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# MAKING VICTORIA

**WORK****Jeff Kennett**

Whenever I make a trip like this to Sydney, Adelaide or Brisbane, which I do regularly to keep in touch with businesses that have investments in Victoria, I invariably get asked what am I here to pinch. There's a perception that every time we move out of Victoria we have the single purpose of taking something from another state.

Apart from some of the smaller issues, like the Grand Prix and so on, I reject that notion. I reject it because so much of what we are on about at the moment in Victoria, and what I would like to see happen federally, is a concept of partnership between the Commonwealth and the states in growing Australia. In other words we are towards becoming a borderless society.

In terms of competition and the boundaries such as the Murray River or artificial lines drawn between South Australia and Victoria, these are absolutely irrelevant to the sorts of things that we can achieve in the years to come. So much of what we have done in Victoria can be best explained as being what we would like to think of as partnership with New South Wales, with the other states and territories and with the Commonwealth. We in Victoria can contribute in such a way that we not only do things that are to the advantage of Victorians – the Victorian community – but contribute very much to growing Australia. If one member of that partnership fails then that reduces the ability of the whole to succeed. If the senior partner – the Commonwealth – performs well then the whole partnership grows. If the senior partner fails then it doesn't matter how good the performance of some of the other partners may be, their performance is discounted by some percentage because of the failure of the senior partner.

Now can I just very briefly say to you that when we prepared for office – and we were in opposition as you know for a long time – we had the advantage during that period to actually put into place some very important tenets which have served us well.

First of all, we wanted to make sure that we were planning properly from a policy point of view. So that when we were given the

responsibility of governing we went in to govern, and we started the process of reform immediately given the urgency of the situation that confronted us in the State of Victoria – a \$2.2 billion deficit on our budget and a debt of about \$33,000 million. There is no other corporate company, or government in Australia, that had or has the size of the debt that we have in Victoria. There is no other corporation that had the size of deficit that we were confronted with. So we had to be prepared.

Secondly, we sought out the best people we could to assist us in preparing for the eventuality of government. We went to the private sector for assistance in policies to make sure that the politicians were being briefed by those in the professions. We sought out public servants that we could take on board, again to make sure that we didn't waste a day.

The third thing we did is we committed ourselves to medium and long-term planning. There are two time frames we work towards. The first is 1992, when we were elected, to the year 2001. Under normal circumstances that would include three elections – 1992, 1996 and 2000. That's the period of time we've given ourselves to actually get the infrastructure in Victoria right in order to launch into the 21st Century. I'll come back to some of those ingredients shortly.

The second time frame is 2001 to the year 2050. Now again that might seem a long way from where we are today. But I have four children. Some of you my age will have a number of children, some of you will have grandchildren around the same age. My oldest boy is 20 years of age. In the year 2050 he will be 76. So everything we do today is going to affect the vast majority of his, his sister's and his brothers' life spans. Therefore we must realise that whatever we do as a government – whatever you do as corporate citizens or whatever we do as private citizens – has a very real bearing on the condition of Victoria, the condition of New South Wales, the condition of Australia right into the middle of the next century.

We have stuck to those two timeframes. This is important because it means setting our goals and anticipating where we want to be between now and the year 2001 and 2050. We can make decisions that are based on common sense and are not driven by short term political considerations. We went into that election with an absolute commitment – to think medium and long-term believing that if we were right, the short-term would look after itself.

The final point to be made in terms of our fundamentals was to make sure that everything we did was based on common sense. There has been a lot of publicity and a lot of comment about some of the reforms that we have put into place. Many have described us as economic rationalists. Labels drop easily from the lips of those who are critical of what we have done. But the fundamental truth is we have

simply applied the laws of common sense. In terms of our economic management, the bottom line was not wanting to spend more than we earned. No theory, just a simple philosophy that government must be more prudent with the public's money than perhaps Jeff Kennett is with his own – because I am dealing, as are my colleagues, with four and a half million people's interests.

That simplicity of policy has been applied to every area of government. We went into government two and a half years ago with a range of rules – foundation blocks – which we had clearly enunciated and to which we, as a cabinet and as a party, were very much committed. I've got to say that over the two and half years we haven't diverted from it at all.

Let me now give you a thumbnail sketch of what has happened in Victoria.

We set ourselves the target of getting Victoria back on its feet financially in terms of our current account budgetary situation by 30 June 1996. By that we meant a balanced or surplus budget. This will now be achieved by 30 June 1995. We will have turned around a \$2.2 billion deficit on our current account to a \$500-600 million surplus which is a huge turnaround. We had to be fairly harsh in order to achieve that. We raised taxation for some, but not for business in order to keep the economy growing. The number of public sector employees has been reduced by 20.5 per cent – 50,000 have left our employment in two and a half years. We've closed 12 per cent of our schools. Two hundred and sixty schools no longer exist. We've reformed local government. Where there were 210 councils there are now 78. We've done the same with our water board. The racing industry has been privatised. For those of you involved in racing, that was perhaps the hardest decision because of the vested interests involved! Right across the board we've started a program of fundamental change which is irreversible and which will continue between now and the year 2001.

The program between now and the year 2001 is to continue. It will drive the economic program to ensure surpluses on our current account. We still have a debt of \$33,000 million and we still have unfunded liabilities of around about \$16,000 million which is really unfunded superannuation for our public servants. It was \$20,000 million but we changed the operation of superannuation imposing most of the pain on politicians. We've saved ourselves \$4 billion to date and with the passage of time that will continually reduce. All of those who now join our public service have got to be fully funded in terms of their superannuation.

We still have to maintain a tight rein on the way in which we manage financially and now, particularly, to start addressing the levels of debt. Obviously the service delivery aspect of government and the quality of services in education, health, law and order, public transport

and so on must be driven. That will always remain a challenge because community expectations continue to grow. Yet governments have a responsibility in certain areas to provide a service, in part through their own particular offices. In others, as we're finding out, it is better to corporatise, to contract out or privatise.

The third area that perhaps represents the greatest challenge to us as a government and to the community is the way our lives are going to change through the spread and utilisation of electronic communications. Broadband, multimedia, you name it, we're all being subjected to it more and more. I can't and don't know where we're going to be in the year 2001. Suffice to say, we will have very different governments from the forms of government we have today – or we should. I suspect we're also going to see businesses operating very differently indeed. There will be whole departments, currently collecting motor registrations, stamp duties and land taxes, which will disappear because we'll be able to pay through kiosks that exist close to home – maybe even through our television sets. Therefore whole functions of government that currently exist today will probably not be needed. That is good. It transfers opportunity and ultimately choice to the consumer, to the private sector and to the citizen rather than to government. So if we do it properly, citizens will be empowered better than they've ever been empowered today.

Perhaps the most dramatic change in all of this will be in our health institutions and the way we administer health. It will not be long before a person involved in an accident can be put into an ambulance where machinery will photograph the injury internally, transmit the image to a hospital where it will be transmitted to a doctor in that area of care, be it at his or her home, office or in the hospital. The doctor will then prescribe what is needed both in the ambulance and on arrival at hospital.

The medical changes with new technology are almost beyond comprehension. I have dwelt on it a bit because changes in technology will be the biggest change confronting governments. We are going to have to use people in the private sector to assist us to bring about these changes. Those of us who are here today simply don't have the knowledge either because of age or the fact that every year away from the private sector, to some degree, you become less and less relevant. You need to rely more on those who deal with the product on a more consistent basis.

So in those three areas – financial management, services and importantly, multimedia – it is going to be a fundamental requirement of my government, as part of that partnership, to deliver in those areas over the next five or six years.

That brings me to what is going to be the most important relationship – the borderless society we are developing today. Have we,

as states, as territories, as Commonwealth, as individuals, the capacity to want to grow Australia?

I don't have to tell you that with a population of eighteen and a half million people we are too small to be competitive into the 21st Century unless we get a whole lot of the foundation blocks properly in place over the next few years.

I have a theory and I may be wrong. It is something that I have pondered throughout my mature life. Since the war we've had sharemarket difficulties in the mid-1950s, a credit squeeze in the early 1960s, recession in the early 1970s, recession in the early 1980s and a recession in the early 1990s and in 1987 a sharemarket crash. Recessions have come every ten years. Australians, governments and corporate organisations fundamentally have not adjusted to any of the ingredients of those recessions. As each has finished we've come out and said, collectively, thank goodness that's over. And we've got on with the rest of our lives. The result is that the 1990 recession was the worst we have ever had. It was the longest - it cut a swathe through people who have never experienced unemployment before, in the main, people in middle age for whom opportunities are very much reduced in the future.

Now I honestly believe that there will not be another ten years before the next recession. The time span is going to be considerably shorter. And it worries me that, in trying to grow Australia, we as a community have not come to grips with the urgency of the task.

I'll put it this way. For the last two and a half years the Victorian part of the partnership has, to the best of our ability, tried to address some of the ingredients which caused Victoria to feel the pain and the extent of that recession more than any other State. We're trying to get our house in order. But we won't avoid the next recession. We can't. It's global. But we might be able to minimise some of the extent. By comparison, another part of our partnership, the federal government, has not seized upon the opportunity and the mandate that it received after the last election to address some of the ingredients that have led firstly to the recession, and secondly to preventing the next recession that is only around the corner.

As a partner, Victoria very much embraces the Hilmer concept of borderless states. But the areas that are in greatest need of reform in this country at the moment have fundamentally been excluded from Hilmer's consideration by the partnership as a whole, because of the leadership of the federal government. Employment policies and industrial relations are not on the agenda. They are specifically excluded. We are in one of the fastest growing parts of the world and we have no chance of being truly competitive unless we can make sure that our employment rules and regulations are relevant.

When we started to make change, Laurie Brereton, the Federal Minister for Industrial Relations, introduced legislation that not only tried to stop us, but fundamentally turned the clock back a decade. Here in New South Wales at the moment, the new premier is thinking of repealing the employment laws that allow for enterprise agreements. If that is the case then the mantle or crown of premiership will probably never sit truly on Bob Carr's head. To grow, Australia needs to recognise that we have got to empower citizens to make more choices themselves. That has got to come in many cases through enterprise agreements and individual choice.

The second area is taxation. Our taxation situation is anti-competitive. It is probably going to become more anti-competitive with the handing down of the Federal Budget, when company taxes are tipped to rise from 33 to 36 cents. In the states our taxes are dysfunctional - land tax, payroll tax, workers' compensation. These are things that the States have had to resort to because there is no other method to raise revenue to meet the cost of the services the community expects of the state government.

At a Federal level there is a mix of taxes, charges, etc which simply add to the input costs of goods and services that ultimately we must export. We will shrink and die as a country if we only try and produce for our own markets. Our future lies very much offshore. It disappoints me that there isn't a bi-partisan approach to get the total tax mix right. What is it about Australia that makes us attractive to securing head offices from overseas or from Asia? You might argue that it's our education system, our health system, our environment generally. But when they look at our taxation laws, whether it be company tax, land tax or payroll tax, we really don't give ourselves a chance. We might pick up the crumbs but we're not in the main game.

Therefore I have a real concern that we have wasted two years at a Federal level as part of this partnership. We haven't seized the day or the opportunity and we may not have got everything right. I accept that. There are always different points of view. But in Victoria there has been a very honest attempt so far to get the foundation right and to create something of worth. The result has been surprising. I did not think, knowing what we were going to have to do, that we would re-earn the public's respect within three years. One thing that has come through clearly, time and time again, after two and a half years, after all we have done, is that the public is still with us and perhaps more strongly than they were in 1992. Why? Because I think they like leadership. They want firm leadership but fair leadership. They don't necessarily have to agree with everything we are doing but they want to know where they are going.

Secondly, the public wants consistency of policy. If we change our stance when pressured each time a private enterprise group or a union

applies pressure to us then the public's confidence in us as managers would fail. In two and a half years there has been not one change of minister from a portfolio. The public looks at us and they may not like us, but they see that we have confidence in ourselves and therefore their confidence in us grows.

So what should this tell Australia as we come to the end of the decade and the end of this century? There is a latent pool of goodwill out there from Australians waiting for a federal government to govern and to give them a plan that is not based on the next election, that is not motivated by politics or people, that is motivated through policy to something that people can believe in.

In Victoria we have demonstrated very clearly that you can change the culture of this society very, very quickly. How many times have we heard that you'll never get this change in Australia. In Victoria we've done that, in part. In other areas we've actually been overridden and some of our policy reforms have been reversed by a central government and the system, in particular the industrial courts.

But if we are going to be relevant in the 21st Century then our focus has got to be, firstly, on growing Australia and, secondly, on doing the best we can in the areas that we have immediate responsibility for.

I am therefore not interested in coming to Sydney to secure businesses from here to move to Melbourne. It doesn't add to our critical mass as Australians. I am very interested in travelling overseas as regularly as I do to attract new business to Victoria because that is also new business for Australia. The greatest area of opportunity at the moment without a doubt lies through Japan. In fact the Japanese, having had bad experiences in tourism and property are now increasingly and, I suspect will be in the future, overwhelmingly investing in manufacturing type businesses where they can get core product here and convert that core product into a highly transformed product or service.

We have therefore I think an enormous responsibility and an enormous challenge - as politicians, as corporate leaders, as individuals. If we don't make the change, if we don't express the view that we cannot go on making excuses then in fact by the time we get to the year 2001 - only a few years from now - we'll have missed the boat again. We'll have been through another major recession. And while the growth may be happening to our north and to the west, particularly in India, Australia will be nothing more than a participant, grabbing and reaching for crumbs that fall off the table. We will not be a leader.

Now, obviously, where we are today as a country economically is a reflection of the failure of leadership federally over the last two years. We've talked about Mabo and about a republic and in part about the Hilmer Report. But Hilmer is irrelevant unless it is put to work. Mabo

isn't adding or growing Australia. The republic is not going to grow Australia.

Our budget deficit is appallingly high. We have a balance of trade running at obscene levels. Interest rates are rising because the federal government hasn't been prepared to tackle the fiscal side. Now we see Canada under watch from the credit rating agencies. And Australia is fundamentally under watch. If this budget next week or the week after isn't strong enough in attacking the fiscal side, then our dollar immediately comes under pressure and does so very severely. Paul Keating should remember the time when he was Treasurer in 1987. In fact the Hawke Government cut into federal expenditure to the tune of about \$4 billion. The 1995 budget will have to do more than that in order to prove to the markets that we are serious about getting the mix right.

Inflation: the figures that came out today show 1.9 per cent for the quarter and 3.9 per cent for the year. People look at the underlying fundamental rather than the initial figure and say "That's good, it's only a 0.3 per cent increase." But that's after you take out all the components where people are spending their money on basics like fuel and food. So you can have a good economic argument as to how the country's going but when you talk to the public and have a look at their confidence levels and their expenditure trends, they are running out of confidence.

Victoria is only one part of the overall partnership. Certainly we will continue to do what we can within our so called boundaries. Also we shall try to do what we can to influence national outcomes. But we are only one part of the overall equation. This country needs a sense of urgency about it which it doesn't have right now. I get the feeling, sadly, that most of the public feel the recession we had to have in the 1990s is over. We're coming out of it and everything's alright. Well, if that view is allowed to prevail we will wake up one morning and find ourselves very sharply bitten. We've been through it before, we've been through it several times before. What does it take to have a community understand that this time we are playing for keeps. If we're not prepared to deliver good government, good management - corporately, privately, publicly - then Australia is not looking forward to a prosperous 21st Century. And I say that as a supreme optimist. I honestly believe that we have a marvellous future. If I didn't believe that I wouldn't be in this job. But we have a long way to go and we have to do it very, very quickly.

This next Federal Budget is terribly important. If the partnership is going to work then Premier Bob Carr in New South Wales is going to have to realise, as we have realised, that you govern for all and you don't govern for any one citizen or any one group of citizens. If his trade-off in industrial relations comes off, and if he surrenders good

policy as a pay back for political support, then the opportunities collectively to grow Australia in the way it can be grown will be very much diminished.

None of us has any certainty of the time needed to complete the task on which we should all be embarked. The Victorian experience, from my point of view, is that you can still deliver good government in the 1990s and into the 21st Century. But you've got to think long-term, you've got to base it on common sense and you've got to be prepared to govern for all your constituents rather than just those who voted for you.



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Photo - David Karonidis

*Graham Little*

*Letter to my daughter* (Text 1995) is the story of Graham Little's life as told to his daughter. Graham Little was born in Belfast and lived in England before migrating to Australia with his family in 1954. He is currently a Reader in Political Science at the University of Melbourne. Graham Little spoke for The Sydney Institute on Wednesday 3 May 1995.

# TELLING A LIFE

Graham Little

People wonder why you would write an autobiography, not being important or famous, not retired, not quite old enough, not hugely successful. The accepted idea is that autobiography is about taking your many fans behind the scenes of an already much-dwelt-on life. Or it's like an extended last will and testament. Maybe it's also a how-to manual, like business autobiographies that turn into textbooks. And then there's Robert McNamara's recent mea culpa.

My book begins with childhood in Northern Ireland, boyhood in England and ends with our arrival as a family arrival in Melbourne in 1954 when I was fifteen. There is a chapter on the voyage out. I should explain that it is not like Robert Dessaix's *A Mother's Disgrace* or Suzanne Chick's *Searching for Charmian*, in which the story of a life hangs on a search, in both cases for a mother. And unlike them, as well as Robyn Williams in his *And Now For Something Completely Different*, I do not speak only with the voice of adulthood. There is a great deal of unmarked dialogue in *Letter to my daughter*. There is clearly a child's voice and a remembering adult's voice and but also the voices of the people appearing in its pages, Irish and English accents and intimations of Australian ones. I wanted to show the past more than tell it.

I will put off speaking about my reasons for writing *Letter to my daughter*. I am not sure how well I understand them myself and I much prefer to talk about the experience, or process, of writing it. For the usual reasons, I have three points.

## Surprises

Commonsense says there's no one you know better than yourself and, in knowing yourself, no one is better placed than you. But my first point is the prodigious capacity of autobiographical writing to throw up *surprises*. Here are some of the things I found out.

1. Before I was five my mother had had a second child, my sister Maime, then two other children who both died within weeks of being born. This was in Northern Ireland between the phoney war and the

peace. I had the vaguest recollection of these children as I sat down to write; those were the days before children were allowed to participate in family grief, and indeed I would think my mother herself was advised not to dwell on what had happened to her. I very much wanted, if I could not remember, at least to imagine what our home must have been like for me and my surviving sister (and another, born before I was six). And that meant trying to guess what my mother must have felt, and my father.

To my surprise I arrived at the word shame. It came to me as I went over things my mother used to say about herself before she'd been married and I remembered how she would sometimes put on the airs and graces she'd had as a young woman who was the youngest and most favoured child in a large Lisburn family. "I was not always tired and sick as you see me now," she seemed to say. The following extract is from page 35:

How could she show herself to people after losing two of them? Wasn't she the strong one in the family, the Sunday child, always the lass who got whatever she wanted, the one they protected and spoiled and would have away to the doctor if she so much as sneezed. After all those months of being looked after, the fresh milk and ducks' eggs from the Wilsons across the road and the bottled orange juice got from a man who supplied Joe's pub and Maime, her sister Maime, coming to do for her in the last weeks. Everyone was saying doesn't Winnie look well, she always does, she's the favoured one in this life. And them looking so right at the start, Hazel's dark hair and Derek's little chins poking out of the blue cardigan Grannie had kept all the years from one of hers that died. And the prams, nothing but the best for Winnie, Uncle Jack said, admiring the size of them and the shiny blue coachwork with cream upholstery on the inside. But what had she given them, hearts that couldn't carry them. And now they were gone and it didn't comfort her when people told her they were with God.

Whether it matters or not I don't know, but the night after I'd written that I turned on the television and found myself in the middle of a program on the Sudden Infant Death Syndrome. They claimed there that typically the mother's shame is a leading element in her suffering.

2. Autobiography sounds as if it is about one person, one life. *Letter to my daughter* fanned out to be about a whole family, my parents before they were married, relatives, schoolteachers, public figures, friends, as well as towns and beaches and aeroplanes and ships and, as has been pointed out to me, the many houses we lived in. In particular there was the family, not just me. That's one reason I don't like the solipsistic-sounding word autobiography.

For instance, my sister Maime. She came to play a far bigger part than I would ever have expected. I'd forgotten our ambivalent friendship in the middle years of our childhood when, next to my parents, she was the defining figure for me as we fought, confided,

stood together against a world we feared and plotted against. We invented codes and signs to circumvent the lies of adults in the certain eventuality that either of us was kidnapped or sent to boarding school, which for us was the same thing. Maimie appears, throughout the book but particularly in Chapter 11. A further example is Howard, the first friend I made in Australia. (He's in Chapter 19). Once again I had no idea that he'd be in the book. Figures seemed to loom up out of the fog at me and once they were there they couldn't be sent away, even though it meant breaking off from the writing to walk the park to remember the details.

3. Mae West said "Sure, keep a diary – and one day the diary will keep you". There's a section of the book that is shaped by a conversation I had with my daughter Jessica early in 1994. We agreed that neither of us liked keeping a diary. We went so far as to say probably we're genetically programmed against doing so, both getting RSI in the wrist the moment we try. Shortly after that conversation I found two diaries, from 1953 and 1954, and then another from the voyage out on the *Strathnaver* later in 1954. They looked dull and in a sense they are; there's nothing in them to publish, but I found a way to make use of them. They underlie the only part of *Letter to my daughter* where I act like a sleuth, not so much visited by memories as hunting them up. In Chapter 16 I follow the diary entries for 1953 to find out why it was that my mother sent us away so often, why we had to live with strangers, miss school and our friends, never knowing when we'd come home again. It was an extraordinary experience to read between the lines of something you wrote 40 years ago, align the quotes, do some arithmetic on the dates, and then come up with an answer the boy who wrote the clues down couldn't see.

4. There's a sad story about a boy called Landau who was at my school in Hampstead for a time and wasn't treated well. I discovered him in my 1953 diary having forgotten him for 40 years. My French master awarded me marks which even to me were incredible and Landau, who was a Jew, was the reason. (That's on pages 162 and 163).

I may seem to be teasing you with mysterious endings, as if I'd written a thriller. That's not so. I'm trying to convey how, under the pressure of writing – needing to find a predicate for a sentence, needing to finish a paragraph or a section – things came to me that I just didn't know. Unlike the thriller writer who surprises his audience, it is the author, not the reader, who is amazed each time. That's one of the things writing autobiography does.

### Voices

I could describe other surprises but I shall move on. The second of my three points is one I would like to develop but can't, not only for lack of

space but because I don't know how to do it. It is the importance of "voice", or maybe I mean "language".

There is a part in *Letter to my daughter* where I describe being ashamed of the Irish accent and style of speech brought with me to England at the age of nine. I tried very hard to speak like the other boys and the masters; indeed I believed it was part of growing up to sound cool and distant rather than homely in the Irish, at least Irish lower-middle class, way. With this went a rejection of Ireland, Northern Ireland, my first home, and I lived as if I was English and sang, "Maybe it's because I'm a Londoner" with the best of them. This forgetting of the Irish years, and the voice that went with it, lasted over almost four decades in Australia.

I won't go into the kind of contradiction this created in me, which might be one of the reasons for writing a so-called autobiography. But when I began writing I discovered I was hearing the voices of my mother and father, of relatives and friends and neighbours, of preachers and teachers, whoever, the Irish voices. If one writes in a voice, the voice I was writing in was an Irish one. Latent under the English English I'd learned so assiduously had lain an Irish desire to talk and write a language that *spoke*, not to say sang. I shall never forget the pleasure in starting to remember things like my mother saying "Now go to sleep, al' o' yus or y'll have me in Purdeysburn" – and the excitement when I found people in County Down who knew what it meant and where Purdeysburn was. (It was the Protestant mental asylum. Seamus Heaney tells me the Catholics had their own.)

But it was more than phrases and accents. First it was a whole *way* of talking, not only intimate but elaborate and roundabout, full of pleasure in the sounds the words made, the very self-indulgence of language I'd once rebelled against. Second, it became clear that an attitude was changing: as I wrote away with an Irish enjoyment in having sentences with *too many* words in them (according to English English) and in telling stories that were sad and happy, and sad and happy at the same time, the first nine Northern Irish years were coming back and were becoming mine again. *Letter to my daughter* is not an Irish book. The largest part is set in England and the Australian present informs it throughout. But it is a livelier and truer book for recovering its starting point. Maybe this deserves to be rated the biggest surprise of all. Because, like a stream, it carried all the others along.

### Memories

My third point and I will state it briefly, is about the puzzling relation between memory and imagination. It is stating the obvious to say that there are many layers of memory active in *Letter to my daughter*. One layer is my remembering what I can remember as one member of the family. Those are memories about myself and about the others in the family,

about visitors to the house, the food, the rooms of the house, Christmas and so on. The next layer is one to emphasise – that my memories are very frequently memories – she died in 1968 – of *my mother's* memories. That was one of the features of growing up, my mother's stories of the past (only occasionally my father's) and living a life that was maybe one part in three or four nostalgia from the earliest days.

This would be the place to talk about the truthfulness or not of autobiography. A trendy title for my talk and article would have been "Telling Li(v)es"! But I will pass on to the way memory and imagination combine, or work alongside one another. You will have seen that I had to imagine my mother's shame, her disillusion with herself. I started out from a few fragments of her memories (which had become part of my stock of memories) about herself and her family. My parents' courtship and marriage are reconstructions too, of course, as indeed is everything said about what anyone was thinking or feeling. This is how it has to be.

I say my mother's memories. The picture, or pictures, I have drawn of my father comes first from my mother, especially regarding the early part of their life, what her family thought of him when she first brought him home (he was the "fancy man"), his early struggles selling insurance. Then from my own observations and our shared experiences. Not a great deal from talking. My father didn't like to dwell on the past, and inevitably his talk was more about his hopes and plans for his work, for the new house, the new country. But I actually saw him at work in the Albany Club and I actually heard him outsell the *Britannica* salesman and there's an episode in the book showing how he embarrassed me hugely by playing in a charity cricket match posing as Lou Costello with the real Bud Abbott as his batting partner! Indeed *Letter to my daughter* taught me how much I had been observing my father all along. Our family's life had seemed to revolve around my mother who was always there, where we were, while he was often away. I was more interested in him than I thought before I started writing and the book zig zags between the two parents, now her, now him. I suppose that's why one reviewer says it's all about the mother and the next says it's all about the father!

### Reasons

A few words now about reasons. In the *Meanjin* article I said that autobiography makes a mountain out of a molehill. It takes an ordinary life and signs it, gives it significance, places it amongst the signs of the time. This can be a comfort, finding yourself part of a story. It's probably a delusion too, of course. Still, where identity is an issue, where the sands on which we can build a sense of who-we-are and where-we-come-from are shifting, the real delusion might be thinking we've no need to construct our own story. Edmund White relates

"autofaction", the novel-cum-autobiography, to the problem of gay identity. But straights have identity problems too.

My interest was as much in learning how to write as in writing my story. There may be a link between the wish to write in a certain way and the wish to be known, even if neither is possible in the end. At any rate, I've been stupidly surprised that readers have read the content rather than the style! The title needs a little explication. My daughter is the *occasion* of my writing the *Letter*, not a recipient; she made it possible but isn't tied to it in any way and it wouldn't have changed the book if she'd never read it. The main thing was my response to being her father. By chance I recently heard about parents who are reluctant to "own" their children. This was from Juliet Mitchell who was the author years ago of *Psychoanalysis and Feminism* and is nowadays a psychoanalyst in London. These people can be good parents but can take a lifetime to accept that they have children who *want them* as parents.

*Letter to my daughter* is certainly about the past and it centres on my parents, a ramshackle family and the various countries we have called home. But it is also about the present, and Australia. After nearly forty years it dawned on me I wasn't quite the "natural" Australian I'd taken myself for. Poms didn't feel like real migrants in those days and perhaps I assimilated too easily. Now, at least on paper, I have to go back and do it properly. Maybe the moves towards an Australian republic have had something to do with it. There's an urge just to explain yourself, too. For years you tell this bit and that bit and occasionally someone pauses long enough to say how strange, and you find yourself wishing you could fill out the story.

Autobiography isn't the right word. It is self-referential and narrow where a life has a big cast, as *Letter to my daughter* has. And more people become involved after they've been written. Autobiographies do not stay sealed in a book: they get added to, things are changed and in a sense negotiated, when you talk about them or read in public. As I tell my story, seemingly *my* story, I realise it is only a parallel text. I can see by people's eyes – and then they come out and say it – that we are a company of autobiographers or life-tellers. In one form or another, *they* are essaying themselves too. I wonder what would it mean, for an individual and for our society, if they weren't.



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Photo - David Karonidis

*Meg Stewart*

Nancy Keesing was a prominent figure in the Australian literary world and a distinguished poet, writer, critic and editor. In *The Woman I Am* Meg Stewart has edited the final collection of Nancy Keesing's poems, including some which have not been published previously. Meg Stewart spoke about Nancy Keesing for The Sydney Institute on Wednesday 10 May 1995.

# REMEMBERING

NANCY KEESING

Meg Stewart

As I have been sorting through and tidying my mother's possessions I keep finding and then refinding again a small box which once held honey. In the box, carefully wrapped in tissues, is a selection of black prince cicadas in assorted sizes. My hand hovers to throw the now dulled, distinctly lifeless collection out. But then I can't quite do it. I simply shift the box elsewhere. The decision is postponed.

The cicadas were, I think, given to my mother Margaret Coen by Nancy Keesing. Nancy who herself celebrated these songsters of Australian summer with a poem called "Cicada Song", knew how much my mother loved to paint, often most delicately, drawing directly with a brush onto silk, Greengrocers, Yellow Mondays and the rarer, Black Princes. My mother and Nancy had a deep affection for each other. They shared a sense of humour and fun that delighted in life's oddities and unexpected encounters, human and otherwise. They also respected each other's work enormously. So it is particularly appropriate that *The Women I Am*, the new collection of Nancy's last poetry, edited by myself, has a Margaret Coen painting on the cover.

Nancy's "Cicada Song", first published by my father Douglas Stewart in the *Bulletin*, in 1959, was also included in her 1968 collection of poetry, *Showground Sketchbook*. The poem's opening lines really make you feel the "leafy day of drunken summer" as well as hear the cicada "beat, drum beat", that burns the ear and makes "the air more hot than heat". As the day ends, the Black Prince arrives. Nancy wonders whimsically if, like a real fairy story prince, the black cicada could be freed from the "strange heat-dazed sorcery" that holds him captive. But no. Finally, all Nancy and her daughter, Margery, can do is release the Black Prince – obviously, he wasn't one of those fated for the honey box, to the safety of the liquidambar tree and retire to sober sleep. The poem finishes with typical Nancy humour.

We'll end his spree  
 In the safe liquidambar tree –  
 Some things are better left unknown  
 Lest, once the exorcism's shown,

Not only Prince, but Cherry Nose or  
 Floury Baker and Greengrocer  
 Come clamouring; and who would wish  
 A Yellow Monday in the flesh. . .

In 1993/94, I was the first Nancy Keesing Fellow at the State Library of NSW. It was during this time that I put together *The Woman I Am* from Nancy's papers held by the Library. I re-read the four books of poetry Nancy had already published and her two autobiographical prose works, *Garden Island People* and *Riding the Elephant*, as well as sifting through a vast amount of other material she had written. Perhaps the most vivid experience of this process was not only reacquainting myself with the Nancy Keesing I had known since my childhood while discovering aspects of Nancy Keesing I had never known and appreciating more fully the far-reachingness of her creativity, but also finding about my parents and their past lives.

As Nancy recalls in *Riding the Elephant*, she and I first met at 12 Bridge Street. Number 12 Bridge Street was around the corner from the *Bulletin* offices in George Street. An old sandstone building, belonging to the shipping company, Huddart Parker, Norman Lindsay rented a studio here from 1934 to 1956. However when war broke out and Norman retreated to the Blue Mountains and my mother took over the studio as her painting space. Just before I was born in 1948, to accommodate the imminent new arrival, my parents moved from their tiny flat at Crick Avenue, Kings Cross, to the relative spaciousness, even if the bathroom was shared with a pretty blond ballet dancer, of the two roomed studio at 12 Bridge Street where the sun streamed in big windows overlooking Dalley Street.

This, then, was where Nancy one day found me, as she describes it, in floods of unstoppable tears, listening to Kindergarten of the Air. Nancy often called in at the studio with an armful of flowers, seeds and leaves, from her father's rambling garden at Pennant Hills, for my mother to paint. She may have been about to drop off a poem, short story, or book review at the *Bulletin*; or on her way, in high heels, portable typewriter and paper under her arm, to the Mitchell Library at the top of the Bridge Street hill to copy out material from the Library's collection for the bush ballad anthology she was working on with my father.

Nancy, as I have written in the Introduction to *The Woman I Am*, along with her husband, Mark Hertzberg, was always just there in my childhood. Someone who appeared at dinner parties, with a wide smile, a ready laugh, and a deep appreciation equally of the literary conversation and – like Mark, who especially approved of the roast duck – of my mother's cooking. Nancy and Mark were part of a group of friends who regularly joined my parents round our cedar dining table when we moved to St Ives in the 1950s. Their faces glowed in the light

from two tall curling silver candlesticks, while the "shining dark grace" (my father's words) of Norman Lindsay's "Rita" presided from above the mantelpiece over the fireplace.

The friends included the dark haired, beautiful Rosemary Dobson who as a teacher at Frensham, in Nancy's school days, inspired the novice poet, Nancy; Rosemary's husband, good-looking Alex Bolton; the ever elegant, sometimes sharp tongued book editor, Beatrice Davis, whom Nancy nervously faced at Angus and Robertson with her first collection of poetry; Beatrice's jovial, bald, companion, Dick Jeune. My father's fishing soul mate, the long haired and wonderfully handsome poet, David Campbell, would come if he was in town and often too, booming with enthusiastic laughter, the amiable Fitz, poet R D FitzGerald whose *Moonlight Acre* was the first book of Australian poetry Nancy ever bought, and his wife, Marjorie.

One of the most disarming poems in *The Woman I Am* is dedicated to R D FitzGerald. The poem, "Brassica FitzGeraldii", was written in admiration of the stupendous cabbages which Fitz, a neighbour of Nancy's and Mark's at Hunter's Hill, once grew. The "ponderous girth" of Fitz's "green and tender" cabbages both surprised and discomforted his envious, suburban neighbours who thought poetry and horticulture did not marry. Mark remembers Fitz presenting one of these "luminous cabbages" to my father at a dinner party at St Ives. My father ceremoniously made it the centrepiece of the table. In the early days at St Ives, poet McCuaig would come also, and his pretty witty wife, Beryl. Finally, lured out with the promise of fine wine, good food and a gathering of poets, bowtied, rounded and gleaming, that guest of guests, Kenneth Slessor, would appear.

Theirs was a world where rhyme and metre were discussed with passion, humour and admiration as knives and forks rasped against emptying plates and wine glasses were refilled. I was the child listening at these occasions. The characters, Nancy included, were as familiar to me as a well loved story read aloud at night.

I did not know the Nancy Florence Keesing who was born on the 7 September, 1923, in a room overlooking the harbour, in a two and a half story Edwardian house at 22 Darling Point Road; or the little girl who slept on a balcony that looked out across the harbour to Garden Island and was terrified by the sight of the sun's fiery ball setting on the harbour. Her father, architect Gordon Samuel Keesing, dropping matches into a basin of water beside the bed to prove water put out fire, did nothing to ease her fears.

I did not know the little girl who listened in delight, together with her sister, Margaret, 18 months younger, to her father's invented tales of Betty Spoopendike and her friends, animal and human, who revelled in Margery Isabel Rahel's, her highly literate mother, surprising fund of improper Edwardian limericks; and thrilled to her mother's mother,

Granny Hart, reciting Byron's "The Night Before Waterloo". From Granny Hart, too, she learnt the endearing rhyme about the "Three Little Kittens" who lose their mittens. She clung in delicious terror to Granny Hart's knees for the bumpy ride of "Choops is the Oven", (or, at least, that's what it sounded like), a rhyming game in German remembered from Granny Hart's own childhood.

I did not know the budding young poet who read aloud her verses, usually to do with fairies and their nature habitat, to an admiring and applauding family circle, or the avid young reader who spent all her birthday money on sixpenny, yellow jacketed paperbacks to read on the little harbour beach at Double Bay.

Nor did I know the young Jewish girl growing up in the safe and loving confines of Darling Point who savoured every glimpse of Sydney eccentrics such as Bea Miles, straddling the black hipped bonnet of a motor car; and characters, such as the flapper, dressed completely in emerald green, green felt hat with a drooping green feather curling from its brim across her over powdered nose, green shoes, gloves and handbag; or the Aboriginal man who scaled trams up and down William Street and played shrill tunes on a gum leaf. Not only the look of these characters fascinated young Nancy, but the sound of them also. She relished the nuances of the men who shouted at Bea: "Go to it Bea, you beauty, you little beauty"; the drunk who slurred at the green flapper: "Yez can't get in this tram, lidy, thish ish a Protestant tram"; or the conductor who slipped the William Street Aboriginal a sovereign with a wink and a "ere mite". Nancy's affection for the Australian vernacular began early.

I did not know either, the moody, romantic teenager, who mooched around the bush when her parents moved to more rural Pennant Hills, who "listened to lines of poetry and thought images from the bush around me" in the alone of her mind and daydreamed of a future of valour, beauty and eroticism though as yet had only been kissed by a boy once. Nor did I recognise Nancy, as she describes herself on the first page of *Garden Island People*:

So here I was. I, with exercise books full of the yearning, burning, hot and hating poetry of an unloved virgin, was unlovely in tortoiseshell spectacles, spotted with sporadic pimples, plagued with ungovernable hair and given to wearing art-student-sloppy clothes.

The sloppy clothing, incidentally, did not last long. A few years on, as Nancy recounts in *Riding the Elephant*, Bill Howard, a fellow freelance contributor to the *Bulletin*, said to Nancy on their way for a drink at Jim Buckley's renown bohemian pub, The Newcastle, that the reason he found it so hard to believe Nancy was a poet was because her clothes were always so clean.

I had not realised that Nancy, almost straight out of school, doggedly sent in poem after poem, to the *Bulletin*, hoping for publication in a newspaper her family never bought, the pages of which were filled with exciting poems by Australian writers including R D FitzGerald, Rosemary Dobson and Judith Wright; or that the *Bulletin* first published a Nancy Keesing poem when she was only 22 and that so soon whole pages of the *Bully* would be devoted to her poems. Nor had I imagined the inner shyness and creative angst of the apparently confident university student whose first tentative meeting, in the brown gloom and grime of the *Bulletin* offices, with the "darkly good-looking", as my mother described him, young editor of the *Red Page*, Douglas Stewart, would lead to such a strong and lasting friendship with both my parents.

These were the surprises of my reading in the State Library where I sat at a desk that looked out over the Domain to the Art Gallery of NSW where Nancy went with her parents on Sundays to stare in gruesome fascination at the tragic pallor of the Sons of Clovis painting – outings recalled in *The Woman I Am* with a sequence of poems titled "The Domain is a Place for Improving Occasions".

Nancy's parents were descended from Jews who settled in Australia and New Zealand in the 1840s and 1850s. Her parents met and married in Sydney. The Keesing family lived in the house at 22 Darling Point Road, until they moved to Pennant Hills when Nancy was in her late teens. Apart from Nancy's immediate family and the Keesing bulldog, called John Bull, officially, or John Bull Bristley-Whiskers Machavelli Keesing, unofficially, also living at Darling Point were Nancy's two grandmothers, a grandfather, a cousin, Lindsay Parker, and her mother's sister Brightie Phillips.

Many of the poems in *The Woman I Am* evoke this Darling Point childhood of Nancy's. Although some of the incidents are recounted in *Riding the Elephant*, as I have said in the Introduction to the collection, the translation into poetic imagery gives a memorability to events that somehow in a prose narrative do not stand out so strongly. In prose we are always so eager to get onto what happens next.

The Darling Point Road evoked in these poems has not changed greatly since Nancy lived there as a girl. The biggest difference is, of course, the presence of cars today. During Nancy's childhood most people in the street did not own cars. A little red local bus took inhabitants to the tram stop in New South Head Road, or they walked. Since the Keesings did not own a car, most expeditions from the house would have, at least, begun on foot and often Nancy's poems are to do with events that occurred and people encountered on walks down Darling Point Road.

There are glimpses of such awe inspiring figures as the "Very Important Man":

He was a jaunty old man in suit of grey;  
 His collar starched like ice; his hat aslant.  
 He never smiled. We saw him many a day  
 And knew his face and walk. He did not see  
 Small girls. He was a Very Important Man.  
 Aunt said: "Remember, that's Banjo Paterson".

Other less formidable figures come to life in the Treats for the Kiddies sequence; "Chinese vegetable John", Fred Heneberry, a Sydney Stadium boxer whose sparring figure can be seen on the poster in a barber's shop window and the kindly Hopinkinses who drive the carless Keesings to Sans Souci for cream cake. In "The Fire Chief Only Goes to the Worst Conflagrations", an "unchanging" Darling Point Road mansion catches fire and the Keesing girls are witness to quite a "danse macabre".

A man of a hundred in a Jaeger dressing gown,  
 Flappers from flats, a butler,  
 Urchins from Paddington  
 The Belgian consul, two constables of police.  
 We peered past helmets of brass, through smarting eyes  
 And everyone spoke to everyone else. A truce.  
 It blew away with the smoke and Darling Point  
 Resumed its accustomed protocol and ways.  
 It was no place for mateship to be blunt  
 Snobs practised confident arts in those lost days  
 While recondite Germany stoked its different blaze.

The poem's ending probably sums up well the social ethos of Nancy's childhood while delivering the neat, last line sting so characteristic of Nancy's poetry.

There was an incident, though, that shattered the niceness of Darling Point protocol permanently for Nancy which she recreates in the two part poem, "Marathon Steps, Darling Point". In the first part of the poem, dated 1929, Nancy and her sister, Margaret, watch helplessly while a nursemaid smashes Margaret's china doll on the metal handrail of the steps and the occupants of nearby houses ignore the sisters' plight.

In the second part, dated 1970, Nancy revisits the Steps with mature vision. She unequivocally states the impact of this childhood drama.

The stone treads know, I know, blind "Condover" knows  
 the pink doll wasn't broken - it was murdered.  
 Four decades on, steps stained by powdered china,  
 accuse the sky with two fringed, blue glass eyes. . .

and what I am, and do, began at Marathon.

As Nancy grew older, her school days at SCEGGS, Darlinghurst, apart from providing her with an English teacher, Vera Newsome, who was herself a poet, offered an opportunity to sample the sleaziness of Kings Cross, if only from a safe distance under the upturned, mushroom-like SCEGGS school hat and protected by iron clad school bloomers.

Nancy and Margaret used to catch the tram from Darling Point up to Kings Cross and then walk through Darlinghurst to SCEGGS. The Darlo and the Cross sequence, in *The Woman I Am*, fills us in on Nancy's sampling of Darlinghurst low life, such as, the day Nancy and her friend, Mary Lou, saw a Darlinghurst femme fatale take to a female adversary with a high heeled shoe and rip her cheek right through. When Nancy joyfully, I suspect, recounted her story of the fight at home, the Keesing parents duly reproved their offspring:

Ladies don't fight. You must soon learn  
That every head of bottle blond  
Is not by any means true gold.  
Please walk straight home as you've been told  
Or you'll be sorry when you're old.

The trouble was, bottle blondes were what appealed to Nancy. And it's what makes her poetry so appealing to read. It's poetry is filled with the romance of real life. Humour and humanness temper both her language and subject matter.

Nancy's third book of poetry, *Showground Sketchbook*, was where her ease and appreciation of the Australian idiom really came into its own. "Reverie of a Mum", the fourth poem in the title sequence, lovingly epitomises a whole generation of Australian women and their lot in life. The mum who in her glory days wore her hair in a pompadour with frangipanis, having dropped her bundle of bulging showbags, rests her feet in the shade while boys are off at the shooting gallery and girls are off chasing boys. Her mind drifts back to the halcyon days of wartime Sydney and Yanks on leave.

We come on an early bus,  
We seen the fruit and the jams,  
The handcrafts and the flowers,  
Bacon like marble, hams  
Big as the side of a palace,  
Wheels of golden cheese  
Like off one of them olden chariots  
From them spectacle films. And Jeez  
The cakes done in royal icing!  
There was one great galleon-clever!  
All icing; sails, decks, ropes,  
You could hardly credit. I never  
Seen such a cake. It took me back to that Spanish Gob  
Off the Yankee ship in the war years  
And a lying promising slob  
He turned out.

Despite her walks though the Cross, or perhaps because of them, Nancy, after ten years at SCEGGS was desperate to escape from what she regarded in a typically adolescent way (but not so typical for young ladies from Darling Point in those days) as the predictable "dead-ends" of her sheltered, comfortable life. The answer, Nancy decided, was to change schools. Despite a battle with her father who was adverse to the

whole idea, Nancy's insistence paid off and she was sent for her final two years to board at Frensham, Winifred West's progressive, idealistic country boarding school at Mittagong.

It was at Frensham that Nancy's "lifelong affair with Australian writing" really began. Not only was Rosemary Dobson, herself an old girl of the school, a teacher there; but Frensham also had a Pen and Ink Club which flourished under the guidance of Frensham's enlightened, English teacher, Esther Tuckey. The Pen and Ink Club published a literary magazine and as Nancy says, the 1940 and 1941 issues were "bestrewn with the R D and N K initials. Esther Tuckey and Frensham's history teacher, Lena Curd, were both passionately interested in contemporary English poetry, and introduced the girls to their interpretative wrestles with T S Eliot's "Wasteland". It was through Esther Tuckey, too, that Nancy fell in love with R D Fitzgerald's poetry, when his "The Blue Thought of the Hills" was set for her trial Leaving Certificate examination.

Nancy followed Frensham with a year studying art at East Sydney Technical College and a three month's stint of nursing. Then, much to her family's astonishment, Nancy suddenly turned her life around when she entered the Manpower office in Martin Place and walked out with a job in the accounts section at Garden Island.

Nancy's time at Garden Island bought her into full-scale collision with the realities of Australian life which after an initial wilting she came to cherish. Her work mates there played an essential part in the shattering of the cultured, Darling Point cosiness of her childhood.

It was now that Nancy began, not only reading the *Bulletin's* weekly poetry, but also sending in her own poems, unsuccessfully for the moment, to the paper. My father, who had been editing the *Bulletin's* poetry selections since 1939, was, undoubtedly, a bit of a hero to Nancy. She was reading his poetry in the *Bulletin* and was "lost in it, rapt in it". She especially loved his poem "Black Opal, from *The Dossier in Springtime*". It was fascinating for me to find this reference, because the poem was obviously inspired by my mother's love of opals, especially her treasured engagement ring, a fiery black opal. The connections between both my parents and Nancy had begun.

Garden Island as well as providing Nancy with her prose work, *Garden Island People*, a unique record of Sydney wartime mores and characters, also inspired the moving poem, "Corpses from the Kuttabul", in *The Woman I Am*.

The war ended. Nancy left Garden Island and began a Diploma Course in Social Studies at Sydney University. In February 1946, Nancy's poem, "Revelation" was accepted by my father for publication in the *Bulletin*. "Revelation", far from being "hot and hating" is a most controlled poem about an engineer's spiritual awakening. It's easy to see why the poem appealed to my nature loving father.

We can assume that it was business that forced him  
 To drive down the Windsor Road at the end of the day  
 When, for an hour, the landscape is sharply focussed  
 Before night smooths each long contour away.

With every mile the mountains close on the traveller  
 Who, with a sudden, a wholly astonishing vision  
 Finds they are part of a plan, an entire concept  
 Terrifying in its harmony and precision.

In all, seven Nancy Keesing poems were published in the *Bulletin* in 1946. The issue of 11 December, which included Nancy's poem, "There Was A Man", also contained poems by my father, Judith Wright, David Campbell, Hugh McCrae, John Blight, Will Ogilvie, Val Vallis and Arnold Wall – heady company for a young university student.

By 1949, Nancy had enough poems for a book. Her nine poems published in the *Bulletin* that year included "Winter Coal Strike, 1949" which contains the lines which defiantly proclaim what Mark Hertzberg aptly calls "the Sydneyness" of Nancy's poetry.

This is my city. I was born here and I love it  
 From the Harbour to Brickfield Hill, its cow-track street,  
 It's strong exciting smells.  
 It's clanging Sunday bells,  
 The haze that before has made it familiar and mysterious  
 At the same time, and the clamour that swells

Up from the clustering trams to the highest room.  
 I am of my century and would not be otherwise  
 Either in place or Time.

In his *Bulletin* review of Nancy's first book of poetry, *Imminent Summer*, in 1951, my father praised "Winter Coal Strike 1949", for "the complete and completely natural picture it gives of Sydney life as we know it".

*Imminent Summer*, with its charming Norman Lindsay frontispiece, was published finally, not by Angus and Robertson, but by the poets' publishing collective, Lyre Bird Writers. The reviewers were unanimous in their enthusiasm for Nancy's modernness of language, her rhymed and unrhymed metres and her up-to-date subject matter – by this, they meant her use of such then seemingly non-poetic images as a block of flats, jackhammers, the detective novel, even coal strikes.

By about the time *Imminent Summer* appeared Nancy's and my father's relationship was about to enter a new phase. Nancy had given up her position as a social worker at the Children's Hospital where she had been employed since graduating from Sydney University, in 1949, and was fully occupied with poetry, short stories and freelance book reviews for the *Bulletin*. When my father asked her to collaborate with him on a collection of Australian bush ballads, Nancy was overwhelmed with excitement. This was the real beginning of Nancy's friendship with all of us Stewarts, she says in *Riding the Elephant*. My

father's dream of a ballad anthology took several years to realise and a lot of hard slog from Nancy "without whose amazing industry in research and typing and efficiency in remembering dates and finding where things had got to", my father acknowledged in the Preface to the anthology, "I should have retired stricken from the field of anthologising after the first two months".

*Australian Bush Ballads* appeared in print in 1955. The companion volume, *Old Bush Songs*, followed two years later. Nancy's second book of poems, *Three Men and Sydney*, also published in 1955, included "From Circular Quay", Nancy's tribute to Sydney harbour which really confirmed the Sydney-ness of her poetry.

Who could ever look at the harbour again without seeing Nancy's "coiled and oily" water – unless, of course, there is some truly major environmental clean-up. Poets, such as Kenneth Slessor, my father and Nancy, have captured images of our city so effectively that after a while their poetic vision contributes to the very landscape itself. The city becomes, in part, what poets have created. Nancy's poetic skills have not only added to the character of the city but she has also immortalised its characters, such as, the Lady and Cockatoo, from the sequence, "Sydney Domain" in *Three Men and Sydney*:

One Saturday afternoon I saw her walking  
 Across the grass with a dead branch over her shoulder  
 And perched on it, by her ear, the sulphur-crested  
 Garrulous bird – but she was mostly talking,  
 Speaking in intimate whispers, He,  
 Head cocked, bent low and attentive, brushing her cheek;  
 And, so content with each other they were, the world,  
 The grass, the trees might well have ceased to be.

In February of 1955 Nancy married Mark Hertzberg at the Great Synagogue in Sydney. Their two children, Margery and John, were born in the following years. Nancy's 1968 *Showground Sketchbook* includes the poem, "Second Childhood", which describes Nancy's feelings as she watches Margery exploring life. Nancy's examination of motherhood and the cycle of life, however, began much earlier with the *About Caroline* poems. First published in the *Bulletin* in 1950, the second poem of the sequence, "She Tells of Her Youth" is, in part, a thinly disguised portrait of Nancy's mother and the "decorous lies" of her sheltered life that Nancy, or rather, Caroline cannot accept.

"The Three Ring Circus" in *The Woman I Am* completes this theme of Nancy's. Nancy's dilemma now is in watching her educated, intelligent mother become a potty old lady in a nursing home. This sense of a mature perspective is one of the great strengths of *The Woman I Am*. The collection shows Nancy looking back and seeing all stages of life from her own childhood to the woman she now is.

I would like to end tonight, though, with another poem from *Three Men and Sydney*, which, I hope, particularly fits the occasion.

Up in Phillip Street the old row of brick houses  
doze and dream and blink away in the late  
and stately rose of the winter afternoon sun.  
They borrow reflected light for a proud outdated  
parade, and are quiet as if deaf with their age  
and unaware of sirens, trams, cars; all rose  
their brick and green their trees. Being built so deep  
and sure, they will never believe in the dynamos,  
the vaults, the cellars, the commerce above the stream  
to which the hill inclines, or hear the pain  
in the clinical walls towering above them.  
- I climb to their peace when George Street becomes insane.



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*Nancy Keesing*



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*Jim Griffin*

Jim Griffin, currently a freelance journalist, is an expert on Papua New Guinea having lived and worked there for 20 years prior to taking up a position at the Australian National University. In an address to The Sydney Institute on Tuesday 16 May 1995, Jim Griffin gave a comprehensive overview of the situation in Bougainville, arguing that the majority of Bougainvilleans are prepared to accept a settlement.

# BOUGAINVILLE

## - PROSPECTS FOR RESOLUTION

James Griffin

The opening shots of the conflict in Bougainville – now in its seventh year – followed the tabling of a report in late October 1988 by a New Zealand group of environmentalists, denying that the huge Panguna copper mine was responsible for most of a range of local grievances ranging from chemical pollution of the air, the depletion of wild life, the lower yields of domestic and commercial crops, and medical problems – a few of which (e.g. obesity) stemmed from changes to traditional life style. A certain Francis Ona, a surveyor with Bougainville Copper Limited (BCL), secretary of a dissident landowner group but not till then well-known outside his own area, denounced the report as a “whitewash”. (The pun was intended.) “Logic is a white man’s trick,” said one of Ona’s supporters, realising there was little compensation to be had from that front. Ona stormed from the meeting and three days later resigned from BCL. Explosives were stolen from the mine on 22 November and on the 25 November attacks began on BCL’s power pylons and property. Violence escalated from there.

Of course the basic causes for Ona’s behaviour went much deeper than that. The New Zealand report, commissioned by the PNG government in response to complaints, was only the occasion for venting the profound frustration of a group of minesite residents whose ancestral lands now included a five square kilometre crater and a grossly polluted river system for which they felt inadequately compensated – if, indeed, they could be compensated at all with the mine scheduled to expire around 2005 and so much of the environmental damage irremediable. There is no problem in sympathising with Ona on that score. However, what became the Bougainville Revolutionary Army, with its intransigent goal of secession from Papua New Guinea, has gained sympathy on a number of specious grounds so that even allegations of genocide have been made against the PNG government and its allegedly complicit backstop,

Australia. For this reason it is necessary to look at the dynamics of the actual conflict.

It should be agreed, I think, that no government could sit back while its most productive industrial resource was being destroyed and its citizens and foreign guest workers terrorised and even killed. BCL provided 17 per cent of government revenue and some 40 per cent of export earnings. Total revenue for the mine between 1972 and 1988 had been 1.7 billion of which 67.2 per cent went to PNG. The government could hardly be expected to treat as rational demands that it repay 50 per cent of BCL's revenue since 1972 to the province, expel BCL altogether, make BCL pay K10 billion (\$14 million) compensation for environmental damage and cap this with a referendum on secession. Obviously a prime minister had to order strong police action and, when that failed, call out the army irrespective of the fact that, being ill-trained and poorly resourced, the security-forces were given to undisciplined conduct and likely to breach the rights of citizens. The alternative was not just to tolerate terrorism but to invite it - in Bougainville and elsewhere. The recently elected (July 1988) Prime Minister Rabbi Namaliu, however, was intent on more than law and order. Not only was he personally sympathetic to villagers' concerns and even to Bougainville's claims to special consideration within the state, but in May 1989 he offered a peace package in which the government's 19.1 per cent equity was offered to the provincial government, more compensation and a rise from 5 per cent to 20 per cent of royalties was offered to landowners, and a package of K200 million additional works was to go to the province over three years.

Although welcomed by the democratically elected provincial government, Namaliu's package was rejected by Ona and his supporters. They opted for continued violence recruiting not only like-minded secessionists but rascal groups who relished what we now call "ethnic cleansing" and even venting their resentment of their own educated people. In May the mine was closed. Meanwhile PNG's security forces, frustrated at not being able to pin down rebel leaders, aided BRA recruitment by harassing civilians and committing atrocities. The most notable recruit was the commander of BRA, Sam Kauona, a former army lieutenant, a member of whose family was killed by security forces. On the other hand, the fanaticism of the BRA can be illustrated by the assassination of John Bika in front of his family. His offence was to chair a provincial constitutional committee which advocated a degree of autonomy which barely stopped short of secession. Even then Namaliu continued to make overtures for peace to no avail. By early 1990 most non-Bougainvilleans (i.e. "redskins") had fled the province, a number of provincial leaders were on a "hit list" and had to live in Port Moresby and even non-Bougainvillean spouses

were obliged to leave. In spite of the appellation "freedom fighters" there was nothing gallant about the BRA.

In early March, Namaliu decided to withdraw his troops rather than risk further alienation and atrocities (such as the St Valentine's Day massacre of six civilians) – hardly the gesture of an insensately punitive government. The BRA (predominantly led by one ethnic group, the central Nasioi) extended control over the province. Those who believe that Port Moresby should then and there have granted secession should consult Bougainvilleans who lived under BRA terrorism. Even if Port Moresby had wanted to rid itself of a troublesome province it would have been inhumane to do so.

Short of bringing in international forces, one weapon only seemed left to the government: the so-called blockade. Those who have condemned this as "inhuman" might be asked whether, acknowledging the legitimacy of the PNG state, there was any alternative. Certainly the recalcitrant BRA and the so-called "Bougainville Interim Government" which it set up lacked legitimacy. Supporters of the BRA forget that in 1976 the leaders of the secession movement of 1975-6, when Bougainville made its first UDI, agreed to integration on condition of being granted provincial government and the resources to run it. That essay in decentralisation was a success until overthrown by the rebels. The fact that its inaugurator, John Momis, polled absolute majorities in all four elections from 1972 to 1987 is surely one clear indicator of legitimacy. Those who have made accusations of genocide have ignored the fact that the BRA flamboyantly rejected supplies in early 1991 and boasted of self-sufficiency in food, that in late 1991 a former PNG Director of Health gained entry and found medical supplies to be not much worse than in other parts of PNG, which were suffering from the decline in welfare because of the loss of mining revenue, and that when, in early 1992, a boat with medical supplies was sent in, it was burnt to the water in Kieta harbour. And there is evidence that medical supplies that came through the porous Solomons border were used discriminately by the BRA to bolster its own power.

Finally, in late August 1990 leaders on Buka Island invited the PNG Defence Force to return. Fortunately prior to that they had not experienced the Defence Force at its worst, but they had done so with the BRA. From then until 1992 policy was for the security forces to move to new areas only when invited by Resistance chiefs. For example, this occurred in the Southwest (Siwai) after the execution by the BRA in April 1992 of former MP and secessionist, Anthony Anugu, and two colleagues, following his attempt to compromise with Port Moresby and restore order to his district. Unfortunately with the election of Paias Wingti as Prime Minister in mid-1992 a more aggressive military policy was pursued, urged on by Australian maverick mining advisers quite ignorant of the Bougainville situation.

Somehow military occupation of the Panguna heights was going to demoralise the rebels and a cordon sanitaire would enable the mine once more to be brought into production. Instead, like the good old Duke of York's men, the soldiers were led to the top of the hill, isolated and ambushed, and, with their commander wounded, led down again. Military aggression had succeeded when it had local support, not otherwise. By mid-1994, though it had sporadic support throughout mainland Bougainville, the BRA was confined mainly in the Central Nasioi.

The BRA and supporters have also been misled by advisers acting as agents of the Bougainville Interim government who have lobbied for United Nations intervention under the delusion that it would recognise some "inalienable right to self-determination". Subsequently when peace negotiations have taken place, as at Honiara in January 1991, the BRA strategy has been to have a UN sponsored multi-national force accepted which would place Port Moresby and the BRA/BIG on an equal footing, thus compromising PNG sovereignty and preparing the ground for a referendum. Port Moresby, however, has not seen its sovereignty as negotiable; likewise the BRA with secession.

When he became prime minister on 30 August last year, Sir Julius Chan correctly divined that many supporters of the BRA had decided that the cause was lost and they had been fed a delusion with regard to eventual UN intervention and international recognition. And, indeed, the recent visit of Bhoutros-Ghali, who scotched the idea that the issue needed UN intervention, should put an end to further talk of Port Moresby's having morally forfeited its mandate to rule Bougainville and of any "inalienable right to self-determination". Chan boldly initiated a meeting in Honiara with Kauona, even flattering him by calling him "General" and then promoting a peace conference in Arawa (Bougainville) under the protection of a regional peacekeeping force recruited from Fiji, Tonga and Vanuatu with Australian coordination and some New Zealand support. Chan angrily aborted the conference when the top BRA, Ona, Kauona, and former premier Kabui, failed to accept his guarantees of security and did not turn up. He then called for their heads. However, his initiative deserves to be regarded as more than what one would call "a qualified success".

It did succeed in bringing to the table some BRA district commanders and several notable Nasioi leaders who had stayed behind the BRA lines. Most conspicuous was Theodore Miriung, a former acting judge of the National Court and a shrewd and intelligent former provincial secretary. Subsequent negotiations have led to the formation of a Bougainville Transitional Government (BTG) consisting of 32 members, which includes a majority of local chiefs, eight ex officio chairmen of the interim local authorities into which the province is divided and representatives of special interest groups (eg the churches,

women). Three seats have been reserved for Ona, Kauona and Kabui, if and when they emerge. The BTG is charged with formulating an appropriate government for the province. Whether the BRA hard core will try to sabotage these developments by militant harassment and assassinations is not clear. Certainly it retains the weaponry and networks. Whether the unpredictable PNG soldiers can be provoked into further mayhem, once again alienating Bougainvilleans, is equally difficult to read. The provocation, unfortunately, will not be all from the BRA; at present, the soldiers seem to be on one meal of tinned mackerel and rice a day.

Neither is it clear what Chan has in mind. At a second reading parliament has recently accepted by an overwhelming majority the Constitutional Review Committee's recommendation for the virtual abolition by the 1997 elections of the present system of provincial government (i.e. there will be no elections for second tier government, premiers will disappear, etc). At this stage it is unlikely that the BTG will seek anything but an elected government with at least the autonomy of the 1989 status quo ante bellum. Already there are criticisms of the non-elective process for the BTG from Buka, the most pro-PNG part of the province. If the BRA are to be incorporated into the new provincial system, then the BTG will have to move towards greater autonomy than before, perhaps to the point advocated by the Bika Committee of 1989.

This means granting a special status to Bougainville, something that both Wingti and Chan said in the past would not happen. Indeed consideration of Bougainville's needs was the force initiating the provincial government system in 1976-7. Unable to conceive of anything but a uniform system, Port Moresby imposed provincial government even on provinces unprepared for it and unfit for it. Possibly Chan believes Bougainvilleans could come to accept the new system once it is trialled, the BTG being seen as a prototype for other provinces. Or perhaps, whatever happens, he feels the present situation with its drain on government resources could not be worse and, of course, he wants the Panguna mine to reopen.

However, Bougainville aside, Chan has another serious problem which, I believe, will not disappear. The governments of the New Guinea islands region, exclusive of Bougainville (i.e. of the four provinces of New Ireland, East and West New Britain, and Manus), are bluntly opposed to the provincial government changes and have threatened secession. It is a threat taken seriously by an alert minority of national politicians and by many seasoned observers. Impotent in Bougainville, the security forces would be unable to combat successfully an insurrection or passive resistance in the Islands which are probably overrepresented in their upper ranks as well as in the

bureaucracy. A special status for Bougainville will make demands for the retention of the present system difficult to rebut.

Then again, Chan may hope that rehabilitation will preoccupy Bougainvilleans at the expense of any political aspirations and they will come to see that integration is their most comfortable option. It will take years to restore the infrastructure and resuscitate the crops that once yielded 45 per cent of PNG's cocoa and over 20 per cent of its copra. However, with that will come the vexed question of the BCL mine which helped provide Bougainvilleans before 1989 with the second highest standard of living in PNG. I daresay the mine could be mothballed indefinitely without any further compensation but then the minesite rebels would have no gain for their hardships - except the grim satisfaction of routing CRA/BCL which they did not want in the first place.

While there has been talk of preventing BCL from returning and of placing the mine in other hands, expropriation will be a perilous procedure as far as future investment or recruiting a respectable substitute company is concerned. There is little doubt that, felt grievances aside, BCL has been a most efficient and, in many ways respected, enlightened company, a responsible corporate citizen not easily replaced. If BCL does return at the estimated cost of perhaps \$400-500 million for restoration, it will be with a reduced operation with a further life of only some 15 years. Only the opening of a second mine - an idea canvassed in the early 1980s - will sustain whatever advantages that present mine offers. If the mine does reopen, Port Moresby will presumably offer the sort of compensation envisaged by Namaliu in 1989.

This may or may not satisfy landowners; after all, they could have had that in 1989. But they wanted secession as well. Furthermore, reopening the mine will mean the return of workers from outside the province ("redskins") although that inter-ethnic tension may be reduced by the greater reluctance of squatters to come back or by preventing them from doing so. This is a problem that can be solved only by empowering provincial government. What is clear is that BCL - or, for that matter, any other reputable company - will not resume mining where there is any danger to its personnel or threat of a recurrence of violence.

Aside from the contentious issues of political status and reconstruction which endanger future peace, there will be the problem of placating those who have been the victims of violence. An amnesty may solve the problem of crimes against the state but not deter traditional payback against individuals and communities. It will be surprising if the rebellion has not aggravated the problem of delinquency with many young people used to bearing arms and there are cohorts of them now with less education than before. The

confiscation of weapons will be difficult to achieve. Only Bougainvilleans can deal with it. Writing this paper I now realise I should have called it *Problems and Prospects of Peace*. However, there can be no doubt that Chan's gambit for peace has been most salutary, coming as it did when Wingti's strategy was destined to a dead end.

Unfortunately as the agency which, in late colonial days, imposed the mine on an unwilling people and ignored their political aspirations, Canberra is not popular in Bougainville where its interest is seen as mercenary rather than humanitarian. For this reason it is hoped that our contribution to Bougainville reconstruction continues without strings. Any pressure, for example, to reopen the mine will be unproductive.



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*Richard Wright**Ludmila Stern*

Photos - David Karonidis

The Australian War Crimes Prosecutions were conducted between 1986 and 1992. They relied heavily on the evidence of non-English speaking witnesses. Ludmila Stern, from the school of German and Russian Studies, and Richard Wright, former Chair of Anthropology, University of Sydney, both worked with the Australian War Crimes Prosecutions team. Ludmila Stern worked as a translator with Russian and Ukrainian witnesses; Professor Wright was the archaeologist overseeing the discovery of mass graves in the Ukraine. They addressed The Sydney Institute on Tuesday 23 May 1995.

# INVESTIGATING

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## WAR CRIMES – THE ARCHAEOLOGICAL EVIDENCE

Richard Wright

In this evening's talk I shall introduce you to archaeological investigations of mass killings in Ukraine. The people were murdered in 1942 and we excavated the graves 50 years later. Our work was done to support three prosecutions made in Adelaide under the War Crimes Legislation. I am an archaeologist. Why was an archaeologist needed at all?

Well, the Special Investigations Unit of the Attorney-General's Department was determined to forestall two styles of defence customarily offered in such cases – that the wrong person has been charged (mistaken identification), and that the events alleged are imagined or (if not wholly imagined) so polluted in people's memories by the lapse of time, and by self-reinforcing narration, as to be worthlessly distorted evidence. Being an archaeologist, I had nothing to do with the first strategy – identification of the alleged perpetrators; but I had much to do with investigating *material evidence* for the alleged events.

So, I shall talk to you this evening about how we found the graves, how we worked out details of the killings, and how we dated events both by old fashioned stratigraphic methods and modern chronometric techniques.

The events we investigated are shocking and I must warn you that some of the pictures I am going to show you of the events are themselves shocking. Those of you in this evening's audience who have perhaps only thought of the war crimes prosecutions as a political issue, may well be disturbed by the sight of the events we uncovered.

I hope these introductory remarks can also serve as an apology for concentrating on the particulars, and not presuming to give a summary of the holocaust in Ukraine. My profession is that of archaeologist, not historian. In Ukraine I did archaeology. Other people (for example, Professor Konrad Kwiet, now of Macquarie University) did the history.

I have one final introductory remark. The events of the holocaust have never impinged on me personally except for one childhood event which has become more symbolically important for me since we did our work in Ukraine. Let me take you through this briefly.

Just before the Second World War, my father (who was a clergyman in the evangelical wing of the Anglican church in England) befriended an Austrian neurologist and his family. This family of Jews had been thrown out of Austria after the Nazis took over. I suspect that what was to become a close friendship, gave my father a profoundly new, and more secular, view of the world. He had taken as a friend, a person who had not only a foreign nationality, but also a foreign profession and (what would have been to my father) a foreign religion.

I used to play with Hans, the son of this neurologist. One day we were playing a game of soldiers in our garden. Hans suddenly broke off the game and told me how his family was herded to the Vienna railway station. He was having trouble keeping up with the column. Just before it reached the station, an old man picked Hans up in his arms. A soldier shouted and then used his rifle butt to club the head of the old man who was carrying Hans. He fell to the ground as the old man's arms opened.

I never found myself dwelling on this story told to me in my childhood. Indeed I had virtually forgotten it - until we found ourselves excavating in the grave at Serniki.

Let's talk about Serniki first. Our party consisted of myself as archaeologist. In charge of the forensic side (for assessing sex, age, manner of death - that sort of thing) we had Dr Godfrey Oettle who was then head of the division of forensic medicine in Glebe. Responsible for collecting details in a form acceptable for a court of law was Detective Sergeant David Hughes of the NSW police. David had recently been a member of the taskforce that solved the so-called granny murders in Sydney. My wife Sonia, who is an experienced field archaeologist, came as my assistant. She is at present writing up her experiences at Serniki, using facilities at the Centre for Comparative Genocide Studies at Macquarie University.

Now even with glasnost (well underway in 1990) you could not just turn up in Moscow and announce you were going to do a mass exhumation in Ukraine. No, our efforts had been arranged with officials within the Soviet government. The Soviet officials had already experienced the professionalism of the Sydney based Special Investigations Unit, because (apart from what we were to do) the Australian team had virtually wound up its investigations at the village of Serniki. When we turned up, we inherited much of the goodwill that the SIU had built up with both the Soviet and Ukrainian authorities. Responsibility for ensuring we had what we wanted was given to the procurator for the whole western half of the Soviet Union, Madam Kalashnikova - a person who we found at times lived up to the Western metaphor of a Kalashnikof, but who could at other times be immensely helpful.

Serniki is on the southern margins of the Pripet marshes, which Hitler in his table talk said he would, after he won the war, retain as an area for Wehrmacht manoeuvres. The area we were working in was well within the German lines in this area of Ukraine. When we turned up it was high summer and a fantastic growing time of the year in fields and gardens. The locals were not used to tourists and we were stared at a lot.

The area of the grave is now in an ominous-looking dark pine forest, but feelings of that sort are illusory. At the time of the killing this was open country. At the site in the forest, the Soviet authorities had set us up with a telephone, tents, electricity, bulldozers, and a contingent of Red Army soldiers. Only the telephone didn't work.

The local officials wanted to find bodies as soon as possible, and did so at what turned out to be one end of the grave. However my interest, as an archaeologist, was first to find a soil feature that might be interpreted as a grave and only then look for bodies. In this way damage to contextual evidence would be minimised.

We were fortunate in finding a marked contrast in colour and texture between the natural soil and the filling of the grave. This contrast came right to the base of the existing humic zone at the surface, so we were able to delimit one whole half of the grave before disturbing anything. To do the work, we divided the grave into two halves. The Australian team took charge of the end we had located by archaeological methods, and the Soviets took the other.

Our first job, having delimited the boundaries of the grave as some 40 metres long and 5 metres wide, was to bulldoze down two metres to within 20 centimetres of the bodies. Then, together with the soldiers, we used shovels to remove the sand until the tops of the bodies were exposed.

We then used paint brushes to do the final exposure. At the end of five weeks of gruesome work, our count of skulls indicated about 550 bodies in the grave. There may have been a few more skulls where bodies lay more than two deep, but the torsos had too much surviving soft tissue to make feasible the task of any further exposure.

An awful scene had unfolded. As the eyewitnesses had said, they were mostly women and children. The men were old men. They had been herded down a ramp into the grave. One lot had gone to the left and been shot while lying down within the grave; the others had gone to the right. The majority had entry and exit wounds of bullets in their skulls. Some of them had been clubbed.

At the end the Soviets were working on, the bodies lay face down, parallel and in rows. At our end the bodies were much more disorganised. There seemed to have been panic at our end.

In a generally empty area at the middle of the grave we found bodies that had fewer bullets to the head. Some had been clubbed.

These people had surviving bits of clothing, whereas the main mass of people at each end of the grave, had been stripped before being shot. We found items of clothing right through the filling of the grave, suggesting that people had picked through a pile of clothing, throwing in what was unwanted while the grave was being filled in. One boot contained a pocket watch secreted in the heel.

We felt a grim satisfaction in revealing that the massive grave was much too large for the number of people in it. The Nazis had obviously hoped for many more victims.

One of my duties was to concentrate on dating the event. After cleaning up some of the corroded machine pistol cartridge cases, and examining them with a lens, my colleagues found that the killers had used German ammunition stamped with the place and date of manufacture. The cases dated from the years of 1939, 1940 and 1941. These cases were like coins found in conventional excavations. We thereby had a date of 1941, later than which the killings must have taken place.

It proved more of a problem to get a date earlier than which the killings took place. The fir trees grew in parallel rows and were clearly a plantation. Some fir trees grew in the filling of the grave. We examined the growth rings of the trees. The greatest number of rings we could find was 29, indicating that the killing had taken place before 1961.

We were able to narrow dating down significantly once we got back to Sydney. Radiocarbon dating of hair showed that the individuals showed no trace of the so-called hydrogen bomb effect in their proportion of carbon isotopes, so the killing took place before hydrogen bombs started to be let off in 1952.

Now we turn to the work in Ustinovka, a year later in 1991. Here we had Sergeant Steve Horne in place of David Hughes. Dr Chris Griffiths, a specialist in forensic dentistry at Westmead Hospital, joined Godfrey Oettle on the forensic side. He was needed because of a particularly awful allegation about the killings there. It was alleged that after a hundred or so adults had been marched two kilometres to a grave and shot, a fellow had asked where the children were. "We didn't think you wanted to shoot the children," the organisers of the round up had said. At that, some fellows returned to the village, commandeered a cart, and drove the children back to the grave. They then, so the allegations went, threw the children off the cart and into the grave, and shot them. I was told that the STU investigators had interviewed the mother of three of those children (the father was a Jew, she wasn't). She said she had returned from the fields for lunch one day. Her children were not in the house. She asked the neighbours whether they had seen the children. The neighbours told her they had been taken away to be shot.

Dr Griffith's services were required because of the need to work out the ages of the children, if indeed we found them, from the stages of eruption of the milk teeth and permanent teeth.

Ustinovka is 500 ESE of Serniki, in the fertile black soil loess belt. Unlike at Serniki, the locals had only a vague idea of where the grave might be. There was no sign on the surface.

Standing in a vast paddock of 10 cm tall peas and maize, I felt helpless. How were we to start looking? Where were we to start looking? The rest of the team looked confident, expecting Sonia and myself to perform some sort of archaeological divination.

I remembered back to my textbooks. Young crops like disturbed ground, trenches showing up from the air as greener features. This gave us an idea. Back in town we had seen an ancient biplane on an airstrip. We asked if we could use it.

Permission to use the biplane was readily granted, but - NO PHOTOS. As it turned out photos would have been impossible out of the scratched perspex windows of this crop-dusting biplane, stinking of chemicals. Even looking for cropmarks was impossible. So we asked for a better plane.

Next morning we returned to the site. In the middle of the peas and maize stood a Soviet army helicopter, rocket pods protruding. What about photos? The crew seemed annoyed with the question. There were no problems with photos from the helicopter, of the helicopter, of the crew (in particular there was no problem with colour Polaroids of the crew).

The flight was to no avail. Nothing showed up. So we had to use mundane methods.

We put a shallow trench with backhoe across a likely area, examining the scraped walls for lateral discontinuities in colour and texture. In this way we found the sides of a deep cutting, which turned out to be the grave. At Ustinovka, unlike at Serniki, we succeeded in defining the whole area of the grave before we disturbed any of its contents. When you are looking for a buried body your archaeological objective should be first to find the grave and only then bother with the body. This is a fundamental principle of conserving evidence that Australian police should pay more attention to. Archaeologists too rarely get called in to assist police in their investigations.

Remembering the story that children had been killed after the adults, our stratigraphic evidence provided stunning support for this story. We came down on the children's skeletons first, and then what seemed to be the bottom of the grave. But 20 centimetres below the children lay the adults. The witnesses did not actually mention that the grave had been partly filled after the adults were killed, but obviously our stratigraphic observations provide important material evidence for their statement that children were killed later.

There were about 20 children. The youngest one was about six months and virtually destroyed in the soil except for the teeth. the oldest one was about 12 or 13 years old.

Thus we were able to get evidence that would have been missed without attention to scientific methods of excavation. At Ustinovka, maybe even the grave itself would have been missed.

I want to finish this evening by looking more widely than at Ukraine. As you might expect, I am not alone in thinking that archaeological methodology has a role in the investigation of killings. The University of Bradford has a postgraduate diploma that majors in forensic archaeology. I hope to visit John Hunter there when I go over to the United Kingdom later this year.

Closer in topic to what we have spoken about tonight (mass killings) is the Argentine Forensic Anthropology Team. They got themselves together in the mid-1980s, when it became politically possible to investigate the fate of the so-called "Disappeared" of the 1970s. Horrified at the shambles the police were making of exhumations, they formed themselves into a group of archaeologists and forensic anthropologists. They impressed on the authorities that their methods would allow better opportunities for identifying specific individuals, by proving the association between artifacts and particular skeletons. It wasn't enough to merely dig up the skeletons and take them to a morgue for identification. This dedicated team has lent its services to authorities elsewhere in South America and elsewhere in the world.

The Boston based Physicians for Human Rights has been approached by the United Nations to assist with prosecutions relating to atrocities in both the former Yugoslavia and Rwanda. As their title indicates, they are primarily a forensic team of volunteers. But they routinely incorporate the services of archaeologists. I am privileged to have been invited last month to join their group of experts, though I can't say it is an invitation that I accepted with relish.

The primary archaeological interests of my career have been twofold - environmental changes at the end of the Ice Age and models for computer aided multivariate analysis of archaeological data. These remain my two chief archaeological interests. But as you can see, the invitation to work in Ukraine dragged me away from those worthwhile, but relatively arcane pursuits, to a nasty awakening in the archaeology of the 20th Century. Nasty it may have been, but I have not regretted it. Even though no Australian has been found guilty by the courts of the atrocities we investigated, we have brought forward new material evidence of three particular episodes in the holocaust that no persons, even those labouring on behalf of Holocaust denial, have sought to contradict. Material evidence is harder to contradict than memories.

# INVESTIGATING

## *WAR CRIMES - A LANGUAGE PROBLEM*

Ludmila Stern

One of the major outcomes of the Australian War Crimes Investigation was its contribution to a new chapter of historic investigation, that of the Holocaust in the former Soviet Union. The study of the Holocaust on the Soviet territory is an area that has largely remained outside any historic investigation, and access to the relevant materials was for years denied to both Western and Soviet historians.

The events of WWII have been traditionally described in a partisan manner by the official Soviet historiography, and it can be said that a form of Holocaust denial was exercised. There was never any public acknowledgment that Hitler's genocidal policy of the "final solution" as exercised during the war was specifically targeted at the Jewish population, and it was traditionally believed that it was the entire population of "Soviet civilians" that were the victims of mass killings. This is why, almost 50 years after the end of the war, mass graves are still scattered, unmarked, around former Soviet territories: Ukraine, Byelorussia, Lithuania, Latvia, Estonia, Moldova; and this is why it took Professor Wright's team some time to discover the grave they were looking for. This is why they had to rely on the memories of the war survivors and not on the official records.

Having an official Australian team working on a mass grave achieved a number of purposes: not only did it provide the investigation with the necessary evidence and corroboration of the witnesses' testimony, it also revealed and made accessible to researchers the body of historic evidence which, until then, was denied by the Soviets.

Nevertheless, I would like today to focus on a different matter. One of the central tasks of the investigation, alongside the archaeological discovery, was the gathering of evidence from Ukrainian witnesses, on which the cases largely relied. At the same time as the archaeological team was working on the material evidence found in the mass grave, a team of Australian investigators collected the testimonies of eyewitnesses - local residents, Ukrainian peasants, many of whom

claimed to have witnessed the crimes committed by the accused men. The preliminary investigation was conducted in the Ukraine, and additional interviews followed later in Australia, where the witnesses were brought for the prosecution. This part of the work was considered successful, mainly due to the abundance of information provided by the witnesses, their keen involvement and cooperative attitude.

I was involved in the activities of the Special Investigations Unit working as part of a team of interpreters and translators, and by the time the first case went to court in 1992, I considered my involvement over. Shortly after the case started to be heard and the first Ukrainian witnesses gave evidence, it became apparent that there were some serious problems that had not been anticipated. At that stage I received a call from the Director of Public Prosecutions of South Australia saying that it was hard to understand what was happening in court, as communication with the witnesses had suddenly become almost impossible. They displayed a striking change of attitude, and in the verbal exchange between them and the lawyers there appeared to be a serious communication breakdown - as it was put to me, "it had something to do with the language". I was then asked to examine the transcripts of the court proceedings in order to analyse the reasons for these sudden difficulties, in particular, to try and find reasons why the attitude of witnesses had suddenly changed and why they were displaying signs of reluctance to co-operate and inconsistency, and also to attempt to understand why their answers would at times appear odd or make no sense, or why they couldn't understand the meaning of perfectly obvious questions. It should be noted that these difficulties occurred during exchanges with both the prosecution and the defence.

In hindsight, for the problems were due to a whole complex of socio-linguistic reasons, including the fact that the witnesses came from a very different cultural and social background and a different legal and political system, and had to use the services of an interpreter, which by definition added to the existing problems.

Coming from a different legal system would appear to me to be the foremost problem. In the Soviet legal system witnesses for the prosecution, especially in a War Crimes Trial, could expect to play a totally different role. Their expectation of what they would have to do, according to their experience, would be to tell their story in their own words, uninterrupted, and be believed. Finding themselves in the midst of an adversarial system, that is being asked questions, having to be cross-examined, not being able to be in charge of their own evidence, gave them the feeling that they were not trusted and that it was they, rather than the accused, who were on trial. This confused the witnesses and left them demoralised and discouraged.

Another unexpected problem was a linguistic one, or to be more specific, a problem of translation. It suddenly transpired in court,

where an official interpreter was present, that the procedure could not be made to run as smoothly as expected. Having an unprecedentedly large number of witnesses speaking a language other than English highlighted a number of problems of court interpreting that may otherwise have remained unnoticed.

One of the major problems of translation is that it is impossible to translate some seemingly obvious terms and phrases, especially legal ones. Thus it is impossible to translate into Russian or Ukrainian terms such as solicitor, barrister, magistrate, plea, witness box, affidavit, bail and many others without explaining the structure of the Australian legal system. Even seemingly non-legal phrases frequently used in court, such as "I put it to you. . ." or "May I suggest. . ." cannot be translated mechanically, as they form a part of a very specific legal context which is not understood by a foreigner.

The background of the witnesses played an important part in their perception of events and, as I will demonstrate later, had a lot to do with the nature of their answers. The majority of the witnesses were Ukrainian peasants who spent most of their lives on the land. Many of them attended only one or two classes of primary school, if at all. During the war they were either teenagers or very young adults. They were all affected by the events of the war, either as witnesses to the murder of local Jews, or having lost members of their own families, allegedly at the hands of one of the accused men. In other words, they were emotionally very involved in the case and, as I mentioned before, felt crushed by the fact that they were denied the opportunity to relate their vital evidence and were instead forced to limit their replies to "yes", "no" or "I can't remember".

Their emotional involvement also had an adverse effect on how they presented in court. Whereas in Slavic cultures emotion is valued as a sign of genuineness and spontaneity, in the Anglo-Saxon world it rather has a negative connotation. In a Soviet court a witness who is honest and uncalculating is expected to show signs of emotion and involvement, especially in dramatically charged cases. In fact it would not be conceivable for a witness in a Russian court to give evidence in a murder case without showing emotion. Such a reaction in an Australian court made them appear to be too involved and emotional and therefore unreliable and irrational.

Some of the questioning techniques, such as being referred to statements made earlier or having to watch a video recording of their earlier evidence, were unknown to the witnesses. The problem with the former was that the original evidence had been translated into English, and then quoted in English and having to be translated back into Russian or Ukrainian, which often distorted the evidence beyond recognition, – it would have been more appropriate to show the witness the original document. The latter had to do with the witnesses being

exposed to an unfamiliar technology (the first time they saw a video camera was when the Australian investigators came to their village), and whereas they would recognise themselves on the screen they would be unable to properly hear and understand the content of their statements. None of these problems were acknowledged or taken into consideration, and the confusion of the witnesses reflected adversely on their presentation in the courtroom.

A similar lack of understanding was displayed when the witnesses were questioned on points of precision, involving the time of day, or the year, or distance or colour. In such cases, the witnesses were seen as giving peculiar answers or answers that could not be taken seriously enough. The reason for that is that, as mentioned before, they come from a different time and world and have their own system of describing the physical reality surrounding them. People who lived in the country during WWII did not own watches or calendars, yet they had a system of their own to refer to time and space.

Thus, when asked about the time of the day, they would use meal times as milestones (eg "it happened before lunch") or the position of the sun ("it was barely light", "it happened in the late afternoon"). Religious references were frequently used ("around vespers", "just after morning service"). The weather was the indicator of the seasons ("it was getting cold but it didn't snow yet"), and so was the agriculture ("the apples were ripe", "it was time to harvest buckwheat"). Religious references as to the time of the year had a lot of familiar festivals (Christmas or Easter) alongside less known ones in Australia (low Sunday, Whitsunday) and included some totally unknown ones, such as "The Second Finding of the Head of John the Baptist". It was easy to dismiss such replies on the basis that the witnesses could not translate them into hours and dates. However, it should have been the responsibility of the participants in the court proceedings to translate the meaning of these signs and recognise that they were not a sign of ignorance but had substance behind them.

A similar situation exists with the identification of colours. In describing clothes worn by various people, the witnesses tended to use two colours only, black and white. Before long it became apparent that these were used for dark and light colours. Considering the poverty of clothing at the time, one can understand why the witnesses didn't use a more sophisticated colour range. To them brown, dark blue and dark green appeared as "black", and in the course of the proceedings it turned against them as it was seen as inconsistency ("Didn't you say before that his suit was black?"). The witnesses could neither understand the essence of the problem, nor were they articulate enough to explain that this was a case of misunderstanding and not contradiction.

Some other impressions that the witnesses had a peculiar way of responding to questions related to instances of literal translation from

English. A common form of request in English is the indirect phrasing, as a question, "Could you tell me. . .?", whereas in Russian and Ukrainian the imperative mode is used, "Please tell me. . .". These questions, translated literally from English received the following reply, "Could you tell me. . .? - Yes, I can." or in other cases where indirect prompting for information would be expected, "Do you remember the day in 1943 when. . .? - Yes I do." A more Russian/Ukrainian form of asking for information would be "Tell me please about the day in 1943. . .".

Some other instances of unfortunate translation, together with the difficulties of translation by definition, helped to create a distorted picture of the witnesses' performance in court. This experience can be seen as a very valuable lesson in today's Australia where so many professionals - lawyers, social workers, doctors and policemen - deal with clients of non-English speaking background, and interpret their responses and general behaviour from the point of view of their own culture, without realising that some of the problems may be due to translation, and some can be a reflection of what is or is not acceptable in another culture. It is easy to misinterpret these people's demeanour and label them as unintelligent, stubborn, over-emotional and unco-operative. In addition it is all too easily forgotten that the translated version can vary greatly from the original, and should never be treated as such. For court purposes, where accuracy is paramount, the only way of providing access to the original would be sound recording, and not the note taking of the translated version.

There is a whole range of other problems that I shall not touch upon. Some concern what is considered hearsay in Australian law and what was the perception of hearsay by the witnesses and the place of collective knowledge in their memory. Some concern lengthy and badly structured questions by lawyers, a problem that was aggravated by translation, as a result of which witnesses could not follow the line of the interview.

It would be tempting to conclude by saying that as a result of the above-mentioned problems the War Crimes Prosecutions failed to reach any convictions. It is more accurate to suggest that the above cases illustrate how evidence can become distorted in court in the process of translation and as a result of cross-cultural differences, and how an uninformed approach to such problems can lead to a communication breakdown. It is to be hoped that the lessons of this experience will assist in overcoming similar problems in the future.



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*Elizabeth Evatt*

Justice Elizabeth Evatt AO has been a member of the United Nations Human Rights Commission since 1993. Elizabeth Evatt was President of the Law Reform Commission of Australia 1988-1993 and Chief Judge of the Family Court of Australia 1976-88. She spoke for The Sydney Institute on Tuesday 30 May 1995.

# **AUSTRALIA & THE**

## ***INTERNATIONAL COVENANT ON CIVIL & POLITICAL RIGHTS***

Elizabeth Evatt

### **Human rights and the law**

The term "human rights" can conjure up powerful emotions. It is often used as a call to justice. All manner of adversities are described as denials of human rights. And they may well be so. But what I want to discuss here is the specific legal content that has been given to human rights internationally and the consequences of that for countries such as Australia.

### **History of ICCPR**

The foundations for the United Nations human rights instruments were laid down in the Charter, drafted 50 years ago in San Francisco. It led to the Universal Declaration of Human Rights, adopted by the General Assembly in 1948, and to a series of human rights treaties.

These instruments were drafted by representatives of the governments who have ultimately agreed to be bound by their provisions. In the case of the International Covenant on Civil and Political Rights and the International Covenant on Economic Social and Cultural Rights those drafting sessions extended over nearly 20 years, from their beginning in 1947 to the adoption of the Covenants by the General Assembly in 1966. They came into force in 1976.

The International Covenant on Civil and Political Rights draws on many sources, including the United States Bill of Rights. Many of the rights it recognises, such as the right to *habeas corpus* and the right to freedom of expression and religion, were already accepted in many countries.

### **Legal accountability for human rights**

Human rights treaties, like other treaties, are legally binding for States that ratify them. Those States are obliged to give effect to the rights and freedoms set out in the treaty and to ensure that remedies are available to persons whose rights have been violated. What is special about the principal United Nations human rights treaties is that States are

required to account for their actions – to report on what they have done to make the rights effective for their citizens. There are reporting mechanisms and, in some cases, individual complaints procedures. These procedures represent a small dent in the armour of non-intervention in the domestic jurisdiction of sovereign States.

### **Role of the Human Rights Committee**

Supervision of the International Covenant on Civil and Political Rights is carried out by the Human Rights Committee, an independent body of experts established by the Covenant. The eighteen members of the Committee are elected for four year terms by the States parties (there are about 129 at present). Once elected, the members serve in their personal capacity and act according to conscience. They are not answerable to their own States but to the Covenant itself.

### **Members of the Committee**

The members of the Human Rights Committee are legally trained, and experienced in human rights. They have experience as academics, judges and legal counsel. They come from all regions of the world, and represent different legal and social systems. This diversity gives the Committee a unique viewpoint on the Covenant, an international viewpoint which is not centered on the outlook of any one legal system or any one culture. The Human Rights Committee now comprises 14 men and 4 women.

There can be differences and disagreements among the members; some of these are revealed in the separate opinions, or in the records of the Committee. But there is also a strong collegiate spirit, enhanced by the fact that the Committee meets three times each year for three to four weeks each time. The members are all committed to uphold the Covenant.

### **Reporting procedures**

The Human Rights Committee is not a political body and it does not have an advocacy role. Its functions are assigned to it by the Covenant. They are essentially legal, akin to those of a tribunal.

Under article 40, States parties must submit written reports to the Human Rights Committee every five years, explaining what they have done to give effect to Covenant rights and the progress made in the enjoyment of those rights. The Committee studies the reports in the presence of representatives of the government concerned, over one or two days. The Committee members ask questions, probing into laws and practices to ascertain whether they comply with Covenant standards. Though the language may be polite, the message is sometimes devastatingly clear. The process often leads States to respond frankly and to reveal far more of their problems than appears in their written reports.

Non-governmental organisations, such as Amnesty International and Human Rights Watch, assist in this process by providing the Committee with written information about laws and practices from their own point of view. Sometimes the picture this alternative material presents is considerably less flattering to the State than their own report. It often records the names of people who are alleged to have been tortured in police custody, or gives specific details of other abuses.

### **Concluding comments on states**

After the dialogue, the Committee prepares a written assessment, or "Concluding comment" about the State, which includes recommendations to the State to revise those aspects of law and practice which fall short of Covenant standards. This provides a bench mark for the next report, which should, in theory, come five years later. The countries which presented reports to the Committee in the session just ended in March-April 1995, were the United States, New Zealand, Argentina, Paraguay, Haiti and Yemen.

### **United States**

Despite the contribution made by the United States to the development of human rights principles, it was the first time the United States has ever been exposed to international scrutiny of this kind. Although the US contributed significantly to the drafting of the Covenant, it was only in 1991 that the Senate was persuaded to muster the two-thirds majority necessary to ratify treaties.

The Human Rights Committee recognised the significance of the constitutional framework for the protection of human rights in the United States and the existence at federal level of effective protection of human rights available to individuals under the Bill of Rights and Federal laws. Nevertheless, the Committee was concerned that the United States had entered so many reservations to the Covenant. In particular it had indicated that it would not be bound by the prohibition under Article 6 of carrying out sentence of death on persons who were juveniles, under 18, at the time of committing the offence. It also declined to extend the right not to be tortured or subjected to cruel or inhuman treatment to persons detained on mental health grounds.

The United States shares with Australia a federal system which affects the way in which it implements international treaties. While there are differences in the ratification process, there are some things that are similar. For example, there is no legislation in either country to make Covenant rights legally enforceable, where they are not already covered by laws. Nor are there any formal mechanisms between the federal and state levels to ensure implementation of Covenant rights at State level, bearing in mind that the States have extensive jurisdiction

over criminal law in both countries. It is uncertain at this stage whether the Supreme Court of the United States will expect the executive to have regard to the Covenant, should a case like *Teoh* occur.

The Committee was critical of the fact that no changes have been made to US law to implement the Covenant, even in those areas which are not covered by reservations, and where there are discrepancies between law and practice in the US and Covenant standards.

### **Australia**

The Human Rights Committee has not considered a report from Australia since 1988, seven years ago. Our third report under the Covenant should have been submitted in November 1991. It is now three and a half years late. Other States have done better. Eg. the United Kingdom and Russia are about to present their fourth reports. There is in fact no body other than the Human Rights and Equal Opportunities Commission with any mandate to ensure that our laws and policies remain consistent with our obligations under the Covenant. Nor are there legal remedies in Australia for individuals whose rights under the Covenant are infringed.

### **What are general comments?**

The Human Rights Committee draws on its experience under the communications procedure and in the reporting procedure to prepare General Comments on particular articles of the Covenant. These General Comments are intended to give a broader understanding of the interpretation and application of the Covenant and to guide States as to the kind of measures which are needed to protect Covenant rights and freedoms. The Committee adopts its General Comments by consensus, sometimes after prolonged discussions. As a result, they have the authority of the Committee as a whole.

Twenty-four General Comments have been adopted to date. The most recent include those on religious freedom, rights of members of minorities (which include indigenous peoples) and reservations to the Covenant. [The United States expressed a measure of disagreement with that particular Comment.] A general Comment is now being prepared on Article 25 – participation in the conduct of public affairs and democratic rights.

### **Recourse for the individual: the complaints mechanism**

The second function of the Committee is to deal with individual complaints under the procedure established by the first Optional Protocol to the Covenant. The Protocol is a separate but related treaty. It is "Optional" in the sense that States who ratify the Covenant can elect whether or not to ratify the Protocol. Seventy-nine States out of

129 parties to the Covenant have now done so. Australia ratified the Protocol in 1991. States who ratify the Protocol recognise the competence of the Human Rights Committee to deal with claims by individuals that their rights under the Covenant have been violated by a State.

### **How the procedure works**

An individual who wants to use the communications procedure has to meet certain technical and procedural conditions, relating to domestic remedies and other issues. The Human Rights Committee makes a preliminary decision on admissibility, that is whether the complaint meets the conditions outlined above and other requirements. Each party is invited to make written submissions on the question of admissibility and on the merits of the case if it proceeds to that stage. If the matter is considered on the merits, possibly a year or more after the original communication, this will be done on the basis of the written submissions from the parties.

### **How the Committee makes its determinations**

How does a Committee of 18 people, all of whom have their own individual characteristics, none of whom is backward at expressing their views, and who speak in three or sometimes four different languages, go about the task of deciding a case which throws up difficult questions of fact and principle? It is a challenge. Bear in mind, too, that the Committee is not a permanent body; it comes together only three times each year, for three to four weeks, and it must complete its work in that period, since most members must return to other occupations. There are real time constraints. The reporting process is time consuming; it occupies about 60 per cent of the available time.

Work on communications begins with drafts prepared by the secretarial staff and translated into the three working languages of the Centre – English, French and Spanish. It ends with a final text representing the consensus view of the Committee which is often very different from the original draft. Along the way there are lengthy discussions by the Committee. Amendments have to be negotiated through the interpretation process, which can cause misunderstandings.

Dissenting views are not unknown. They provide a way out when the discussion has dragged on too long without consensus being reached. They also allow individuals to add further observations to the decision and open up new ideas. Most members would probably agree, however, that the attempt to reach consensus is necessary and worthwhile in interpreting a global instrument. Consensus gives great force to the Committee's views.

### **No oral hearing**

The absence of any provision for oral hearings by the Human Rights Committee has given rise to adverse comment, quoted in the 1994 report of the Joint Standing Committee on Foreign Affairs, Defence and Trade, *A Review of Australia's Efforts to promote and Protect Human Rights*, para 2.28 ff. I am inclined to agree that an oral hearing could help in some cases to clear up misunderstandings or help to unravel complex facts. On the other hand, the Committee is not a court; its views do not create enforceable rights and obligations. Nor is it an appellate tribunal to pronounce on the correctness or otherwise of national court decisions. Its role is to reach a view as to whether a Covenant right has been violated. This may be because of what a government agent did, eg. where a person was unlawfully detained or tortured, or because the underlying law is not compatible with the Covenant [as in *Toonen*].

The Optional Protocol does not provide for an oral hearing, though it is not necessarily excluded. It provides, in Article 5 that the Committee is to consider communications "in the light of all written information made available to it by the individual and by the State Party concerned," and that the Committee is to hold closed meetings while considering communications. No doubt these provisions were included in the Protocol by States to protect themselves from adverse publicity; but confidentiality may also protect complainants whose personal security may be at issue.

The need for further changes in procedure could be explored if it could be shown that the current methods might result in injustice.

### **Data on cases**

From 1977, when the Committee's work began, up to July 1994, 578 communications were registered. One third of these, 201, were found inadmissible. They were knocked back at the preliminary stage. Of the 193 cases that were determined on the merits, violations were found in 147 – 76 per cent, or 37 per cent of all cases disposed of.

Some States which are parties to the Protocol have never been a party to a communication. That is true of one third – 24 of the 79. These included states such as Algeria, Angola, Belarus, Chile, Congo, Cyprus, Estonia, Ireland, Malta, Mongolia, Nepal, Niger, Portugal, Russia, Somalia, Ukraine. Some of these are recent signatories; for others the reasons include ignorance and fear of the victims.

Of the other 55 States, some have had a greater share of cases than others. In the early years, the record was held by Uruguay; most of the cases concerned human rights abuses committed during the military dictatorship. The biggest group of cases now coming to the Committee, one third of the last hundred cases registered, are the death row cases from Jamaica or Trinidad and Tobago. About half the

total, forty six, are from western democracies. Of the remaining 14 cases eight were from Latin America and the Caribbean, three from Africa and three from Asia.

There is no obvious relationship between the number of communications coming from particular State or region and the anticipated rate of violation of Covenant rights, or the expected level of enjoyment of rights in the States concerned. For example, while far more cases come from Western countries than from other regions, most of these are found inadmissible, 68 per cent in fact, and violations are found in only 30 per cent of the remainder. Far more cases from Africa and Latin America are found admissible, 70 to 80 per cent, and a far greater proportion, between 90 and 100 per cent, are found to involve violations. The rate of violation is in fact highest in Africa which has a very small number of cases. Asia does not count in this discussion, as the number of parties and cases are so small.

### **What is the level of compliance?**

The recommendations of the Human Rights Committee under the Optional Protocol are not legally binding or enforceable. Nevertheless, States ratifying the Covenant have undertaken to provide effective and enforceable remedies to persons whose rights have been violated. When a violation is established by the Committee, States have an obligation to provide a remedy, either that recommended or another that is equally appropriate.

The Committee is collecting information about what States do to follow-up its views in the 142 cases where a violation of the Covenant has been found. The information is far from complete at this stage, and there are concerns that some States have not provided information or, more disquieting, have not provided remedies.

On the credit side, some victims had been released from custody in Ecuador and Uruguay. Some had received compensation in the Netherlands and Finland. Legislation incompatible with the Covenant had been amended, or new local remedies introduced in Austria, Netherlands, Finland, Canada and Australia.

On the other hand, four States were named by the Committee for failing to reply to at least four requests for information. [They are Jamaica, Madagascar, Surinam and Zaire.] The Committee is working on new methods to obtain the information it needs and to bring home to States that they must carry out the obligations which they voluntarily assumed when they ratified the Covenant. This is owed to the Covenant itself, and to the States which do take seriously their obligations.

### **What issue does the Committee deal with?**

In its 18 years of operation, the Human Rights Committee has developed considerable jurisprudence, including decided cases, general

comments on Articles of the Covenant and concluding comments of the Committee on particular States. This can be illustrated by reference to freedom of expression.

### **Article 19 – Freedom of opinion and expression**

One of the most significant rights protected by the Covenant, and one of special significance to stable democracies such as Australia, is freedom of expression. The fact that the High Court of Australia found, in the *Australian Capital Television* case in 1992, that Parliament has not the power to unduly limit freedom of communication, at least in relation to public affairs and political discussion, underlines the fundamental significance of freedom of expression as a necessary condition for effective democracy.

I would like to give a brief overview of some of the issues related to freedom of expression which have been revealed in the work of the Committee.

#### **Scope of the right**

##### **(1) *The right to hold opinions without interference***

The first part of Article 19 protects freedom to hold opinions without interference. As with freedom of thought, freedom of opinion is largely a matter of personal, private concern. The Covenant does not permit any qualifications or restrictions of this right. Its protection requires freedom to develop and to hold opinions without interference by coercive or unjustifiable means. While the limits have not yet been fully mapped out, the Committee was clear that the right to hold opinions without interference was infringed by laws in Algeria and the Republic of Korea, under which persons were imprisoned on the ground of political opinion. [Report of the HRC for 1992]

##### **(2) *Freedom of expression***

This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

The scope of this right is very broad indeed; it needs to be considered independently of the restrictions which are permitted in the following paragraph.

It covers the *seeking* of information, thus bringing within its scope freedom of information principles, as well as investigative journalism.

It covers *information and ideas of all kinds*, a concept not limited by any consideration of worth or of effect.

It covers *any media of choice*, from banners to art works to electronic media.

It applies *regardless of frontiers*, putting in question any attempt to prevent the receipt of international transmissions. [Modern technology will probably help to make this part of the right a reality for some.]

It also covers a choice of language, at least in areas outside the official realm of government and the courts. In the communication procedure, the Committee found that Quebec laws which prohibited outdoor advertising in any language other than French violated the freedom of expression of English speaking people. Freedom of expression thus extended to commercial forms of expression.

A State may choose one or more official languages, but it may not exclude, outside the sphere of public life, the freedom to express oneself in the language of one's choice.

[*Ballantyne v Canada* 385/1989 and 359/1989. The case has some parallels with the Australian *Toonen* case. Canada, like Australia, is a federal state, and the alleged violation was by a province rather than by the federal government.]

Particular restrictions identified by the Committee as possibly infringing freedom of expression and freedom to receive and to impart information included:

Prohibition of interviews by broadcast media with certain groups outside the borders of Ireland.

Excessive control by the State over radio and television in Jordan and Togo.

Laws restricting the provision of information on abortion in Ireland.

Censorship in Ireland, Togo and in the Cameroon; Self-censorship in Iran.

The obligations of States under article 19(2) extend to positive protection of freedom of expression. For example, the State may be responsible for its inaction when the freedom of expression of journalists is abused by killings, threats or harassment, as occurred in Mexico, Argentina, Paraguay and Jordan. [Report of the HRC for 1994]

States may also have a duty to prevent monopolies or excessive concentration of media which might interfere with the right of freedom of expression. In 1994, the Committee was critical of the concentration of the Italian media in a small group of people, and emphasised the need for measures to ensure impartial allocation of resources, as well as equitable access to such media, and of adopting anti-trust legislation regulating mass media.

### **(3) Permitted Restrictions**

Certain restrictions on freedom of expression are expressly permitted under paragraph (3) of Article 19:

(3) The exercise of the rights provided for in paragraph 2 of this article carries with it special responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary (a) for respect of the rights of reputation of others. (b) for the protection of national security or of public order (*ordre public*) or of public health or morals.

The restrictions must be imposed by law; that implies they must be specific and not vague.

Any restrictions must be necessary for one of the specified purposes. This implies that the restriction is proportional to the

purpose, and that it does not operate to eliminate or to destroy the right itself.

The specified purposes:

**(a) for respect of rights and reputations of others**

The rights of others may need protection in certain cases, eg. to protect minorities. In the Quebec case mentioned earlier, the Committee's view was that the right of French speaking people to use their own language would not be jeopardised by allowing advertising in English. It is arguable that prohibition of certain kinds of pornography is justified to protect the rights of women.

Restrictions to protect the reputation of others brings into issue Article 17 which requires legal protection against unlawful attacks on honour and reputation. The provisions have to be read together. While the Committee has had no cases directly on point, the tendency in the European Court of Human Rights has been to disallow restrictions on the right to criticise public figures and politicians.

This is in line with the *Theophanous* case in 1994, where the High Court found an implied freedom to discuss matters related to the performance of Parliamentary duties by MPs of the Commonwealth and to their suitability for parliamentary office. Such publication would not be actionable under defamation law if the defendant shows that he or she was not aware of the falsity of the material and that the publication was not reckless but was reasonable in the circumstances.

In the reporting process, the Committee has criticised laws imposing imprisonment for libel or defamation in Iceland, Norway and Jordan as incompatible with article 19. [Report of the HRC for 1994] It also considered that the overly broad definition of sedition in Cyprus unduly limited freedom to criticise the authorities and challenge government policies, which are a normal and essential part of a functioning democracy. [Report of the HRC for 1994]

**(b) for the protection of national security**

When are restrictions on freedom of expression permissible to protect national security? There is little authority on this. Presumably, restrictions could be justified when there is a serious threat to the State. In such times of national emergency, as defined in the Covenant, rights under article 19 could be restricted to the extent strictly required.

The recent "D" notice and the Chinese Embassy affair have focused attention on current restrictions, legal or voluntary which operate in Australia. It brings into question whether these limits are compatible with Covenant obligations.

**(b) for the protection . . . of public order (*ordre public*)**

Permitting restrictions for the protection of public order potentially opens up a wide field of limitations. It could permit licensing of broadcasting and other media. But restrictions must be limited to what is necessary for the purpose and must not destroy the right.

There is little case law on this point. A case decided in 1994 relates to a group who gathered at the Presidential Palace where a foreign head of State was meeting with the president of Finland. They distributed leaflets and raised a banner critical of the human rights record of the visiting head of State. The police took down the banner, and charged the author with offences against the Act on Public Meetings. On the freedom of expression issue, the Committee's view was that such freedom may be exercised by the media of the author's choice, that is by raising a banner, and that it extends to expression of political opinions. The removal of the banner [itself not against the law] was an interference with the author's freedom of expression in circumstances not permitted under 19.3.

**(b) for the protection of morals**

Restrictions on freedom of expression are permitted where they are necessary for the protection of public health or morals. In *Hertzberg v Finland*, decided in 1982, the authors claimed that their freedom of expression had been violated as a result of provisions in the Penal code which prohibit the encouragement of indecent behaviour. One author had been interviewed on radio about job discrimination against homosexuals. The editor of the program was charged and acquitted. The other authors claimed to have been censored because of the same law. The Finnish government sought to uphold its law on the ground that it was necessary to restrict freedom of expression in this way to protect public morals, and that this was permitted by the Covenant.

The Committee found that Finland could be held responsible for limitations on freedom of expression imposed by the broadcasting authority. The principal author had not been restricted by the law; he was not a victim. The others had been restricted but this was permissible. The Committee observed that public morals differ widely, and that there is no universally applicable common standard. Consequently, a certain margin of discretion must be accorded to the responsible national authorities. Applying this margin of discretion, the Committee found that it could not question the decision of the responsible organs of the Finnish broadcasting authority that radio and TV are not appropriate forms to discuss issues related to homosexuality as far as a programme could be judged to encourage homosexual behaviour. The audience cannot be controlled, and harmful effects on minors cannot be excluded.

That case was decided in 1982. It is the only case where a *margin of discretion* of this kind has been expressly endorsed. In *Toonen*, the Committee reserved to itself the question of moral standards. If such an issue were left to the discretion of the State, "this would open the door to withdrawing from the Committee's scrutiny a potentially large number of statutes interfering with privacy."

## Conclusions

I have tried to explain part of the established legal framework for the protection of human rights. The International Covenant on Civil and Political Rights provides a coherent and consistent set of principles which has been elaborated by the jurisprudence of the Human Rights Committee. I have tried to demystify the Committee, to make it appear as a human institution, struggling with the problems of State accountability and to interpret the Covenant as a global instrument.

Australia benefits from this process in many ways. We have contributed to the drafting of the Covenant standards and to many other international instruments. Our laws and practices can now be tested against those standards in the reporting process. Individuals can seek vindication of their rights in the communications procedure. This should not be seen as a diminution of our sovereignty but rather as a valuable safety net for individuals who cannot obtain a remedy for what they consider to be a violation of their rights.

The underlying theme in all this is that human rights and the law are inseparable. There can be no enjoyment of human rights in a country which does not live under the rule of law. It is only in such an environment that democracy can flourish and that civil rights and liberties can be effective to control and direct the power of government. No society can flourish without respect for the rule of law or without provision for the rights and needs of its people.



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*Greg Sheridan*

*Living With Dragons - Australia Confronts Its Asian Destiny* (Allen & Unwin 1995), and compiled by Greg Sheridan, is a collection of essays by noted Australians on the relationship between Australia and the Asian region. Greg Sheridan, Foreign Editor with *The Australian*, has written widely on many of the issues confronting Australia in its relationships with countries of the Asia-Pacific. He spoke for The Sydney Institute on Tuesday 6 June 1995.

# LIVING WITH

## *DRAGONS – AUSTRALIA CONFRONTS ITS ASIAN DESTINY*

Greg Sheridan

To quote Adlai Stevenson, my job tonight is to talk and your job is to listen and if it should happen that you finish your job before I finish my job, I hope you don't let me know about it.

The subject of my brief address is also the subject of this new book, *Living with Dragons*. I want to say straight away of course that's not meant to connote that the people I live with are dragons. It's meant as a metaphor, obviously, for Australia coming to grips with Asia.

A great deal has been written and spoken about this topic – Australia's involvement with, engagement of and integration with Asia. Sometimes we seem to be drowning in a sea of words on the topic. What I've tried to do in the book, and what I'm going to try to do very briefly tonight, is to take the broadest possible view of this development and ask what it really means for Australia, what it means for us in 50 years time, what it means for us in 100 years time. I'll try to broaden the lens as far as possible and really take stock of what this development means for our country and for our future.

It's my view that in the 1980s and 1990s Australia took a series of decisions which represent one of the decisive turning points in our national history. I'm referring of course to our decision to embrace Asia. Much has been written about this topic. But where I hope this book makes a slightly distinctive contribution is in the attempt to chart just how comprehensive and transforming an experience this Asian engagement will be for Australia, how it will effectively determine, in a lot of important respects, how we live for the next century.

Of course there are plenty of definitional problems about this. We were engaged with Asia to some extent before the 1980s, we didn't just discover it for the first time in the 1980s. One can have all kinds of squabbles about what one means by Asia. Generally I am referring here to East Asia, by which I mean the countries of North East Asia – China, Korea, Japan, Hong Kong, Taiwan; the countries of South East Asia or ASEAN, and Vietnam, Cambodia, Laos and Burma.

All of those definitional squabbles aside, we all know that something pretty serious took place in the 1980s and 1990s in terms of our relationship with the Asian nations of our region. It's my view that it has perhaps not yet fully dawned on us as a nation just what a revolutionary business this has been and also what a consequential business it has been. We will never be the same again, there is no turning back for us. It is one of the most decisive things that we've done in our short history.

In my view Australia for most of its history defined itself in many ways by its rejection of Asia. A rejection of Asia - root and branch - was a fundamental part of the conception of the Australian national identity. Of course there were lots of exceptions. History is not linear; there are contradictions. But the general thrust of Australian history, for most of its first 200 years, was an absolute rejection of Asia.

Throughout the 19th Century the colonial legislative assemblies were very keen to keep out Asian immigrants. Most of them passed one version or other of a Chinese restriction act to that effect. There was also sporadic but quite substantial anti-Chinese violence when it looked as though a significant Chinese community might develop in this country.

In so far as we thought of ourselves, in so far as we conceived of ourselves at all, the conception was that we were a British nation. We were, as Menzies would later say, British to the bootstraps. In so far as we conceived of ourselves in relation to the outside world it was always in connection with the British empire. Even when an Australian nationalism developed which rejected the British empire it was along quasi Irish lines which certainly also rejected Asia.

This was all completely evident around the time of federation when the very first act that the new federal parliament passed was an act to exclude Asian immigrants. Here were our founding fathers, Deakin and Barton, all the men who brought federation together, and what was the first defining thing they wanted to do? They wanted the history books to record that the first thing that they did was pass an act to exclude Asian immigrants.

It is noteworthy that in the context of that debate the Australian colonialists were actually much more stridently anti-Asian than was head office in Britain. In fact the British did not want to have an act of parliament passed which excluded people specifically on the basis of their race. The debate was influenced by the Australian Labor movement which was more stridently nationalist and therefore more stridently anti-Asian than the conservative parties, arguing that the Australian parliament should reject British advice and make the act purely a racial exclusion act. The conservatives bowed to British pressure, making the mechanism of exclusion the infamous dictation test. The objective was still quite clearly to exclude Asian people from

coming to Australia but the method was something other than outright racial exclusion. Even 100 years ago there was a sense of embarrassment about taking such an explicitly racist attitude.

It's interesting that the debates of the 1880s and 1890s which led up to federation were eerily similar to the debates of the 1980s and 1990s. In particular, what Gerard Henderson has called the federation trifecta was set in stone during this time – namely the White Australia Policy, the policy of wages arbitration and of industrial protection. It's fascinating to me that we had all those debates over again in the 1980s and 1990s. But this time we took exactly the opposite decisions to those that we took a hundred years ago. And just as the decisions we took then established the pattern for how we would live over the subsequent century, so the decisions we take in the 1980s and 1990s will establish the pattern for how we live for the next century.

Certainly in the 1980s we decided definitively, after a long acrimonious debate, that the White Australia Policy was absolutely dead and buried and that there would be no principle of racial discrimination in our immigration policy. This was a radical step for Australia. It had begun quite a lot earlier but the definitive debate was the Blainey debate of the 1980s. In rejecting Blainey root and branch, we produced perhaps the most authentically racially non-discriminatory immigration policy in the world. We also hugely reduced industrial protection, a key component in, and an expression of, our commitment to giving Australia an international economy. Getting rid of industrial protection was a central element in making the Australian economy international instead of isolated. Similarly, we decided to move towards industrial relations flexibility and to reduce the influence of centralised wage fixing, although that has proven very much more difficult to achieve. There have been far more reversals on that road, but it is clear that it's the direction we're moving in.

These decisions will have profound consequences for Australia. Indeed it's not unreasonable to see the whole of Australian history as, first, the attempt to reject and then, compelled by reality, the need to embrace, our Asian environment.

This is particularly true of the period since World War II. After the fall of Singapore we were threatened by an Asian power. We saw the limits of the British empire in its ability to provide for our security and we realised we had to have some friends and allies in Asia. Our Asian ally of choice, quite naturally, was the United States. This was a very sensible choice. We chose a big Asian power which would be friendly to us and the biggest Asian power of all at that time (and probably is still today) was the United States.

Now there's hardly time to chart each step forward and each step back in the post-war period but nonetheless you can call to mind a few highlights – formalising the ANZUS treaty which was designed origi-

nally to contain Japan but which later became an instrument of Cold War policy; later embracing Japan in a critical trade treaty in the 1950s; beginning seriously to dismantle the White Australia Policy, first under Harold Holt but not absolutely removing all vestiges of it until the 1980s; our involvement in Vietnam; ending our ignominious support for the racist regime in South Africa under Whitlam in the 1970s. These are all small steps along the road to the point which we reached, in my view in the 1980s, of realising that our future lay with a full-blooded embrace of Asia.

A critical turning point came at the end of the 1970s and proceeded throughout the 1980s and 1990s. That was the admission for the first time of large numbers of Asian immigrants to Australia which was a direct result of the Vietnam war and the arrival of Vietnamese boat people on our northern shores. The White Australia Policy had been formally abolished for some time but it was not until the end of the 1970s that Asian immigrants in large numbers came to Australia for the first time.

It's one of the marvellous ironies of history that just as the first Europeans who came to this country were not free settlers or pioneers but convicts and jailers (the least likely people to produce a free and prosperous nation) so the first Asians who came here in large numbers were boat people, refugees.

We had very little choice about taking them or not. It was a reality we could not escape. We'd been a party to the Vietnam war. The boat people crisis, as a million and half Vietnamese swept through South East Asia, posed a grave security crisis for the nations of South East Asia. The bargain was that the United States would lead an international re-settlement program if the nations of South East Asia would offer first asylum on a temporary basis to the refugees.

Given that we'd been part of the war, given that we were an ally of the United States and given that we lived on the edge of South East Asia, it was probably inevitable that we would be part of the re-settlement program. Nonetheless it took a certain courage for Malcolm Fraser to implement that program, a courage for which he rarely gets credit. Today one per cent of Australia's population was born in Vietnam. Who ever envisaged that that would be the result of our engaging in the Vietnam war?

There was an attempt then to resurrect at least a first cousin of the White Australia Policy by Geoffrey Blainey with his Warnambool speech in 1984. The result of this debate was critical for Australia. All through the 1980s that debate raged. The Coalition parties kept flirting with and then running away and then rejecting Blainey and then coming back to him and flirting with him again. But the process of the 1980s was that all the electoral damage from that issue came to the Coalition. All the electoral damage was sustained by the parties which

flirted with principles of racial discrimination in our immigration policy. So it was definitively established that we will never again have a racial element in our immigration policy.

As a result about half, or a little bit less than half, of our immigrants today are indeed from Asia. Today about 5 per cent of our population was born in Asia. In every category of immigrant you can imagine – refugees, business migrants, family reunion, employer nominated, skilled migrants, professionals in demand – Asia provides a major share. It's inconceivable that we would go back to a racially based immigration policy. I don't think we could cut the immigration program much below what it is today. I've great respect and affection for Bob Carr but I disagree with everything he's said recently on this subject. It's almost inconceivable that we can cut the immigration program much below what it is now. Therefore we're going to have a substantial Asian component, and a growing Asian component, of our population from here on.

Just to reflect briefly on some of the other decisions of the 1980s and 1990s. Internationalising the Australian economy really meant Asianising the Australian economy. Going international really meant going Asian. We'd long had our links with North America and Europe but we hadn't had substantial links with our own region. When we internationalised we really went regional. We were in the paradoxical position where going global meant going regional. It didn't mean neglecting our old friends in Europe and North America. In fact it made us much more valuable to our old friends in Europe and North America – the fact that we were relevant players in our region.

You only need the merest acquaintance with the statistics to see the enormity of the consequence of this move. Two thirds of our exports now go to East Asia. The proportion is rising. One third of our investment comes from Asia. That's a very disappointing statistic indeed. Investment has been one area where we've failed and this could have very bad consequences for us in the future because increasingly trade is likely to follow investment.

Our trade now is overwhelmingly with East Asia. Our largest export market by far is Japan, our second is South Korea. When you aggregate China and Hong Kong, as will happen after 1997, they become our third biggest export market. Taiwan, Hong Kong, Indonesia and Singapore are all amongst our ten top export markets. Malaysia and Thailand come in at eleventh and twelfth. We are now the number one destination, having surpassed the United States, for Indonesian students wishing to study overseas. South East Asia is overwhelmingly our number one market for the growth in services which is going to be so important to our economy. Indonesia and Malaysia are our number one and number two markets for overseas students. Tourism has become the biggest single earner of foreign

currency for us. Six of our top ten tourist markets are in East Asia. The demand for sophisticated services will go ballistic in South East Asia as the South East Asian middle class emerges and that's what we're well equipped to provide. And so on.

The same is true in the security field. The alliance with the United States is still critical but we recognise that our key security environment is first South East Asia and secondly North East Asia. With the United States' influence in this region declining we see the United States relationship as still critically important but more as part of a matrix of influence and relationships within the region. Our chief external institutional engagement now is with APEC, combining the key interests of North America and East Asia.

The mental universe of our children is changing as a result of decisions taken at the Council of Australian Governments. Language education in schools is to be massively boosted. It will be compulsory between Year 3 and Year 8. And the priority languages will be Japanese, Chinese, Indonesian and Korean. That means that the mental universe of a generation of Australians will change. Australian children will make a serious intellectual effort to come to grips with one of the great East Asian cultures.

This thumbnail sketch is simply to indicate the pervasiveness of change. It has not been primarily a change by government fiat. It's been primarily a change brought about by Australians, by Australian businesses finding where they can sell their product, by Australian universities finding how they can attract students, by Australian tourism seeking to attract people to visit. It's been a process which the Australian nation has engaged in and which government has certainly encouraged. It's really quite a modest thesis to argue that this is going to change and transform Australia within the space of another decade. And if it hasn't already come about, the moment will soon come where an Asian dimension is an important aspect of every factor of Australian national life. When you look back at Australia, even 30 years ago, that strikes me as quite a revolutionary change.



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Photo - David Karouidis

*Carl Robinson*

Is it time to reassess the Vietnam War? Carl Robinson, who worked with US Aid and as a journalist in Vietnam from 1964-75, thinks it is. And he challenges the left wing view that the North Vietnamese victory was in any sense a liberation. Carl Robinson spoke for The Sydney Institute on Tuesday 13 June 1995. Carl Robinson and his wife Kim now run the Old Saigon restaurant in Sydney's Newtown.

# THE VIETNAM WAR

*- TIME FOR A REVISION OF VIEWS*

Carl Robinson

As you would have gathered from Gerard Henderson's introductory comments, Vietnam has played a dominant and defining role in my life. It is a place which, quite obviously, is very close to my heart.

After the Vietnam War ended 20 years ago in 1975, I desperately wanted to talk about Vietnam – to look back on what had happened and why. But, frankly, no one was interested. Living at the time in New York City amongst a fairly intellectual bunch of people, simply raising the subject of Vietnam was a guaranteed turn-off – a real eye-glazer. I tell you – I was a real pariah on the New York cocktail circuit.

I also sensed a suspicion from many folks that anyone who'd spent 11 years living in South Vietnam must be some kind of a "war freak." Others, and I'm only half-joking, spread stories that I'd been a "spook" in Vietnam and, after Whitlam's dismissal was complete, the CIA sent me down here to keep an eye on you folks. Never mind the real story.

Like others who'd been there, I found this post-Vietnam reception an embittering and alienating experience. (These days, I guess they'd simply assign me an entire "trauma counselling team" and get out of the way!) Not long afterwards, it was one big reason for my deciding to settle in Australia. No one here was interested in Vietnam either but I could rationalise that easily enough by saying you weren't Americans and it hadn't really been your war.

With a lot of help from legal and illegal substances, I worked hard to put Vietnam behind me in this new country. By 1980, five years after the fall of Saigon, I remember priding myself on being able to carry on an entire conversation without raising the subject of Vietnam once. I must say that becoming a cricket fan also helped in my finding some sort of social acceptance – although all this detailed knowledge about the sport uttered in a Yank accent did tend to raise a few suspicions. (I jokingly told people it was part of the CIA training!)

So, I guess in typical Aussie fashion, I had learned to keep my experiences and opinions to myself. There was a natural link with

others who'd been there but most people simply didn't want to talk about Vietnam. It might have been a big part of their lives once but it was now a dead subject. What little I said or did publicly involved documenting and defending Australia's growing Vietnamese refugee community - often against some quite racist or simply ignorant attacks.

But in the past two or three years, I have sensed a distinct change in this long-held closed-door public attitude about the Vietnam War and its aftermath. And I don't believe that I'm saying this just because I now run a very atmospheric Vietnamese restaurant where the subject comes naturally. There is now a genuine curiosity and interest in discussing Vietnam again. It took the French a good 20 years to start looking again at the bitter war in Algeria. The same seems to be happening with the war in Vietnam.

This is especially so among the young - the children of the Vietnam Generation - who come to the subject free of the rhetorical and ideological baggage of the past. They are asking some refreshingly simple and basic questions about that period in our recent history. Many now have a hard time, for example, understanding the concept of government compulsion that had the draft or conscription hanging over all our young heads. It was like having to pay your taxes, I explain, but it could be a lot more dangerous. Others don't know which side was which or what sort of government they have in Vietnam today. I do, however, worry about the biased and simplistic point of view that the young receive at school and university. But more about that later.

Another element in this growing interest - and this goes beyond just the younger generation - is the way that Vietnam itself has finally opened up in recent years. Vietnam is the hot new Asian tourist destination. And, although I'm still a bit sceptical, Vietnam is seen by many businesses as the next Asian Tiger economy and a hot investment prospect. Anyone who visits Vietnam these days quickly sees the war in a much less simplistic fashion than before. They can see that the effects of the war continue and often develop a new understanding - even a sympathy - for those on the losing side.

Only a few weeks ago on 30 April 1995, the world media marked the 20th anniversary of the end of the Vietnam War in yet another anniversary in this Year of Anniversaries. (One editor jokingly told me that the public is so confused by all these anniversaries that they must be wondering what Hitler was doing in Saigon!) But after putting up so many other - and often painful - anniversaries since the fall of Saigon in 1975, I was pleased for once that I was not here. This year and for the first time in 20 years, I'd returned to the scene of the crime, as it were, to participate in a reunion of war correspondents.

But when I returned here and caught up with some of the anniversary stories in the media, I was frankly appalled. The coverage brought back all the time-worn and simplistic clichés about the war.

Some people never change and the old rhetoric dies hard. For many, interest in the Vietnam War clearly died from the minute their marble didn't come up. Others, still ignorant of the post-1975 consequences, blissfully rave on about the good old anti-war days. Most people either don't know or have forgotten that the last American – and Australian – troops had left Saigon more than two years before and that the South Vietnamese were totally on their own. Try telling that to the producers of *Miss Saigon*!

But time does – or should – change one's perspective. In my own case, my recent return visit to Vietnam after all those years away did much to solidify a new perspective. Tonight, I would like to invite you to look back on the war in a new – hopefully more realistic – perspective. I'll be the first to admit that my own views about the war have gone through a bit of revisionism over the years.

But before I go on, allow me a few moments to tell you a bit about myself and where I've come from on this issue.

I was born in the US and while growing up there and overseas, mostly in Africa, my thinking was heavily influenced by my Methodist missionary parents. From a precociously young age, I was a confirmed small-l liberal or what you'd call a "leftie" down here. I was a Conscientious Objector way before it was even fashionable. I was also a JFK idealist who, as a 20-year old exchange student in Hong Kong, visited South Vietnam in early 1964 and loved the place so much that I signed up on the spot with the American government's aid mission, USAID. It was a glorified Peace Corps job helping villagers with community development projects in the Mekong Delta. Officially known as the Pacification Programme, our slogan was *Winning the Hearts and Minds*, or WHAM, for short. The idea, quite simply, was to give the folks enough goodies and the Viet Cong would either be co-opted or simply go away.

While I certainly enjoyed the work in those early days before the war intensified, I became increasingly disillusioned. Sure, I was soured by the extent of corruption among the South Vietnamese officials but I was even more upset at how my own superiors lied to themselves about how things were going, despite repeated warnings from us in the field. The Tet Offensive of 1968 – which tossed this officially enforced optimism on its head – was the last straw. With all the righteous outrage of a burned-out 25-year old idealist, I publicly resigned from USAID. Before they could toss me out of the country, I switched camps – as it were – and landed a job as a journalist with the large American wire service agency, The Associated Press (AP).

With my background, I obviously had a different perspective than my new-found colleagues. From my arrival four years before, I'd always seen the war as a political rather than simply a military struggle. (Yes, I'd even read Mao Tse-tung's *Little Red Book*). This was reflected in my

own coverage for the AP. My earlier experience with USAID had left me with a clear disdain for the US military and civilian establishment and I didn't think much either of the Saigon leadership. Although I did cover some combat, I preferred what we called "civilian stories" - human interest pieces, economics and politics. I privately sympathised with the Saigon regime's opponents and wrote about its human rights violations and political prisoners, including the infamous Tiger Cages. I was tear gassed more than I was ever shot at. Members of the so-called Third Force, or neutralists who loved neither side and wanted a coalition government with the communists, were among my closest friends. On the anti-war movement then raging outside Vietnam, I considered myself just as anti-war. What's more, in my own arrogant fashion, I could boast that I was there - and they weren't.

The 1973 Paris Peace Agreement saw the departure of the last American, Australian and other foreign troops and, with that, the bulk of the press corps as well. I stayed on, hopeful as ever of some peaceful end to this Greek Tragedy. And even as the North Vietnamese began their final offensive on Saigon in March 1975, I still believed the communists' rhetoric about what would happen after the war. No one, except the really bad folks, had anything to worry about, they said. The end of the war would mark a new period of reconciliation and unity among all Vietnamese. It was nice stuff, all right, and I wasn't the only one who was sucked in. Millions of southerners were too.

I am ashamed to admit this now, but as Saigon was falling I actually refused to help any of my Vietnamese friends to flee on the secret American airlift. I deeply resented them and other southerners who were bugging out en masse. My own father-in-law, a neutralist province-level politician who hated the Saigon regime, felt the same - until it was too late. My wife and two children had already been ordered out by the AP but her family was trapped in their province south of Saigon. He begged me to take out those I could. As I too bugged out of Saigon in that city's infamous helicopter evacuation - courtesy of the US military I had loathed for so long - I clutched my wife's brother and niece. I had become a refugee.

Well, we all know what happened after Saigon's "liberation" the next day on 30 April. The Bamboo Curtain quickly slammed down on Vietnam and after only a few weeks all my journalist colleagues were expelled. Now expanded by two new members, our family ended up in New York City where I was given a desk job at AP headquarters. I was depressed and shattered. My life destroyed. The worst thing was that we had no news at all from my wife's family back in Vietnam. It was to be nine months before we heard that my father-in-law - despite or perhaps because of his neutralist credentials - had joined some 200,000 other South Vietnamese in communist re-education camps.

I was angry and bitter and I couldn't figure out at whom to target my rage. For the first time, I personally understood how rage can lead to one suddenly lashing out and committing total mayhem.

Looking back on that time now – 20 maturing years later – I now realise at whom that rage was being extended. It was to my own self. I wasn't a GI who'd been sent to Vietnam for a one-year Tour of Duty but a volunteer who stayed and left at the end kicking and screaming. I was angry at my naivete and my stupidity for believing in the rhetoric of the Left and for believing that life in Vietnam could in any way be better under a communist regime. I was wrong and I am not ashamed to finally and publicly admit it.

Like so many others from that era, I was sucked in by a collective liberal or left-wing orthodoxy about the Vietnam War which unfortunately continues to this day. It has become so entrenched that, as we saw in many of the recent anniversary pieces, it is virtually the only point of view you hear from the media and academia. Put simply, this orthodoxy favours the communist side in the war and then flatly ignores everything that the communists have done in Vietnam since 1975. It criticises the Saigon regime's infamous Tiger Cages on Con Son Island and says nothing about today's political prisoners languishing in camps with names like Z30A, 1870A and K3.

Now, 20 years on, I believe it is finally time to revise our views about the Vietnam War. Let's face it. Neither side had a monopoly on virtue in that horrible war. That's a good starting point. Another is to look at what's happening in Vietnam today.

When I arrived back in Saigon – now officially Ho Chi Minh City – two months ago, my first impression was that the place had come full circle. After years of deprivation and poverty under hard-line communism after 1975, the city is booming just like the old days again – but without the dreadful war hanging over everything. Saigon is Asia's latest bastion of capitalism and it's easy to conclude that the South won the war after all. And that being so, the next logical question is, what was the war all about in the first place? Why did three million people have to die to get Vietnam to where it should have been all along?

In the spirit of revising our views of the Vietnam War, and using a fairly broad brush, let me toss out the following points for debate.

Firstly, on America's involvement. I believe that the United States was right to support South Vietnam after the 1954 Geneva Agreements which partitioned the country. What free nation or people, even today, should willingly allow another to slip into totalitarianism? That was the highest principle of our involvement in Vietnam and I believe it was a noble one. However imperfectly, the South was a free and open society. And, if we stand for anything at all as free nations, it deserved our support.

The failure of the policy was in the measures taken to defend the South. And in that, I'll be the first to admit that the United States totally botched it up - out of sheer bloody arrogance, if nothing else. From the beginning, the Americans treated the South Vietnamese as if they knew what was best for them. They never tried to understand the Vietnamese character or their way of doing things.

Secondly, on Ho Chi Minh and the communist side. Much is made by armchair historians of Ho Chi Minh's being a patriot first and communist second and that a Tito-like deal could have been arranged after World War II with the creation of a Southeast Asian Yugoslavia. The truth is that Ho was an ideologue from his earliest days. He was one of the founders of the French Communist Party and later lived and studied in Moscow. While he spoke grandly of a united struggle of Vietnamese against the French, the truth is that he was ruthless in eliminating hundreds of non-communist patriots in his rise to power. Understandably, the survivors of his purges formed the core of support for the southern regime.

A further important point is that it was the communists who started the war in the South. The Viet Cong wrote the book on modern terrorism which continues to plague the world to this day. Terror was active policy. They ruthlessly assassinated village and hamlet officials and their random grenade, mining and shelling attacks killed and wounded countless innocents in the south. Without any moral qualms or public opinion to worry about, the communist regime sent hundreds of thousands of young to die in the South.

The communists couched their fight in buzz words such as "national self-determination" and "national liberation" which attracted such widespread admiration from Leftists in the West. But the truth was actually much simpler. With typical arrogance, the communists simply wanted power and there was no peaceful way they would do so. And today, more than ever, they are only about holding on to that power.

Thirdly, on the southern side. The orthodox view is that the southerners were a bunch of lackeys fighting an American war. The truth is that they were already fighting before the Americans arrived and continued to do so after they left. What's more, and this is often simply ignored, they were just as patriotic and just as nationalistic as those on the other side. In the south, we helped foster the universal ideals of freedom, democracy and a respect for human rights. A lot of people bought that line and how can we blame them? But we never even gave them the means to defend themselves against that final and inevitable attack by the North Vietnamese. No wonder they felt so cruelly abandoned when we up and left them in 1975.

But like any open and free society, the biggest weakness of the southern side was that it could not fight effectively against a highly organised and disciplined side which only a totalitarian regime can

create and sustain. The South's very freedom led to its own downfall. The deeper question here is, how can any democratic society fight a determined and ruthless enemy without sacrificing the very things that it stands for?

In this context, it is also important to note that – despite the wide-eyed admiration by the Left for the Viet Cong and North Vietnamese “liberators” – most of us in the West had much more in common with the southern side than we ever would with the North. The average South Vietnamese didn't want to be drafted to fight in that war either. All most of them wanted was to get a decent education, find a nice job and raise a family. They were fighting a war that was not of their making.

In recent anniversary pieces about the Fall of Saigon, I found the most glaring and consistent omission was on the southern side in the war. The focus of stories was on the Americans on one side and the North Vietnamese on the other. The South Vietnamese were treated like they weren't even in the ballpark.

Fourthly, and finally, on the post-1975 period. As we all know – or should know, anyway – life in Vietnam was hardly a paradise after the end of the war. The Viet Cong's promised period of national reconciliation was simply forgotten. Instead, the victors were determined to punish the South Vietnamese and demolish what, in that last two years, was an economy on the point of take-off. They imposed a harsh police state on the South that sent 200,000 off to re-education camps that were little more than forced labour camps. Private property was confiscated and millions forced into poverty and near-starvation. By the late 1970s, hundreds of thousands of disillusioned southerners were hopping onto boats and fleeing the country. It wasn't until 1987, with the country nearly bankrupt and the Soviets withdrawing their support, that the regime finally relented in its socialist experimentation on the Vietnamese people.

And what did we hear from the veterans of the anti-war movement and the Left after 1975? Largely silence – and not even a very embarrassing silence at that. At least Jane Fonda had the guts to later apologise for her behaviour during the war. But I haven't heard many other mea culpas. The more strident of the Left say that the losing southerners got what they deserved. They were lucky to be sent to re-education camps or New Economic Zones and not taken out and shot, like in China and Cuba. When refugees started pouring out from the South, it was seen essentially as an immigration and social problem for Australia and not the result of what was really going on inside Vietnam. Soft and warm in our free and democratic cocoon, many simply didn't understand how tough it is for anyone to abandon everything and flee one's own country.

But even with Vietnamese now living alongside us, there has been a collective public amnesia about what happened in Vietnam after the war. The media and academia largely ignore the subject as well. Everyone cops the blame here except the communists themselves.

For a long time, it was fashionable to blame the Americans and their trade embargo for Vietnam's economic woes. But this is too simplistic. The communists were already stuffing up the economy without any outside help. Perhaps the Americans were being petulant sore losers but, from their point of view, why should they have helped prop up a regime whose values were – and still are – totally different from their own and who'd hardly been magnanimous in victory? One could even argue that if they'd abided by the terms of the Paris Peace Agreement in 1973, North Vietnam would have been rebuilt ages ago.

Having said that, however, I think it is important to point out that there was more to the now-lifted trade embargo – and the present question of formal diplomatic relations – than the American MIA and POW issue that tends to dominate the issue. There are other issues involved and, in a quiet manner, the Americans have repeatedly made it clear to the Vietnamese that it expects improvements in human and political rights as the price for normalisation. And to be fair to the Vietnamese, they have made some moves in that direction – such as allowing independent, but still party-approved, candidates in last year's national assembly elections. Anyone who was on the southern side and spent three years or more in a re-education camp can emigrate – and hundreds continue to leave every year.

And while the Australian government has run its own race in recent years in building its own diplomatic and economic relations with Vietnam, it too has not neglected the critical issue of human rights. Thanks to the noisy and disruptive protests by the local Vietnamese community during Prime Minister Vo Van Kiet's visit here two years ago, a dialogue on human rights issues began which saw an Australian parliamentary delegation visit Vietnam only two months ago. But while everyone remembers the flap over Hanoi's cancellation of last year's visit, the media was notably silent when the trip finally took place. Within the constraints of present-day Vietnam, the delegation broke new ground on human rights and its conclusions and recommendations make worthwhile reading.

The media's coverage – or lack of it, in this case – of an important issue such as this points out how poorly the media – and academia – have performed on Vietnam since the end of the war. Like the public at large, the media has largely turned its back on Vietnam and looks back only in the context of the war itself or anniversaries such as this year's. And then, all the time-worn clichés – full of simplicities and outright errors – are dragged out again. I think it's time not only to revise our

views of the war as I've already suggested but to engage in a fresh approach that finally looks to the future.

Let's try to put an Asian historical perspective on things here. The Vietnam War has now been over longer than it lasted. Everyone who goes to Vietnam these days remarks on how nice the people are and how little animosity the Vietnamese have toward us. Well, maybe it didn't make news at the time, but the Vietnamese have always been nice people and most people never hated us in the first place. And besides, what they've had to put up with the past 20 years is a much fresher memory. At least give the Southerners some credit for sensing early on that communism was doomed to fail.

The Vietnamese have always been poorly served by their governments – of whatever side or persuasion. In fact, I'd guess it's probably been a good 200 years since they had a decent government. But things are finally changing and, by opening up the economy to free enterprise, the present government has unleashed forces which will inevitably lead to political change – and to its own demise.

But the Vietnamese do not need the hype and turmoil of another "revolutionary" change. As outsiders, the best we can do is put our memories of war behind us, recognise that the process of change is finally underway and help nudge it along. The media can do its part by upping its game and beefing up its reporting on one part of Asia that will always be very special to us. The validity of our interest in Vietnam is in our shared history and the blood that was shed there. And as far as I'm concerned, everyone who visits or invests in Vietnam these days – and I include my overseas Vietnamese friends here as well – is helping to move that process forward a bit more.



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Photo - David Karandis

*Leo Schofield*

Well-known Sydney personality, Leo Schofield, was appointed Director of the Melbourne Festival in 1994 and caused considerable angst in Sydney's rival city. A year on, however, Leo Schofield is recognised as a great choice. In a talk for The Sydney Institute on Tuesday 20 June 1995, Leo Schofield reviewed some of his experiences in becoming part of Melbourne.

# THE ACCIDENTAL

MELBURNIAN

Leo Schofield

In August of 1993, just before the start of that year's Melbourne International Festival of the Arts, the Board charged with the running of this highly important cultural event announced that it had chosen me as Artistic Director for the following year. It was a risky choice but there was no long term risk as my contract was initially for one year only, but after seeing the following day's newspapers, the selection committee may have regretted not making a safer choice.

I had expected that there might be a few raised eyebrows about this somewhat left-of-field appointment but I confess I was quite unprepared for the ensuing brouhaha or for the vitriolic nature of some of the attacks in the press.

Anthony Steele, who runs the Sydney Festival is a Pom. He arrived here via festivals in such diverse centres of culture as Adelaide, Brisbane, Singapore and Pittwater, and his appointment was greeted by the citizens and journalists of this city with politeness and a proper "wait and see" attitude.

Not so this poor bunny. The night the news of my gig leaked out, Melbourne became, like Buda and Pest, a city divided. The announcement coincided with a first night of the Sydney Dance Company's Melbourne season and the crowd in the foyer of the Princess Theatre had parted like the Red Sea with those in favour clustered on one bank and those against huddled and hissing on the other. Graeme Murphy arrived for what was his big night but no one wanted to hear about his new ballet. He was besieged by reporters, even forced to fellate a 3AW microphone as an eager hack pressed him for comment about me.

The *7.30 Report* that night was pretty wild too. I was told that I could sue one commentator for his remarks but sitting for three weeks in court watching a restaurateur and his cohorts perjure themselves over a lobster had turned me off the defamation process for good so I decided to lay doggo.

The weekend brought no respite. Someone from the *Sunday Age* rang my ex-wife to say she had heard a rumour that I beat my kids and was it true. An acquaintance in Melbourne was called to ask what was my taste in clothes. Perhaps she was hoping for an answer like Chanel so she could expose me as a cross-dresser. Jeff Kennett was bailed up at the footy and asked to express an opinion. He did. He said that if *The Age* was opposed to my appointment, then he was all for it.

This, of course, further inflamed the Melbourne arts community who see Jeff as a kind of latter day Genghis Khan. They were in full cry, I was told, baying for my blood.

I have trouble with that word community. It's usually invoked by self-interested folk to intimidate politicians and cloak personal ambitions. I don't think you can take a demographic group, one defined by artistic, sexual or other preferences and call them a community. When people talk about a gay community they usually mean a group of gay political activists. Ditto with the arts.

The Melbourne arts community, so often referred to by the media as being appalled at my landing the job, comprised, as far as I could gauge, a rather shonky entrepreneur, a none-too-reliable drama critic who wrote for *The Age*, a candidate manqué for the job who also wrote for *The Age* and assorted Brunswick Street types who saw the appointment as further evidence of Kennett's crash and burn approach to the fragile structure of Victorian life.

*The Age*, of course, led the charge.

The drama critic penned a pretty awful editorial entitled "Wrong Man for the Job" and when I was introduced to his playwright wife a few days later she refused to shake hands with me saying "I'm not supposed to be seen talking to you."

On the same day, and never thinking for a moment that he might be indulging in overkill, the paper's Arts Editor Michael Shmith wrote a particularly poisonous piece for the op-ed page.

Abandoning from the outset any pretension to impartiality, he had, during an interview two days earlier, repeatedly muttered "I'm in shock". For Shmith, it was a simple case of an outsider getting the job. Worse still, a foreigner, i.e. someone from New South Wales who'd managed to squeak through the rabbit proof fence at the border. It surely must have occurred to him that the choice of another foreigner, his step father, the Earl of Harewood, to run the 1988 Adelaide Festival had elicited no such xenophobic outburst.

Anyhow Shmith huffed, puffed and fulminated as only he can. "The festival board has made an embarrassing choice," he wrote. He added that I knew little about the arts and even less about Melbourne, as if familiarity with terrain is essential to doing a job. The Marines didn't have to have holidayed in Iraq to know what to do when they arrived there.

Shmith also knew but chose not to write it, that national or state barriers are irrelevant to the arts. The first director of the Edinburgh Festival wasn't a Scotsman but a German Jew who'd fled the Nazis. The current director is not a Scot either but an Ulster man who's come via Cardiff. He knew, but chose not to write it, that the current director of the Salzburg Festival is not a Salzburger and not even an Austrian but a Belgian. And that another Belgian is running the Bastille Opera in Paris. And that an Anglo-Lebanese theatre director from London is currently in charge of the Nederlands Opera. If he didn't know all this he bloody well should have. He was, after all, the paper's arts editor and I was, as he kept reminding *Age* readers, just a food writer from Sydney.

No, my appointment provided a field day for Sydney bashers. Not that too much excuse is needed. Melburnians have a deep and abiding suspicion of Sydney, a condition that may well just be envy in drag. They do not see the two cities as complimentary, each idiosyncratic and attractive, but as mortal rivals for prestige and economic and political ascendancy. The term "very Sydney", a pejorative one, is frequently used to suggest something tacky, low rent.

Despite this seeming disdain, Melburnians are obsessed about this place. A couple of months ago I was having lunch with the Melbourne director Nigel Triffitt at the excellent Marchetti's Latin in Lonsdale Street. We were chatting animatedly but I kept tuning in to fragments of conversation that were floating across from adjoining tables.

Signalling to Nigel to stop chatting for a moment, we listened. From five tables came conversations in which the word "Sydney" recurred. Sydney, Sydney, Sydney, Sydney . . . it was like a mantra. Nigel's jaw dropped and I said to him: "You know Nigel, down here all you think about is Sydney. Up in Sydney, we only think about Italy."

Melbourne sometimes behaves as if it invented and is the sole repository on this continent of culture and manners. And its opinions, once formed, are as bronze. Those who declared me unfit to run the city's arts festival have not resiled from that view, despite the fact that last year's was in every respect one of the most successful Melbourne Festivals to date. Mr Shmith, still clearly in shock, wrote that it represented "a promising start". Someone else described it as middle-aged and middle-class and middle-brow.

There is a view among some arts persons in Melbourne (and even in Sydney for all I know) that the true measure of success is the approbation of one's peers rather than of an audience. Subsidies for these companies are usually in inverse ratio to the number of customers they attract. When he was announcing his very sound Arts 21 policy, the Premier was heckled by representatives of a group called the Melbourne Worker's Theatre about which, until that time, I along with

most Melburnians was blissfully unaware. It appears however that they fulfil a vital social function and they were protesting at the removal of their government grant. I later learned that seats at their performances were subsidised to the tune of forty eight dollars apiece.

Until the time of my move to Melbourne the concept of judgment before trial was unfamiliar to me. Even axe murderers apprehended with the bloody weapon in their hands are presumed to be innocent until someone decides otherwise, but in my case the verdict was arrived at in advance. Given that I had come from Sydney I was clearly guilty by association. The word "judge" was used abundantly and incessantly. Once they had done their initial number on me, the hacks began writing of "judging his program". And as the Festival approached there was further apocalyptic talk of "the moment of judgment". But after the event, the media was strangely reticent in its pronouncements.

Happily for me, Melbourne is not represented by the media. The people of Melbourne are the ones who really pass judgment on artistic enterprises. They had a ball last year as they will again this year. They turned out in record numbers, the box office was one of our best ever and interstate visitation hit a record high.

The media aside, there are a number of factors that make planning a Festival in Melbourne a particularly satisfying activity. Without seeming harsh on my home town, I have to say that civic pride is more evident there than it is in Sydney. Passion for Melbourne is palpable. Knockers are traitors. On a physical level, the city is better maintained and there is an almost Teutonic commitment to neatness.

In Sydney, the public gardens are a disgrace. Street planting is a shambles and the horticultural knowledge of municipal officials is zilch. Apart from the garden on the eastern side of Art Gallery Road which is intelligently planted and beautifully maintained, I can think of no part of central Sydney which is appropriately planted and well maintained. If initial planting was sensitive, then you can bet your bottom dollar that subsequent maintenance has been ratshit. I remember banging on in the *Sydney Morning Herald* about the jacarandas planted along the eastern walkway at Circular Quay. Wrong trees. No care. Yesterday, as I walked to the Opera House to hear the Sydney Symphony Orchestra in rehearsal, I noticed that they had disappeared altogether. Five years growth and lots of money squandered. I noticed too a proliferation of hawkers, shabby stalls, hideous signage, even a tout offering on the spot acupuncture, that gave this prime Sydney site the appearance of a street in downtown Calcutta.

Melbourne, on the other hand, puts great store on civic matters. And its inhabitants are obsessed with gardening. Evidence is to hand on all sides but if you need a statistic, then perhaps I should note that Channel Nine topped the ratings a week or so ago with a program in which Don Burke took viewers on a tour of the Vatican gardens. The

biggest viewing audience was in Melbourne where 640,000 viewers tuned in. Enduring Don Burke is a high price to pay to get a glimpse of the Pope's curtilage but Melburnians clearly thought it worth the pain.

The pride that Melbourne takes in its city is also reflected in the support that Melburnians give to the arts. Patrons both private and corporate are keen to subscribe to anything that will enhance the appeal of their city. Thus the Melbourne Festival is in receipt of not only significant government funds but a remarkable level of business and individual support. The much better known and longer established Adelaide Festival attracts around a million dollars for its biennial event. Melbourne now pledges almost three times that amount annually.

The assumption one might draw from that bitchy comment about middle-brow, middle-aged and middle-class is that such generous support comes almost exclusively from Toorak and South Yarra. Not so. And neither do the paying customers. Last year our audiences were younger and more extensive than for any previous festival. Young people who had never set foot in the Arts Centre turned out to fill the halls for almost every attraction.

Per capita, Melburnians consume more music than any other city. And they're pretty keen on all the other performing and visual arts as well. Provided you offer them something of interest and market aggressively, then you'll fill houses. However, if I was asked to define, in one word, the unique advantage Melbourne has as a festival city, that word would be "venues". For any person involved in the performing arts, this is Melbourne's trump card. In Sydney we recklessly tore down our theatres, thinking that the future lay with television rather than with live performances. When I was a teenager in this city we had, in addition to numerous fine movie houses, the Royal, Her Majesty's, the Palace, the Minerva, the Independent, Phillip Street, the Metropolitan and the Tivoli. Two of these survive in contemporary incarnations but the rest have vanished. In Melbourne I can have the use of not only the four auditoria in the Arts Centre, a concert hall, the State Theatre which is the only theatre that can properly take large scale works by Strauss and Wagner, the Playhouse and the Studio while across the Yarra the Comedy, her Majesty's, the Athenaeum and the Princess are soon to be joined by the Regent and the Forum, all of them available for large scale shows and none more than five minutes walking distance from the other.

An American arts commentator has said that a festival must confer on participants and audiences an aura of privilege and shared experience. Well, last year's Melbourne festival certainly did that. This same commentator also said that a festival creates a unique audience that is gradually transformed by the festival's vision. Right again. Festivals have to elevate standards, taste and expectation. It's not just a case of putting on an annual concert. There should be a grander

scheme to use a festival, not only to enhance pride and enjoyment, to boost tourism and stimulate a local economy, but to build audiences for the future, to break down barriers, social, economic and attitudinal, to new and unfamiliar work and exciting experiment.

A festival has to be something special, a special time. The festival should be bigger than any event or identity and needs to create, as Adelaide has over time, its own mythology.

A festival also needs a soul which should be supplied by the place in which it's held. If the town or city venue has character, atmosphere, charm, glamour, exoticism, then some or all of those characteristics will rub off on the festival.

This year marks the tenth anniversary of the Melbourne festival. I hope that when I eventually head back to Sydney I will have established a direction for it for the next decade. It has many elements of the program that are unique for Melbourne, that celebrate particular passions of that city such as horticulture and street performance. What I hope I've brought to it is a consolidation of these components together with a new emphasis on the importance of marketing, promotion and what is euphemistically referred to as "development" which is a polite word for money-raising.

I've enjoyed the challenge and I've enjoyed very much the city and the support its citizens have, pace a feral media, shown to me and to the festival. For me, Melbourne has only one disadvantage, it's not Sydney and like General Macarthur and, more recently, Ken Baxter, I shall return.



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Photo - David Karamidis

*Kathryn Greiner*

The campaign for the election of Lord Mayor of Sydney in 1995 has generated greater than usual interest thanks to the work of one candidate - Kathryn Greiner, lead candidate for the Sydney Alliance group. To outline her vision for Sydney, Kathryn Greiner spoke for The Sydney Institute on Wednesday 28 June 1995.

# SHAPING THE

## *FUTURE - A VISION FOR SYDNEY*

Kathryn Greiner

What do you want from a City in the year 2010? Or indeed 2015 or 2025? Sydney Alliance's vision for Sydney is not just focused solely on the year 2000, but goes beyond that to creating a city with energy, vitality and beauty. I am passionate about Sydney being one of the world's outstanding cities. Sydney Alliance is committed to reinvigorating this city.

We want to make Sydney a safe, clean, healthy city. A centre to come into to shop and socialise. A city in which it is enjoyable to live and work. It saddens me when I see the incomparable beauty of our City and our Harbour not being used to its full potential. I want to ensure that Sydneysiders enjoy a lifestyle that is second to none.

We believe that it is the Sydney City Council's responsibility to listen to the people who make Sydney what it is - the people like you who live, work and socialise here.

### **How will I do this?**

The role of the Council is to provide the strategic vision to the General Manager of the Council offices. It is not an administrative role, but rather it ensures, as a Board of Directors ensures, that the organisation functions to its maximum potential, exhibits the best possible standards and practices that it can and has a very clear focus on its direction.

The current Council has confused its role and believes that it is the administration, not the General Manager and Council employees. It is whimsical, meddlesome and second guesses the actual work of the Council officers.

The Council has lost the capacity to provide direction and focus. There has never been a more important time to have quality strategic planning.

I believe the role of Council and indeed the role of the Lord Mayor is to act as a "catalyst", facilitating the exchange of services, ideas and information between governments and business; without such a role we are missing opportunities and other Australian cities are

surpassing us when it comes to attracting investment, retailing, tourism and regional headquartering.

Let me outline some of the changes that I would implement at Council. First, all Council procedures should be thoroughly examined to paint a true picture.

There should be a global Services Audit to unravel all activities that the Council is involved in, assess the performance of these services and look for ways of improvement.

Benchmarking has been implemented with great success in both private and public sectors around the world and I intend to see that the Council functions smoothly with the same degree of expertise. I will implement performance based contracts for departmental heads with bonuses tied to performance. I will introduce multi-skilling for the more junior positions in Council, so that staff can look forward to variety and change in their career paths. I will overhaul the paper network within the Town Hall, introducing new computer technology to speed up the processes and streamline all of the Council's functions.

Above all I will change the climate at the Town Hall, taking it away from secrecy and introspection and focussing it on service and accountability. Council, like any government, must be responsible to those who elect it. It must be accountable. It is Sydney Alliance's mission to ensure a complete change in the culture of the Council.

### **Why do I want to do this?**

I believe whole heartedly in Sydney as a City with the potential to be the most dynamic, exciting, liveable City in the world. We recognise that Sydney is Australia's premier financial, business, residential and cultural centre with untapped potential for the future.

We would encourage varied development of the City, but in a structured and defined way. The Draft City Plan is prescriptive by nature and will dribble residential through the commercial areas. The aims of the new City Plan are laudable. . . The inclusion of improved pedestrian amenities; the provision for more sunlight, diminishing the impact of wind, protecting our heritage and most importantly, supposedly simplifying the planning process. Yet one of the many criticisms of this Plan is that it fails dismally on the test of simplifying the planning process. The planning document is too complex with a layering of controls which is at odds with the concept of simplification.

For example. There are overlapping controls on floor space ratio, height, overshadowing, podia, street frontage, active uses, laneway frontages, mid-block links, heritage context, footpath crossovers, building products, energy conservation, artworks, public access, floor plate controls . . . and on, and on, . . . and on.

This is simplification?

Sydney Alliance wants identifiable but complementary districts –

so that all areas can develop in harmony and with minimal conflict. e.g. Residential development needs critical mass, not competition with commercial office space. Make no mistake about it, a City needs both memory and vision, and it is up to the Council, inter alia, to ensure true heritage is not lost and to ensure those value drivers are clearly articulated. e.g. City Ford concrete ramp is now a heritage item.

I want to see Sydney become a business centre for the Asia Pacific region and the rest of the world. I want to ensure that world interest and more importantly, world investment do not end after the 2000 Olympics, but continue well into the future. Sydney is this country's strongest link to the global economy. More than half of those who do business in Australia, come to Sydney, compared with 20 per cent to Melbourne.

NSW also has 55 per cent of the financial property and real estate which accounts for 35 per cent of the gross domestic product. Sydney is clearly at the top of the list when it comes to doing business with Asia and Europe.

### **Important issues for Sydney**

Sydney Alliance is not solely concerned with the commercial and financial life of Sydney but with the culture and lifestyle opportunities which abound here. There is a major need for development and redevelopment of the Arts infrastructure. Including:

Performance venues; Theatre district; Continuation of special events – Carnivale, Biennale, Special parades; Outside concert venue to exploit and maximise outdoor living; Usage of the Town Hall as a venue; "Face Lift" to the harbour; Walk from Woolloomooloo to fish markets; Outdoor cafe society; Invest energy in Chinatown; Not only develop the area as a tourist attraction and entertainment centre but address issues that concern the residents and the commercial community – safety, lighting and an increased police presence.

### **Traffic**

In order to do all this, we will have to address the ever increasing problems we have with traffic. Sydney Alliance is concerned with pedestrian safety, lack of parking, traffic noise and pollution and here I hold the existing Council to task.

We have talked about a light rail for the CBD for years . . . it is still coming. We have talked about better parking for the heart of the city . . . still coming; we have talked endlessly about getting a bypass system of ringroads and tunnels for through traffic . . . still coming. If the current Council were committed, really committed to these major capital issues, we would be opening these now, not just announcing them.

We want to examine initiatives which will maximise the use of Sydney seven days a week. In fact, what we have to do is sell Sydney, not just to tourists and visitors, but also back to the broader community. Sydney Alliance has registered the name Sydney First Marketing Association which will do just that.

Our competitors for the retail dollar are the frequency and ease of access of the suburban shopping mall. We will liaise closely with public and private transport figures and examine initiatives to maximise Sydney's parking. We also promise to do something about bicycle couriers.

### **Conclusion**

Can I leave you with the thought that in the coming weeks, you will hear a lot more about Sydney Alliance and its policies. Don't think of voting at the City Council elections in terms of being a pain in the butt, and if you are a business voter, don't put off re-registering to vote. The biggest political rort in Australia's history has been perpetrated upon the business voters of Sydney. You are all aware of the current legislation and I will not revisit that topic.

I am excited about our future. Sydney Alliance wants to bring a listening and responsive Council to the Town Hall. A Council that leaves behind a legacy of solid financial, procedural and administrative management. A Council that acts as a catalyst and represents the best interests of the people it serves. A Council that sets world standards in one of the world's most outstanding cities.

A Council that takes the opportunity to make significant constructive changes to the way this City is run. For the people who work in it, who live in it and who play in it.



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Photo - David Karonidis

*Alison Crook*

Shortly after becoming NSW Premier in March 1995, Bob Carr made an extensive visit of the USA and Britain to sell NSW as a business destination. Alison Crook, Chief Executive of the NSW Department of State Development, accompanied the Premier. She spoke for The Sydney Institute on Tuesday 4 July 1995, and reviewed the strategies and selling points in the operation.

# TRAVELS WITH

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## *BOB CARR – ATTRACTING INVESTMENT FOR NEW SOUTH WALES*

Alison Crook

Briefly, the objectives of Bob Carr's 1995 visit to Chicago, Atlanta, Boston, New York and London, were:

- to ensure that the business community was aware that this Labor Government is a pro-business government; to raise awareness of Australia and NSW as a modern economy based on highly skilled services; and to stimulate interest in doing business with us;
- to allow the Premier and Treasurer to see the preparations in Atlanta at first hand, and to obtain an appreciation of how Georgia was using the Olympic Games to stimulate business;
- to make obligatory, semi-ritual new-government visits to the ratings agencies; and, for me, to meet and exchange ideas with colleagues from similar agencies, and to review the London office.

Because the press were with us, the occasion was also used to visit some companies with whom we had been working, and to finalise and announce their decisions to invest in NSW, e.g State Street, Méthode. Those announcements, combined with the Westpac decision to place its new operating centre in SA, stimulated a press debate on competition between states. Although the timing could have been better, we welcome the debate, because it is certainly necessary. As the Premier and the Treasurer mentioned at the time, it is the goal of NSW to attract new investment from outside the country in competition with other countries, rather than focusing on the zero-sum game for Australia of drawing established businesses from other states. The aim should be to work together to attract investment to Australia, and worry about where it goes later. Much potential business will be in the form of joint ventures, allowing our existing small and medium businesses to develop, and this, for example, is where the signing of the M.O.U. with Wales, carried out while the Premier was in London, is of significance.

I'll now turn to the more general role of the Department of State Development in attracting investment.

### **Role of Department of State Development**

As you may expect from our title, the role of the department is to facilitate economic development across the State. We have been advised that within the next twelve months we must re-amalgamate with the Department of Small Business and Regional Development. This will, however, simply make it easier to achieve our goals, while eliminating any unnecessary duplication of effort. The role includes four key elements: Investment; Export; Marketing; Policy.

I shall focus on investment for the purposes of this talk, but as you will see, marketing and policy issues are inextricably intertwined.

### **Investment from reactive to proactive**

For the 18 months preceding 1995, and under the title of the Office of Economic Development, the Department took a largely reactive stance – responding to enquiries from companies, sometimes referred by Austrade, and facilitating investment from that point. It has had a successful although perhaps little known history in being reactive including the establishment of 32 RHQs in the last eighteen months.

However, the increasing competition for investment from other Asia-Pacific countries, not to mention other states, means that a reactive approach is no longer adequate. Our strategy must now be to seek out and actively attract investment.

### **Methodology: industry sector focus and plans**

We have restructured, with an industry sector focus, to meet the expectation/demand from business and industry that staff with an understanding of their industry will be available to provide facilitation. This means building links, working closely with industry, understanding needs and understanding the market forces for that field, as well as analysing strengths and depth of industry in NSW to provide a focus for limited staff numbers. This does not mean picking winners. Working with industry we will put in place agreed plans of action for both industry and government to develop the sector. This will cover:

- Investment
- Export
- Research and Development
- Technology Takeup
- Educating and Training
- Marketing
- Policy issues
- Addressing barriers

How this is done, and what the outcomes are, will look quite different for different sectors, e.g. IT & T vs defence. For some industries, infrastructure, particularly road or rail transport and ports, may

be of critical significance. For others, the planning approval process may take on particular importance. For all, the value of a well-educated and trained workforce can't be underestimated; but how well we are performing in delivering that, and what is required to be more competitive, will vary by industry sector. In some we are already highly competitive.

Through this process we will be clarifying both where additional investment is particularly needed, and where we are most naturally attractive to specific industries, i.e. where we have strengths on which we can capitalise.

At the same time our staff with responsibilities for specific geographic regions are building their networks of individuals and agencies within specific countries which will enable them to gather industry specific information, and to open doors for both investment and export. (Making use of Austrade, Chambers, commercial organisations; contracting for service.) Using the information gathered we will systematically target investment opportunities. The Labor government has a commitment to bid teams and future travels.

It is worth noting that at present, although 73% of our exports go to Asia, the larger proportion of our investment still comes from the U.S.A. (\$75.3 billion stock of investment), and U.K. (\$60.2 billion), followed by Japan. There is ample room to increase the level of investment coming from the more developed Asian countries, but we need to do considerable image-changing to achieve such an increase.

### **Importance of marketing**

A number of recent studies of international perceptions of Australian business capabilities concur in reporting that Australia is still largely perceived as a commodity supplier: a large farm and a large mine. Tourism is also perceived to be a significant industry. The reality is that for Australia the services sector is the dominant sphere of economic activity, contributing around 77% of national income, while in NSW, it contributes some 81% of state income. (The services sector referred to here encompasses such diverse activities as construction, financial and professional services, educating and training, wholesale and retail trade, recreational and community services, transport, communication and the like.)

Additionally, Australians while perceived to be friendly and laid back, are also, by extension, perceived by some to be lazy, inefficient and unproductive. Views of us as industrially strife-racked still linger.

In the face of such perceptions there is a need for all levels of government to work with business (and it would be nice to think the media might contribute) to re-position Australia in the eyes of the international business community; to convey a new and more realistic set of images of Australia as a high technology, highly skilled society;

and as a unique experiment in plural culture, successfully bridging East and West.

While remoteness and comparatively small market size still poses a problem for some types of manufacturing business, Australia has distinct competitive advantages for many others, particularly for businesses in the services area looking to market into the Asia-Pacific region:

- lower cost source of highly skilled labour – particularly for computing specialists, engineers and managers
- excellent relatively low-cost telecommunications and computing support
- relatively low cost business and private real estate
- stable and reliable legal and political systems
- a pleasant environment, and for western companies, a comfortable environment

The recent increase in corporate tax rates has made our position less competitive and our marketing task that much more essential.

The period of the lead-up to the Olympics represents a unique window of opportunity for image changing, with some 4000 foreign journalists expected annually. The NSW government has recently established the Olympics Business Roundtable with one of its key roles being to ensure we seize this opportunity for re-positioning ourselves. One meeting already held; another, tomorrow night's, will focus on this precise issue. The Roundtable, supported by DSD will also focus on showcasing our industry capability; showcasing our technology; and on obtaining investment, e.g. Georgia's Operation Legacy.

### **NSW trade and investment**

To assist in marketing and to overcome the information gaps for companies wishing either to invest or trade with NSW, DSD recently established NSW T & I on the 44th floor of Grosvenor Place (with splendid 360 degree views of Sydney). We will work through NSW T & I to be able to deliver comprehensive information to meet potential investors' needs; to deliver a whole of government approach to facilitation; and to work increasingly closely with the private sector in doing so.

The Centre's concept came from the Georgia Centre, although we think we have developed it somewhat further. The Georgia Centre is now developed to the level where, on the basis of information supplied about a company's interest, needs and cost structures, it can deliver a tailored on-line multi-media presentation offering a range of suitable sites, even showing pictures and plans of potential buildings (all this in areas where the right mix of skills and suitable infrastructure is available). Our aim is to be able to deliver the same range of information across NSW.

"Facilitating investment", once interest is attracted, varies widely, depending on the nature of the project. It may mean simply providing information as wanted, and putting in touch with a range of relevant private sector firms. It may mean handholding and smoothing the way through a range of government agencies at both Commonwealth and State levels, e.g. Immigration Department; E.P.A., Planning. Companies need to know what requirements exist, what exemptions they are entitled to, and what incentive packages may be available.

It may, at the state level, mean negotiating an incentive package. DSD will, with Treasury, carry out an analysis of the economic returns to the state which would result from the company's decision to invest. On that basis, and on the basis of the degree of "footlooseness" of the project, we will develop a package based on revenue foregone which may include payroll tax, stamp duty, and, in the case of Regional Headquarters, exemption from FID and BAD. It may also include the results of our negotiations with other organisations such as power, telecommunications companies and training agencies, on their behalf.

We are particularly concerned to minimise revenue foregone, and prefer as earlier stated, to put our energies into working towards a state in which the business climate, infrastructure and business costs combine with our other advantages to make us naturally competitive with other countries. However, some of that is dependent on the State Government achieving its longer term economic plans; while some is dependent on Federal taxation structures over which we have little control. So the reality remains that our department must remain in the business of carefully negotiated incentive packages for the time being. And I stress that these are not always necessary.

### **Conclusion**

NSW has many natural advantages; but they are not sufficiently well known. It has some disadvantages which can be overcome with sufficient focus and whole of government commitment. We can't afford to leave it to ill-informed markets to determine outcomes if we are interested in creating jobs for our children.

For the DSD this means that our target is clear: a measurable increase in jobs directly attributable to active identification and facilitation.



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Photo - David Karandis

*Betty Churcher*

As Director of the National Gallery of Australia since February 1990, Betty Churcher has made a significant contribution in the effort to attract public interest in art. Using carefully selected exhibitions, Betty Churcher has raised the profile of the National Gallery, making it more attractive to local and tourist alike. Betty Churcher spoke for The Sydney Institute on Tuesday 11 July 1995.

# PUBLIC PICTURES

Betty Churcher

I have called my paper *Public Pictures* because it has a nice alliterative ring to it – but I am really speaking about public collections, and the responsibilities that we custodians have to the people who own these collections/the general public.

Last year the *New York Times* ran an article entitled “Doesn’t anyone want this job?”

It began:

Wanted, charming, erudite executive with the diplomatic skills of a foreign service officer, the financial skills of an investment banker and the social skills of a 50s wife. Position requires the academic background of a serious scholar, with the willingness to let most of the knowledge go unused in favour of pouring over budget and staffing issues. Long hours, low pay, and the chance to see your name in the paper every time you make even the slightest wrong move.

The job was running an art gallery and, at the time of writing, thirteen museums in the United States were in search of a director, including some of the most prestigious in the country – one being the Museum of Modern Art in New York.

After months of exhaustive searching, the Board of Trustees at the “Modern” realised that no one really wanted the task of raising the huge sums of money needed to fulfil the museum’s charter. The two most likely candidates for the position were actually on the staff at the museum (one is the curator and in charge of all curatorial areas, and the other is the curator of painting and sculpture). Both have blue ribbon credentials, and either could have waltzed into the job. But neither wanted to leave the excitement of exhibitions and research to become a high-class beggar, albeit with a golden begging bowl!

Increasingly museum professionals in America are unwilling to accept the responsibility of the top job. This suggests that the pressures of fundraising on the one hand, and growing public expectations on the other, are combining to make the task unacceptable. And, as American museum practice has been gradually displacing the more circumscribed

European tradition in art galleries world-wide, it behoves us here in Australia, to take notice of current American trends.

To understand the different attitudes to professional practice in Europe and America, it is helpful to know how art museums evolved on each side of the Atlantic.

The first public *picture* gallery in Europe was the Louvre. It was thrown open to the public in a spectacular post-Revolution grand opening in 1793. As one would expect, America was to later start. There were no royal treasures or spoils of war to fill their galleries, and the 20th Century was well under way before collections in the Metropolitan Museum, for example, could compare with the riches of the Louvre, or the National Gallery in Washington with the National Gallery in London.

But the desire for museums was there as early as pioneering days in America. The first to be established was the Charleston Museum, begun in 1773 (20 years before the Louvre opened to the public) as an offshoot of the Library Society – but this was entirely scientific and devoted to natural history. Most early museums were more homespun than the Charleston, and generally the exhibits were gingered up with sensational titbits, such as Indian relics or murder souvenirs, to attract an audience thrilled by the bizarre or the sinister. Mrs Trollope (the mother of Anthony) gives a graphic account of one such museum in Cincinnati which was founded in 1886. She describes “a pandemonium in an upper storey of the museum where all images of horror congregated, dwarfs that by machinery grew into giants before the eyes of the spectator, and monstrous reptiles devouring youth and beauty. To give the scheme more effect it is visible only through a grate of massive iron bars, which are wired to electrical machinery in a neighbouring chamber. Should any daring hand or foot obtrude itself within the bars, it receives a smart electric shock, that often passes through many of the crowd. . . Terror, astonishment, curiosity are all set in action”. (An interesting idea for blockbuster crowd control!)

As the 19th Century advanced, museums sprang up across America. They based their operations on the principles of paid admissions, sensational promotion and spectacular exhibitionism, which sometimes was not far removed from carnival freak shows; most were set up to attract crowds willing to surrender their dollars. What is pertinent to this address, however, is that the American prototype was focused on an audience of common folk, while the European prototype, as we shall soon see, was focused on an elite group of like-minded and well-to-do scholars or antiquarians, who shared their discoveries and exchanged their novelties and treasures.

The word museum comes to the English language through Latin from the Greek “museion” meaning “seat of the muses”; and the first recorded museum was built in the 3rd Century BC to adjoin the great

library at Alexandria in Egypt – it was basically an academy for research into all branches of the arts and philosophy, and was directly associated with the library.

By the mid-18th Century AD, the museum in Europe had lost its connection with the muses and was now to do with a collection of things. Dr Samuel Johnson's definition of the word museum in his dictionary of 1755 was "a repository of learned curiosities".

By using the adjective "learned", Dr Johnson implies an educated and wealthy elite – at least wealthy enough to have leisure to pursue the study of rarities and curiosities in the fields of botany, zoology, geology or human invention, including the arts of painting and sculpture.

The invention of the microscope and the telescope in the first decade of the 17th Century had expanded the scope of human optics, encouraging more accurate and adventurous research; and by the 18th Century in Europe, (when Dr Johnson compiled his dictionary) the collection and classification of rare and exotic material was a well established pastime of the well-to-do.

These early private "museums" were known as "cabinets of curiosities". Careful inventories of each category were kept, but there was no attempt to specialise or to separate paintings from whale's teeth – all were grist to the mill for the insatiable curiosity of the age.

Those who have visited the Ashmolean Museum in Oxford will have noticed a small ante-room at the top of the main stairs. Above several glass-fronted cabinets hang portraits of the founding collectors, the Tradescant family. This ante-room has been set up to remind visitors of the origins of the Ashmolean. The Tradescants were professional gardeners and botanists to the Royal Stuarts and, through two generations spanning the 17th Century, were avid collectors in the manner of the time.

Their collection, known as *Tradescant's Ark*, contained stuffed birds, fish, shells, coins, cameos, medals and portraits, along with a prodigious collection of botanical specimens. In fact twelve wagon-loads of curiosities were deeded to their friend Ashmole in 1659. In turn, Ashmole bestowed the cabinets and botanical albums to the city of Oxford in 1677. In the Tradescant collection was the only known stuffed Dodo (already extinct) which unhappily crumbled and was thrown out in 1755. The head and a foot survived and are still on display in Oxford's scientific museum.

The first collection donated with the stipulation that it be thrown open to the public was that of Sir Hans Sloane – bequeathed to the Government of England in 1753. Sloane was a great collector. In his bequest to the people of England, which became the nucleus of the British Museum, were 50,000 rare books, 3,500 manuscripts, together with botanical and zoological specimens including a human embryo. According to Horace Walpole – nominated in Sloane's will as one of

the Trustees – there were also “spiders as big as geese”.

By the time Sir Hans Sloane deeded his collection to the nation, private collectors throughout Europe were beginning to secure their libraries and curios in a private interior room, called a “cabinet” or “closet”, while their picture collection was displayed in a more public part of the palace, villa or country estate – generally in a long, narrow, but well-lit room (or even a wide corridor) called a gallery. In its grandest manifestation, the *Grande Galerie* of the Louvre – the Royal Palace of the Kings and Queens of France – occupied an entire wing which ran beside the river Seine (it is now the Denon wing of the refurbished Musée du Louvre).

This *Grande Galerie* was to become the first public *picture gallery* in Europe, giving its name to “galleries” throughout the world, but itself taking the name “museum”. It was first called the *Musée Central des Arts*.

By adopting the term “museum” for this first public picture gallery, Napoleon was symbolically donating the royal collection to the people of France, for their enlightenment and inspiration, as well as enjoyment – and in doing so he gave lip-service to the revolutionary catch-cry for liberty and equality.

Napoleon took a personal interest in systemised looting on each military campaign because he knew that the grandeur of the Louvre would reflect the grandeur of his Empire. From time to time he organised glittering events in the salons of the Louvre in order to keep alive public interest – and to reinforce in the minds of the French (and visiting foreigners) that the new French Empire was as powerful and as all-encompassing as the Roman Empire.

Today’s large-scale loan exhibition (the so-called blockbuster) could be seen as the modern day equivalent of Napoleon’s glittering extravaganzas. Like Napoleon’s big event, there is little doubt that the blockbuster lures large crowds and new audiences to museums and art galleries. But it has a more serious function: as well as introducing a new audience to art galleries, the blockbuster provides opportunities for detailed art historical research, and collaboration between the world’s best art museum professionals.

As a recognisable phenomenon, the blockbuster dates from 1971 when Thomas Hoving, then Director of the Metropolitan Museum of Art in New York, decided to relieve the museum’s financial pressures with a lavish touring extravaganza: the *Treasures of Tutankhamen*. The financial success of this exhibition exceeded all expectations.

American museums had known popular exhibitions before. In 1962 Leonardo da Vinci’s *Mona Lisa*, as a single attraction, had drawn almost unmanageable crowds to the Metropolitan. But it was not until the mid 70s, following the success of *King Tut*, that the blockbuster became, as it were, institutionalised. All over America, museums were

quick to adopt the formula that Tom Hoving had proved to be successful.

The term "blockbuster" can best be described as any large-scale loan exhibition which attracts a vast audience drawn principally from that section of the community which does not normally visit a gallery. Strictly speaking, the term is only applicable after the exhibition has demonstrated an ability to break through to that broader "block" of the community who are interested in art, but not regular gallery-goers. In other words the exhibition should only earn its title *after* it has proved that it can do this.

Many of the people who queued for hours to see *King Tut* in its various venues in America and Europe, had never set foot in an art gallery before, and a proportion of these first-time visitors will subsequently have become regular gallery goers. If the blockbuster can claim no other success, it can surely take credit for dramatically raising the profile of art galleries throughout the world.

Who in the 1950s, for example, could have predicted that the National Gallery in London would have a program of blockbuster exhibitions, a micro-gallery of computerised images, a department of education, and, most extraordinary of all, an annual attendance of close to three and a half million.

I can remember having the National Gallery almost to myself in the mid-1950s. I shared that extraordinary collection with a few of London's homeless who had come in from the cold to sleep on the benches nearest to the hot air vents which warmed the Gallery in the winter - which, incidentally, was the Gallery's only climate control at the time.

Then, the ethos of the National Gallery was not unlike that of its ancestors - the princely and scholarly collections of 18th Century Europe. It was a treasure house, lovingly cared for by its curators for the enjoyment of like-minded people. In the manner of the early scholars and antiquarians, the curators diligently researched and classified their collections with little thought for the general public.

Today the National Gallery in London has put out the welcome mat, and the population has responded. The atmosphere of a slightly stuffy gentleman's club has gone. In its place a lively and interested audience is encouraged by every possible means to feel at ease and at home; encouraged to think of the collection as their own. Of course this doesn't mean that research and scholarship have flown out the door. Popularity and scholarly rigour are not inimical concepts.

In considering the Gallery's greatly enhanced popularity, it is interesting to reflect that, of the three and a half million who visit each year, only 24 per cent are Londoners. The rest are either overseas tourists, or visitors lured from other parts of Great Britain by the "big event" - the annual exhibition program of blockbusters and focus

exhibitions. The Gallery is now fulfilling its national charter by reaching well beyond the limits of London.

For Australians, the blockbuster is of particular importance because it brings to this country works of art which can never be part of our national inheritance.

Like America, our public collections have not benefited from royal endowments, or from the spoils of war. Indeed, we began to collect when many of the treasures of Western art were already safely secured in public collections in Europe and America. But what we can't buy we can still borrow; and in many cases the large-scale loan exhibitions are our only way to gather together works of art that will never otherwise be seen here.

Australians will fully understand their own culture only when they better understand the culture of others. The blockbuster is one way to broaden the horizons of our public – particularly as many of these exhibitions place Australian art or the works of art in Australian collections into a broader context. Our founding fathers seemed not to understand the need for this. In 1901, when they wrote a national gallery into the plans for a national capital, their idea was for a gallery of Australian portraits only – a concept which survived for decades. As late as 1926 there was no ambition to widen the parameters beyond portraits of famous Australians, and certainly there was no thought to form a collection which placed Australian culture into a world context.

Nothing much happened to alter this until a Select Committee of Parliament released a report in September 1955 which found the young capital of Australia "sadly deficient in cultural institutions". But still the wheels were slow to turn, and it was 1965 before the National Art Gallery Committee of Inquiry recommended that the "collection of Australian art should be enlarged to include works of art representing the position of Australia on the Pacific rim, and the influence of European and American art on its own". The Committee "believed also that the guiding principle of those destined to administer the Gallery should be the acquisition of examples of fine arts selected for their aesthetic quality, with no form of visual art being excluded".

The findings of that 1965 Committee of Inquiry set the course for the national collection. Now, in 1995, we have nearly 100,000 items covering all aspects of human creation, from all parts of the globe.

But most importantly of all, like The National Gallery in London, we have put out the welcome mat and Australians have responded with equal enthusiasm. By attracting an audience from all over the country and by sending travelling exhibitions to the far flung regions, we too are now fulfilling our national charter and in so doing we are making visible Australia's cultural heritage, here and abroad.



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Photo - David Karonidis

*Frank Sartor*

Frank Sartor has been the Mayor of Sydney since 1991. His hard working style and sound economic management have been hallmarks of his time in office. In the lead-up to the Mayoral elections, Frank Sartor spoke for The Sydney Institute on Tuesday 18 July 1995.

# **PARTNERSHIPS**

## **FOR PROSPERITY**

**Frank Sartor**

Since its inception some six years ago, The Sydney Institute has developed an enviable record for promoting intellectual, cultural and political debate in the city. Persons from a wide range of backgrounds and presenting a wide range of views have found the Institute to be an invigorating and enlivening forum in which to conduct debate and promulgate their views.

Like The Sydney Institute, Sydney City Council cares about the intellectual life of the city. In my years as Lord Mayor, we have given much greater attention than ever before to intelligent debate about the city – its future, its strengths and its weaknesses.

I would like to see the city regarded in a similar light to The Sydney Institute – that is, a place in which the contest of ideas is regarded as important. A place where the interests of the city are deemed important. A place where differences of views can be aired without fear or favour.

In the past Council has promoted an annual series of City Talks. It is my intention to revitalise the City Talks program to make it a series of guest talks and symposia. While perhaps not rivalling the program of The Sydney Institute, the talks would nevertheless inform people about the many important trends in thinking about the city and its future. But that project lies in the future. Perhaps that, too, could become a partnership.

### **What is the city?**

What of the present?

Sydney – or the part we are responsible for – is only six square kilometres. But this small area is the heart and core of our culture, our business and our tourism. It's the most famous area in Australia apart from Uluru and the Barrier Reef. Within our boundaries are the Opera House, the Harbour Bridge, Darling Harbour, Martin Place and Circular Quay. A recent tourism study shows that Sydney holds most of Australia's top ten attractions for international tourists.

It's small but it goes a long way, and its influence is tremendous. We deal in our work with all aspects of metropolitan life, from transport to childcare.

The Lord Mayor is the city's representative, as is the Council of the City of Sydney. He or she is the place where the buck stops. So what a Lord Mayor wants, says and does is important. Governing a city is not about fiat and directives or legislating or dictating. City governance involves three things:

- doing things
- regulating things (according to State laws)
- influencing things

What I have found is that the last one – the steering of the city, the influencing of the city – is probably the most powerful and potent aspect of city governance. Certainly, I have discovered this to be a much more powerful tool than I had envisaged it would be before I took office.

### **Lord Mayor's role**

To be Lord Mayor of Sydney is to hold a special responsibility. It is not about gowns and chains or cocktail parties or important visitors or going around the world being boastful. It's not always – and not in my case – about party politics or caucuses or factions you have to straddle or voters you have to lie to. Not in my case at any rate. Being Lord Mayor of Sydney is about being a facilitator – one with clear vision, strong leadership and firm direction – but most of all someone who gets things done.

And this Council's got things done, but working in partnership with the people and the organisations of Sydney. To me, actions always speak louder than words, and it's our deeds that I want to be judged by.

For me, an amazing experience was the Lord Mayor's Bushfire Appeal. I was on holidays during the 1994 bushfires, but I felt that I should do something. . . That it was the role of the Lord Mayor to act as a kind of trustee. So, I decided to launch the Lord Mayor's Bushfire Appeal. I came back to the city, made some phone calls on the Sunday and by Monday afternoon we had managed to achieve the support of Channel 9, Fairfax, 2UE, Commonwealth Bank, Telecom and American Express. This powerful coalition (which formed the basis of the Trustees of the Lord Mayor's Bushfire Appeal) then went on to raise over \$10 million. The money was provided to help people who had lost life and property, as well as to strengthen the resources of our volunteer brigades. The lesson I learnt was how important it can be to use one's influence as Lord Mayor.

In many ways the Lord Mayor of Sydney's role is seen as apolitical which is why I come to you today as an impartial broker. A

person who has straddled the divide. Someone who has worked with all sides and continues to work with all sides.

In the past I have had the good fortune to work with Bob Carr and Michael Egan when I was executive director of the NSW Public Accounts Committee. I have also worked closely on city related matters with Peter Collins, and on the Olympic Bid with Bruce Baird.

With these kind of people I have been able to launch new initiatives in the city. The good news is – whether it be the reform of the Sydney Festival which Peter Collins and I initiated, or whether it be improvements to city transport which Bruce Baird and I initiated – they are being carried through by the new government.

I am a great believer that the governance of a city – provided it is rational, provided it is sensible and provided it is fiscally responsible – need not even touch upon some of the issues of the ideological divide.

This is because most issues are based on commerce. Because – whether you are talking about liveliness or cultural life or art or intellectual creativity or just in terms of vibrancy – the most successful cities operate on a strong and prosperous commercial base. This is true whether you go back to Florence and Venice during the Renaissance or to other world cities since.

So on the assumption that we want a city that is prosperous in the long term, one can devise strategies and visions for this city that will take us forward.

One can do this without necessarily getting tripped up on the differences between major political parties or the ideological clashes of the past.

### **Vision**

Make no mistake, this city is at the crossroads. We cannot afford to change horses in midstream. We have set a direction. It is a sound direction and we have improved the machinery that will get us there. We have choices. We could be drawn along the path of the sterile mono-culture of Middle American cities such as Dallas, Houston or Buffalo. . . Or, we can become more like the lively, multi-use, cosmopolitan cities of Paris, Rome and New York – great cities of the world.

You know what I want of Sydney – a vibrancy and excitement that matches its already stunning natural beauty. I want the city to be alive with residents, cultural activities, retail outlets, better public spaces, better transport and access . . . not to mention many more outdoor cafes. In the Living City document and in the city's management plan our vision is clear – “We want to make Sydney a vibrant city, a 24-hour city of world standing that is prosperous in the long term.”

### Getting the house in order

Sydney City Council does not have the budget or the resources to do everything on its own. It needs to work in partnerships with the private sector and other spheres of government if it is to prosper, now and when the millennium turns.

Previous poor management left Council in the red. When we took over from Sydney Alliance (under another name), Council was in a financial mess. By 1992, the accumulated deficit had reached \$22.4 million. Within one year, we wiped out the entire deficit by creating a surplus of \$23.9 million. Our projected surplus for 1994/95 is \$11 million.

Whereas between 1989 and 1991 Sydney Alliance increased the Council work force by 200, we have cut staff by 400 to under 945. This is well below the 1100 target set by Sir Eric Neal and his fellow commissioners in 1988.

We have tendered out many functions, and improved our service levels in many areas. We brought in a new management team. We also inherited about a dozen major legal disputes with highly reputable companies that had to be sorted out. No wonder we had an annual legal bill of \$2.5 million.

When we came to office, the Capitol Theatre was in ruins. Now it is a joyful destination for all the world – with *Miss Saigon* due to open on 29 July 1995 bringing \$100 million plus to the city's economy each year.

The seemingly intractable planning problem at east Circular Quay has now been resolved in a joint agreement between the city, the State, the Commonwealth, Colonial Investments and Mirvac.

We also inherited an idle Customs House for which the city had offered the Commonwealth \$36 million in 1990. We have acquired it on a 60-year lease for \$100,000, together with \$24 million to bring it back to life. That is a \$60 million better deal. Minister Michael Lee, the Premier and I have agreed to progress the scheme. Customs House will become an exciting focal point for the city.

We ended the Dickensian, inefficient and very expensive cross-servicing arrangements with South Sydney City Council.

By these reforms we laid the groundwork for other reforms and other goals.

I would like to express our mission over the next six years as being:

To create a city that matches or betters the great cities of the world in its beauty, its accessibility, its commerce, its streetscapes, its safety, its interest, its cultural and artistic life and its energy.

### Partnerships and strategies

To do this, we have put together a range of partnerships and strategies.

We have completed a cultural facilities inventory and now we will be working with the State government to establish a joint task force. Its aim will be to prepare a detailed strategy and implementation plan to make sure that in the critical assets of the city's cultural life, we are not deficient.

We are setting up a new Sydney Festival company. One of its objects is:

To promote Sydney as a city of world-class cultural events and to expose the people of Sydney to cultural events of a standard comparable to those experienced by people in other world-class cultural cities.

We have worked to develop a new City Transport Strategy which is currently being finalised jointly with the State Government. This is to ensure there is a consistent and coherent approach to Transport in the city. Transport often leads land-use. It is one of the most critical determinants of a city. Transport in many cities determines between 20 and 40 per cent of the land area. And in greater Sydney that is certainly the case.

The most innovative and clever initiative this city has had for a long time is the Retail Core Tunnel proposed to be built under Market Street. With David Jones, AMP, Coles Myer, Ipoh Gardens and the State Government, we have produced a feasibility study report on the most exciting transport initiative in the city for a very long time. The tunnel will provide a clear cross-city route with carparking under the city's retail core. It will also have the benefit of uniting the city with Darling Harbour for the first time, and make the Western edge of the city a "front door" rather than a "backyard".

To improve the quality of the public domain, we have enlisted the skills of our best architects. Seventeen firms are preparing ideas to improve our streetscapes and public places. Not all of those can be implemented but we are going to take the best, and we are going to do them.

We are launching a program of events in the city in the spring-time, including a Food and Wine fair and other initiatives to enliven the city.

These are not idle political promises. They are happening.

As I said at the beginning of this speech, what I am talking about this evening is partnerships for prosperity – an important aspect of the city's armoury. I am not talking so much about regulation. I am not talking so much about the things we are doing ourselves, but rather the areas where we will be working together with the city's stakeholders.

We have made a point of listening to the stakeholders of our city and finding out what they want for Sydney. We have invited public input on a number of fundamentally important issues, from the City Plan through to the Tourism Strategy.

I will briefly touch upon some other joint initiatives.

We are working with the retailers on a joint city marketing strategy. Council has committed \$350,000, the retailers have already committed \$200,000 and there will be more to come.

We are working with the tourism industry to improve facilities for tourists and market Sydney as a tourist destination. The tourism industry is our fastest growing industry. Revenue from tourism amounts to about six per cent of the nation's GDP. It provides an average of \$1 million every hour into NSW's economy. So it does not take much imagination to see its enormous potential for Sydney as we draw closer to 2000 AD and the Olympics.

Some of the things we have done for tourism include the provision of better signs around Sydney, including signs for the visually impaired, and the launch of the *Meet and Greet* scheme which provides for easily recognisable guides in major tourist areas like Circular Quay.

We have also launched the *Sydney International Capital Scheme* – launched in conjunction with business and government bodies to promote Sydney as the financial and cultural capital of the Asia Pacific region.

In February, we launched our *City Partners* project – a sponsorship scheme to conserve our public artworks and improve our public spaces. Under the scheme city stakeholders can choose to sponsor the upgrading of large projects (such as Martin Place) or small (such as a bench in Hyde Park). So far it has attracted support in principle from a number of companies. We are negotiating actual projects with them at the moment.

The bud-lighting which has turned Hyde Park into a night-time fairyland, an all year round Midsummer Night's Dream, is a result of our partnership with Pacific Power.

### **Partnership with government**

We are in partnership as well, and we have to be, with the State government. We have the ability to work closely with them, to use the skills and resources it has to offer.

It's obviously to our benefit that the new premier, Bob Carr, has described this Council as "honest and efficient". A good working relationship is important if the Council is to continue with the competent job it is doing. But there's never been a clear and coherent system of planning in Sydney. The result is a city, an urban environment, that is less sensitive and less friendly to the people who use it than it should be.

With the CSPC, Council has devised a new City Plan – the first comprehensive plan for the city in over 20 years. The Plan has three key aims:

- to provide for the city's long-term development potential,

- to encourage a greater diversity of activities,
- to protect the city environment; and
- to provide greater certainty for developers, investors and regulators, by clearly setting out the planning and development rules and parameters.

One of our main concerns with the Plan is to achieve more attractive and amenable public spaces. For example, by protecting light access and reducing the wind effect created by our skyscrapers. The Plan provides for regular, five-yearly revisions. After extensive public consultation, we will be working with the government to ensure that by the end of this year, we will have a solid document to guide this city from mediocrity to excellence.

We do not wish to auction the city's planning controls during the present election campaign and so we have decided to finalise the plan, with some amendments, later in the year. We want to make the city more accessible. We want better transport, roads and lighting. We are working closely with the State Government and various transport bodies to do this.

In conjunction with the State Government, we are bringing light rail to Sydney. It's coming to City West and eventually it's going through the city to Circular Quay and the Rocks.

We have signed a \$144M development deal with the City West Development Corporation for Ultimo/Pymont utilising Better Cities funding.

We are now holding discussions with the State government about foreshore redevelopment in Ultimo/Pymont, Hickson Road, Darling Harbour, Walsh Bay and Circular Quay. We want these foreshores to be looked at as a whole, to see their relative strengths enhanced and avoid unproductive duplication and splintering of assets. We want distinctive precincts, each to contribute to the life of the city in their own way.

We are also talking about the kind of development consent structure which should operate in the city to replace the current myriad consent structure. There is an unprecedented level of discussion between the city and state which is reaping results.

### **Prospects for the city**

Over the last four years, we have helped this city through a severe property downturn. We inherited 22 "holes in the ground". Now things are moving again. Work has started on World Square, the GPO should get the go ahead in the next few days and negotiations are occurring for the hole in the ground opposite the Town Hall.

In the next few weeks we will be releasing details of our exciting program for Sydney in the coming four years. The program will provide more specific information on transport and pedestrian movement and access, public safety, mechanisms for further involving the community

and stakeholders in city decisions and further financial reforms and administrative improvements within Council.

We will again tightly guard the city's purse strings. There will be more efficiency reforms. There will be other initiatives. And, as with everything we have done, all of them will be achievable.

### **Responsible government**

Partnerships make for good accountable government. They ensure that the city stakeholders play an active role in getting the kind of Sydney we all want.

In the past few months I've begun to ask myself a question. It's this.

When, at century's end, the Olympic torch, runner by runner, comes glowing and smoking down the Pacific Highway, through Artarmon, Crows Nest and step by step across the Harbour Bridge, what kind of Sydney will it be entering?

And will the world audience of more than a billion people watching the progress of that fiery messenger catch their breath when the city approaches?

Will it be a joyous and lasting memory they encounter then, in person or on their television screens, and hold in their hearts for the rest of their lives? Or will it be a drab confusion of urban ugliness and civic apathy they pass through while thinking of other things?

With your assistance, we can answer that question I think. And we can go on to ensure that Sydney takes its place as one of the world's great cities – a great place to live in, to work in, and visit. A Sydney to look forward to. A class act of a city. A city safe by exhilarating and glamorous and bold and warm and welcoming.

A city of parks and plazas and theatres and places of pleasurable conversation and food with a view, and easy transport in and around, and the best harbour setting in the world.

A Living City where the best is yet to come.