themselves behind their husbands' backs because God has guarded them.*<sup>17</sup>

3. Gives precedence to the rulings of Allah above other rulings. QS. Al-Ahzab/33: 36.

Means:

*It is improper for believing men and improper for believing women, [if] when God and His Messenger have determined a determination, there will be for them (other choices) concerning their affairs. And whoever betrays God and His Messenger, then truly he or she is misguided, clearly misguided.<sup>18</sup>*

The Prophet, blessings and peace be upon him, said:

*There are no faithful among you until your passions follow what I have laid down. [Hadith]*

4. Presents herself as a pious woman.
5. Remains mainly in the home, in accordance with her nature (*fitroh*) and duties.
6. Is not adorned and decorated as women were in the times of pre-Islamic ignorance (*jahiliyah*).
7. Performs the obligatory prayers (*sholat*).
8. Pays the wealth tax (*zakat*). In accordance with QS. Al-Ahzab/33: 31–33.

Means:

*Whoever among you all (wives of the prophet) remains obedient to God and His Messenger and does pious deeds, certainly We [will] give to them double rewards and We [will] prepare for them noble means of living [wherewithal for living]. Oh wives of the prophet, you are not like other women, if you are pious then don't be submissive in your speech so that those who have sickness in their hearts become desirous, and utter appropriate utterances.<sup>19</sup>*

A woman who is pious or who is often called *Mar'atush sholihah* [a pious woman] is a woman who is truly obedient to God and who carries out all commands as well as observing what is prohibited. She never breaks the rulings of God and always surrenders her soul and her entire life to serve God alone.

Obedience means:

1. Surrendering herself to God;
2. Surrendering all the affairs of her life to the law and sharia of God, or in other words: making the Qur'an and the Sunnah the source of law to regulate all aspects of her life;
3. Sacrificing her personal interests to fulfil the holy calling (God);
4. Giving priority to the advice and warnings of God above all others;

5. Protecting herself from all types of strategies and ruses;
6. Implementing the commands of God and His Prophet as well as observing all of His prohibitions.

The attitude of being submissive and obedient towards God will indeed be challenged with trials and obstacles, as well as tests. Because indeed such is woman's *fitroh*. However, the strong faith that exists in a pious woman will make her capable of facing every obstacle.<sup>20</sup>

## Sharia

The essential meaning of sharia is "path" and when applied to the Qur'an is understood as meaning the path to eternal life in the hereafter made possible by proper conduct in this life. The sources for understanding this path are the Qur'an (God's guidance for all beings) and the example of the life of the Prophet Muhammad (Sunnah) as recorded in reports about his words and actions, (Hadith). The interpretation of these sources is Fiqh, "positive rules" or strict "black letter law" which has been developed over centuries. The term 'sharia law' in strict terms refers to the guidance of the Qur'an and Hadith. Most contemporary references to "sharia law", however, refer to specific regulations and codes which are more accurately described as "laws for Muslims" or 'sharia-inspired' laws.<sup>21</sup> In Southeast Asia, as shown in Table form in the *Sourcebook*,<sup>22</sup> sharia is in a form determined by the state and it is restricted to family and personal law and the administration of charitable trusts, the pilgrimage to Mecca and so on. The regional regulations on Islam being promulgated in some provinces of Indonesia are probably invalid (i.e outside the authority of the regional autonomy Law of 1999) but have yet to be challenged in the supreme court. The situation in Aceh, where Islamic regulations are valid under a special agreement with the central government, is still developing and will not be included here.

It is usually in a political context, that is for political advantage, that public discussion of sharia-inspired laws occurs. The following are some extracts exemplifying the pro and contra positions on the full implementation of sharia. It is important to note that no definition is given about what sharia means. The first extract is from a published interview with Ahmad Syafii Maarif, former chair of Indonesia's second largest mass social movement, Muhammadiyah. He has a doctorate from Chicago and has been a staunch supporter of moderate interpretations of Islam.

...Certainly we are the nation with the largest Muslim majority in the world. Yet it should be remembered that historically, Islam entered

Indonesia mainly through a process of acculturation with local cultures. As a result of the spread of Islam in that way, now we see three groups of Muslim communities in Indonesia. *First*, the group of ‘marginal’ Muslims often called *abangan* (nominal) Muslims. *Second*, *santri* (practising) Muslims who are syncretic. And *third*, *santri* Muslims who seriously try to practise Islam in accordance with sharia.

If sharia were to become the basis for state law, the last group of *santri* Muslims would probably be able to adapt to it. But the other groups might reject it. As you know, the actual number of those who are syncretic and nominal Muslims is quite high. You can imagine what would happen if sharia were to be actually implemented as state law. Dissension would occur not only between Muslims and non-Muslims, but also within the Muslim community itself. This would clearly be dangerous.<sup>23</sup>

The next extract represents a very different view. It argues that secular laws have failed to protect Indonesia’s Muslims from corruption and from the harmful influences alleged to come from “the West”, such as greater sexual freedom, “immodest” forms of dress fostered by Western fashion, drug addiction, and a perceived increase in serious crime. It argues that only full implementation of sharia law can restore order to society and well-being to its citizens.

The extract is from a major position paper entitled “Save Indonesia with Sharia”, by Muhammad Ismail Yusanto,<sup>24</sup> a leading spokesperson for Hizbut Tahrir Indonesia (HTI). The paper begins with the passionate statement that Indonesia is weeping because its rich natural resources have been squandered by greedy local entrepreneurs and plundered by foreign companies. Yusanto claims this situation was exacerbated by the economic crisis of 1997–98, with the result that millions of Indonesians live in poverty, are unable to gain an education and have been driven to crime. The quotation from the extract begins:

As for those who reject Islamic law, are they still fit to breathe the oxygen created by God, consume God’s blessings, live on God’s earth, and live with the spark of life given to them by God? So there is absolutely no reason to reject Islamic law.

Meanwhile, without Islamic law can we hope for the emergence of a better structuring of life? Or can we hope to gain the benefits from Islam that [are] believed will come and bring compassion? If not, why are we still happy to live for so long without Islamic law as we do now? On the one hand we complain that life is getting harder and more unsafe, the prices of everything are rising, immorality is rampant, pornography is easy to find, teenagers are becoming increasingly brutal, bureaucrats are increasingly not to be relied on, but on the other hand why do we just ignore Islamic law, which we believe must surely be able to solve all our problems and regulate the life of society properly? Why is it stored

away like some old antique, and not applied in real life? It is the same as someone getting really cranky when they are ill, but then they just stare at the medicine in their hand. How will they ever be cured? <sup>25</sup>

In Malaysia, the opposition party PAS, which supports the implementation of sharia in Malaysia, won power in two states in the mid 1990s and drafted two fairly brief Islamic law bills. A constitutional amendment would be needed for the bills to be implemented and while UMNO holds power at federal level this will not happen. However, PAS continues to enjoy considerable support for its position on implementation of sharia and the following extract, by Dr Farish Noor long-time observer of PAS, explains how the perceived failure of secular laws provides the primary argument for sharia implementation.

...To understand the appeal of PAS's *Hudud*<sup>26</sup> proposals today, one would therefore have to look at the corresponding failure of its counterpart, the civil legal system. PAS has always called for the creation of an Islamic State and the introduction of *Shariah* law in the country. (Although the party's own understanding of what such an Islamic State would look like has changed over the years, from the time of Dr. Burhanuddin al-Helmy to Asri Muda to Yusof Rawa,<sup>27</sup> and then on to the present generation of *Ulama* leaders.) But for the first four decades of its history, PAS made little gains as far as the *Shariah* issue itself was concerned. It was only from the 1990s onwards that PAS has made *Shariah* its main weapon against the UMNO-led Government, and with some success.

That this shift took place at a time when Malaysians were exposed to a string of major corporate and political scandals could not be a simple coincidence: as the scandals grew in scale as well as number, the public's faith in the civil legal system was tested and pushed to the limit as more and more corporate misdemeanours were brushed under the carpet or kept under wraps. The Constitutional crisis of 1982–3, the UMNO legal battle of 1987, the second Constitutional crisis of 1991–93, the financial crisis of 1997 and the Anwar Ibrahim crisis of 1998<sup>28</sup> all contributed to the steady erosion of public confidence in not only the ruling coalition, but also the institutions of State such as the police, legislature and judiciary.

Faced with such stark realities, it is hardly a surprise if so many among the younger generation of Malay-Muslims today have given up on the secular developmental model. Though this does not pretend to be an exhaustive analysis, one can tentatively conclude that one of the main reasons *Shariah* and *Hudud* have become so popular among many Malay-Muslims is the failure of the secular option itself. The solution to the 'problem' (if it merits being described as such) is to restore the integrity and credibility of the civil legal apparatus itself. Rather than demonising PAS's *Shariah* project and engaging in an endless debate about the religious credentials of "PAS's *Hudud*" or 'UMNO's *Hudud*',

it would be simpler to reform the civil legal system in the country so that it once again does what it is meant to do: handing out justice in an open, fair and consistent manner according to the fundamental principles of the Malaysian Constitution.<sup>29</sup>

Sharia is the realm of scholars expert in the theory of law which includes positive law. Many matters in daily life and increasingly in business life are not covered by state-sponsored sharia legislation. Muslims seeking guidance on points of law may seek the opinion of a scholar with the authority to do so.<sup>30</sup> Fatwa are not legally binding but fatwa on important issues can have much influence on Muslim behaviour. The main Muslim social organisations in Indonesia, Nahdlatul Ulama and Muhammadiyah, issue guidance on a wide range of matters of concern to their members.<sup>31</sup> The following extract on various forms of insurance, considered by some Muslims to be a form of gambling, is an interesting example of how the NU's committee of experts approached the matter and the points it addressed and evaluated at one of its national conferences. The extract begins:

**1. Social insurance**

Social insurance is permitted with the following conditions:

- 1.1. Social insurance is not considered to be *akad mu'awadhah* [a commutative contract] but rather *syirkah ta'awuniyah* [gifting the use of something lent which is later returned].
- 1.2. It is implemented by the government so that any loss is borne by the government and any benefits are returned for the interests of society.

**2. Insurance against loss**

Insurance against loss is permitted conditionally if the following stipulations are met:

- 2.1 If the loss insurance takes the form of conditions for objects which become bank collateral.
- 2.2 If the loss insurance is unavoidable, because of government regulations, such as insurance for goods exported and imported.

**3. Life insurance**

Life insurance is forbidden except under the following conditions:

- 3.1 The life insurance incorporates an element of saving.
- 3.2 When paying the premium, the insured person intends to save (deposit) the benefit with the insurer (the insurance company).

- 3.3 The insurer intends to keep the saving of the insuree in a manner permitted by sharia law.
- 3.4 If before the period agreed between the insurer and the insuree as stated in the policy, an unforeseen situation occurs so that the money is required, then the insuree can take or withdraw part of the saved money from the insurer, who has the responsibility to return the amount requested.
- 3.5 If the insuree is unable to meet the payment of the premiums then:
  - 3.5.1 The premium becomes a debt which can be paid in instalments from the time when the next premium payment falls due.
  - 3.5.2 The relationship between the insuree and the insurer does not end.
  - 3.5.3 The deposited money of the insuree is not forfeited.
  - 3.5.4 If the insuree dies before the due date then the heirs have the right to take part of the saved money, while the insurer is obliged to return part of the aforesaid money.
4. **The delegates** [to the congress] support and agree to the establishment of Islamic insurance.
5. **Before the goals of Islamic insurance can be achieved**, the existing system of insurance should be corrected by eliminating those elements which are forbidden, so that there are no infringements of Islamic teachings. To that end, steps similar to the procedures used with the banking commission should be taken.<sup>32</sup>

## Jihad

As Greg Fealy explains in the *Sourcebook*:

Jihad is a major element in Islamic belief. Its literal meanings are “to endeavour”, “to strive or struggle” and “to fight”. The Qur’an commands Muslims to struggle in the path of God (Ar: *jihad fi sabilillah*) following the example of the Prophet Muhammad and his Companions. Jihad can take a wide variety of forms. It can mean the personal struggle to make oneself a better Muslim through prayer, and fasting, and by acquiring a deeper knowledge of the faith. It can mean a broader exertion to improve society through charitable works, religious teaching, political activity, economic initiative and social leadership. It can also mean fighting against injustice, ignorance and oppression through preaching and writing. Finally, it can mean armed struggle or holy war, particularly against enemies of the faith. Indeed, jihad is the only legal form of warfare permitted in Islam. ...

Traditionally, Islamic jurists have imposed strict requirements on the waging of violent jihad. Holy war may only be declared by a duly

constituted state authority, and the launch of hostilities is forbidden until the “enemy” has refused calls to convert to Islam or negotiate peace. Once war is joined, non-combatants are immune from attack, as also are women, children, the sick and the elderly, provided they have not fought against Muslim forces. Since the 1970s, however, a new stream of jihadist thinking has emerged which allows for aggression towards those not involved in anti-Islamic conflict and which also uses excommunication (Ar.: *takfir*) to deem fellow Muslims apostate who can then be killed. Internationally, such groups as al-Qaeda, Gama’a Islamiyah and Laskar-i-Tayyiba have used such interpretations to justify the killing of non-combatants and Muslims.<sup>33</sup>

The vast majority of Southeast Asian Muslims, whether hard-line literalists or moderates, regard violence in the name of Islam as anathema and those who perpetrate such violence as criminals.<sup>34</sup> The following extract, a much abbreviated version of a chapter written by Masdar Mas’udi, one of Indonesia’s younger Nahdlatul Ulama leaders, presents arguments for peaceful and constructive jihad.

...The position of jihad in the entirety of the construct of Islam is very important. As such, some in the Islamic community have suggested that a sixth pillar of Islam, namely jihad, be added. We also once heard suggestions that social justice be added to the pillars of faith as in the reform era. If we discuss religion then we cannot stray from that because religion is a doctrine.

In the Qur’an, the word jihad is mentioned repeatedly in no less than 38 forms. Among the verses some state that in Islam, only two things are required for a guarantee of salvation: faith and jihad [...] Not just one verse, but several, stress that faith and jihad are the path to salvation.

On account of this, it is understandable that the term or concept of jihad has become vital, popular and important in Islam. Perhaps if we use other verses to try to describe the two paths to salvation, faith and pious charity, where there is perhaps an equivalence between jihad and pious charity, then, more or less, faith is personal whereas jihad is overtly public, faith is latent, hidden within, and jihad is its actualisation.

As such, jihad obtains an extremely broad meaning, as all actualization of faith as religious commitment is jihad. A person wanting to pray needs to perform jihad in the sense of a jihad of self-restraint (*jihadun nafs*), which is a great jihad (*jihad akbar*). But in reality, a great jihad is defeated by a small jihad (*jihad asghar*). If a great jihad is the jihad of self-restraint, then outward jihad is its manifestation. [Mas’udi presents a range of arguments to support peaceful, socially oriented jihad. He ends with the following observation].

I think it is more important to translate Islam as service (*amali*) and define the enemies frequently found within us, namely stupidity, laziness

and so on. We do not need to be too outward looking, continually looking for faults and weaknesses in other people.<sup>35</sup>

The *Sourcebook* includes material from the published and unpublished writings of two of the convicted Bali bombers, Imam Samudra and Mukhlas. The next extract is a small part of a lengthy discourse by Imam Samudra from a chapter of a book he wrote while awaiting trial. His views are included here as an example of the views of that small proportion of Muslims prepared to use violence to avenge the deaths of Muslims killed by “oppressors”. The extract is from a chapter entitled: “A ruling (fatwa) on death from the frontline”. It begins:

There’s no need to be tricked by the title. I really am a troublesome demon who reeks of death. But don’t misconstrue this; it doesn’t mean that I’m an anarchist or paranoid. I’m just normal, you know.

I’ve said before that in the matter of jihad, before I implemented it, at controversial points I would adhere to the fatwa of holy-war religious scholars (*mujahid ulama*), namely ulema who have fought on the battlefield of jihad themselves.

It’s just like with a patient: if the sickness they’re suffering from is in a general category, then they’ll go to a general practitioner. But if their disease has reached a certain stage, for instance with obstetrics, naturally they would go to an obstetrician for treatment. Someone with a toothache will go to a dentist. And so on. Theoretically, a general practitioner could understand obstetrics or dentistry, but in practice it would obviously be otherwise.

We can carry this logic over into the context of jihad. How could those ulema who have never fought a jihad or been on the battlefield possibly understand the issues and complexities of jihad?

The *mujahid ulama*, whose clothes have been covered with the dust of jihad, whose sweat has mingled with the smell of ammunition and shells, whose ears are used to the whizzing of bullets, whose hearts have at times palpitated when meeting and fighting with enemy combatants, who have seen pools of blood everywhere, who have been wounded as the Messenger of God was when his teeth were broken by an enemy spear during [the Battle of] Uhud,<sup>36</sup> of course they better understand, more fully comprehend and are more suited to responding to the problems of the Muslim faithful, especially with regard to jihad.

In Islam, those on the jihad battlefield, who guard the defensive bastions and who stand on alert at the frontline, are usually called “people of the frontier” (*ahluts tsughur*).<sup>37</sup> And the ulema who are in those places are referred to as ‘ulema of the frontier’ (*ulama ahluts tsughur*).

Ulema of the frontier are closer to God, are more often reminded of death and are closer to gaining God's guidance. How could this not be so? They are always facing the enemy, facing bullets and bombs, which theoretically could cause wounds and death. Situations like these will automatically guide them to repeat constantly the confession of faith as a form of worship of God, leading them to be more prepared to face death, and distancing them from worldly things like rank, popularity, wealth and so on. [...]

There is no ulema of the frontier who has never taken up arms and fought a jihad against the infidels. [...]

There were the greats like Shalahuddin Al Ayyubi, Umar Mukhtar and others. Following that there were renowned jihadists like Sheikh Asy-Syahid Dr. Abdullah Azzam (who died a martyr in 1987 in Pakistan), Sheikh Aiman Azh-Zhawahiri, Sheikh Sulaiman Abu Ghait, Sheikh Mullah Omar and Sheikh Usamah bin Ladin.

They were all on the frontline of the jihad in Afghanistan. [...]

The international Jewish and Christian media have given them appalling labels. They have been called terrorists, hard-line Islam, extremists, radicals and so on, in an effort to create erroneous public opinion throughout the world. Israel and America have created the image that they, the people of the frontier, are a race of cruel and sadistic monsters. In fact, in essence it is they themselves who are cruel and sadistic. They are Draculas spawned by Monsters!

Draculas crying Dracula!! Monsters crying Monster!!! [...]

The situation is that Muslims have been lulled to sleep on so many issues, suffering from a syndrome of lack of confidence due to the jargon of 'Muslims are terrorists' from the fangs of the Draculas spawned by Monsters, and that Muslims in general have chosen to remain silent or don't care, as long as the appetites of their 'stomachs' and 'below the stomach' are not disrupted. When the ulema are also increasingly busily submerged in their collections of holy books and the echo of loudspeakers, they no longer care about the despoiling, vilifying and colonization of Mecca and their holy lands. It was preordained by God that a group of holy war fighters would be born who were truly aware and understood what they had to do. [See Fealy and Hooker 2006: 375-376 for full version]

### **...Attacking Civilians in the Colonizing Nations as a Fair and Just Act.**

Nevertheless, what has happened is that the colonizing nations have continued, are continuing and will continue to massacre the civilians of Muslim nations. However, America and its allies have exceeded the bounds. God is the most Holy, God is the most Righteous! God does not permit His servants to remain in a state of anxiety and degradation. God does not permit His servants to be played foul by the infidels. War will

be met with war, blood with blood, lives with lives, and transgressions with the same.

Whoever exceeds the boundaries against you, then answer their attacks in the same way that they have done to you (Al-Baqarah: 194). So waging war on civilians (if indeed they really are civilians) from the colonizing nations is an appropriate act for the sake of balance and justice. Blood for blood, lives for lives and [...] civilians for civilians! That is balance. [Q16: 126 is quoted here.] [...]

War is indeed cruel, war is horrifying, war is painful, and war is terrifying. But nevertheless, [...] permitting the brutality of the colonizing nations towards Muslim peoples is more brutal. Allowing that horror, that fear and that pain to continue to afflict Muslims as a result of the brutality of the blood-sucking monsters is even more cruel.<sup>38</sup>

## Attitudes to non-Muslims

We thought it important to include in the *Sourcebook* extracts which provide a sense of the range of attitudes to non-Muslims. There are many active interfaith groups in Indonesia and Malaysia and influential Muslim leaders such as Malaysian Dr Chandra Muzaffar,<sup>39</sup> Dr Ahmad Shafie Ma'arif (mentioned above), Dr Alwi Shihab (Indonesian Foreign Minister 1999–2001), and the late Dr Nurcholish Madjid, who have written eloquently about the humanity of all peoples which must be respected and nurtured by all religions, especially Islam. But a small minority think otherwise. Their strident and aggressive rhetoric attracts that group of young Muslims who feel marginalised from mainstream society and seek to express an Islamic identity through direct, sometimes violent action. This includes monitoring the behaviour of their fellows<sup>40</sup> and expressing their frustrations through condemnation of non-Muslims, stereotyped as “the West”. Included in their armoury of rhetoric is the concept of “the war of ideas” which divides the world into Islamic and non-Islamic, with the latter accused of deliberately trying to undermine Islam and Muslims.<sup>41</sup> The terms of the rhetoric are unpleasant as the following extract illustrates. The author has a doctorate in management studies from a Malaysian university and is currently a member of the Indonesian Parliament for the PKS (Prosperity and Justice Party). It should be noted that not all PKS members share his views. The extract begins:

...In general, the Islamic community is not aware of the dangers of the war of ideas. This phenomenon is proved by the number of Muslims who, consciously or otherwise, adhere to the thoughts, behaviour and lifestyle of the infidels (the West). Muslims' unawareness of this danger has caused them to lose their identity and self-confidence as Muslims.

Moreover, pride in pagan (*jahiliyah*) behaviour has been tuned into a culture. [...]

The infidels, who suffered successive defeats at the hands of Islam during the crusades, have since looked for an alternative way of destroying the Islamic community. They will never be willing to stop and will never stop attacking until the Islamic community follows their religion. The strategy they have chosen to destroy Islam is *al-ghazw al-fikri*. *Al-ghazw al-fikri* is an ideological, cultural, mental and conceptual attack waged continually in a systematic, organized and well-planned fashion. The result is the emergence of a change in personality, lifestyle and behaviour in the Muslim community.

The aim of *al-ghazw al-fikri* is to make Muslims give up their religion. These efforts began before the fall of the Islamic (Islammiyah) caliph, and started by severing the ties between Islamic countries under the Islamic caliph, causing the emergence of nationalist, group and national ideologies. The separation of religion and the state, orientalism, Christianization and the women's emancipation movement are also *al-ghazw al-fikri* activities that have shown their results among a proportion of the Islamic community who have become ignorant of their religion (*jahiliyah*). In general, the perpetrators of *al-ghazw al-fikri* are Jews, Christians, Zoroastrians, Polytheists, Hypocrites (*Munafikin*), Atheists and infidels. Their method of attacking the Islamic community and making it forget its genuine identity is through propaganda, education, instruction, books, the print media, clubs, sport, foundations, institutions, entertainment, films and music.

The danger of *al-ghazw al-fikri* can deceive the Islamic community and tend to make them infidels, loving them, obeying them, following their way of life, having similar behaviour, until they give their loyalty to these infidels. They will receive damnation and torment from God, as God has removed Himself from them. The life of Muslims who fall into the trap of *al-ghazw al-fikri* changes to become a life of ignorance (*jahiliyah*) [...]<sup>42</sup>

Most Indonesian Muslims strongly condemn the “war of ideas” ideology. The following extract, by one of the founders of the Liberal Islam network in Indonesia, speaks for itself. It begins:

The term “ghazwul fikri” is very popular in Islamic circles. This term originated from the Arabic language and literally means “battle of thought” though who used it for the first time is not known. The works of Sayyid Qutb, Muhammad Qutb, Said Hawwa,<sup>43</sup> and the ideologists of the Muslim Brethren often used this term with a “crusader’s” spirit.

The users of this term believe that Western thought tends to attack and to have a negative impact on Muslim thought. Those thoughts may poison and keep Muslims away from Islam. ‘Therefore’, as Muhammad Qutb said, the ‘battle of thought is far more dangerous than physical

war'. They also believe in the existence of 'influence theory' whereby a Muslim will be influenced and trapped in the nets of Zionism and crusaders whenever they study the Westerner's and particularly the orientalist's work in detail.

I think, "ghazwul fikri", "influence theory", must be observed critically. Since every thought – whatever and wherever its source – is a form of "battle" and has influence upon anyone engaged in it.

The Muslims who have observed and engaged with Western thought have never been destructive. On the contrary, they are reformists whose names are recorded honourably in the history of Islamic modern thought. Take[,] for example, Rif'at Tahtawi, Muhammad Abduh, Al-Kawakibi, Taha Hussein, Muhammad Iqbal, Fazlur Rahman, Syed Hussein Nasr, Hassan Hanafi, and Nurcholish Madjid.<sup>44</sup> They are all reformists who have contributed a lot to the development of Islamic thought.

On the other hand, people who read the works of the advocates of "ghazwul fikri" and influence theory, have become engaged in destruction and violence. Take for example Osama ben Laden and the 19 terrorists who exploded the WTC on ninth of September 2001 all of whom were familiar with the books of Sayyid Qutb. In an interview far before the 9/11, Osama admitted that *Fi Dhilal al-Qur'an* [In the Shade of the Qur'an] by Sayyid Qutb was the most influential book he had ever read.

The most important *ghazwul fikri* for the Muslim now is to fight against the simplistic and foolish thoughts which frequently require them to hate and taunt their 'enemy' while the true enemy is themselves.

It is the time for Muslims to think positively, openly, critically, and to dare to take their own position without being ruled over by authoritarian thought in the name of religion.

The most important *ghazwul fikri* for the Muslim now is to fight against the racist, intolerant, and hateful thoughts held towards others. Some of those thoughts are the inheritance of the past, and the rest are their own conceptions derived from an anti-Western and anti-Orientalist schizophrenia.<sup>45</sup>

We conclude with an extract from an article for *Time Asia* by Anwar Ibrahim, former Deputy Prime Minister of Malaysia, written while he was in gaol on charges of sodomy and corruption (since overturned). His response to the atrocities of September 11 2001 is based on the Qur'anic verse: 'Do not let hatred of others lead you away from justice, but adhere to justice, for that is closer to awareness of God.'<sup>46</sup> After totally condemning the acts of terror, he questions how Muslim civilisation could have produced a person such as Osama bin Laden. The extract begins:

...In the centuries when Islam forged civilizations, men of wealth created pious foundations supporting universities and hospitals, and princes competed with one another to patronize scientists, philosophers and men of letters. The greatest of scientists and philosophers of the medieval age, ibn Sina, [Avicenna] was a product of that system. But bin Laden uses his personal fortune to sponsor terror and murder, not learning or creativity, and to wreak destruction rather than promote creation.

Bin Laden and his protégés are the children of desperation; they come from countries where political struggle through peaceful means is futile. In many Muslim countries, political dissent is simply illegal. Yet, year by year, the size of the educated class and the number of young professionals continue to increase. These people need space to express their political and social concerns. But state control is total, leaving no room for civil society to grow.

The need for Muslim societies to address their internal social and political development has become more urgent than ever. Economic development alone is clearly insufficient: it creates its own tensions in the social and political spheres, which must be addressed. A proper orientation must be developed for Muslim engagement with the world at large. Participation in the global processes must not be the monopoly of the government.

It is the sense of alienation and the perception that the world is against them that nurture bitterness among those who resort to terrorism. Confusion and anger against the global order and its only superpower have been brought about by the failure of the Muslim world to address two crucial issues: Afghanistan's descent into chaos and anarchy as a result of the Soviet invasion and the subsequent rise of the Taliban, and the suffering inflicted on the Muslim masses in Iraq by its dictator as well as by sanctions imposed on that long-suffering nation.

For more than 100 years, the Muslim world has had to grapple with the problem of modernity. Of greatest urgency is the effort to inculcate an intellectual and political orientation that promotes democracy and openness. Intellectuals and politicians must have the courage to condemn fanaticism in all its forms. But they must, in the same breath, equally condemn the tyrants and oppressive regimes that dash every hope of peaceful change.<sup>47</sup>

The extracts presented here, and the even greater number presented in the *Sourcebook*, offer just a taste of the kinds of debates and points of contention among Southeast Asian Muslims. Even though only a sample, you can gain some idea of the emotional rhetoric developed by a few Muslims designed to inflame passions about particular political issues both domestically and overseas (the situation in Palestine and the killing of civilians by Western forces being chief among these). But you will be aware also of the more

reasoned forms of argumentation used by other Muslims and these reveal what I term the “layers of interpretation” which Muslim scholars take into account in their evaluation of issues. They believe that what distinguishes the Muslim position from that of non Muslims is the acknowledgment that God, Allah, is the source of everything (the doctrine of Tawhid) and the human path to understanding is through His revelation to all mankind (the Qu’ran) and that the Prophet Muhammad’s life remains the example for all later generations (the Sunnah). Interpretation of what that means for the individual Muslim began with the Prophet’s closest companions in seventh century Arabia and continues today. Up to the nineteenth century, it was the writings of the great medieval Muslim philosophers and jurists which provided guides for pious Muslim behaviour. In the nineteenth century, however, especially in Egypt, Muslim intellectuals who had experienced European culture and thought urged other Muslims to include in their thinking the best from the West. It is this trend to augment and develop the thinking of the medieval scholars which remains the great challenge for Islam, including for Muslims in our region.

How can we continue then, to write as Huntington and even some here in Australia have, as if the divide of difference is between the Muslim bloc (them) and the non-Muslim bloc (“us” – with the “us” as undefined as the “them”)? Surely we cannot continue to describe the relationships between Muslims and non-Muslims in terms of a competition in which ‘we’ have to be winners and ‘they’ have to be losers. The material in the extracts presented here shows clearly the strong debates happening within communities of Muslims as they try to define what it means to apply Islam in their daily lives in the twenty-first century. The Muslim community is not a monolithic bloc when it comes to applying Islam in contemporary daily life. If we (non-Muslim Australians) fail to recognise and acknowledge the efforts being made by many Muslims to establish interpretations of Islam which are true to the spirit of the Qur’an and able to be implemented in the twenty-first century, then we are turning our backs on our expressed values of democracy, respect for the views of others, and a willingness to engage in productive discussion. This is not to suggest that agreement will be possible on every issue. It is also high time more Muslims joined the brave pioneers who have long been speaking out about issues of concern to all of us as humans. We might begin the process of productive discussion in our own spheres of influence and also encourage our columnists and journalists to meet face to face with interested Muslims and take it from there. Geraldine Doogue went to Indonesia to do just that and her interviews resulted in two excellent episodes of *Compass*.<sup>48</sup> The Australia Indonesia Institute (funded by DFAT to encourage person to person contact)

brings young Muslim leaders to Australia so that they can observe how Islam operates as a minority faith here and also share their views on Islam with Australian Muslims. The latter have been surprised at how 'progressive' and open-minded the Indonesians are.

Direct communication is a problem, however, because few Australians speak fluent Indonesian. On the other hand, many Indonesians speak English but not perfectly and this is misunderstood by some Australians as lack of knowledge. Perhaps our greatest immediate contribution to supporting moderate and progressive Muslims is to strengthen their spoken English. Several years ago I accompanied a group of young Muslim leaders from Indonesia, to a meeting with a federal parliamentarian. When she asked what we could do to help them spread their views, they replied "please give us training in media skills". The hard liners are gifted in this respect and readily attract media attention – the moderates have more difficulty.

Many Southeast Asian Muslim leaders cannot speak at international gatherings about their work because of the language divide and they cannot access higher education in the West because they fail to meet the standard entry criteria. Many desperately want to study at Western universities but cannot pass English tests. This is where we can really make a meaningful contribution to the development of the capacities of moderate Muslims to articulate their opposition to hard-line extremism and violence. Australian journalists, academics, and members of AusAID teams to name a few, have been developing working partnerships in Southeast Asia. The contacts are in place to deepen direct experience of Islam in Southeast Asia. We need only the will.

## Endnotes

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- 1 As described in Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, Penguin Books, 1997 developed from his 1993 *Foreign Affairs* article.
- 2 Greg Fealy and Virginia Hooker (editors and compilers), *Voices of Islam in Southeast Asia: A Contemporary Sourcebook*, ISEAS Publications, Singapore, 2006.
- 3 The focus of the *Sourcebook* is Muslim views and positions – the views of non-Muslims are not included. The interaction between non-Muslims and Muslims in the region could be the focus of a different volume
- 4 There are at least 214 million Muslims in Southeast Asia, with almost 190 million in Indonesia and 14.5 million in Malaysia. Indonesia has the world's largest Muslim population. In Indonesia, Malaysia and Brunei Darussalam Islam is the majority religion. In Singapore, Thailand, the Philippines, Burma, Vietnam, Cambodia and Laos, Muslims are in a minority. For further details of Muslim populations in individual nations of Southeast Asia see Index in Fealy and Hooker 2006.
- 5 See further Sally White who wrote the *Sourcebook's* chapter on Gender and the Family, see Fealy and Hooker 2006: 273-352.

- 6 Some verses in the Qur'an are very difficult to understand fully, for Muslims as well as non-Muslims. To better appreciate the challenges this poses, the Sourcebook provides an English translation in the footnotes. The most lucid translation is one published recently and used here: M.A.S. Abdel Haleem, *The Qur'an: A new translation*, OUP, 2004. Unless otherwise noted, all Qur'anic quotes in the footnotes are from this source.
- 7 "God commands justice, doing good, and generosity towards relatives and He forbids what is shameful, blameworthy, and oppressive. He teaches you, so that you may take heed" (Q16: 90).  
 "God commands you [people] to return things entrusted to you to their rightful owners, and, if you judge between people, to do so with justice: God's instructions to you are excellent, for He hears and sees everything" (Q4: 58).  
 "Be a community that calls for what is good, urges what is right, and forbids what is wrong: those who do this are the successful ones" (Q3: 104).
- 8 The primary goals of sharia, as defined by the great 12th century scholar al-Ghazali, are: the protection of religion; protection of life; protection of generations (family); protection of property; protection of intellect..
- 9 "People, be mindful of your Lord, who created you from a single soul, and from it created its mate, and from the pair of them spread countless men and women far and wide; be mindful of God, in whose name you make requests of one another. Beware of severing the ties of kinship: God is always watching over you" (Q4: 1).  
 "Concerning your children, God commands you that a son should have the equivalent share of two daughters. If there are only daughters, two or more should share two-thirds of the inheritance, if one, she should have half. Parents inherit a sixth each if the deceased leaves children; if he leaves no children and his parents are his sole heirs, his mother has a third, unless he has brothers, in which case she has a sixth. [In all cases, the distribution comes] after payment of any bequests or debts. You cannot know which of your parents or your children is closer to you in benefit: this is a law from God, and He is all knowing, all wise" (Q4: 11).  
 "You who believe, when you contract a debt for a stated term, put it down in writing: have a scribe write it down justly between you. No scribe should refuse to write: let him write as God has taught him, let the debtor dictate, and let him fear God, his Lord, and not diminish [the debt] at all. If the debtor is feeble-minded, weak, or unable to dictate, then let his guardian dictate justly. Call in two men as witnesses. If two men are not there, then call one man and two women out of those you approve as witnesses, so that if one of the two women should forget the other can remind her. Let the witnesses not refuse when they are summoned. Do not disdain to write the debt down, be it small or large, along with the time it falls due: this way is more equitable in God's eyes, more reliable as testimony, and more likely to prevent doubts arising between you. But if the merchandise is there and you had it over, there is no blame on you if you do not write it down. Have witnesses present whenever you trade with one another, and let no harm be done to either scribe or witness, for if you did cause them harm, it would be a crime on your part. Be mindful of God, and He will teach you: He has full knowledge of everything" (Q2: 282).  
 'If you fear that you will not deal fairly with orphan girls, you may marry whichever [other] women seem good to you, two, three, or four. If you fear

that you cannot be equitable [to them], then marry only one, or your slave(s): that is more likely to make you avoid bias' (Q4: 3).

"You will never be able to treat your wives with equal fairness, however much you may desire to do so, but do not ignore one wife altogether, leaving her suspended [between marriage and divorce]. If you make amends and remain conscious of God, He is most forgiving and merciful" (Q4: 129).

"When you divorce women and they have reached their set time, then either keep or release them in a fair manner. Do not hold on to them with intent to harm them and commit aggression: anyone who does this wrongs himself. Do not make a mockery of God's revelations; remember the favour He blessed you with, and the Scripture and wisdom He sent to teach you. Be mindful of God and know that He has full knowledge of everything" (Q2: 231).

"Your women are your fields, so go into your fields whichever way you like, and send [something good] ahead for yourselves. Be mindful of God: remember that you will meet Him. [Prophet], give good news to the believers" (Q2: 223).

"You are forbidden to take as wives your mothers, daughters, sisters, paternal and maternal aunts, the daughters of brothers and daughters of sisters, your milk-mothers and milk-sisters, your wives' mothers, the stepdaughters in your care—those born of women with whom you have consummated marriage, if you have not consummated the marriage, then you will not be blamed—wives of your begotten sons, two sisters simultaneously—with the exception of what is past: God is most forgiving and merciful—" (Q4: 23).

"stay at home, and do not flaunt your attractions as they used to in the pagan past; keep up the prayer, give the prescribed alms, and obey God and His Messenger. God wishes to keep uncleanness away from you, people of the [Prophet's] House, and make you completely pure" (Q33: 33).

- 10 Yvonne Haddad is professor of the history of Islam at the Center for Muslim-Christian Understanding at Georgetown University in Washington DC.
- 11 Nasaruddin Umar (2002), "Pembuka" [Introduction], pp. 1–4 in *Qur'an untuk Perempuan* [The Qur'an for Women], Jaringan Islam Liberal dan Teater Utan Kayu, Jakarta. Extract: pp. 1–4. See Fealy and Hooker 2006:289-292.
- 12 Excerpt from the transcript of an interview with Zainah Anwar conducted by Terry Lane [in English], "In the National Interest", Radio National, Australian Broadcasting Corporation, <<http://www.abc.net.au/rn/talks/natint/stories/s915192.htm>>, dated 3 August 2003, accessed 6 September 2005. See Fealy and Hooker 2006: 292-93.
- 13 See "Mendudukan Perempuan Melalui Fikih" [Giving Women a Place through Law], <[http://www.republika.co.id/mycetak\\_berita.asp?id=139533](http://www.republika.co.id/mycetak_berita.asp?id=139533)>, dated 12 September 2003, accessed 3 June 2005. The decision was made by Majelis Tarjih at the 1972 congress and published as a booklet called "Adabul Marāh Fil Islam" [Ethics of Women in Islam]. In 2001, it was decided that women could be elected to the Central Board of Muhammadiyah. However, when elections were held at the national conference in July 2005, no women were elected. See "Gender Issue Overshadows Muhammadiyah Congress", <[www.thejakartapost.com](http://www.thejakartapost.com)>, dated 12 July 2005, accessed 12 July 2005.
- 14 "The believers, both men and women, support each other; they order what is right and forbid what is wrong; they keep up the prayer and pay the prescribed alms; they obey God and His Messenger. God will give His mercy to such people – God is almighty and wise—" (Q9: 71).

- 15 “God has control of the heavens and the earth; He creates whatever He will – He grants female offspring to whoever He will” (Q42: 49).
- 16 “Keputusan Musyawarah Nasional Alim Ulama Nahdlatul Ulama Tahun 1418H/1997M, Nomor:..... 004/Munas/11/1997 tentang Kedudukan Wanita dalam Islam” [Decision of the Nahdlatul Ulama National Ulema Consultation 1418 H/1997 No..... 004/11/1997 Concerning the Position of Women in Islam], pp. 55–60 in *Hasil-Hasil Musyarawah Nasional Alim Ulama & Konferensi Besar Nahdlatul Ulama* [Decisions of the Nahdlatul Ulama National Ulema Consultation and Grand Conference], Jakarta. Extract: pp. 57–60. Fealy and Hooker 2006:311-313.
- 17 “Husbands should take full care of their wives, with [the bounties] God has given to some more than others and with what they spend out of their own money. Righteous wives are devout and guard what God would have them guard in their husbands’ absence. If you fear high-handedness from your wives, remind them [of the teachings of God], then ignore them when you go to bed, then hit them. If they obey you, you have no right to act against them: God is most high and great” (Q4: 34).
- 18 “When God and His Messenger have decided on a matter that concerns them, it is not fitting for any believing man or woman to claim freedom of choice in that matter: whoever disobeys God and His Messenger is far astray” (Q33: 36).
- 19 “but if any of you is obedient to God and His Messenger and does good deeds, know that We shall give her a double reward and have prepared a generous provision for her. Wives of the Prophet, you are not like any other woman. If you truly fear God, do not speak too softly in case the sick at heart should lust after you, but speak in an appropriate manner; stay at home, and do not flaunt your attractions as they used to in the pagan past; keep up the prayer, give the prescribed alms, and obey God and His Messenger. God wishes to keep uncleanness away from you, people of the [Prophet’s] House, and make you completely pure” (Q33: 31–33).
- 20 Pengasuh Pondok (n.d.), “Ciri-Ciri Wanita Sholihah” [Characteristics of the Pious Woman], pp. 12–17 in *Materi Pelajaran Kewanitaan* [Material for the Education of Women], Pondok Pesantren Islam Al Mukmin Ngruki Surakarta. Extract: pp. 12–14. Fealy and Hooker 2006: 275-278.
- 21 See MB Hooker, *Islamic Law in South-East Asia*, OUP Singapore, 1984: 317 under “Muslim law”.
- 22 Fealy and Hooker 2006: 140-41
- 23 Ahmad Shafii Maarif, “Pertimbangkan Dampak Yang Akan Timbul” [Assessing the Fallout], pp. 41–4 in Kurniawan Zein and Sarifuddin HA (eds), *Syariat Islam Yes, Syariat Islam No: Dilema Piagam Jakarta dalam Amandemen UUD 1945* [Sharia Yes, Sharia No: The Dilemma of the Jakarta Charter in the Amendment to the 1945 Constitution], Paramadina, Jakarta 2001. [Originally published in *Republika*, 4 September 2000.] Extract: pp. 43–4. Fealy and Hooker 2006: 149-50
- 25 Muhammad Ismail Yusanto (2003), “Selamatkan Indonesia dengan Syariat” [Save Indonesia with Sharia], pp. 137–71 in Burhanuddin (ed.), *Syariat Islam: Pandangan Muslim Liberal* [Sharia: Liberal Islam Views], Jaringan Islam Liberal and the Asia Foundation, Jakarta. Extract: pp. 168–71. Fealy and Hooker 2006: 163-65.
- 26 Mandatory penalties as stated in the Qur’an

- 27 Three consecutive presidents of PAS: Dr Burhanuddin (1956–69), Asri Muda (1969–82) and Yusof Rawa (1982–89).
- 28 Anwar Ibrahim was dismissed as deputy prime minister then arrested in September 1998 on charges of sodomy and corruption. The conduct of his trials attracted international and some national criticism and resulted in concurrent sentences of 15 years. After Mahathir retired as prime minister, the Federal Court upheld an appeal by Anwar and reversed his conviction after he had served six years in gaol. He was released in 2004.
- 29 Farish A. Noor (2002), “Why Hudud? (Why Not?)” [in English], pp. 313–18 in *The Other Malaysia*, Silverfishbooks, Kuala Lumpur. Extract: pp. 317–18. Fealy and Hooker 2006: 174–175.
- 30 The person who gives fatwa is a mufti, who should be of known integrity and possess a high and recognised level of jurisprudential knowledge, appropriate to the School of Law followed (Mazhab). Fatwa of famous mufti are published as collections and do influence other mufti. Nation-states attempt to control fatwa by appointing state Muftis (as in Malaysia and Indonesia) with the result that public trust in these state-sponsored fatwa is greatly diminished.
- 31 For more details see MB Hooker, *Indonesian Islam: Social Change through Contemporary Fatawa*, Allen & Unwin, 2003.
- 32 H. Imam Ghazali Said and A. Ma’ruf Asrori (eds) (2005), *Ahkamul Fuqaha, Solusi Problematika Aktual Hukum Islam: Keputusan Mukhtamar, Munas dan Konbes Nahdlatul Ulama (1926–1999 M) [Solutions to Actual Problems in Islamic Law: Decisions of the NU National Ulama Conferences, Mid-term Conferences and Congresses, 1926–1999 AD]*, second revised edition, Lajnah Ta’lif Wan Nasyr (LTN NU), East Java, and Diantama, Surabaya. Extract: pp. 477–8. Fealy and Hooker 2006: 197–198.
- 33 Greg Fealy in Fealy and Hooker 2006: 353–354.
- 34 This attitude has backing from highly respected Muslim scholars such as the Egyptian Muhammad Said Ashmawi who summarises the position as: Islam does not specify a form of government; Islam is a message to the individual not a theory of political community; and it therefore follows that circumstances at the time of revelation (7th century Arabia) as well as the contemporary present determine relations between Muslims and non-Muslims. To impose 7th century conditions on the present, he argues, is a-historical and a distortion of the verses of the Qur’an.
- 35 Masdar F. Mas’udi (2004), “Islam, Perdamaian dan Kekerasan” [Islam, Peace and Violence], pp. 71–84 in ASEAN Youth and Student Network (ed.), *Gerakan Radikal Islam di Indonesia dalam Sorotan [Radical Islamic Movements in Indonesia under the Spotlight]*, AYS-NET, Jakarta. Extract: pp. 71–84. Fealy and Hooker 2006: 400–403.
- 36 The Battle of Uhud took place in 625CE on the outskirts of Medina between the Muslim forces led by the Prophet Muhammad and the Meccans. Although the Meccans were ultimately driven off, Muhammad was injured in battle and the Muslims suffered heavy losses.
- 37 *Tsughur* literally means “gap” or “space” and historically has referred to vulnerable parts of the borders of Muslim states where battles often occurred with non-Muslim enemies. Thus, in this context, *the ahlu tsughur* are those who fight to protect the Islamic community from its foes.
- 38 Imam Samudra (2004), *Aku Melawan Teroris [I Fight Terrorists]*, Jazera, Solo, 280 pp. Extract: pp. 67–70, 93–118. Fealy and Hooker 2006:373–377.

- 39 Director of the International Movement for a Just World and member of other international human rights bodies.
- 40 For example, members of one group, Front Pembela Islam (Islamic Defenders' Front founded in 1999), regularly conduct 'sweeping' operations using gangs of youths to forcibly enter clubs, bars and hotels in search of Muslims engaged in 'immoral behaviour' (gambling, drinking alcohol, etc).
- 41 See further Fealy and Hooker 2006:438.
- 42 Irwan Prayitno (2003), "Al Ghazw Al-Fikri" [War of Ideas], pp. 3–4 in *Kepribadian Dai* [The Character of Preachers], Pustaka Tarbiatuna, Bekasi. Extract: pp. 3–4. Fealy and Hooker 2006: 438-39.
- 43 Sayyid Qutb (1906–66) was an influential Egyptian Islamist, executed as a terrorist. Muhammad Qutb (1915–) is an Islamic scholar and the brother of Sayyid Qutb. Said Hawwa is a Syrian Islamic scholar and prominent Muslim Brother ideologist.
- 44 Rifaa al-Tahtawi (1801–73) was an Egyptian scholar and journalist and one of the pioneers of the Islamic reform movement. Muhammad Abduh (1849–1905) was a leader of the Egyptian Salafiyya movement. Abd al-Rahman al-Kawabiki (d. 1902), also known as al-Sayyid al-Furati, was a Syrian Islamic revivalist. Taha Hussein (or Husayn) (d. 1971) was an internationally famous Egyptian novelist whose writings criticized the backwardness of traditional Islamic thinking. Muhammad Iqbal (1876–1938) was a Punjabi intellectual who urged that Islamic thinking be reformed and that science and technology be used to improve conditions for human existence. Fazlur Rahman (1919–88) was a Pakistani philosopher and liberal scholar who wrote extensively on Islam and modernity. Syed Hussein Nasr (1933–) is a prominent contemporary Iranian traditionalist scholar and theologian. Hassan Hanafi (1935–) is an Egyptian reformist thinker and academic. Nurcholish Madjid (1939–2005) was the most influential thinker in Indonesia's reform movement of the 1970s and 1980s.
- 45 Luthfi Assyauckanie, "A Battle of Thoughts" [translated from Indonesian into English by Lanny Octavia], Jaringan Islam Liberal, <<http://islamlib.com/en/page.php?page=article&id=692>>, dated 3 September 2005, accessed 10 January 2006. Fealy and Hooker 2006:440-442.
- 46 Qur'an 5:8 as translated by M. A.S Abdel Haleem *The Qur'an: A new translation*, OUP 2004.
- 47 Anwar Ibrahim, "Who Hijacked Islam? Repressive Muslim Regimes Are partly to Blame for Osama bin Laden", Time Asia, [<http://www.time.com/time/asia/news/magazine/0,9754,178470,00.html>], dated 8 October 2001, accessed 16 January 2006. Fealy and Hooker 2006:469-471.
- 48 ABC TV screened Sunday 5 November and Sunday 12 November 2006.

## FUNCTIONS - 2006



*Photographer: David Karonidis*



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*Andrew Metcalfe*

Andrew Metcalfe was appointed Secretary of the Department of Immigration and Multicultural Affairs in July 2005 after having been a Deputy Secretary of the Department of Prime Minister and Cabinet between August 2002 and July 2005 where he was responsible for coordination of policy advice to the Prime Minister on counter-terrorism, security, border protection, law enforcement, defence, intelligence, foreign affairs and machinery of government issues. In an address to The Sydney Institute on Thursday 16 November 2006, Andrew Metcalfe reviewed the outcomes of the Palmer and Comrie Inquiries and the reforms taking place in the Immigration Department as a result.

# AUSTRALIAN

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## *IMMIGRATION: SOME CURRENT THEMES*

**Andrew Metcalfe**

It's a pleasure to be here this evening to speak about some key themes in Australian immigration.

My central proposition tonight is that migration is one of the great themes of the Australian experience and of our history. Coupled to that, it has also often been an area of public interest and controversy. Currently, around 43 per cent of our population was either born overseas or has at least one parent who was born overseas. All Australians other than full-blood Indigenous people have at least one ancestor who has arrived from an overseas country in the past 218 years. In my own case, my parents' forebears had English origins in Liverpool, Yorkshire and Stourbridge, as well as a mix of both Irish and German ancestry. So I am one of the 33 per cent of Australians with Irish ancestry. I mention these personal examples because everyone here tonight will have their own migrant story, either passed down from their parents, grandparents or earlier generations, or from their own direct experience.

Much of our success as a nation can be linked to the fact that, regardless of when our ancestors arrived, we are now all modern Australians, equal under the law, with common unifying values, and in a land of opportunity and respect for our many cultural backgrounds. 2006 is a good year to talk about these matters since apart from being just shy of the sixtieth anniversary of planned migration, it is exactly 400 years since the first known history of contact with Europe, when the Dutch explorer Willem Janszoon charted the west coast of Cape York Peninsula and the Portugese explorer Luis Váez de Torres navigated the strait that now bears his name.

The influences have been many and varied. One view is that our most Aussie word "fair dinkum" may have come from Chinese migration in the 1850s, as a term meaning correct weight or "top gold". Another view is that it derives from the East Midlands of England, where it meant "hard work". In 1901, the non-Indigenous

population was 3.8 million – slightly less than the size of Sydney today. The 17th Act passed by the federal parliament was the *Immigration Restriction Act* 1901, which was the legislative basis for the “White Australia” policy. By 1945, there was a need for labour to assist with post-war reconstruction, and the historic decision was made to plan and manage migration. This decision to manage migration and the subsequent policies and programs devised by successive governments has changed the face of Australia and will continue to do so into the future. The Department of Immigration was created in July of that year, and in a relatively short time, we were managing substantial numbers of migrants from European countries.

There were also significant humanitarian intakes such as the 14,000 Hungarian refugees who arrived following the Uprising, for which we marked the fiftieth anniversary last month. The dismantling of the “White Australia” policy between 1966 and 1973 led to a new period of broadening cultural horizons and greater integration with the Asia-Pacific region. Since we now accept migrants from at least 200 countries, we have a much greater pool of people from which to choose in terms of skills and potential benefit.

Tonight, I want to explore some of the key themes that have collectively influenced our migration settings and administration. These include:

- the strong control of migration policies and settings by successive governments
- the complex issues around global people movement and border security, and
- the impact of administrative law and related mechanisms.

I will also talk about my department’s absolute commitment to reform and improvement following on from the “Inquiry into the Circumstances of the Immigration Detention of Cornelia Rau” by Mr Mick Palmer AO APM, released in July 2005, and the “Inquiry into the Circumstances of the Vivian Alvarez Matter” undertaken by Neil Comrie AO APM, September 2005 reports last year.

## **Using migration to benefit Australia**

Australia benefits greatly from being a sovereign nation with governments able to devise and implement policies to advantage the nation as a whole. I’ve already alluded to the decision to actively manage migration, refreshed by successive governments since 1945. Overall, almost 6.5 million people arrived to settle permanently between October 1945 and June 2006, including a humanitarian component of around 660,000. We now have historically high levels of immigration at around 153,000 for this year, including about 100,000 principal applicants and their families under the skilled categories and about 13,000 refugees and humanitarian entrants. Successive

governments have fine-tuned migration policy and program settings in response to the complex social, economic and other changes impacting on Australia as a nation. The use of migration by governments as a tool to benefit Australia has, in my view, been one of the great and enduring success stories of our history.

## **Global people movement issues and Australia's future population**

Improved transport and communications technology have made the people of the world increasingly mobile and increasingly interconnected. The traditional notion of spending one's life in the same location, doing the same or similar jobs is now outdated. We see this in ways such as our children heading off for a year back-packing around Europe, and then doing occasional stints overseas as necessary for their employment, but also in the lengthy journeys people sometimes make in seeking asylum. Our migration settings have to be responsive to these changes so that we protect Australia's interests but also promote Australia as a destination in a world increasingly competing for skills and migrants who will provide a strong net benefit.

It's also critical that we look ahead at how we can manage people movements in the future. Through the combined effects of below replacement fertility and the ageing of Australia's baby boomers, the natural growth in Australia's working age population is projected to reach zero sometime in the next five to ten years. After that, we are projected to experience a natural decline in our working age population. As the Treasurer has said, "demography is destiny". With net overseas migration of around 110,000 per annum, which is around 20,000 per annum higher than the average of the past 50 years, Australia's working age population is projected to continue to grow but at a much slower rate than the past 50 years.

The demographic transition is not unique to Australia, with most OECD countries and countries in Eastern Europe going through a similar transition. If jobs growth continues at the average of the recent past (ie around 180,000 new jobs per annum), employers will need to get used to the idea of ever tightening job markets and not the easy access to labour of the past 50 years. Also, the unemployment rate for skilled Australians is currently less than 2 per cent. If we accept there is always going to be a percentage of skilled Australians in transition from one job to another, we are probably very close to full employment for skilled Australians. This goes a long way to explaining the widespread nature of current skill shortages. The competition among countries for skilled workers is likely to intensify.

While part of the policy response to this is to increase training efforts and to encourage higher rates of workforce participation, it is inevitable that Australia will also need to ensure we continue to refine our approach to skilled migration so that we retain the competitive advantage in this area that we have built up over the past 30 years. The benefits are shown by research indicating that:

- skilled migrants increase job opportunities for unskilled Australians, and
- skilled temporary entrants pass on skills to Australian colleagues, making them more productive and employable.

If we look at the slide and examine the cohorts who arrived in approximately 1994, 1999 and 2005, we see the later arrivals doing better on the key factors of English ability, employment and tertiary qualifications. This is a clear demonstration of the value of our efforts to identify appropriately skilled migrants and also to integrate all migrants into our society effectively and productively.

## **Refugees and asylum seekers**

We are also exposed to the rapid pace of change around the world through our refugee programs. The composition of our refugee intake can change quickly as the world's trouble spots shift. We have recognised this in considerable recent work to make our settlement programs flexible and targeted to areas of greatest need. Over the years we have facilitated the arrival of waves of people from Eastern Europe, South-East Asia, Latin America and the Middle East. Australia has been a major player in resolving world refugee situations and we are among the top three countries in the world in terms of the resettlement places we offer, along with Canada and the USA.

Our role with refugees goes beyond traditional notions of aid – it is more a reflection of our status and willingness to be a good international citizen. Ultimately, it reflects the generosity of the Australian community to assist some of the most disadvantaged people in the world – people driven from their countries.

This slide reflects the fact that we now receive 50 per cent of our intake from Africa, 30 per cent from the Middle East and 20 per cent from South-East Asia. It's not widely recognised that our post arrival settlement services for humanitarian entrants are of world class standard. Our aim is to have refugees integrate as quickly as possible into Australian life so they can rebuild their lives and make their own contribution to our society. These are people who may have endured great hardship including torture, may have spent years in camps, lost family members and had their education severely disrupted.

For instance, we highlight the story in our latest annual report of Shin Thu, Eh Tar and their five children who have resettled in Australia after spending more than 20 years in refugee camps after

fleeing Burma in 1984. And at the beginning of this month, there was a heart-warming reunion at Melbourne airport, between Mr Maulidi Mukasa and his daughter Neema.

Mr Mukasa and five of his children fled their home in the Democratic Republic of Congo in 2000 for Tanzania. However, Neema was ill and being cared for elsewhere and so was not able to join them. In 2005, the Mukasa family was accepted under Australia's humanitarian program, and the family arrived in Shepparton last year. The principal of the local primary school set about trying to find Neema, and with the help of the Red Cross Tracing Service, was able to arrange her reunion with her family after six years apart.

We recognise that refugees require sensitive and flexible assistance, especially in the areas of learning English, getting a job and having access to basic services. My department has been consulting for some time now with other agencies across all levels of government, resulting in the recent release of a discussion paper offering some specific measures that could further improve humanitarian outcomes.

Earlier this year, Senator Vanstone and I visited the Mae La camp in Thailand where the Tar family came from. This is about six hours by car from Bangkok, and is the largest of nine refugee camps in Thailand sheltering refugees from Myanmar. We met some of the families who had been approved to come to Australia, and despite having previous experience in an overseas post, I shall not forget the look of hope they had and their enthusiasm to start a new life in Australia.

Historically, Australia's main contribution to resolving refugee issues has been through the active program of resettlement from countries of first asylum. We have not typically been a country of first asylum ourselves. In fact, it was only in the late 1970s that the need was perceived to set up a formal government mechanism for considering asylum claims. In the past 30 years, there have been several particular challenges facing the Australian government and other governments in the area of asylum.

The challenges for Australia have been in the form of unauthorised boat arrivals and surges in the number of asylum seekers – we saw a significant number of boat arrivals from Vietnam in the late 1970s, and subsequently boat people from Cambodia, China and the Middle East; there was a surge of asylum claims after the Tian'anmen Square incident from tens of thousands of Chinese temporary entrants. Successive governments in Australia have responded to this, as other governments have around the world, by seeking to have refugee flows managed in an orderly way, principally by providing protection to refugees close to the source country and, if appropriate, resettling from that location.

Not surprisingly, governments around the globe have generally been concerned by any secondary movements of refugees or the misuse of the asylum process by economic migrants. Some of the policies adopted by Australia and other nations have focused on removing incentives for secondary movements of refugees or misuse of processes by economic migrants through the introduction of mechanisms like offshore processing, temporary protection, reduction of welfare benefits associated with claiming asylum, and also orderly resettlement opportunities as an alternative.

Governments around the world continue to work on ways of dealing with undesirable, irregular flows of refugees while preserving the fundamental principle of protection for those in need. These issues are currently being worked through in areas such as the Mediterranean, North Atlantic and the Caribbean. We can expect the area of asylum-seekers will continue to be controversial as governments and the United Nations High Commissioner for Refugees grapple with changing people flows.

### **Border security**

One of the essential elements of an effective and well-run migration administration is border control. Australia has adopted a strict approach to minimising illegal immigration and targeting immigration fraud, including mandatory detention of unauthorised arrivals. At the same time, we lead the world in our ability to allow legitimate movements across our borders with a minimum of fuss, and using advanced border security systems and processes. For instance, the Electronic Travel Authority or ETA was introduced in 1996 and is now available to passport holders from 34 countries, locations and regions. More than 21 million travellers have been granted ETAs to come to Australia, and they now account for almost 83 per cent of all Australian tourist and short-term business visas granted worldwide. Australia's Advance Passenger Processing system is internationally acknowledged as the most advanced border control system operating anywhere today.

In addition to providing advance reports on passengers, the system allows us to issue passenger boarding directives to airlines in real time if the passenger does not have a valid Australian visa or valid Australian or New Zealand passport. In these ways, Australia is able to prevent people arriving in Australia by air when they do not have an authority to travel to Australia. What technologies like these mean is that we have effectively pushed our border back to airline departure lounges around the world, and these arrangements are the envy of other countries. As another example, we have an electronic Movement Alert System, which stores details about people and travel documents of immigration concern to Australia.

We have extended this to a Regional Movement Alert system, under the auspices of hosting APEC in 2007, which will be used to detect and, where appropriate, prevent the use of lost and stolen travel documents being used for travel. Australia's focus on developing partnerships with other countries to share immigration intelligence is helping to reduce people smuggling and is also improving the capacity of countries in the region to administer effective immigration laws.

Character and security checking are very strong features of Australia's approach as is health screening. As a result, Australia has a relatively low level of illegal immigration at around 0.2 per cent of the population. This strict approach to border security has – in my view – played a key role in maintaining public support for the sizeable immigration program that we need in order to address our demographic challenges.

### **The development of administrative law and related mechanisms**

The third broad theme I want to touch on is the development of administrative law and related mechanisms. This theme goes to the administration of our programs and associated accountability. Immigration law has always been a dynamic, controversial and highly contested area of public policy, ever since the “White Australia” policy commenced through the *Immigration Restriction Act* 1901. To give this context, the decisions my department makes in terms of granting or refusing visas are often life-changing for the people involved.

The enduring power to issue visas derives from the Minister, but it is clearly unworkable for the Minister to consider every visa application. Instead, the power to issue visas is delegated in the majority of instances to my departmental officers, although some key powers are limited to the Minister and Parliamentary Secretary. This raises an important debate about how to ensure accountability for the decision-making of public officials. Accountability and review mechanisms include Freedom of Information, the Ombudsman, and the Human Rights and Equal Opportunity Commission. We have merits review through the Migration Review Tribunal, the Refugee Review Tribunal – and in some cases the Administrative Appeals Tribunal – and ultimately, judicial review through the courts. These mechanisms – which have expanded greatly over the past 30 years – but immigration policy and decision-making at the forefront of administrative law contestability. They have led to a significant codification in law of what were previously broad discretionary powers.

Since 1986, the Migration Act has changed from a slim volume of broad principles to now encompass more than 550 provisions,

more than 1900 pages of Regulations and 130 visa subclasses. The legislation regulates detention of unlawful non-citizens, the operation of our borders, offences in relation to facilitation of illegal entry, search and seizure of people and things, judicial review, merits review, procedural requirements, eligibility requirements, the actions of sponsors, removal and deportation and a plethora of other matters.

It is complex – reflecting our sophisticated policy and operational environment. It is large – representing real challenges for supporting staff in decision-making. And it is highly contested – reflecting the nature of the decisions involved affecting as they do the lives of individuals. One only has to read last week’s judgement of the High Court in *Nystrom v Minister for Immigration and Multicultural Affairs* to get a glimpse of some of the very complex issues, concepts and legislation my officers are required to administer.

In 1986 our litigation cases were in double figures. In 2006 we will receive more than 3000 applications for Administrative Appeals Tribunal and judicial review. (I would just note that more than 90 per cent of the defended matters before the courts are resolved in the favour of the Minister.) The complexity and volume of regulation makes administration especially challenging, and opens up risks which need careful management. For instance, one of the matters for which we were rightly criticised in the Palmer and Comrie reports was the “process rich, outcomes poor” nature of aspects of our operations. In other words, it’s not enough to tick the boxes in making a decision. Instead, we now work to ensure our decisions are fair, reasonable, transparent, well-supported by evidence, properly recorded and also lead to improved outcomes.

## **The Palmer and Comrie reports and beyond**

I’ve hinted a few times at the reform and improvement process underway in the department, and I want to conclude tonight by talking about that in more detail. The treatment of Cornelia Rau, Vivian Alvarez and a number of other people while in the care of the department was simply unacceptable and represents some of the most serious and hurtful mistakes in public administration in a long time. In his report in July 2005, Mr Palmer noted a “culture that is overly self-protective and defensive, a culture largely unwilling to challenge organisational norms or to engage in genuine self-criticism or analysis”. As a department, we have accepted that serious mistakes had been made, and we have set about changing the culture and putting in place the support to make the department open and accountable in its activities.

The government and the department has apologised to those most directly affected and is making other reparations. More broadly, the Palmer and Comrie reports focused on leadership,

governance, training, systems support, the relationship between policy development and implementation, client service delivery and records management. In response, we have done a great deal of work since my appointment in mid-2005. It was essential that we have a shared understanding of important values such as the need for excellent client service, lawful decision-making, openness and accountability.

These requirements were discussed extensively and quickly refined into three strategic themes around which we have aligned the department's culture, planning and operations. They are:

- an open and accountable organisation
- fair and reasonable dealings with clients, and
- well trained and supported staff.

We sum all this up with our tagline – people our business.

We have grown to be an organisation of around 7000 staff at the end of June 2006, working in offices in every capital city in Australia and with nearly 1000 of those staff in 68 overseas locations. The agenda for change has been backed up with nearly \$780 million in additional and redirected funding to be spent over five years. Our Palmer Plus project in response to the original report has now expanded to in excess of 100 initiatives, many of which are completed or up and running. Fundamental improvements have been made in our client service capability through a range of initiatives covering risk management, planning, training and better support systems.

A key objective of this work has been to change the culture of the department from that described by Mick Palmer. To do this, we have worked to deliver initiatives such as the College of Immigration, with the Board now chaired by Mick Palmer, a new long-term strategy to engage stakeholders much more effectively than previously and building the base of external and independent advice we receive. We have also made a concerted effort to build the leadership capability of staff, and establish clear organisational values and ethical decision-making. This has all been achieved while maintaining our services to our clients, which on a typical working day, includes:

- receiving more than 12,000 visa applications
- granting around 11,500 temporary visas and 500 permanent migrant visas, including about 35 humanitarian visas. On my calculation that's about thirty 747s of people every day.
- granting citizenship to around 375 people
- processing more than 60,000 people across the border at air and sea ports – that's around one person per second, and
- providing accommodation, meals, activities, health care and other services to around 700 immigration detainees, many of whom are illegal fishers.

I am aware of the enormous effort I have asked from my managers and staff. We are all committed to doing our best and meeting the

expectations of the Minister, Parliamentary Secretary, the Parliament and the community. The Minister has made a number of statements which are strongly supportive of the department's direction.

I was pleased to see the Commonwealth Ombudsman recently say that there had been "significant culture change" in the department. And one of our long-term NGO stakeholders recently wrote to the department to say that they felt they could now have a meaningful and mutually respectful dialogue, and were optimistic that they could work with us to address community concerns.

## **Conclusion**

In conclusion, the organisation I lead is focused on the future. We have admitted to the mistakes that were made, and have publicly committed to improve our performance. The change agenda we have developed and implemented in the past year and a half is comprehensive and ambitious. We are committed to building a positive, outwardly engaged organisation:

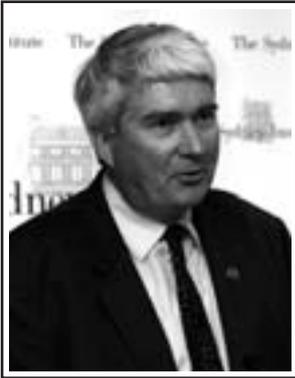
- one that sees stakeholders as valuable assets, not liabilities
- one that provides excellent services to the Australian government, the community and our direct clients, and
- one that helps advance Australia's interests.

I believe we are seeing the results of that, but much remains to be done. As a department, we look forward to positively contributing to one of the enduring themes of Australian history and Australia's future – the enrichment of Australia through the well-managed entry and settlement of people.

## FUNCTIONS - 2006



*Photographer: David Karonidis*



*Frank Brennan*



*Bronwyn Bishop*

Photo – David Karonidis

Fr Frank Brennan SJ is Professor of Law at the Australian Catholic University in Sydney, and Professor of Human Rights and Social Justice at the University of Notre Dame Australia. His latest book is *Acting on Conscience* (University of Queensland Press, 2007). The Hon Bronwyn Bishop MP is the federal member for Mackellar and a former minister in the Howard Government. On Monday 20 November 2006, in lively exchange at The Sydney Institute, Bronwyn Bishop and Frank Brennan led a discussion on the place of religion and conscience in contemporary politics.

# RELIGION & POLITICS

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## *IN CONTEMPORARY AUSTRALIA*

**Frank Brennan**

Manning Clark once described Australia as “a society unique in the history of mankind, a society of men holding no firm beliefs on the existence of God or survival after death”. He would have been surprised by the October 2006 announcement of government approved chaplains for Australian schools. In the public forum, our leaders do not often speak religious thoughts or admit to religious impulses. Thus my own surprise when I attended the mass celebrated by Bishop Carlos Belo in the Dili Cathedral in 2001, giving thanks for Australia’s contribution to the liberation of East Timor. At the end of the mass, Major General Peter Cosgrove spoke. This big Australian army officer in military dress was accompanied by a translator who was a petite Timorese religious sister in her pure white habit replete with veil. He recalled his first visit to the cathedral three months earlier when he was so moved by the singing that he realised two things: first, the people of East Timor had not abandoned their God despite everything that had happened; second, God had not abandoned the people of East Timor. As he spoke, I was certain that despite the presence of the usual media scrum, not one word of this speech would be reported back in Australia. It was unimaginable that an Australian soldier would give such a speech in Australia. If he were a US general, we would expect it.

Here in Australia, the public silence about things religious does not mean that religion does not animate and inspire many of us. It just has a less acknowledged place in the public forum. It marks its presence by the reverence of the silence. That is why we Australians need to be attentive to the responsible mix of law, religion and politics. Each has its place and each must be kept in place for good of us all, and for the good of our Commonwealth.

Those who have recently held the highest political office in the land have had occasion to tell religious people, and not just Sheikh Taj el-Din Al Hilaly, to butt out. At the height of the 1998 *Wik* debate, Paul Keating said, “Talk about Meddling priests! When Aborigines see Brennan, Harradine and other professional Catholics coming they

should tell them to clear out.” John Howard when questioned about his *Workchoices* legislation, in light of the interventions by the likes of Cardinal Pell, Archbishop Jensen, Archbishop Aspinall and Bishop Manning, said: “If we are to have a sensible debate on the merits of this legislation, my advice to every person on this side of the House is: let’s leave out of the debate indications by the clergy to either side of the argument.”

During the recent stem cells debate, we had Senator Kay Patterson replying to a bishop (not Bronwyn) appearing before the Senate committee: “Dear me, I might be excommunicated! Anyway, I do not think I will be, because it is my choice, not the church’s choice, I suppose.” We Australians are used to politicians, public intellectuals and media figures who have little time for religion in their own lives or in the public forum. Mark Latham put such views on public display when he published his diaries detailing his “first law of the church” or “the greater the degree of fanaticism in so-called faith, the greater the degree of escapism either from addiction (alcohol, drugs, gambling or sex) or from personal tragedy... Organised religion: just another form of conservative command and control in our society.”

My plea is for a rightly circumscribed place at the table for religion in public deliberation about law and policy. In my new book *Acting on Conscience*, I hope I have set out rules for engagement which apply equally to me, Sheikh Hillaly and Archbishop Aspinall, the Anglican Primate who kindly launched the book in Queensland. I was delighted that Kevin Rudd agreed to do the national launch in Parliament House, Canberra and was chuffed that he and Tony Abbott were prepared to pose together for media photos at the launch. Perhaps a Jesuit is capable of finding some common ground between political protagonists who dispute even the role of their shared religion in politics! Rudd’s recent Bonhoeffer lecture established his credentials as a politician who takes religion seriously in the political process. One newspaper asserted that he went “a step too far when he effectively invite (d) the churches to sign on to the Labor cause.” In my opinion, he did no such thing. He rightly said, “For too long in this country, there’s been an assumption that if you have private faith your natural destination is one of the conservative parties.” He invited individual Christians to respond to the political challenges of the day in light of their faith. He also endorsed the role of church leaders who have spoken out on issues such as the new IR laws. Why shouldn’t they? Church leaders do have a contribution to make to political debate when they confine themselves to statements of principle consistent with their religious teachings and when they scrutinise laws and policies in light of those principles.

Some citizens have religious beliefs which sustain, inform and drive their social commitments and comprehensive view of the

ultimate significance of human existence. Those views are entitled to a place at the table of deliberative democracy, just as are the views of the secular humanist. The secular humanist cannot say, "You believe life is a transcendent mystery. I don't. Therefore we should for the purposes of good civic life simply assume that there is no transcendent mystery to life, and anything you think, feel or desire should be translated into a message comprehensible to me."

The utilitarianism of pragmatic Australia has always required an ethical corrective which has often been informed by religious sentiment, whether the issue of the day be the dispossession of Aborigines, refugee children in detention, our commitment to the Iraq War for unjustified, wrong reasons, or the wanton corruption of AWB and HIH – the corporate culmination of the "whatever it takes" mindset. Religious citizens have a role in calling a halt to the pragmatism and insisting that some things are wrong in themselves regardless of the practical consequences for others in the short term. I am not suggesting that it is only religious citizens who call for such a halt, nor that it is only non-religious citizens or state officials who commit the abuses in the name of national interest or profit.

The state needs to respect the inherent dignity of every person and this requires due acknowledgement of the person who acts with a formed and informed conscience about what is right for him and for others. The state is entitled to constrain a person who acts in a manner contrary to the fundamental human rights of other citizens or contrary to the public interest, given that the public interest includes optimal freedom for all persons. The person who occupies an office of trust in any of the three arms of government is required to discharge that trust consistent with the terms of the office.

Religious leaders are free to proclaim the formal teaching of their faith communities, not only to their members but to all members of society. As citizens, they are entitled to agitate for laws or policies consistent with their formal teaching. It is not only folly but it is wrong for religious leaders to represent to the world that all members of their faith communities think and act in a way fully consistent with the formal church teaching, or that most of their members think law and policy should reflect their formal church teaching.

When people like me agitate for native title or refugees, politicians tend to treat us as if we are trendy lefties, spared the need to be elected. But when I, hoping to apply a consistent ethic for the protection of the vulnerable, raise ethical quandaries about legislation on things like embryonic stem cell research, I am labelled a conservative Catholic.

Imams should have the same liberty as the rest of us to ventilate their views. But they should also be guided by the same rules of political morality which is more than the expedient assessment of

what works in the marketplace of ideas. Public figures who represent a religious tradition have a social obligation to respect the sensibilities of the community, while cogently stating policy options consistent with their religious tradition. There is nothing prophetic or religious in claims that demean the weak or the vulnerable. Without media oxygen, such claims can rightly wither.

When reflecting on the role of religion in politics and the function of church leaders in political debate, I think the 2003 Iraq War is a good case in point. In hindsight, we should all agree that it would have been better if our elected leaders had paid greater heed to our religious leaders and those other citizens who were urging a more principled approach to war than one based simply on consequential arguments and the demands of the US alliance. There was a surprising unanimity of views amongst church leaders opposing the Iraq invasion on the grounds that it did not comply with the just war criteria. You are all familiar with the statements made by Australian church leaders. It is interesting to note in hindsight that they echoed the remarks made by their US counterparts who would have been under greater political pressure to toe the White House line. On the eve of war, Bishop Gregory, the head of the US Catholic Bishops Conference said:<sup>1</sup>

Our bishops' conference continues to question the moral legitimacy of any pre-emptive, unilateral use of military force to overthrow the government of Iraq. To permit pre-emptive or preventive uses of military force to overthrow threatening or hostile regimes would create deeply troubling moral and legal precedents. Based on the facts that are known, it is difficult to justify resort to war against Iraq, lacking clear and adequate evidence of an imminent attack of a grave nature or Iraq's involvement in the terrorist attacks of September 11. With the Holy See and many religious leaders throughout the world, we believe that resort to war would not meet the strict conditions in Catholic teaching for the use of military force.

As early as September 2002, the US bishops had told the President, "We fear that resort to force, under these circumstances, would not meet the strict conditions in Catholic teaching for overriding the strong presumption against the use of military force. Of particular concern are the traditional just war criteria of just cause, right authority, probability of success, proportionality and non-combatant immunity."<sup>2</sup> The US Catholic bishops maintained that view.

The suspected capacity to produce weapons of mass destruction could not itself constitute just cause for an attack. Even if a state or a coalition of states be able to claim that it is the right authority to make a decision about war, that authority must be able to produce credible evidence about the possession of such weapons and the distinctive

threat they pose to those states wanting to launch an attack. If you cannot convince the Western democratic members of the UN Security Council that there is a real threat to world peace or a real and unacceptable threat to particular states, it is very likely that you are not engaged in war for a just cause. Even if the coalition of willing states be the appropriate authority, they still need to demonstrate that all other avenues have been tried to disarm the rogue state. As the coalition of willing states provided the incentive for renewed inspections by pre-deploying troops, the coalition was entitled to put a reasonable limit on the terms of pre-deployment or to demand that other states opposed to war provide assistance with the pre-deployment simply to maintain the pressure for verifiable inspections. Even if the US had established that it was a competent authority to determine that there was a just cause for war which was a last resort, there would still have been a need to consider the consequences of such an engagement.

The nonchalance and belated show of humanitarian concern by the Coalition of the Willing after they had failed to uncover large stockpiles of weapons of mass destruction confirmed the suspicion that the Coalition's leader, the United States, had an alternative agenda, namely regime change in Iraq, an attempted re-ordering of the Middle East, and an experiment with a new American project premised on preventive intervention.

Those who oppose such ideological experiments in the future will do better if they are able to articulate more clearly the margin of appreciation afforded governments which are privy to sensitive intelligence material. Even if such opponents fail to agree on whether the UN Security Council is the competent authority to determine the legitimacy of war, they could agree that the Security Council is the most appropriate sieve for sorting the conflicting claims made by nation states which may be the appropriate authority. The UN Security Council is well qualified to sift out those claims of nation states based only on ideology or national self-interest.

The Coalition of the Willing's failure to find any weapons of mass destruction and its inability without UN endorsement and Arab acceptance to impose secular democracy on factionalised Iraq give us good grounds to return to the orthodox theory of just war, adapting the application of the criteria to the contemporary situation.

The Washington based George Weigel who was the biographer of Pope John Paul II claims, "There is a world of difference between recognising the serious failures of US public diplomacy since 9/11 and a foreign policy approach that imagines the impossible (French and German support for deposing Saddam Hussein) and proposes the imprudent (waiting for French and German permission to do what needs to be done – whether that be in Iraq, Iran, North Korea, Darfur

or wherever.)”<sup>3</sup> There is also a world of difference with recognising that a threat to world peace is not likely to be as imminent or real as claimed by a US administration when neither the French nor Germans nor an overwhelming majority of the UN Security Council can be convinced that there is no option but war.

A Catholic like me is entitled to express some caution in backing my government on such issues when the Vatican continues to express strong reservations. All citizens need to review their trust in government in light of the fact that the US was confident that WMD would be discovered and then took almost two years to admit that none would be found. Admittedly not even Hans Blix knew whether or not the Iraqis had disposed of all their WMDs. He was happy to adopt Donald Rumsfeld’s line that “the absence of evidence is not the evidence of absence”. Not even Hans Blix could guarantee that Iraq was without WMD. In his book *Disarming Iraq*, Blix said:<sup>4</sup>

Could it have been argued that this uncertainty was intolerable and required elimination by armed action? It could, but I think it is unlikely that such an argument would have been endorsed by the legislatures of the US and the UK, let alone the UN Security Council.

Presumably it was an awareness of this circumstance that led the US and UK governments to claim certainty that the weapons existed. According to Blix it was most probable “that the governments were conscious that they were exaggerating the risks they saw in order to get the political support they would not otherwise have had.” Blix conceded:<sup>5</sup>

It is understood and accepted that governments must simplify complex international matters in explaining them to the public in democratic states. However, they are not just vendors of merchandise but leaders from whom some integrity should be asked when they exercise their responsibility for war and peace in the world.

As we look back over the Iraq War, all of us must concede that it does not make a good case for the so-called doctrine of pre-emption. The religious leaders did well in spelling out the principles and directing the public to the relevant questions. In a modern democracy, government needs to package the issue simply. It has reached the stage that a civil servant like Paul Wolfowitz can admit that WMD was chosen as the “bureaucratic” reason for the war.<sup>6</sup> Government always acts out of a plurality of motives, not the least of which is national interest. Since 11 September 2001, US bases have now been removed from Saudi Arabia and are established in Iraq. Strategists in Washington would not have disregarded concerns about future oil supplies. Following 9/11, the American people had good grounds to fear further terrorist attack.

A democratic government in such a situation rightly and understandably gives first priority to the safety and the fears of the population. If a government can engage in action which it thinks guarantees the safety of its citizens while placing at risk only those under a tyrant regime which has failed to guarantee the removal of the threat, it will so act.

It is one thing to advocate the role of the UN Security Council. But once further inspections were contingent on the US doing the lions' share of maintaining an army camped beside Iraq, the US had a prerogative for determining how long it was prepared to wait. Those urging further delay had an obligation to commit troops to maintain the pressure. These prudential and strategic questions are well beyond the competence of religious leaders. But these leaders are entitled to maintain the pressure on the decision makers urging greater transparency and honesty in decision making, highlighting the national self interest and ulterior strategic objectives in any such unilateral, pre-emptive strike. Given all that we now know, Hans Blix was surely right in asserting, "The action taken against Iraq in 2003 did not strengthen the case for a right of pre-emptive action."<sup>7</sup>

The present state of our world after the war in Iraq, with Australia having been a member of the Coalition of the Willing, provides immediate challenges to us who seek a better life in an ordered world. The post-World War II world order is now up for renegotiation. In Washington and Baghdad, political leaders spent much of 2003 invoking the name "God" as if their actions were pre-ordained and justified. Such utterances confirm the prejudices of Australian humanitarian sceptics and call religious persons to a deeper reflectiveness about the relationship between divine presence and human action. Just 17 years since the end of the Cold War and five years since the destruction of the World Trade Centre, we are only beginning to find ways for building and keeping the peace in a New World order. These are still early days in the shaping of the New World order and institutions. There has been no equivalent moment since 1945. Back then, Australia had an unequivocal commitment to multilateralism and diplomacy. Sadly, Australia has been party to a rash new theory based on militarism and unilateralism. War is no longer the last resort. The UN is no longer the arbiter of justified force in the absence of direct aggression on a member state. Compelling evidence of threat and overwhelming prospect of better outcomes are no longer necessary preconditions for war when the national interest of the world's only superpower is equated with the common good of all.

Though there was spirited debate and cabinet resignations in the UK because of Mr Blair's ready membership of the Coalition of the Willing, Canberra compliance with prime ministerial directives

was complete. It was very troubling to hear the mixed messages from Prime Minister John Howard and Mr Tony Abbott about the increased risks of terrorism to Australian citizens. Abbott, the Leader of the Government in the House, told Parliament, "There is the increased risk of terrorist attack here in Australia". Next day, the Prime Minister told us, "We haven't received any intelligence in recent times suggesting that there should be an increase in the level of security or threat alert." Regardless of who was right, their contradictory statements provided incontrovertible evidence that there had been insufficient debate, discussion and discernment within our Cabinet and political party processes prior to making a commitment to war in such novel political circumstances.

Even more troubling that such a commitment could be made when all service chiefs who held the key command positions during the first Gulf War had questioned the wisdom of Australia's course. The Army's General Peter Gration had reconfirmed, "My fundamental judgment that it's wrong remains." Before the war began, he had said, "I have strong objections to the coming war as both unnecessary and likely to produce unpredictable and potentially disastrous consequences. The real threat from Iraq's weapons of mass destruction is much exaggerated and that threat can continue to be contained and deterred." The Air Force's Ray Funnell said, "It's strategic stupidity on a monumental scale." He said the rationale for war was "weak" and the timing "inappropriate". The Navy's Admiral Mike Hudson said, "It's almost immoral." The day after President Bush proclaimed war, Hudson said, "I am deeply concerned that the aggressive manner of the United States, coercing others to join them in the coalition of the willing could irreparably damage the unity of the UN."

Before the war, RSL President, Major General Peter Phillips said, "We, like most Australians, are not yet entirely convinced that we have enough to justify a ground invasion. We will understand the difficulties that face the US, in that getting hard evidence that it can present to people, it's not easy. We're also trying to look to the future and just the terrible aftermath that could come from a ground invasion. We'd be looking for some reassurance that this had been thought through and was manageable." In April 2003, Phillips repeated, "The reason we opposed the involvement of Australian troops was entirely about what would happen after this war."

Also troubling was the media's treatment of the united stand by religious leaders against the war. For example Pope John Paul II in his annual address to diplomats in January 2003 said, "One cannot resort to war, even when the intention is to ensure the common good, if not as the very last option, and in accordance with very strict conditions, and taking into account the consequences to the civilian population

both during and after the military operation.” Having observed that Iraq’s population “already exhausted by 12 years of (U.N.-mandated) embargo”, he said, “War is never inevitable.... International law, honest dialogue, solidarity between states, and the noble efforts of diplomacy are worthy means of resolving differences between states.” But this did not stop columnists from the Murdoch press repeatedly claiming that “the intervention in Iraq was theologically speaking a just cause consistently affirmed by the Pope.”

Those of us who opposed our nation’s involvement in the war feel a deep sense of shame that it came to this with such little public agitation. Democracy was reduced to the simplistic prime ministerial declaration to Parliament, “You have a right to protest, to dissent and to register your concern, but direct those protests to the government, to me, not to those who are overseas on our behalf”, followed by the contradictory declaration to the protesters who did just that next day outside the Lodge that they were entitled to their opinion while the Prime Minister was entitled to his, with the rider later in the day, “You have a right to protest but you have to understand that the stupidity or otherwise of individual acts of protest will be judged by your fellow Australians accordingly”. Those who are uncertain about our involvement in the war are besieged by a profound ambiguity. Even some of those who supported the war effort have a regretful righteousness – a sense of powerlessness that we could do no other in the face of evil than to participate in evil, hoping that greater evil could be avoided. Is it not time to consider granting our elected politicians a conscience vote on future commitments to such wars? And should we not all pay greater heed to the considered reflections of religious and humanitarian citizens and church leaders who espouse moral principles in season and out of season?

The pragmatic, consequentialist ethic in contemporary Australia has long wreaked havoc on outsiders not meriting our respect, but now we risk its turning on us. Just think of our tolerance of long term immigration detention without court order or supervision, or even without independent bureaucratic oversight, until Cornelia Rau (one of us) ended up in the bureaucratic web of detention for the good of national security and border protection.

Here in Australia we now jump too quickly from talk of Australian values (which at their best are usually universal humane values wrapped in the flag) to an assessment of consequences. Our politicians are now fond of telling us that those of us who are unelected may have a role in discussing values but then it is up to the elected politicians simply to assess the consequences of a law or policy, presuming that it is the consequences alone that will determine the rightness of wrongness of the action.

On an issue like war it is not just a matter of what's likely to work out for the best in an imperfect world. We are required to judge the morality of war not just by its consequences. There are conditions to be fulfilled for a just war, principles to be applied – conditions which have never been fulfilled in the case of the Iraq war, and principles which have not been articulated or distinguished by government. This is not a war which is becoming wrong because of its consequences. It is a war which was wrong from the beginning, because the novel US doctrine of pre-emption is contrary to the long-standing principles of just war espoused by Christians, humanists and other religious persons over the centuries.

We cannot just jump from values to consequences. What's likely to turn out for the best in an imperfect world is not simply what is best for the majority or what the electorate will wear, regardless of the cost to the minority or to the individual without government or majority support. We have an obligation to remind our fellow citizens, including our elected politicians, that there are principles which preclude some courses of action no matter what the political or utilitarian calculus. Our religious convictions help to inform our values. But it is not simply a matter of then choosing between outcomes on the basis of consequences. From our values, we derive certain principles which are to be applied regardless of the consequences of an action. Our social obligation is to do the hard intellectual work involved in articulating principles derived from values, then reconciling conflicting principles and conflicting rights with reasoning which is transparent and public.

Consequentialist arguments carry too ready an appeal in the modern democratic state where so much is determined by the television sound bite. Religion is one of the social and cultural foundations which can correct too ready a recourse to short term, popular consequences whether the issue be war and peace, indigenous rights, refugee rights, stem cell research or the right to life of the vulnerable at either end of the life cycle. We need more politicians like Rudd and Abbott who are prepared to enunciate a coherent political philosophy for a pluralist society while being inspired and held accountable by their religious understanding of the world.

## Endnotes

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- 2 Letter of Bishop Wilton D Gregory to President George W Bush, 13 September 2002
- 3 G. Weigel, "A Catholic Votes for George W Bush", *America*, Vol 191 No. 8, 27 September 2004, p. 15
- 4 H. Blix, *Disarming Iraq*, Pantheon Books, New York, 2004, p. 270
- 5 *ibid.*, 271.

- 6 On 30 May 2003, *USA Today* carried this report: “The truth is that for reasons that have a lot to do with the U.S. Government bureaucracy, we settled on the one issue that everyone could agree on which was weapons of mass destruction as the core reason,” Wolfowitz was quoted as saying in a Pentagon transcript of an interview with *Vanity Fair*. The magazine’s reporter did not tape the telephone interview and provided a slightly different version of the quote in the article: “For bureaucratic reasons we settled on one issue, weapons of mass destruction, because it was the one reason everyone could agree on.”
- 7 H. Blix, *op. cit.*, p. 274

# **CONSCIENCE, POLITICS,**

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## ***THE LAW AND RELIGION***

**Bronwyn Bishop**

Having listened to Father Brennan's dissertation I might take up perhaps where he ended; that is with the question that he raised, of the difficulty of Islam finding a place in our society. What are the difficulties that this encompasses?

There are a couple of things that are fundamental to living, mixing in and being part of this society. I often say, at my citizenship ceremonies, that we have welcomed people from all over the world to Australia and we have asked people to bring the attributes of their culture with them. And we have put it all into a great big melting pot. What comes out of that melting pot is uniquely Australian.

But there are some things very definitely not welcome in that melting pot. First and foremost is anyone who holds the belief that men and women are not equal; that is absolutely unacceptable. So is a prejudice on the basis of religion or race unacceptable. The problem Islam so often has, in fitting in with our society, is that with Islam, religion and politics have not been separated. There are those who say that they want Sharia law imposed upon us. But what we have done in this country is to develop a secular law; that is what our constitution is based upon where there is no established church, but where there is room for religious freedom and for religious people to speak out and put their views into the public debate; what they believe is right, their judgement on the way people should proceed.

That will bring us to the question of conscience and what we mean when we say conscience. We might say it's that little voice that niggles away at the back of the mind. But why? How does it begin? For me, conscience is an accumulation of knowledge that we gather, but more particularly, an understanding of that knowledge to which we then apply our discrimination to determine our position. That's how we make a decision about a whole range of things. In Frank Brennan's book he talks about moral issues. From my point of view, every topic that we encounter in political and parliamentary life is a moral issue because we have to determine whether or not, based upon a commitment to higher principles, the decisions we are

making are right or wrong according to that knowledge that we've amassed. And so when we're making a decision about imposing a new tax, or whether we are making a decision about supporting a commitment that is made by government to go to war in Iraq, it is the same set of principles that we have to use; it's that accumulation of knowledge, the understanding of that knowledge, the application of our discrimination to determine our position that for me would always determine how I make my decision.

I worry a bit when someone makes a statement, that an informed Catholic politician could vote either way on the question of abortion as it is not one which the federal government is able to determine. To me this implies that if he were in a position to make a decision, as an informed Catholic, he would have to oppose it. But I don't think that's the way it works. A politician makes a decision having paid attention to a debate, or a belief to which someone is committed. I am a Protestant, a baptised Anglican and confirmed Presbyterian and my great joy last year, in my own electorate, was when Presbyterians and Anglicans had a service together. The individual must stand or fall on his or her own conscience. I know Frank, in his book, says that he believes in the supremacy of conscience as well, that an individual may not just take the church's point of view; he can only be informed by the Church as to what his view ought to be. That's fine so long as there is an accumulation of knowledge by which someone is making the decision.

I would like to pursue a little of Aristotle's thought. You could say that underpins Western culture as we know it today. Interestingly enough, originally Aristotle's philosophy was equally important to Islamic cultures. What happened? When did we diverge? Where did things change? Now I'm going to be bold enough to say that I think the Reformation was very important in the development of the secular state as we understand it. Had we not had that break then the imposition and the stridency and narrowness, which I see in Islam today, could have remained for us, but it didn't. Western society needed new ideas. People will say the criticism that Martin Luther made and hammered up on the church door was the antithesis of the scholastic interpretation of Aristotle, rather than what Aristotle was saying in his writings in ancient times. Even so, it is important to see how we have developed and how we have come to the conclusion in our State that there is room for diversity of opinion. Although none of it is binding upon our law makers.

This is a very important difference, and it is one that certainly I will stand up for. If we were simply bound as individuals, once elected, to a religious determination then we would not be able to be truly the servants of the people. The strength of a democratic society, such as ours, is the fact that we educate all of our people and allow them to

accumulate knowledge and the ability to understand that knowledge. They too can participate in all the debates emanating from the knowledge and understanding they have.

Now if you're a dictator, then you don't want any of that. If you're a dictator, you want your citizenry to be both uninformed, and certainly lacking in understanding. You really want them to do as they are told because you, the elite, who have gathered all knowledge and understanding to your group have decided that you will determine how the more lowly kind will live their lives. They will have no say. So the difference between a functioning, democratic and liberal society is that we do extend, to all our citizenry, the right to be informed and understand. That's why it's so essential in our society that leaders do acknowledge that MPs are the servants of the people, that we listen to all points of view and that we say no to people who want to impose upon us a stricture or a regime where all of our people are not equal and do not have equal opportunity before the law, and equal opportunity to avail themselves of education to the best of their ability.

In 1988 there was a proposal to alter, among other changes, that section of the constitution relating to freedom of religion, in the sense that there should be no established church. There was a great belief at the beginning of that referendum that all the changes that were proposed would easily go through. Eighty per cent of the population were in favour; the questions up for constitutional change looked quite bland. However, after the debate about entrenching "freedom of religion" into the words of the constitution, people realised this would result in mammoth change so that in fact there was a resounding "No" vote from all over the country. What was interesting about the question of entrenching new words into the constitution, about freedom of religion, was that it opened up the question of State Aid for private schools. I encountered some very senior people in the Catholic church to whom I pointed out that the High Court would determine what those words meant, and that if we changed the constitution we would clearly be telling the Court that we intended a change to take place. Therefore the whole question of the legitimacy or the lawfulness of State Aid to private schools would be opened up and probably lost. I was successful in that argument and it was part of the reason why we got a "No" vote.

That brings me to the last point that Frank Brennan made – the question he raised about a Bill of Rights to which I remain opposed. We have a constitution, a written constitution, which is a living, breathing document. It changes as we need it to change. For example, Section 92 of the constitution was the most litigated Section of the Constitution. It said that all trade and intercourse should be absolutely free – but what did "absolutely" mean? We perhaps know what "free"

means but what does “absolutely free” mean? And so there was much debate about it. It was settled in 1949 with a Bankers case. And that precedent was followed for many years, until the 1980s when a case called Cole and Whitfield in 1988 overturned that decision and the position was reversed; there was new thinking.

There was also the question of excise only being able to be levied by the Commonwealth; for decades State governments had been levying charges they called fees and the High Court went along with this for a long time until, in the last decade, there was a complete turnaround and the High Court said no to State taxes on tobacco and a whole range of fees. They were all, from then on, regarded as illegal as they were excises. Suddenly there was a mammoth hole in the state budgets. State governments then came to the Commonwealth and asked the Commonwealth government to levy all those taxes on their behalf and return them the money. And that’s exactly what happened. The High Court, unlike any other court in our land is not bound by any precedent decision.

If you read the Constitution, you won’t find it anywhere written down, but the High Court had found that there is an implied freedom of political communication which must be observed; if you breach it, it will be struck down. Recently when I was looking at the question of drafting a Private Members Bill to change the Criminal Code to make it a criminal offence to desecrate the Australian flag, it was that implied political guarantee of political communication that I needed to heed. I drafted the bill in such a way that it was narrow and prescribed, that an offence must be done in public, be a wilful destruction or mutilation with the intention to express contempt or disrespect for the Australian people or the Flag. It’s narrowly drawn. So I don’t believe it will burden that implied freedom.

In conclusion, I would simply say that I believe conscience is supreme. But I also believe the law of the Church in politics is one of many voices. For me as an individual it is an important voice to which I do listen, but at the end of the day, I must make my own decision, in a secular society which is based on Judea-Christian principles. At the end of the day responsibility lies with us remaining servants of the people bound by the definition of conscience as I have given it.



Photo – David Karonidis

*Lindsay Tanner*

With Australia heading into an election year, debate continued about the choice between Labor and the governing Coalition. For Labor's Lindsay Tanner, federal member for Melbourne, the real difference between the government and its Labor opposition is Labor's approach to "learning" – a whole-of-policy approach. To explain his thinking on the choices for Australians at the 2007 poll, Lindsay Tanner addressed The Sydney Institute on Tuesday 21 November 2006 and outlined what education means for him and his Party.

# LOVE OF LEARNING

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**Lindsay Tanner**

After ten years of defeat and despair, there is a simple question modern Labor can't avoid. What is Labor for? What is our purpose, and how do we propose to fulfil it?

All political movements exist for a reason. Sometimes they change because their reason for existence changes. Or, like the Democratic Labor Party and the Australian Democrats, they fade away because their purpose has disappeared. Since 1996, we've spent a lot of time spinning our wheels. We've made great progress over the past year, but there's a lot more to be done. We now need to define our core mission.

Labor's founding purpose was to regulate the labour market. That's still central to our task, but it's now a defensive purpose. We're protecting past achievements rather than building new ones. Since 1891 we've added new layers to our mission statement. Public ownership. Social security. Universal health services. Environmental sustainability. Each has driven great Labor achievements. These purposes still drive modern Labor, but they don't differentiate us from our opponents as much as they once did. Labor privatised the Commonwealth Bank and Qantas. The conservatives have expanded the welfare state. They call themselves the best friends Medicare ever had.

These points of difference are now more obvious to us than they are to the wider community. Labor can't succeed by just defending the achievements of the past. We have to pursue big changes for the future. Tony Cutcliffe recently described modern Labor as "a type of club whose purpose is to create powerful careers for its insiders, while building a public face around celebrity, self-righteousness and puerile nationalism".<sup>1</sup>

Unfair, perhaps. But he poses a challenge. If we aren't the bunch of cynical careerists in this caricature, who are we? What does the Light on the Hill now consist of? Labour market regulation? Public ownership? Government services?

It's easy to respond with jargon and platitudes. Sure, we're in favour of outcomes like better living standards and greater opportunity. Who isn't? We're more than just competent technocrats

who manage state institutions. What is it that makes our vision for Australia's future fundamentally different from our competitors?

The need to have a clear answer to this question is critical. Politics is changing around us. If we don't adapt to the emerging world we'll be left behind. We aren't the only party with this problem. The US Democrats have very similar problems. They've just won a referendum on the Bush presidency, but they haven't really resolved what they're actually for. Two trends are threatening parties like Labor around the world. The first is entertainment politics. The fault lines between left and right have blurred, and politics has drifted into the world of entertainment. We now have celebrities becoming candidates and candidates becoming celebrities. Being famous for being famous is becoming an important qualification for political office. Party affiliation still matters, but parties now seek out celebrities as candidates. Aspiring leaders try to become celebrities and make themselves the issue.

Jesse Ventura and Arnold Schwarzenegger are American entertainers who became politicians. The likely presidential contest in France between Nicholas Sarkozy and Segolene Royal is about politicians becoming entertainers. Royal "dwells little on specifics and a lot on style".<sup>2</sup> Sarkozy changes shape almost daily. Everyone knows who they are, but not much about what they stand for.

New British Conservative leader David Cameron is pursuing the same strategy. A saviour is carefully marketed as different from ordinary politicians without actually standing for anything. His ideas are more marketing devices than serious policies. The gradual decline of political intermediaries like trade unions, service clubs, churches and friendly societies has left the media as the totally unchallenged point of connection between ordinary citizens and the political process. Entertainment has become the dominant factor in democratic politics.

Why does this matter to Labor? Because serious policies can be complex and boring. If we don't express a central purpose that is clear and simple, our worthy social democratic initiatives will drown in a sea of personality politics. Entertainment is depoliticising politics. We need to cut through content to succeed. The second global trend threatening Labor is the growing divide between rationalists and traditionalists.<sup>3</sup> If you want to see the future, look at Eastern Europe. Since the collapse of communism, new political forces have emerged in countries like Poland and Hungary.

The new fault lines look nothing like the ones we're used to. The new divide is between educated, cosmopolitan urban dwellers and low-skilled urban and rural workers and pensioners. One group is socially left-wing and economically right-wing, the other socially right-wing and economically left-wing. Former communists are now

pro-market modernisers. The standard bearers of collectivism are religious nationalists who are often openly racist.<sup>4</sup> Why does this matter to Australian Labor? Because we have a foot in both camps. John Howard's wedge politics strategy is built on this divide. If we don't work out a way to conquer it, it will conquer us. Our core purpose has to inspire commitment from both sides of the divide.

Managerial competence and political skills might enable us to prevail at the state level for some time, but something much more fundamental is required to succeed nationally.

So exactly who are we? Over recent years I've thought a lot about my own motivation. About why I'm Labor. I've come to understand my core values much more clearly. I've realised there's a golden thread running through Labor's identity which reflects my own outlook on life. It's been there from the beginning, and it's dominated our message in the modern era. It's at the heart of Labor's mission.

That golden thread is learning. To me, more than anything else, Labor stands for learning. Our small country town didn't get television until I was ten, so I read books. At boarding school I read under the blankets after lights out. At university I did more subjects than I needed to. And I did a Masters degree in history out of interest. I've been learning Greek for many years. I've written several books. I delight in the learning I can pursue as a member of parliament. To me learning is a profoundly wonderful thing in its own right. You don't just learn to make money. You also learn because it makes you a better person. The reason I'm in the Labor Party is because that's where the deepest commitment to learning is in Australian politics. The thing that makes me Labor is love of learning.

Learning has been central to progressive politics in Australia from the beginning. The first mechanics institute was established in Hobart in 1827. In the 1870s and 1880s, working men's colleges were established around Australia.<sup>5</sup> Workers Education Associations were established in Australia in 1910 following their creation in Britain. Marxist influenced Labor Colleges and Plebs Leagues were founded in various States in the 1920s.<sup>6</sup> Starting in Victoria in 1872, the principle of free compulsory and secular education was adopted by all the Australian colonies.<sup>7</sup> Driven by crusading liberal politicians like Charles Pearson, this principle was central to the emerging Australian nation.

Paul Kelly identified five elements in the Australian Settlement in his landmark book *The End of Certainty: White Australia, Protection, Wage Arbitration, State Paternalism and Imperial Benevolence*.<sup>8</sup> He should have included free, compulsory and secular education on the list. This principle was crucial to the creation of a distinctively Australian social framework. The phrase "free compulsory and secular" still appears in national Labor platforms nearly 100 years

later.<sup>9</sup> This commitment to learning came initially from progressive liberals. It soon became central to the labour movement's mission. Our most famous icon is called the Tree of Knowledge. It's not called the Tree of Public Ownership, The Tree of Labour Market Regulation, or the Tree of Welfare.

Labor commitment to learning was modest in the first half of the twentieth century. The first political leader to promise Federal funding for schools was Sir Robert Menzies in the mid-1940s. John Curtin rejected the idea. We didn't commit to it until 1961.<sup>10</sup> Labour movement attitudes to learning were mixed in that era. Many unionists disdained university education as the domain of the spoilt rich. Yet the trade union movement reflected a rich tradition of trade and technical learning which later culminated in the sweeping reforms of the 1980s inspired by Laurie Carmichael and the ACTU. This tradition of learning was a core element of militant trade unionism.

John Halfpenny was one of Australia's most militant union leaders. He was also Victorian Apprentice of the Year in his youth. Since that period, commitment to learning has gradually become the primary theme in Labor's belief system. The Whitlam Government was defined more by education initiatives like the Schools Commission and free university tuition than any other policy. In his 1974 election campaign speech, Whitlam described the Schools Commission as "the greatest single achievement of our Government".<sup>11</sup> The background work on this policy began as far back as 1964.<sup>12</sup>

Since then, learning has always been at the heart of Labor's message.

Think of the massive expansion of university education. The creation of Cooperative Research Centres. The Training Guarantee Levy. The development of competency – based training. The establishment of the Australian National Training Authority. Labor market programs with mutual obligation requirements on training. Massive increases in school retention rates. The Clever Country. So many big things happened in the Hawke-Keating era that we tend to overlook the lasting importance of learning.<sup>13</sup>

Since Labor lost office in 1996 learning has been even more critical. Think of Kim Beazley's Knowledge Nation policy. Mark Latham's Learning or Earning strategy for young Australians. Kim Beazley's Skills in Schools blueprint and universities white paper .

Kim Beazley wants to be Australia's Education Prime Minister. The education and training portfolio is held by his deputy, Jenny Macklin. Over the last two years, Labor has produced more substantial policy in education and training than in any other area. Steve Bracks describes education as his government's number one priority. Craig Emerson is promoting radical reform proposals built

on a simple premise: learning is the key to better social and economic outcomes.<sup>14</sup>

How often have we heard Labor leaders use the slogan “education, education, education”? Labor’s commitment to learning can also be seen at the local level. The City of Hume has established a Global Learning Village centre in Broadmeadows as a learning hub that offers library resources and dozens of courses for local residents. With assistance from private donors like Ford, Visy and *The Age*, the Village offers a love of learning prize every year to a year 4 child in each of the forty-four primary schools in the City of Hume. It funds a Celebration of Learning Festival. It aims to get people “to embrace learning as a way of life”.<sup>15</sup>

Labor councillors have been at the forefront of this commitment. Former mayor Gary Jungwirth has played a leading role. His passion for creating learning opportunities in one of Melbourne’s most disadvantaged areas makes him a true Labor hero.<sup>16</sup>

Learning is much wider than education. It’s not just a skills issue, a productivity issue, an economic inputs issue. It’s a values issue. Learning increases opportunity, it enables participation, it opens hearts and minds. It’s at the centre of debates about childcare, preschools, schools, universities, TAFE, apprenticeships, labour market programs, neighbourhood houses, adult education, welfare, immigration and aged care. It helps deliver better social and health outcomes, like alleviating loneliness and delaying the onset of dementia.

The Smith Family defines learning as “the foundation for helping disadvantaged children to break free from the spiral of poverty”.<sup>17</sup> If there were no skills crisis, would Labor still be passionately committed to expanding our nation’s investment in learning? You bet we would! That passion defines the kind of society we want to create. It reflects our core values, not just our prescription for better economic outcomes. Learning is about discovery. It’s about building a better world. Labor’s commitment to learning now matters more than ever. Why? Because under John Howard the Liberal Party has gradually become an anti-learning party, seeking to exploit the disdain for learning that’s deeply embedded in Australian popular culture.

What makes you angry tells you a lot about your personal beliefs. Denigration of learning has been a persistent theme in the Howard Government’s message. Over the past ten years I can’t think of anything that’s made me angrier than this regular undermining of learning values. Australia is one of the few countries in the world where “academic” is a term of derision. We worship sports people and ignore intellectual achievers. We revere the practical and physical, and barely tolerate the cerebral.

In the 1950s and 1960s, when national development was all about digging mines and building dams and grazing sheep, this dislike of learning was merely an oddity. It didn't matter that our levels of educational achievement were well below those of similar countries. It sure matters now.

I recently reread Donald Horne's *The Lucky Country*.<sup>18</sup> It was a scary experience. Because so little has changed. More than four decades later, his basic critique still rings true. Phrases like "triumphant mediocrity",<sup>19</sup> "cleverness can be considered un-Australian",<sup>20</sup> and "a nation more concerned with styles of life than with achievement"<sup>21</sup> haven't lost their bite.

A few months ago, Shane Warne was awarded an honorary doctorate in business administration on his birthday by Southampton Solent University.<sup>22</sup> To the Australian media, this was all a bit of a hoot. Warne decked out in academic gown and funny hat provided a great photo opportunity. It just made me angry. Sure, it was an English university performing this parody, but the message was clear. Higher learning is all a bit of laugh, just funny people in funny hats. Fair dinkum Aussie blokes don't do that sort of stuff. Having someone like Warne, who's notorious for his lack of interest in learning at school,<sup>23</sup> parading around like a pantomime horse in an academic outfit was very sad. Nobody else seemed to notice or care.

This nonsense is roughly equivalent to inducting John Howard into the Australian Cricket Hall of Fame for his infamous bowling performance in Kashmir. I'm a serious cricket fan like many other Australians, but I'm even more passionate about learning. When sporting celebrities proudly announce they've never read a book, they're telling young Australians that learning is for nerds.

John Howard's glib phrases mask an unrelenting assault on Australian learning. The party of learning under Menzies has become the party of ignorance under Howard.

Few remember that when Howard was deposed as Liberal leader by Andrew Peacock in 1989 he was offered the Education portfolio. He declined because the job wasn't important enough. He hasn't changed. Last year he observed that leaving school early is fine if you're not academically inclined.<sup>24</sup> His former Education Minister Brendan Nelson sought to inflame resentment against universities among non-tertiary educated workers. He suggested creationism should be taught in schools.<sup>25</sup> Howard's current Education Minister claims that Maoists are writing school curriculums, tries to ban books on terrorism, and demands that the States contribute to funding universities.<sup>26</sup> His Vocational Education and Training Minister is grinding Industry Skills Councils into the ground.

When I published a book about Australia's future, Peter Costello quipped that Labor was turning into a book club. Contempt for

learning is at the core of the modern Liberal Party. In an era when education and training are more crucial than ever before, the Howard Government's performance is simply scandalous. Our school completion rates are way below the OECD average.<sup>27</sup> In 2005, a staggering 46 per cent of school leavers were not enrolled in any form of post-school education.<sup>28</sup> Our average education levels are significantly below those in comparable countries at all age levels.<sup>29</sup>

A recent OECD study found that Australia spent the lowest amount on preschool education of the 20 countries surveyed.<sup>30</sup> Since 1995, Australian government spending on higher education and training has fallen by 7 per cent, while the OECD average has increased by 48 per cent.<sup>31</sup> Bob Birrell nailed it a few weeks ago: "Far too many young people are not being equipped for a labour market increasingly demanding technical, analytical and managerial skills".<sup>32</sup> This lack of commitment to learning entrenches poverty and disadvantage. Early school leavers have much higher unemployment rates, and much bleaker prospects in life.<sup>33</sup> Between December 2005 and May 2006, Government estimates of revenue for 2006-07, 2007-08, and 2008-09 were upgraded by an astonishing \$42 billion. The government has committed all of this extraordinary windfall to new spending and tax cuts. Barely more than one per cent has been dedicated to education and training. John Howard's real message is clear: Ignorance is Bliss.

I want Australia to be a country which values learning above all other things. In John Howard's Australia it's an afterthought. But we shouldn't imagine it's all Howard's fault. It isn't. He's simply exploiting and magnifying social prejudice that's deeply embedded in our culture. Our indifferent attitude to learning isn't just the fault of governments. It's also the fault of parents. Too many Australians regard schools as glorified child-minding centres, and take little interest in what goes on inside them. Too many are ready to attack teachers and governments for all kinds of failings, but don't take enough responsibility for their kids' commitment to learning.

The more contact I have with different schools, the more I'm convinced that the hidden factor in school performance is parental aspiration. Resources are obviously critical, but attitudes to learning in the family environment are also vital. The passive welfare concept of education understates the crucial importance of aspiration. Lack of achievement is often a product of lack of expectation. If a child grows up in an environment where learning isn't valued, he or she is less likely to succeed in learning and in life. That's why the Global Learning Village is so important. It seeks to change attitudes to learning in schools, communities and families.<sup>34</sup> And it's why Howard's messages are so damaging. If our nation's government doesn't value learning, why should its citizens?

Our she'll be right mentality is an enduring part of our culture. Hostility to learning is deeply ingrained. It's fading, as parents realise how crucial skills are to their kids futures, but it's still strong. Young people who want to learn are always more likely to succeed at school and at work. Wouldn't it be great if Australia were led by a Prime Minister committed to promoting learning, not attacking it? Commitment to learning is the key to individual and national success. It's being undermined by conservative politicians stoking popular prejudice. And it's being undermined by postmodernist theories. When leading educators argue that learning history is no more important than learning tapestry, something is seriously wrong.<sup>35</sup> If everything is considered equally valid, what's the point of learning anything?

Learning doesn't only happen in education institutions. It's not restricted to lecture theatres and laboratories. It's not just for academic types in classrooms. It happens at childcare. It happens in community groups. It happens on the job. Many skilled blue-collar workers lament the demise of training in their chosen trades. Talk to a Telstra technician and you'll see what I mean. Skilled workers have a pride in their craft that's based on years of learning. Our need for skilled technical workers has never been greater. Yet somehow we've managed to alienate countless young people from learning through an excessive focus on university entrance in schools. We've increased the barriers to learning. Labor's committed to fixing this problem. Kim Beazley's plan for specialist senior technical colleges will make a big difference. In a world where skills are the best safety net, we can't afford to push young people away from learning.

We've got a huge task in front of us. Let's change Australian attitudes to learning. Let's resolve the endless state-federal, public-private, and academic-technical arguments. Let's commit ourselves to greater investment in learning across the board. For Australia to compete in a rapidly changing world we have to become a learning society. Labor's primary goal isn't extending public ownership. It isn't extending the welfare state. It's not even extending labour market regulation, though we're engaged in a life-or-death struggle over Workchoices.

Our primary goal is to extend access to learning, to ensure everyone can participate fully in our society and live good, fulfilling lives. Everyone's good at something. We have to ensure everyone can turn that ability into a worthwhile contribution to our society, and be rewarded for it. Learning changes lives. It's the key to a better future for our kids, and a better future for our country. We need more investment in learning. We need a much stronger commitment to the ethos of learning. And we need to abandon our lingering culture

of mediocrity and ignorance. It might be amusing to some, but it's dragging us down.

## Endnotes

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## FUNCTIONS - 2006



*Photographer: David Karonidis*



Photo – David Karonidis

*Shelley Gare*

Shelley Gare is a columnist, journalist and editor and was the founding editor of *The Australian's Review of Books*. Her recent book, *The Triumph of the Airheads – and the Retreat From Commonsense* (Park Street Press) is not only hilarious but also a serious comment on the flash and flimsy art of airheadism in contemporary Western society. To give some insight into her discovery over years as to what are the main attributes of being an airhead, Shelley Gare addressed The Sydney Institute on 29 November 2006.

# THE TRIUMPH OF THE

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## *AIRHEADS*

Shelley Gare

I want to be clear about something from the start. I did not go looking for airheads. The airheads found me. And they still do. Indeed, they find all of us.

The other day I went to a café in Glebe. It was one of those ones combined with a bookshop so it had an intelligent air. My friend and I ordered salads at the counter – I ordered a chicken one – and then sat down. Along came the salads, in those fashionable deep white china bowls. I looked at mine. “Is that a chicken salad?” I asked with some surprise. “No,” said the waiter flatly, his face vacant. “It’s a sweet potato salad. There was a stuff-up in the kitchen with orders. And we gave your chicken salad to someone-else.” I looked at him perplexed. “But I don’t want a sweet-potato salad. I want a *chicken salad*,” I said. An expression of boredom mixed with irritation passed across his face. He picked up the bowl and sloped off back to the kitchen.

My friend – it was Jane Gleeson-White, the editor and author of that very good book *Classics: Books For Life* – looked at me with her eyebrows somewhere up near the crown of her head. “If I hadn’t just seen that, I wouldn’t have believed it,” she said.

But that is what we often say these days, about everything from what we’re reading on the front pages of our newspapers to what we’re seeing on television to what we’re hearing in our own streets. Author Marion von Adlerstein told me of a friend who went into David Jones to buy a sweater. He asked the sales assistant: “Is it made of wool?” The assistant looked at the label and said – “No, it’s pure merino.” This of course is the lighter side of airheadism – but there’s a darker side too and it’s what finally made me write my book: *The Triumph of the Airheads – and the Retreat from Commonsense*. We are being asked today – in all kinds of spheres from business to education to entertainment to ethics – to believe that nonsense is perfectly acceptable:

- That CEOs should be worth one hundred times or even four hundred times what the average worker is worth.

- That it's okay for children to come out of 12 years of schooling and still not be able to construct a sentence or spell.
- That Paris Hilton should now be taken seriously because she's making money. According to *Forbes* magazine, in the year to June 2006, she earned \$US7 million, mostly, of course, for turning up to parties.
- That ethics is a saleable commodity – and so apparently is learning how to think.
- We are being asked to believe that irrational behaviour is rational. We are being asked to believe – like Alice in Wonderland – that the landscape around us, filled as it is with the most extraordinary sights, is... you know... okay...

Like, what's the problem?

The first question everyone asks me is: so, what is an airhead? In the book I write, "When you saw who was suddenly scrabbling up the poles of television, film making, publishing, education, the arts, politics, management, business and public service, the aphorism 'empty vessels make the most sound' had never seemed more apt." Airheads can be full of wind, they can be bone-heads, or vacuous or idiotic but there's more to it than that. Some airheads can be very clever people, with sterling careers behind them.

The media mogul Kerry Packer once referred to the theory-obsessed Fred Hilmer, an ex-McKinsey partner who brought economic rationalism to Fairfax newspapers, as: "The most intelligent fuckwit I've ever come across." The Sydney Institute's Anne Henderson, in an email, said that she thought an airhead was: "a person with very shallow knowledge (none at all really) of just about anything but confident enough to opine on just about anything!" At one stage, I was trying to describe to a friend the kinds of people I wanted pictured for the cover of my book. He said, "I know exactly what you mean. You mean those people who are so shinely confident about everything, but have nothing to be confident about." These are good definitions, although they're more about how an airhead gives himself or herself away. The definition I came up with though explains how an airhead got that way in the first place.

I define them as people who keep losing the plot – or who help us lose the plot – because their world ends at the end of their own nose. They exist in a bubble-world of their own creation, and this is very useful for them, because first, it means their world is all about them, and secondly, it means they get to create the rules in their world. They don't have to worry about any intrusion from reality, like consequences. In fact, this may be the first era where people really do believe that actions might not have to have consequences. Or at least consequences that actually catch up with *them*. Of course, we all, at times, prefer to believe our own realities which is why we

all have our own inner airhead: the question is how much you let it bloom.

Airheads can exist in all walks of life. And so you have celebrity airheads like Paris Hilton and her It Girl mates, and shopping airheads who believe that buying a lifestyle is the equivalent of having a life. I'm haunted by the quote from a cosmetics expert who bumbled that what her industry was finding, in the retail stores, is that sales of cosmetic products with celebrity names attached would – as she said – “rocket right up”. The celebrity fix is always about the allure of another world, more glamorous and luxurious than this one we inhabit. It's a world where everything is easy and handed to us on a plate.

But for me, the most dangerous airheads are the process airheads and by that I mean the people who are obsessed with applying theory to everything. They occur in every profession from economics to management to media to, most unfortunately, education, and they sprawl out even further, into the realms of the new age. If reality gets in the way of their blueprint, that is, if the application of theory suddenly has unfortunate consequences – that is, cost-cutting means hospitals don't have enough beds to treat all their patients, a cross city tunnel turns out to have been built for no real reason at all, an understaffed newspaper loses circulation and credibility, we forget to train apprentices and end up with a skills shortage – then it's deemed... for as long as possible... that it's reality that is wrong. Just wait long enough, they claim, and theory will be proved right.

The trouble with these airheads is that the rest of us don't take their far-fetched nonsense seriously at first and then it's too late. They're entrenched. Think about the rise of Human Resources. It's now one of the fastest growing sectors in jobs growth. In the five years to 2006, the numbers of HR managers rose by 124 per cent against an average growth for all occupations of about 11 per cent. The federal government careers website, which lists all this information, puts employment prospects for HR in its top category of Very Good. I'll say. But not only was the whole HR profession pretty much invented in its current form in the last 35 or so years, but with it an entire language of managerial jargon that seems to do nothing but demand that humans turn themselves into... well, resources.

But what on earth do these people *do*? As one lecturer in workplace law put it: “The first thing any HR manager does is hire other HR people... HR is a parasite and, like any parasite, it starts to modify the host.” It goes from there. The triumph of the airheads means we also now get young people saying that when they grow up, all they want to be is rich and famous. CEOs fail in their jobs and then leave, with fabulous packages. I love the story about Michael Ovitz who was persuaded by his friend Michael Eisner in the mid-Nineties to leave his talent management agency in Los Angeles to run

Walt Disney instead. He was fired after 14 months and was given a farewell package of \$US140 million US. Shareholders protested the package but it was finally decided by a Delaware judge in 2005 that the payment was fair. The Delaware Supreme Court upheld that judgement in 2006. Ovitz said, explaining his failure, that it wasn't his fault. He just hadn't been given the time to learn how to do the job.

Similarly, when Sol Trujillo joined Telstra here, he too seemed to decide that he didn't quite know how to do the job either and so he enlisted Bain & Company, the Boston-based management consulting group, to tell him how to transform the telco. For \$54 million. And of course, as we know from the newspapers, that somehow allowed the CEO to be paid a \$1.5 million bonus on top of his already handsome salary package because, as *The Australian* reported, he was then deemed to have successfully delivered a new transformation plan.

This is a fine example of airhead maths at works and it explains one of the most important things about our new airhead age. It works very well for some. It makes a lot of people very rich. It rewards spin. It rewards jargon. It rewards style over substance. It can – in certain other cases – even reward incompetence, laziness, venality and thuggery. Too often, it rewards the very qualities that have least to do with the qualities needed to maintain a civilised democratic society.

This is a new world order. And I'm afraid to say that the market-led economy, with its focus on money, has helped to encourage a kind of airheadism fuelled by the notion that so long as something makes money, it's okay. (And conversely, that if something isn't seen to make money – or isn't seen to make a lot of money – then it doesn't have any real value.) This does not mean I am an enemy of capitalism. I'm a baby-boomer. Capitalism is what cradled me, shaped me and gave me a comfortable childhood and early adulthood. It just means that I think certain economic mantras have gone too far. Do we really have to go into the future like a tribe of baboons performing in an economic field study for Charles Darwin?

Alex Gibney was the producer for the documentary film made about Enron, the massive energy trader which was once the seventh largest corporation in the United States and which collapsed in 2001 with debts estimated to be as high as \$31.8 billion. It cost pensioners millions of dollars in life-savings – although, let's not forget, many Enron executives and Wall Street bankers and traders did very well out of Enron while it was still aloft.

Gibney's movie was called *The Smartest Guys in the Room*. He said this of big business in his production notes:

The world of investment banking and big business is a world unto itself in which a few powerful people wheel and deal out of the public eye and, particularly in the case of vital markets like energy, exert 'market

power' that has nothing to do with competition among equals, or open relationships between consumers and producers...

Enron is important because it takes the predatory nature of "business as usual" to its logical extension... Enron is not an exception to the rule; it's an exaggeration of the way things too often work.

Gibney also wrote of people's willingness to be accomplices:

I was amazed by the degree to which virtually everyone – journalists, stock analysts, business school professors, even Alan Greenspan (then chairman of the Federal Reserve Board) believed the Enron story. Perhaps one of the reasons they were so convinced was that [Enron heads Jeff] Skilling and [Ken] Lay wrapped their mission in an ideology that everyone in the American business community wanted to believe: if there are no rules and regulations, everything will work out fine. It was like being guided by the keynote slogans of Gordon Gekko ('Greed is good') and Alfred E. Neuman ('What, me worry?').

*The Triumph of the Airheads* was designed to be very accessible and very human. Nevertheless, it is subversive and necessarily so. Of course we have always had airheads and airhead disasters. Much of the history of the world is told through airhead moments. But this book argues that the airheads amongst us are increasing exponentially because of certain key movements of our times, and also because of globalisation and the massive advances in technology which mean that information, data and especially, cultural and social influences, whip around the globe in seconds. The world is speeding up.

My book argues that the airheads have triumphed because we have paved the way for them, by ditching or permitting the ditching – for all sorts of reasons – of a fundamental set of values. Those values, and our acceptance of them – even if they have taken a battering at various key periods – are what has kept our society going for almost 3000 years.

I define these values – and of course they are not exclusive to Western society but I can only speak about Western society – as being such basics as honesty, respecting other people, showing kindness, humility and compassion, respecting knowledge, being prepared to work hard, knowing that there are more important things than money and that not every valuable thing in life can be measured and assigned a price – or turned into a statistic.

And it's also about acknowledging that life is not just about the short-term and about what we can grab for ourselves, never mind the long term. I wrote in *The Sydney Morning Herald*, in early November 2006, that we can't take for granted any more that people will instantly recognise the name Aesop. A young interviewer for a university community radio station asked me later if it really mattered. Did it matter that children didn't grow up hearing about the ant and

the grasshopper, the fox and the grapes, the tortoise and the hare? I said at the time that it probably didn't if the children were hearing other such fables and parables which are designed to instil certain key lessons about life. But I also said to her that I wasn't convinced that was happening.

Afterwards I thought more about the exchange. Aesop is supposed to have been a slave in Greece in the sixth century BC. (There is some doubt whether he actually lived at all but the creation of his fables seems to go back to this period.) That means that for over 2,500 years, children have been reading and hearing his stories. But, suddenly, Aesop is out.

This age in which we live is apparently so intelligent and smart and we are such strong, well-rounded, self-motivated, happy, responsible people that – in the space of 20 years, never mind the last 2580, we feel free to toss out Aesop. It's as if centuries' worth of wise maxims designed to ward off greed, stupidity, selfishness, unhappiness and calamity no longer hold true. Such advice as: slow and steady wins the race; put aside for a barren winter; don't knock what you can't have; persuasion is better than force. And so on.

Instead, we have supposedly come up with other – theoretical – solutions to the problem of getting through life and work. We now have managerialism – with its management jargon and, as the economist and web-logger John Quiggin puts it, its “incessant organisational restructuring, its sharpening of incentives and expansion in the number, power and remuneration of senior managers, with a corresponding downgrading of the role of skilled workers and particularly of professionals”. We also have experts who are brought in to do everything from teach us how to think properly to, in some offices, even how to “stand” properly. We have a series of –isms – constructivism, deconstructionism – infiltrating our education system courtesy – and I'm speaking here in very general terms – of postmodernism. We have emotional intelligence and now, spiritual intelligence, sweeping through our offices.

No wonder British author and journalist Francis Wheen felt obliged to write *How Mumbo-Jumbo Conquered The World*.

There are a few things that I believe characterise our airhead times. First, we are encouraged to enjoy ignorance; to regard learning as a bit of an eccentricity, and we worship at the altar of fame, fortune and easy amusement.

The ex-singer Posh Beckham has been making a triumphant return to the media. Australian *Harper's Bazaar* recently featured her in an interview which was treated as a scoop. Posh got to approve the copy, the cover shoot and inside pix and even chose the location for the shoot. Whatever this is, it's certainly not journalism. But I was

struck by the editorial in that issue. The editor wrote of Posh: “Does she love Shakespeare or Henry James? We didn’t ask. But we know she loves [couturier] Azzedine Alaïa. She knows her stuff.”

Maybe there was a touch of tongue in cheek here, but you can’t have it both ways. *Bazaar* made much of its scoop and in her letter to readers, the editor also wrote that Victoria Beckham was the epitome of what many young women aspire to be: famous and rich.

We can’t dismiss these magazines. They have always been reflective of our times. They tell us about ourselves. I recently wrote a blog for *The Weekend Australian* about superficiality and general ignorance. I included a little story about the man who was cutting a friend’s hair on the day of the last federal election. He asked my friend if he was going to vote. And then he said, “So which one’s the government again? Howard or Latham?” For this, I received a sharp rap. A reader, an education student, accused me of being sneering. Of being a sneering airhead in fact. Which means we’re now in a period of history where if you’re both appalled and amused – and bemused – at the idea of someone who has a job and an education voting without knowing who’s the prime minister of the country, you’re a snob.

This leads me to the second argument of my book – that the arrival of postmodernism on the Australian scene has led to an undermining insistence that nothing is really better than anything else. It’s all relative. And there’s nothing wrong with not knowing things. No wonder airheads are flourishing. There has been a kind of pincer movement. In the age of the free market, the pursuit and acquisition of money at all costs is now considered more important than knowledge, values and commonsense. Meanwhile, on the cultural and intellectual side, it was decided that there are no such things as objective knowledge, values or commonsense. How convenient is that? Together they have permitted the easy upward flight of the airhead, untroubled by values or standards.

For the rest of us, it has been like being afflicted with that disorientation that affects pilots when they’re flying at dawn or dusk and they lose their sense of where the horizon is. They don’t know what’s up. Or down. Increasingly, nor do we.

John Vallance, the headmaster of Sydney Grammar, recently recited to me his two favourite lines from English literature. One is this, from Beatrix Potter: “*Lettuce had a soporific effect upon the flopsy bunnies.*” The other is from Gibbon: “*Ambition is a vegetable of early growth in the garden of Christ.*”

They’re both wonderful lines, redolent with meaning and luscious with imagery. We get them and appreciate them, I think, because we all read a lot and so we appreciate onomatopoeia, and imagination,

and just the very deftness and art of putting the right words together to summon up images. And arguments.

Recently I've chatted to a few people under 25 and been amazed to find them saying: "I don't read many books". And they say it as if they're saying, "No, I don't play water-polo." Or, "no, I don't do embroidery on Sundays." I think this is a tragedy. Especially for their imaginations and their ability to think beyond themselves. I believe that in non-English speaking countries, there are some languages which are phonetic-based and so their attitudes to spelling may be different, but when it comes to English and appreciating our language, I've decided that my own attitude to the various current debates – "Does spelling really matter? Does grammar matter? Does reading matter?" – is going to be this.

I reckon I have about another 30 – maybe 25 – maybe 35 – years to live. Therefore, I simply do not have time to argue these points. These things are about clarity and ease of communication and so yes, they matter a great deal to me. They are also about the beauty of language – and about respecting language – and about universal feelings and experiences shared easily because we share a language. That matters too. You might as well argue whether it's that important for cars to drive only on one side of the street. Or whether they should stop at red lights.

Now, that's a good and salient point to make at this juncture. Just in the last two or three years, I've noticed that increasingly some drivers are acting as if stopping at red lights is optional, or at least for the first few seconds of the red light. They don't stop at red lights. It's as if it's become a matter of choice. Of all the things I've seen which to me are a sign of our new age in which people are: ONE, thinking only of themselves; TWO, have decided that actions don't necessarily have to have consequences; THREE, have not grasped what living in the real world – and in a community – is all about, it's that simple action of sailing through a red light. Not an amber light. A red light.

When I checked yesterday with AAMI – who do detailed research on driver behaviour – running red lights was one they didn't have statistical data on. But they did volunteer that their most alarming current data was the one that showed that 70 per cent of drivers under 25 admitted to either receiving or sending text messages while they were driving. This week (starting 26 November), of course, we have had Terence Cole's report from his inquiry into the Australian Wheat Board's kickbacks to Saddam Hussein's regime in its efforts to protect Australian wheat exports. At one point Commissioner Cole echoes Justice Owen who presided over the Royal Commission into the collapse of the insurance giant HIH, the result of accounting fraud. In 2003, Justice Owen asked rhetorically: "Did anyone stand back and ask themselves the simple question, 'Is this right?'"

Terence Cole's report said much the same thing about the AWB. He blamed the board's conduct on a failure in corporate culture, a culture he later described as one of superiority and impregnability, of dominance and self-importance. And the belief that the AWB should do whatever was necessary to retain the trade with Iraq. That is, "Pay the money required by Iraq." Cole wrote: "No-one asked, 'What is the right thing to do?'"

Rightness is hard to do. And I believe that trying to do the right thing requires many of the qualities and standards that triumphal airheadism no longer regards as important. Worse, it sometimes regards these as qualities that should be stamped out.

Finally, I want to talk briefly about some of my recent adventures as I launched a book about airheads into an airheaded world. Unfortunately these days, no book can come out without the author spruiking it. We have to be visible, we have to give radio interviews – whether our synapses and mouths are up to it or not – and we have to be able to talk about our books in an entertaining way. Now, it became clear to me that a few of my colleagues and friends had grave doubts about my ability to do any of this. And it's true, as I say in the book, that I can be so serious that sometimes, at drinks parties, even I want to introduce myself to someone else so I can get away.

The author Gabrielle Carey told me a story of our times. A radio host had a contract renewal coming up. Early one morning, in the carpark, her path crossed that of her ABC boss. He said to her: "I've just been listening to Clive Robertson and he's wonderful. For the last five minutes, he's talked about nothing. That's the problem with you. You can't talk about nothing." My friends obviously felt like that about me too. They kept telling me to be light and funny. "Oh," I said, "you mean, make like an airhead?" Finally, I said to one of them, a woman who often coaches CEOs in communication and media work, "Look, it's okay. I'll keep it simple. After all, it's basically the tale of the emperor's new clothes." She was horrified. "DON'T mention the emperor's new clothes!" she said. "They won't get it."

By the way, I am never sure who "they" actually are – these creatures who occupy the minds of business types, media executives and focus group managers. We – down here in the dark bowels of journalism – often wonder if they exist ... or whether they have been invented by the Chief Financial Officer and his minions because, miraculously, whatever we are told THEY want – bigger pictures, celebrity gossip – is always much cheaper and easier to produce than what newspapers and magazines traditionally produce – words, investigation, meticulously checked stories. Even those big celebrity scoops, sometimes costing six figures for exclusive rights, are cheap

compared to what it takes to run a properly staffed newsroom and string of foreign bureaux every day, every week, every year.

So back to my dear friend who was so horrified by the idea of me mentioning this old story. *The Emperor's New Clothes*. She said: "They won't know what you're talking about and if you mention Hans Christian Andersen, they'll feel alienated."

I don't want to sound melodramatic but for the merest flicker of a milli-second, I actually thought to myself: "I'm not sure I want to be alive in a world where you can no longer use the phrase 'the emperor's new clothes' as shorthand for spotting bull-dust, knowing everyone will know what you're talking about." And then I thought about this new concept of people having an acceptable right to be alienated or offended, because you might have used a name they've never heard of. What happened to curiosity? What happened to that idea that sometimes it's good to hear about things that aren't already inside your head, that sometimes it's good to add fresh information to the well-worn spool winding inside our brains? It made feel tired.

It also made me feel like Alice disappearing down the burrow after the White Rabbit. And then I realised that I wouldn't be able to use that analogy either in my publicity because presumably you can't assume that everyone has ever heard of Alice in Wonderland. Or of Lewis Carroll.

I know YOU all have though so I'm going to share a story that appears in one of my end-notes for the sheer pleasure of it. When John Birt was director-general of the BBC in Britain in the early 1990s, he brought in McKinsey and Co. to fix up the place. McKinsey is a management consultancy group which famously extolled Enron to the skies before Enron collapsed in a heap. McKinsey also told the American telco giant A.T& T in the early Eighties that there was no future in the mobile phone.

In spite of these lapses, McKinsey is the biggest management consultancy group in the world and charges its clients millions of dollars. Now, within four years of McKinsey arriving at Birt's BBC, the corporation had fewer staff, more red tape and, confoundingly, an administration bill that was 140 million pounds higher. As well, management consultancy fees – many of them to McKinsey – were running at 20 million pounds a year.

One of the things McKinsey did at the BBC was to set up a kind of internal market based on business units so the units had to "buy" and "sell" to each other. There were no below the line costs. An example of this would be that the record library no longer lent out records to various programs for free; they had to charge for it. The record library started charging so much that producers found it cheaper just to duck over to the record shop over the road and buy their own copy. *The Guardian* reported in July 1993, "If a record is popular, 20 different

departments or stations now purchase their own copy – a method of money-saving which Lewis Carroll would have adored.”

However, sadly, this is a story that will never be told over the airwaves. In the end, I was very lucky with my interviews. And I think I’ve been pretty blessed with most of the coverage. But a writer’s life – as I’m discovering – is full of surprises. My first big review was a positive one. Thank goodness. Psychologically, that was very important. The reviewer, Roy Williams in *The Sydney Morning Herald*, said high up in his piece that “Gare is Australia’s Lynne Truss, with larger ambitions”.

Now, I was very chuffed by this – to be compared to the author of *Eats, Shoots and Leaves* and *Talk to the Hand*, both of which have sold in massive quantities around the globe. Within 24 hours, three friends – all of whom I would consider intelligent and well read – asked after they’d read the review: “Who’s Lynne Truss?”

Kate Legge is a good friend of mine. A very fine journalist and political reporter, she has just written her first novel, an exquisite story called *The Unexpected Elements of Love*. Her book came out in late July this year. The two of us remind ourselves whenever we have had a good day – with reviews or coverage – that the next day will only bring opportunities for fresh mortification.

I had plenty of that at the beginning when it was impossible to find my book anywhere. I went to six shops in succession around the time it first went on sale. Each time, when I asked where it was, the sales assistant would check her computer, and then we would both look expectantly at the upfront displays of new releases. The assistant would frown, check the computer again and then mutter, “Oh, I know ...” And then we would trudge, trudge, trudge, right to the very back of the shop where it would have been filed under Sociology textbooks. We would be so far back in the shop that you’d almost expect to see a toilet roll dispenser next to my book.

One shop had it filed away under Australiana. I said to the very nice assistant who was holding it in her hand – bright pink balloon heads and all, “Why is it in Australiana?” She said: “Oh, it’s because it’s about Australian politicians.” I said – “NO, it’s not! I wrote this book!”

Now the point is unless you want to change your name to FitzSimons or Gemmell or maybe Schapelle Corby – clearly not much point changing it to Truss – these are the little daily doses of humiliation that one must go through. Especially in our new market-driven, celebrity-focused publishing economy.

Writing about airheads is not easy. It’s like scooping up clouds. I ended up interviewing over 150 people and that doesn’t include the people with whom I spoke by email. As John Vallance once remarked to me in an early interview: “It’s like a mosaic.” One outbreak

of airheadism leads to another outbreak over there; one example reinforces another. It's the thinking behind them all that is similar.

It was important to me that the book be serious and backed up with considerable research and data but that it should also feel like a conversation – and one that often gave away my own excursions into the realms of airheadism and one that, to be blunt and to put it the way the English might, took the piss.

Gentle ridicule – when you don't have might or millions behind you – can be a devastating weapon, and we certainly need all our weapons now. So very early on in the book, I established a few key motifs. There was the boss whose mind contained about as much useful information as you might find inside the brain of a guppy. And there was the column-writing cat. Here's a little bit of that:

*THE YEAR 2003 was shocking for me. Two things happened. First, my father died; then my cat became the breadwinner of my household. There can't be many people whose pets have turned out to have better career prospects than their owners. Maybe whoever owned Mr Ed, the talking horse. Maybe whoever owned the little rust and white terrier on Frasier.*

*And now, me.*

*My own job, as editor of a Sunday newspaper's magazine supplement, had vanished when I was made redundant. In a letter to readers, the associate publisher wished me well in "the next exciting chapter of her brilliant career".*

*So that was me. No job.*

*It was different for my cat."*

It certainly was different for my cat. She had, under my guidance, taken to writing a short column. People sent in cat pictures and my cat would write about them. In fact, typical for our airhead age, she mostly wrote about herself, her fur and her food instead. She was nominated as Australia's shallowest columnist on a satirical website. My cat's column had actually been created as a kind of insider's send-up of columns in general but it took off. Cat pictures flooded in by the boxload. And remember, we are in an age when horses sniffing cocaine can end up on page one of a serious broadsheet and where celebrity stories routinely run through the news pages. And so... as I wrote a little later in that same chapter:

*"Of the two of us, naturally enough then, it was my cat that found work first. Hero quickly organised for her column to appear in a rival newspaper, a Sydney tabloid. She was smart enough to share her weekly pay cheque with me, her unemployed owner. For quite some time, Hero continued to earn more than me, especially after she landed herself a second column, this one in a monthly.*

*"About the same time, a chicken scored a rival spot in a weekly magazine. That was mortifying. One night at a birthday party overlooking*

*Bondi Beach, in a room filled with Names – actors, entertainers, media types – I said lightly to a group of people I hardly knew that my cat had a column, but I was hoping she wouldn't find out about the chicken's column because the chicken had more space.*

*“The smooth faces around me remained as buff as if they'd just come out of airbrushing. No-one even snickered. Then a big beefy man said slowly, staring at me fixedly: “So why doesn't your cat write a dog column?”*

Now I'm very glad you laughed when I read out that passage because it's typical of the tone of parts of the book and, as I said, this book is serious and it makes very serious points – about everything from the rise of managerialism to what's happening in education to the creation of the something-nothing problem – but it's also sending things up rotten.

So what did alarm me a couple of weeks ago was discovering that one book reviewer, in *The Weekend Australian*, had seemingly become so discombobulated that she had failed to recognise that the cat was a joke, along with the guppy, and the space-hogging chicken and all the other lunatic examples in the book. *The Weekend Australian* had already run two large extracts from the book so I don't know whether the reviewer herself had spent too much time amongst airheads but she clearly seemed to think that Hero the cat's journalism was serious. Eat your heart out, William Shawcross. She wrote sternly: “Gare has missed an opportunity for pure satire, which would have been deeply satisfying for her readers, when she opted for serious reportage.”

It's fantastic, isn't it? It's impossible to make this stuff up. When I was writing, every time I wondered if I was exaggerating things or seeing events through a biased eye, something like that would happen and I would find myself wanting to talk like an airhead in response ... Omigod! Really? Hellllloooooo? Huh? Duh?

The truth is this. I realised again and again, looking around, seeing what was in the newspapers each day, what was on television, what I heard in my interviews, what was going on around me full-stop, that I could not chronicle our upside down, loony tunes, self-serving, bubble head times fast enough. We seem to be on this slippery-slidey slope and God knows where it's taking us.

As I said at the very beginning – I didn't go looking for airheads; they found me. In the end, the triumph of the airheads is not just a story about values going missing. And about people wanting to take the easy way out. It's not just about ethics either. It's about standards, and being willing to stand up for standards. It's about speaking up and questioning things and not worrying about whether or not that will be a “career limiting move”. It's especially about taking responsibility for teaching the next generations, and seeing that as a “moral transaction”. It's about what standards we think are acceptable and desirable for our current society and for its future.



*Margaret Whitlam*



*Susan Mitchell*

Photo – David Karonidis

Margaret Whitlam, wife of former Australian Prime Minister Gough Whitlam, has been in the public eye for over 40 years – she is an Australian identity in her own right. Writer Susan Mitchell first interviewed Margaret Whitlam for her book *The Matriarchs*, after which they became friends. More recently, Susan Mitchell took on the task of working with Margaret to produce the story of her extraordinary life, *Margaret Whitlam, a Biography*. On Tuesday 5 December 2006, Margaret Whitlam and Susan Mitchell joined a large audience at The Sydney Institute to talk about the writing of the book and some of the highlights in Margaret Whitlam’s journey.

# MARGARET WHITLAM:

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## *A LIFE*

Margaret Whitlam & Susan Mitchell

**Susan Mitchell:** We thought it might be more interesting for us to do a conversation – biographer to subject – because there are many ways of writing a biography. Some people don't have their subjects around and that might even make it easier. Other people have their subjects around but their subjects don't allow themselves to be interviewed. Other people allow themselves to be interviewed and some people practically dictate to the biographer what they want to go into the book. These are not really called biographies; they're "hagiographies" and they are to the glory of the person who is the subject. My book is not a hagiography. Those of you who know my work from *Tall Poppies* realise that I very much ask questions and expect people to give honest answers. I write my version of what I think those people are about and what the essence of my interviewee is. I've spent a long time celebrating interesting Australian women who have contributed to our history and our society. I've wanted to write Margaret's biography ever since I interviewed her for my book *The Matriarchs*. She resisted me for many years I have to say. So I'll start by asking Margaret, "What was your major reason for not doing it?"

**Margaret Whitlam:** Well I wanted to get on with my life. When you write an autobiography, you're digging deep into your past and wasting time sitting around. I really did feel that there was more to do in life and I didn't have all that much time to do it as the years went on. So more and more I was inclined to say no thank you very much. But finally this one persisted so much that I asked my kids what they thought. They're grown up people now. And my daughter, in particular, said, "Mum, when you're dead somebody's going to do it and they'll get it all wrong. You know Susan, you like Susan, and she writes well, so let her do it." So I let Susan do it.

**SM:** And so began what was indeed a very long and, I think, very fruitful relationship in terms of the book. Margaret did have to spend a lot of time in my company, talking to me. And I did ask a lot of very penetrating questions and she did give me very honest answers. She

was allowed to read the final manuscript but only to check spelling, dates, whatever, There was never any sense that she was going to be allowed to alter or tell me what I should or shouldn't put in. So it is not a hagiography. Margaret said to me, are you sure you want to do this because you know I haven't had any wild affairs and I haven't been on drugs. And I said, you haven't even been to the Betty Ford clinic. But I also believed there was enough in her life that would be of interest to people. Apart from anything else we've never had a Prime Minister's wife tell us what it was like from the inside and write the real story of what it's like to be inside the Lodge. And of course there was the dismissal and so forth. So we started. But Margaret, you weren't actually all that keen to start were you?

**MW:** No, I wasn't. You took up my time Susan. At the beginning I really did feel that I was being put upon. You know a couple of hours, about two or three times a week, and always at the wrong time of day of course when you just want to get ready and go out and meet one of your mates. But I got used to her impertinence so we carried on. And I must say that it grew easier; it became pleasant too and in the long run I realised that I turned out to be a person for a book. So here I am and here it is, and here she is.

**SM:** It's important that we give you some sense of the nature of that relationship because there's a sort of tradition in biographies that the writer, who of course has all the control if they are writing a biography, is somehow invisible. So you never really know to what extent they knew the subject, or what they put in, what they left out. I have read a lot of biographies where I have wanted to know this and there was never any indication given. What I have done in this biography is a little different. I have actually included anecdotes and vignettes about the journey we went on as well. Very often when you're not doing formal interviews, things happen which give you an insight into the person. I've included those as well. I had a bit of a discussion with my editor who wanted to do a strictly chronological biography, with me never entering the story at all. I said I didn't really think that was the best way to do it because of the nature of our friendship. Margaret was in *The Matriarchs* and that's when I decided, in the 1980s, that I thought it would be great to do a biography of her. It's taken a while, and persistence is omnipotent. So let's start at the beginning. I'll give you a bit of an idea because that's clearly where I began.

Margaret was born on 19 November 1919. You think that is the best birth date, don't you Margaret?

**MW:** It is a very memorable date if you care to remember. 19/11/1919, easy to say, slips off the tongue, and who knows when I'll slip off the earth.

**SM:** So, Bondi, that very quintessential upbringing; describe growing up in Bondi.

**MW:** How long have you got?

**SM:** About three minutes.

**MW:** Well, it was just a normal suburban childhood. And it was very enjoyable. At this time of year I'm reminded of the fact that all the neighbouring kids got together and played the tests. We had our own tests, in our backyard. Ours was probably the bigger one and could take two teams of four a side, or something like that. Sometimes not even four, just three, and that's counting cousins. The beach was handy, and the school. You walked to everything; you walked to the beach; you walked to school. I thought it was a very ordinary but very pleasant childhood. A lot of people grouse about their childhood, the situation, the surroundings, the comfort or discomfort of their own home. I found mine perfectly agreeable, even if I sometimes had to share my bedroom with my grandmother, only because she was mostly in the country doing her midwifery. She'd sometimes come to Sydney and she'd take over my bedroom. But there was always the verandah for me. It was that sort of easygoing life.

**SM:** It seems obvious to say that Margaret Whitlam is tall; she was taller than she is now but she was very tall and in fact at the age of 14 she was six foot two. Margaret says six foot one and three quarters; is this correct?

**MW:** That's correct.

**SM:** That is extremely tall, particularly for women of that period because they didn't seem to be as tall as young women are today. Margaret's mother thought about this and was determined that Margaret would not miss out on anything because of her extreme height. And one area where height makes no difference is swimming. They lived in Bondi so her mother taught young Margaret to swim. She became President of the Swimming Club...

**MW:** Not me...

**SM:** No, your mother, and Margaret not only swam well, she swam extremely well. Now don't be self-deprecating, tell us about all the medals you won.

**MW:** What she wants is my swimming career which began at the age of seven at Bondi baths and proceeded through age championships to State championships and National championships and eventually the Empire Games. Not so long ago, you see, it was the Empire Games. But the Empire Games for me was a disaster. I developed an infection of the throat and in those days there was no cure for it, no calming or anything. There was no penicillin even. And there was nothing you could cling to except an aspirin and an aspirin wasn't strong enough for me to be well enough to swim well. But I was determined just the same. My Dad was so good, you know. He took

me everywhere, fed me asparagus, fed me oysters, to try and get me in good form, in good shape, and able to swim. The doctor said no, you mustn't swim, it's very dangerous if you swim. I swam of course and nearly went to the bottom of the pool but I did finish. And it was a lovely experience being part of the team. I look at the teams these days and see how their uniforms have differed and yet how they have remained the same. You make comparisons over almost a century. Swimming was my major sport.

**SM:** That experience gave me an insight into the young Margaret and the kind of character we would see later on in her life. She was representing the country. She was determined to have the experience and not to let the team down, even though the doctor said you shouldn't swim and her parents said Margaret, you're really not well, and she knew she had no energy at all. Nevertheless, she battled on, she finished, the whole time feeling that her legs were like lead and she was going to sink to the bottom. She came last and there it was in front of all the people in the stands...

**MW:** Oh come on, it wasn't that bad...

**SM:** Well it was the Empire Games. But Margaret didn't dwell on this fact. Some of us would never mention it again or have to be in analysis for ten years over the loss. It would be a scar on your psyche, whatever. But that's not Margaret's way. Margaret bounced back, certainly into swimming. And the fact that she's prepared to talk about it now I think shows that she's someone who always moves on from things. It's not that she denies them but she doesn't dwell on them and she doesn't reopen the wound. I think that made it hard for a biographer, because you're not really by nature introspective in that sense, are you Margaret?

**MW:** Not really. I think I'm a optimist rather than a pessimist, and so life goes on.

**SM:** And you always expect something good to be right around the corner.

**MW:** And something good is always around the corner.

**SM:** So, there we have the young Margaret – growing up in Bondi. You went to SCEGGS Darlinghurst, Margaret, and your father took you to school on the first day on Forbes Street.

**MW:** Yes, to Forbes Street and in those days it really was as he described. He said my girl, don't look to left or to the right as you go down. I had to get off the tram at Darlinghurst, at Taylor Square, and walk down the whole length of Forbes Street. My father said they're dens of iniquity. And at age ten I didn't know what a den of iniquity was, so of course it made me all the more curious. At any open door, wow, the eyes were popping.

**SM:** But you weren't much of an academic.

**MW:** Sorry about that, no. I did get a couple of prizes, but they were things like Home Reading and Short Story Writing. But they were not to be sneered at although they're not exactly academic prowess are they?

**SM:** You didn't manage to get into Arts which you really wanted to do.

**MW:** I was so lazy. I read under the desk all the time instead of paying attention in Latin and consequently I got a lower pass in Latin and a lower pass in Maths. In those days you had to have higher passes in both to do Arts. Damn silly really; all I wanted to do was modern languages, so why should I have had to do Latin. And surely a lower pass would have done. Nowadays, you don't have to have anything like that. All that's needed are all those marks.

**SM:** You could have done medicine or...

**MW:** With my pass I could have done Medicine, or Vet Science. I did do Economics, God help the people if I'd finished Economics, but I didn't. I switched to Social Work at the beginning of the course. It was the second year of the newly established course at Sydney University and I did graduate in that. I practised as a social worker, in the family section or family welfare. That was during the war and I worked in a little hut in Martin Place which was run by the Australian Comfort Fund. It provided social workers for soldier's families and it was, you know, a place that everybody homed in on – servicemen or if you were a wife seemingly neglected because your husband was off at war. I can't tell you how many times people who had enjoyed the leave of their husbands went on to complain when the husbands weren't there for the birth of the next child. They thought the husbands should be brought home from the war to enjoy that birth too. One of our jobs was to dissuade them of that.

**SM:** Margaret certainly got over the agonies of being fourteen and very tall. But school dances, that was horrid wasn't it?

**MW:** Well I wouldn't say it was horrid, but I did become a professional wallflower while I was at school. But when I left school, at University, it was fantastic. I had a great time; it didn't seem to matter how tall you were there. And it didn't seem to matter how short the men were. We all got on famously. But I didn't have to wait too long before I met the man of dreams.

**SM:** So let me take you to a sultry December night in 1939. Margaret is dressed up, in a beautiful green dress, which she describes in the book; her hair is still slightly damp from the swim that she's had in the afternoon, she's going to the Sydney University Dramatic Society Christmas cocktail party. She's been told that when she arrives that there's someone there that she should meet. EG they say is here. And so Margaret says, where, and they say out on the verandah so she walked out onto the veranda and...

**MW:** And there I saw across a crowded room...

**SM:** Literally...

**MW:** The most delicious thing I'd ever seen in my life. It was instant recognition of a mutual pleasure should we say.

**SM:** In fact, as you say, the electricity was instant, and even if sometimes the electricity may fail now, from time to time, the lamp still works.

**MW:** You do it well Susan, better than I.

**SM:** So of course this is the meeting of Margaret and Edward Gough Whitlam. One of the things that was great about Margaret and this biography is that she's a hoarder. For a biographer that is fantastic. She took me into what I'd never been to before, even though I'd been to her apartment many times. She said she'd better show me the third bedroom. Well the third bedroom, no one could have slept in it, it was floor to ceiling boxes cuttings...

**MW:** It had a bed.

**SM:** But you couldn't see the bed, it was covered with stuff. It was fabulous for me because Margaret had kept everything. Thousands and thousands of photographs and clippings and cuttings and even (I was really pleased about this), the journal she wrote during that period. We all wrote those journals when we were 19, about who we fancied and whether they liked us and who we were going out with and what we were wearing. And it was all there. In fact, you didn't even know how to spell Gough's name, did you?

**MW:** Who does? I mean people do now, but on hearing it, what would you think? G-o-f-f. But fancy giving a child that name or using it. It was a family name, and it was given as a second name, but why use it? I took his mother to task for that. Really. Edward is a perfectly good name and the only reason they didn't use that is they didn't want any abbreviations of it. They didn't like Ted. I said oh blow that! Anyway, at some stage, I asked him why they didn't use Edward and he said nobody calls me Edward, but you may. I didn't, but my brother called him Eddy or Ed. And he's the only person ever to have used that name. We know when we get mail addressed to Mr Edward Whitlam that the people don't know him.

**SM:** Well Gough courted Margaret; Margaret had the best 21st birthday party, didn't you?

**MW:** I did. You remember during the war, in 1940, Noel Coward was out here raising funds and morale by performing all over the place. That sounds terrible but you know what I mean. And on 19 November 1940, my father took eight of my friends to Romano's where Noel Coward was performing. We had the best night ever. Noel Coward sang his own compositions and we had a fantastic time. I was really a very spoiled young woman.

**SM:** Margaret's father adored Margaret. Her mother loved her a lot too but her father was particularly close. I do think those of us who've been lucky enough to have fathers who think we're wonderful get a lot of confidence from that. Don't you?

**MW:** Well the confidence was gained under those social circumstances by my mother's skills. She was a great seamstress and she made me evening dress after evening dress. In those days we all wore those things that the girls are wearing now as daywear. We wore them as petticoats in those days and we wore the long ones as night dresses. Our evening ones were a sort of composition but everybody going to a dance, no matter how humble, unless you were out in the bush where that wasn't called for, wore some sort of different dress that was pretty. I was a very lucky girl because I had plenty of them. Some of the girls had to make do with one or two a year because you had to buy them at great expense. I didn't have to do that so there is some advantage in having parents who please you.

**SM:** So that all sounds like a wonderful glamorous courtship and indeed it was. Margaret is 87, so it's a long life. I'm not going to take you through the whole life. They did get engaged and married and yes I did ask Margaret what the honeymoon was like and yes she did tell me, but I won't go into the sex.

**MW:** No, let's not have any.

**SM:** But it is in the book so I'll leave that up to you to read. Nevertheless the Japanese bombed Pearl Harbour, Gough enlists, he goes away and trains as a navigator in the RAAF. Margaret works as a social worker. Gough comes home on leave. Margaret gets pregnant. There's the first child. So that's the war. Afterwards they were like any other young couple. Gough was a law student. So they lived at home with Margaret's parents in order to save enough money to buy a house, to build a home, buy a block of land and build a home. Margaret wanted to be near the sea and so they went to Cronulla which was what they could afford at the time.

**MW:** It was the block of land which really stretched our finances. It cost £100. How about that; compare it with today. It was a most desirable block of land actually and it was followed by a house that in those days cost £1600. A very desirable double brick. In those days it mattered whether things were double brick or fibro or timber or whatever. Then everything escalated in price and that was all we thought of, the cost of things.

**SM:** So Margaret finds herself housewife, mother, at home with the children, some big strapping boys by this time, three boys, husband going off to work every day and then, of course, Gough becomes involved in politics. He goes to Canberra so basically she's a single mother. I did think of calling this book *An Ordinary and an Extraordinary Life* because to a great extent a lot of Margaret's life

has been spent doing the same things that mothers and wives of that period did. And Margaret loved them; she makes no apology. She loved living in the suburbs; she loved getting together with the neighbours; she loved her children and that entire life. She adored where she was living and so did Gough. Gough then came to represent Werriwa and they moved to Cabramatta. So let's get them into the Lodge because of course we all remember the dramatic event that occurred in 1975. We probably all remember where we were when we first heard that the Prime Minister of the country had been dismissed. Again I urged her to take herself back there, but Margaret is not one to go back and open the wounds. But clearly it was a very hurtful and a very distressing time. I've noticed since we've been doing a lot of media that one of the first questions they ask you always is, are you still angry?

**MW:** Well I haven't got time to be angry any more but let's say I've either forgiven but not forgotten or forgotten but not forgiven. You can take whichever one you want because I never can decide which it is. In other words, it's not at the top of my mind, it's sort of back there and life goes on.

**SM:** What about Malcolm Fraser and Gough now? They seem almost to be best buddies.

**MW:** Well Malcolm's a very much improved man isn't he? No one would admit it more than he actually.

**SM:** We all know what happened then. Of course Margaret had to really work hard at rebuilding what was a very shattered man, and a very shattered husband. Richard Butler talked to me about this period because he worked for Gough then and he talked about the strength of her love. This is a great love affair, a theme running through the book. They have been married 65 years which is a very long time and they have been through the highs and the lows. At this stage Richard Butler said it was Margaret who pulled Gough together and pulled him through.

**MW:** Richard or Gough?

**SM:** Gough, and probably Richard. She makes light of it, but it was something that Richard Butler was very serious about. Clearly you can imagine the aftermath. The next big step was Paris and I think we'll finish there. Gough is appointed to be the Ambassador for UNESCO and Margaret goes to Paris with him. Kathy Lette, that wicked writer, was visiting the Whitlams at the time. She's a great friend of Catherine Whitlam. So picture a chauffeur driven ambassadorial car going through the Bois de Bologne. In the front seat of the car is the chauffeur and Gough Whitlam; in the back seat is Margaret Whitlam, Catherine Whitlam and Kathy Lette, They're going to a very posh restaurant, and the French are looking out the window to see who the important people are, arriving in the car. The

maitre d' has even taken the time to come and stand out the front of the restaurant and welcome these very important people. The car pulls up. Margaret who never waits for the chauffeur to open the door, leaps out, takes a step towards the maitre d' and her skirt falls down, totally. It is in a puddle around her ankles. Kathy Lette said, they were screaming in the back seat. Catherine Whitlam couldn't believe her eyes at seeing Margaret standing there with no skirt. But you had your tights on I suppose.

**MW:** Of course.

**SM:** And Gough was still getting out of the car wondering what was happening. Margaret looked down and said, oh hello, what's this? And in true form, as Kathy Lette said, with great élan, she turned her back, pulled up the skirt, did up the button and whatever she'd forgotten to do up. She then turned around to the others who were by this time paralytic with laughter and said *en avant*, which means onward. I think if there was a theme to Margaret Whitlam's life and her philosophy of life, it is indeed, onward. When things go wrong, and things always happen in our lives that we wish hadn't happened, I can hear Margaret's voice saying *en avant* and I think that's how she survived these 87 years.



Photo - David Karonidis

*Rick O'Donnell*

Rick O'Donnell is a former Executive Director, Colorado Commission of Higher Education. He was also the Republican Party's candidate for Colorado's 7th Congressional District in the 2006 Congressional elections. He lost to Democrat Ed Perlmutter. During the campaign, when a Survey USA poll showed Perlmutter with a 54 to 37 per cent lead, GOP consultants guessed that the support was "soft." However, Perlmutter won the seat, 55 per cent to 42 per cent. To reflect on the experience of being a Republican candidate in the 2006 US elections, and why he failed to win a safe Republican electorate, Rick O'Donnell addressed The Sydney Institute on Monday 11 December 2006.

# THE REPUBLICAN

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## *PARTY AND THE 2006 CONGRESSIONAL ELECTION: WHAT HAPPENED?*

**Rick O'Donnell**

We all know what happened in the recent elections in the U.S. The Republicans lost. This election had very little to do with the Democrats. This election became a referendum about Republicans. I'd like to talk about my experience as a candidate; I could be used as a case study because what happened to me in my campaign happened to Republican congressional candidates across America. It wasn't unique to my race.

I started running for Congress in March of 2005. That was eight weeks after George W. Bush's second inaugural. He had just come off a convincing win against John Kerry and was charging ahead at the beginning of a second term. I don't know anyone who could have predicted what has transpired so badly for George Bush and Republicans over the succeeding 18 months. If they had predicted it, I probably wouldn't have run but I didn't know that at the time.

I'm from Colorado and my congressional district is in the suburbs of Denver. If any of you have ever been to Denver and if you picture my face with a pair of headphones over my head, the electorate I was contesting was all the western suburbs, a little gerrymander across my head and then all the eastern suburbs. It was one of three most competitive congressional districts because it was drawn in that funny shape by a judge, in order to make it competitive. He literally went, block by block, to get the voter registration one third Republican, one third Democrat and one third unaffiliated. It is a swing seat. Four years prior to this election it was an open seat and the Republican candidate won by 121 votes; in the contest between George Bush and John Kerry the difference was less than one per cent.

I knew I had to put together a campaign that could win in that type of district. In my judgment, in American politics at least, a winning campaign has four components. You have to have money, you have to have message, you have to have a messenger and you have to

be able to mobilise your voters. I'm going to talk briefly about those because I was able to put those four components together and yet I still couldn't win. That's really where the lesson comes from.

My campaign itself raised \$US2.7 million, about \$A3.4 million. In addition, the national party spent another million and outside special interest groups spent another million on top of that. So on my side alone there was \$US4.7 million spent. That was much more than traditional for a Congressional seat. Most Congressional seats in America are about \$US800,000 dollars per side. I was almost five times that and was well financed.

I also had a really good message. When I started running, I thought the biggest issue I would have to overcome was my age. But the longer I was in the campaign the bigger an asset it became. If I was in a room full of voters like this, I would at some point pretty early in my stump speech, say: "I will take questions at the end, but I've learned to answer the first question I always get, which is: 'are you even old enough to run for Congress?'" I'm 36. During the campaign, people would come up to me and say "I'm voting for you because you're young; we need new blood in Washington; we need you." So my message started to be about a new generation of leadership, new blood, new energy, new ideas. And that really resonated, so I had a good message.

I put together a platform of 15 ideas. I'm a policy guy and I've spent a long time reforming state government so I had a lot of ideas about what reforms we needed in Washington. I was able to put them out. My opponent's first name was Ed and we nicknamed him Empty Eddie; he was empty of ideas and I was a candidate full of ideas. The media really liked that and it resonated. So I had a good message.

When it comes to the messenger, that kind of dovetailed because my message was about newness and the first most distinguishable fact that people noticed about me was that I was relatively young. You've probably seen candidates before who can walk, talk and chew gum at the same time. I can at least do that.

The fourth leg of the campaign stool is mobilisation. In America, we do not have mandatory voting and so we have to convince, pull, drag, push our voters to vote. About 800,000 people live in my district, about half of those are registered to vote. Based on historical patterns, this was a mid-term election; there was no presidential race. We expected 180,000 to vote and we were pretty accurate. About 181,200 ended up voting, so our goal was to get 92,000 of them to vote for me. About 51 per cent, that was our goal in this competitive district.

We started about eight months before election day on mobilisation. I had eight full-time staff devoted solely to get out the vote, with volunteers who would literally call and knock on the doors of tens of

thousands of voters. Early on it was just a matter of asking voters what they thought about Iraq, about immigration, health care, tax cuts. Our aim was to find out what they thought on the issues so that in the autumn I could target them through mail, phone calls, more knocks on their doors with a message that I knew would resonate with them.

Part of it was recruiting volunteers to all this voter contact. And we were very successful. The Saturday before the election, with volunteers, we either personally called or knocked on the door of 48,000 voters, which ended up the number one get-out-the-vote effort in the country. So we were able to dramatically target our voters to make sure they would vote and we were excited about it. I had the money, I had the message, I was an okay messenger and I was able to mobilise my voters. Yet I still lost.

My opponent is a decent man. He was pretty good, he had a sound message and he was able to tie me for money. But what really helped him was something I was not able to overcome. No matter what I wanted to talk about – the economy, reforms, what was going on in our district – all he had to do was open his mouth and dub me “Rubber Stamp Rick” and the media loved it. And the Rubber Stamp was, if you like, what George Bush had brought people. In other words, a vote for Rick O’Donnell in Congress would be a rubber stamp for George W Bush.

I had the honour of the President coming to town to do a fundraiser for me. I was in Washington DC and flew back on Airforce One, with Bush, to my district. I got out of the plane with him and we waved from the top of the steps. My opponent played it over and over and over on TV, to the point where everyone’s commercials tried to do me in. They spent some \$US9 million on TV ads with that image. By the end, my fresh voice for Washington was drowned out on the larger issue of voters being just sick of Republicans. But it’s important to understand how we got to that point.

I started running for office eight weeks after George Bush’s second inaugural. He was doing so well then, and no one could have predicted it would be so bad 18 months later. George Bush was re-elected and the signature issue of his first year of his second term was Social Security reform. Social security is our old age pension system, and it’s headed for bankruptcy at some point. Bush launched an initiative in a series of town hall meetings to begin some reform. But he never even got a bill introduced into Congress, let alone voted upon or passed. He got nothing, but spent all his political capital he gained from his re-election and squandered it on a failed Social Security effort. Well, presidents lose initiatives often and it doesn’t debilitate them but it certainly didn’t bode well as a start for a second term and that was in the Spring of 2005.

In the summer of 2005, the Republican controlled Congress passed a highway bill. In the United States we pay federal gas tax dollars every time we go to the gas pump. Those dollars go back to Washington and Washington returns them to the states to build roads. Now this was about \$US252 billion on a highway bill and it was stuffed with all sorts of pork barrel projects wanted by members of Congress. There are those moments in politics when something just crystallises in the public's mind, even if it's not true and this was one of them. There were bridges funded in this bill, in Alaska, connecting some remote islands. These became dubbed the bridges to nowhere. This bill was so bad and so larded up with wasteful pork that we had bridges to nowhere in it and it left such a bad taste in people's mouths.

Then came Hurricane Katrina. Hurricane Katrina had two different impacts. On the political left all it did was finally cement in people's minds that the emperor really had no clothes. They thought George W. Bush was a bumbling fool but when they watched the response to Katrina it confirmed in their minds that he was slow to respond. We'd spent all this money in the United States after the 9/11 attacks, trying to make sure that our response to terrorist attacks and other emergencies was really good. Yet, how awful was our response to Katrina. For the political left it just cemented what they already thought about George Bush.

For the political right, the reaction was completely different. They didn't fully blame the President because they understand we have a federal system and the first responders are the local and state governments. The President can't send in troops to Louisiana unless the Governor invites them in. And the Governor didn't invite the troops in. Louisiana is a corrupt state and New Orleans is the most corrupt city in probably the most corrupt state. They'd been given money to build levies to protect New Orleans but the money wasn't spent on levies; it was spent on other things. So Republicans were a little more forgiving of the President's response because they had a more nuanced understanding of the issue.

But they were not forgiving of two things in the President's response. After Bush was criticised for what he had done, or not done, he flew to New Orleans and gave a very dramatic speech that required bringing in generators and lights because there was no power. Bush stood at the podium and said he would do whatever it took to rebuild New Orleans; and spend whatever needed to rebuild New Orleans. The commitment knew no bounds.

So fiscal conservatives said, what do you mean you'll spend whatever it takes? A hundred million, two hundred billion? And with a bunch of corrupt politicians in Louisiana, there would be no accountability. Even so, Republicans went along with this; it was an emergency. But then the question arose as to what would be cut

elsewhere in the budget? What were the priorities? By all means spend money in New Orleans, but what are we going to cut? And in response to some of that criticism, the House majority leader, Tom DeLay, tried to defend the President saying something like “Republicans have been in charge of the Budget for eleven years now and all the fat has been cut”. This infuriated fiscal conservatives who believe there is much left to cut in the federal budget.

These three things together ruined it for Republicans last November when it comes to fiscal conservatives: the failure to reform social security (what fiscal conservatives really want), then a pork barrel ridden spending binge on the highway bill, and then the sense that the Administration would spend whatever it took on Katrina with no offsetting budget cuts. Fiscal conservatives abandoned the Republican Party.

I knew it was bad in October of 2005 when Vice President Cheney came to town and did a fundraising event for me. I had raised \$US2.7 million and I had made tens of thousands of fundraising phone calls. So I learned when calls are going well and not well. The calls I made for the Cheney fundraiser were the worst set of fundraising phone calls I’ve ever made in my life. I would pick up the phone and people would say, “Rick I think you’re a good guy; I want you to win; I support you, but I am so mad at Bush and Dick Cheney, I wouldn’t give Republicans another cent.”

It was stunning to me how awful the mood was among fiscal conservatives in the autumn of 2005. Then something happened that caused Bush to lose the support of a lot of social conservatives. That other wing. If you vote with the Republican Party, few things have been more important to social conservatives in America than the appointment of good judges. Social conservatives in America believe, and I think rightly so, that the judiciary has been taken over in many cases by activist judges who write laws from the bench. They don’t just administer laws and determine justice. Social conservatives believe that we needed to make sure that, most importantly, if Bush ever got the opportunity to appoint judges to the Supreme Court, they would be good and would not find new meanings in the US Constitution.

Bush’s first opportunity came when Sandra Day O’Connor died. But soon after Chief Justice Rehnquist died and Bush basically got two appointments at the same time. Bush nominated John Roberts for Chief Justice. He’s conservative and conservatives loved that. Then Bush had to fill a second seat and the President appointed a woman by the name of Harriet Meyers. She was not on any Conservatives’ list of a potential good appointees to the Supreme Court. It shocked everyone. Harriet Meyers had been, and now still is, the White House legal counsel. She was very close the President but most people didn’t know anything about her except that she was a stealth liberal

from some of her work in Texas. Whether that was true or not, the President's response was simply to ask everyone to trust him. Social conservatives said no. It was too important a matter. The nomination was bungled and Bush had to withdraw it. He eventually appointed Sam Alito who is now on the Supreme Court. Social conservatives were happy with Justice Alito but the bad taste of Harriet Meyers lingered.

That was 2005. For us candidates, who have to get up every day and do the rounds, we tried to see the glass as half full and hope that if you are going to have a bad year, have it the year before the election. We thought it couldn't get worse. Well along came 2006. In January of election year, a whole series of ethics scandals broke in Washington D.C. with lobbyists, in some cases, actually bribing members of Congress. One member of Congress is now in prison today. These scandals weren't necessarily unique to Republicans, but Republicans were in charge so they took the brunt of the blame. A lot of Republicans said, "we sent our guys in 1994 to reform Washington, to clean up the cesspool and to drain the swamp. Instead it looks like they're swimming in it." It was really bad.

Then in the Spring of 2006, the number one domestic political issue in the United States was immigration. It was certainly the number one issue among Republicans, I would say even among unaffiliated voters. It was certainly the number one issue when I went door to door. Americans are riled up about immigration, about the fact that we don't really have secure borders, and that we have anywhere between 12 to 20 million illegal immigrants currently living in the United States. So Republicans and unaffiliateds wanted to secure the borders and stop future illegal immigration. Instead, Bush cut a deal with John McCain and Ted Kennedy on a bill that, at least for most Republicans, didn't really secure the borders and would have in essence granted amnesty to those 12 to 20 million illegals. That's when the social conservatives truly melted. Even though I'm relatively young, I've been around politics long enough to understand that social conservatives care about a lot of issues, particularly being pro-life on abortion and being very much for the right to bear arms and gun ownership. But in 2006, social conservatives never asked me about those two issues. All they wanted to know about was immigration. It was all over talk radio which is very important to conservatives and Evangelicals in American politics. And when it looked like Bush had basically teamed up with John McCain, whom social conservatives don't trust, and Ted Kennedy, whom they think is the devil incarnate, they were lost and never forgave him for the rest of the election. Republicans were done – both fiscal conservatives and social conservatives felt betrayed by their own party.

Then, about two months before the election, in a perverse way there was a bump for Republicans. That was the attempt in London to hijack a bunch of airlines. Hanging around at the edges of the campaign was the issue of the Iraq war. Reporters would come out from across the country to profile me and my opponent because we were such a hot district. And they would be amazed that neither my opponent nor I, were rarely asked about Iraq because in the media's mind it was the story. But in the average voter's mind the issue was immigration, or health care, or the economy. We'd eventually get around to Iraq and they weren't really happy with Iraq but they didn't know what to do about it.

You've got a bunch of people on the left who want to get out of Iraq and you've got a bunch of people on the right who think the only problem is that we haven't finished up and moved on to Tehran and Iran. The vast majority are frustrated, they're not sure we should have been there knowing everything we know but they don't necessarily think pulling out is going to make it better so they don't want to talk about it. But when the British foiled the plot to hijack a dozen or so aircraft, suddenly the topic of conversation switched from Iraq back to terrorism. Terrorism is a Republican issue that the President is a master at, protecting America and so on. Ever since 9/11, if the conversation is about terrorism I can feel it in the polls, I can feel it in the fundraising, I can feel it in the volunteers working door to door. So suddenly, in spite of the woeful campaign there was hope that if we could just keep on terrorism for eight weeks we might pull back.

Then, unfortunately, the final shoe dropped. A month before the election, a member of Congress, a person in charge of the efforts in Congress to stop child online sexual predators, was outed as being a sexual predator himself. That sort of summed up and crystallised everything we had against us. The idea was now entrenched these Republicans in Washington were hypocrites. So when voters walked in the voting booth on election day they were thinking about four things – Republicans are hypocrites who pass pork barrel bills, spend big on the aftermath of Katrina in a corrupt state, say they're going to protect the young yet the guy in charge of it is preying on kids, and they are arrogant. The Democrats had done a good job in portraying Bush as arrogant, particularly on Iraq. Republicans have been in charge for twelve years now and the idea that they had run out of steam was everywhere. Democrats didn't have to do anything but say, we're not George Bush or Republicans.

Last November's elections were a referendum on Republicans, but not a referendum on the vision of the Democratic Party, nor their platform or plans. So, for the long term outlook of American politics, it's important to keep a couple of things in mind. This election I don't believe was historic. In 1994 when Republicans took back control of

the House after 40 years, that was historic, and it was unexpected. It was a repudiation of much of Bill Clinton's first two years in office and it truly did change the political dynamic in Washington.

This election on the other hand was pretty typical of American politics since World War II. We call it the six year itch. In the sixth year of an eight year presidency, voters traditionally give a little raspberry to the President. In 1938 President Roosevelt lost 71 Democrat House seats. In 1958 President Eisenhower lost 58 Republican House seats. In 1966, Lyndon Johnson lost 47 Democratic seats, Nixon in 1974 lost 48 Republican seats. Reagan in 1986 did a little better – he lost five seats. Clinton gained five seats in 1998. That was a reaction to the impeachment but four years before he actually lost the House and Senate for the first time in years and, until this year, the Democrats hadn't won it back. So if you look at the average, in the post World War II era, in the sixth year of a presidency the President's party loses on average six Senate seats and 36 House seats. This year we lost six Senate seats, right on average, and 29 House seats, a little bit less than average.

As a Republican this doesn't depress me. I'm sorry I lost but the bonus is I've now been able to spend three weeks holiday in Australia to lick my wounds. If you look at where the ideas of American politics are coming from for reform, they're almost entirely from the intellectual right and not from the left. I was often asked, on the campaign trail, "what was the last big idea from the Democrats?" It was Hilary Clinton's plan in 1994 to nationalise and socialise health care. And that was resoundingly repudiated and led directly to the Republican takeover of the House in 1994. Ideas on welfare reform, tax reform, Social Security reform, entitlement reform, education reform, are all coming from the right. Nothing's changed in that because of this election. For now, however, Republicans and even unaffiliateds say that the GOP is the party that talks reform but doesn't do it. The elections were the party's punishment. I actually think, though, that the Democrats winning in November 2006 makes it easier for a Republican President to succeed George W. Bush.

In 1988, Democrats controlled Congress but George Bush senior succeeded Ronald Regan; in 1992, Republicans controlled Congress and Al Gore won the popular vote and, if not for our Electoral College, would be President. So you can often have Congress in one party's hands and the Presidency go to the other party. It also makes it easier because Republicans can't be blamed for everything that goes wrong in the next few years; they have to share responsibility with the Democrats. A Republican candidate running for office will be able to point his finger at the Democrat Congress and throw it back at the Democrats. My opponent often said, we need checks and balances. Checks and balances is a phrase that resonates with the

American electorate because we're taught from grade school on that our Constitution was designed to have checks and balances.

2008 will be one of the first Presidential elections since the 1928 where there's no heir apparent running. By that I mean there will be no incumbent president or vice-president running for election. We've often had a vice president running, but Dick Cheney certainly won't run. That means you could have some very interesting things happen over the next 15 months as the two parties sort through who their nominees are going to be.

# SPEAKERS AT THE SYDNEY INSTITUTE

## September 2006 – December 2006

**Kevin Rudd MP** (Shadow Minister for Foreign Affairs)  
*Future Directions in Australian Foreign Policy*

**Ross McMullin** (Author, most recently, *Will Dyson: Australia's Radical Genius*)  
*Will Dyson: Australia's Forgotten Genius*

**Dr Ernest Drucker** (Director, Community Health, Montefiore Medical Center, NY)  
*The US Prison System: Mass Incarceration*

**Kate Legge** (Journalist & author, *The Unexpected Elements of Love*)  
*From Journalism to Fiction – How Different is it?*

**Dr Zachary Abuza** (Assoc Professor, Political Science & International Relations, Simmons College, Boston)  
*Militant Islam in Southeast Asia*

**The Hon Peter Debnam** (Leader of the Opposition, New South Wales)  
*A Vision for New South Wales*

**Mark Scott** (Managing Director, Australian Broadcasting Commission)  
*The ABC's Editorial Values*

**Dr Catharine Lumby** (Director of Media Studies at the University of Sydney)  
*Children, TV and Media Generated Panic*

**Christopher Hill** (US Assistant Secretary of State for East Asian and Pacific Affairs)  
*Asia and the Pacific*

**The Hon Alexander Downer MP** (Minister for Foreign Affairs)  
*Terrorism: Winning The Battle of Ideas*

**David Dodge** (Governor, Bank of Canada)  
*Prospering in Today's Global Economy: Challenges for Australia and Canada*

**Dr Mary Crock** (Assoc Professor, Sydney Law School, author, *Seeking Asylum Alone*)  
*Travelling Solo – Australia, the Law and Unaccompanied Refugee Children*

**Dr Virginia Hooker** (Ed, *Voices of Islam in Southeast Asia: A Contemporary Source Book*)  
*Islam in South East Asia*

**Andrew Metcalfe** (Secretary, Department of Immigration & Multicultural Affairs)  
*Australian Immigration – Some Current Themes*

**The Hon Bronwyn Bishop MP** (Member for McKeller)

**Fr Frank Brennan SJ** (Author *Acting on Conscience*)  
*Conscience, Politics, The Law and Religion*

**Lindsay Tanner** (Member for Melbourne)  
*Love of Learning*

**Shelley Gare** (Journalist & author *Triumph of Airheads*)  
*Triumph of the Airheads – Retreat from Commonsense*

**Susan Mitchell** (Writer & author *Margaret Whitlam: A Biography*)

**Margaret Whitlam** (National Living Treasure, wife of former PM Gough Whitlam)  
*Margaret Whitlam: A Life*

**Rick O'Donnell** (Republican candidate, 2006 US Congressional Elections)  
*The Republican Party and the 2006 Congressional Election: What Happened?*