



Building a just and compassionate society

An address by Hon. Dr Barry Jones AO, FAA, FAHA, FTSE,
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Introduction

I was flattered to have been asked to launch the Sydney Chapter of the Centre for an Ethical Society. It is neither the first or the last time that somebody from Melbourne will be lecturing a Sydney audience about ethics.

I note your self-denying ordinance that 'Organisational ethics and personal moral issues relating to sex and the beginning and end of life are outside our primary focus; they are adequately dealt with by other organisations'. The last sentence is rather an understatement but it will assist you to make common cause with many concerned citizens with differing views on embryonic stem-cell research, same sex relationships or euthanasia.

It is appropriate that you should be establishing the Sydney chapter of a Centre for an Ethical Society in the week when we celebrate the 200th anniversary of the abolition of the trans-Atlantic slave trade. 'An Act for the Abolition of the Slave Trade' was enacted by the British Parliament on 27 March 1807. That great achievement followed a short, vigorous, targeted campaign initiated by Quakers in 1788, and supported by evangelical Protestants of whom William Wilberforce is the best known. The campaign, a model of its kind, succeeded in less than twenty years though many industries, especially in the West Indies, were dependent on slavery, and still very profitable.

The campaign for the abolition of the slave trade was an outstanding example of how a strong ethical case, supported by Christians, could lead to a major radical transformation in which the moral implications outweighed economic impact – a striking parallel to the current debate about global warming and whether Australia ought to risk its coal exports by campaigning for reductions in global greenhouse gas emissions.

Relieving the scourge of global poverty, which imposes its own form of economic slavery, especially in Africa, compounded by global warming, high rates of HIV-AIDS and significant population growth, must be high on our national agenda as an ethical society. I see little evidence that it is.

'Beliefs'

When I wrote a chapter called 'Beliefs' in my autobiography *A Thinking Reed*, it forced me to address my relationship with religion. Australians often seem deeply uneasy about attempting to examine the range and depth of their beliefs. Like most people, other than fundamentalists, I feel shifty and inconclusive on the subject, because of a deep uncertainty about what I believe. That God exists? Probably. That Jesus was a uniquely powerful and charismatic teacher? Yes. That he had a special or even unique relationship with God? Possibly. That the Church is a divine institution? Well, yes and no. That the Bible is infallible? No. That there is a soul, linked to a collective consciousness? Possibly. That there is life, as we know it, after death? Unlikely.

If pushed, I generally describe myself as 'Christian fellow-traveller' or sometimes 'a northern hemisphere Christian' because most of my transcendental experiences have been in Europe. I am not

confident enough to be an agnostic. I agree with rationality as a principle, but feel uneasy when it turns into dogma or rigid instrumentalism. Habitual mistrust is unattractive and dangerous, especially if linked with fear of difference/fear of the unknown. I am more of an ironist than a rationalist – an isolated position in Australia where irony never took on, except as a form of mockery.

It is hard to be precise about my core beliefs. I have serious difficulty with the Apostles' Creed, because it raises too many unanswerable questions.

Paradoxically, doubt takes me away from materialism and certainty. I cannot be satisfied with simple materialist explanations when too many elements fill me with awe or perplexity. Religious issues and philosophy are constantly boiling around in my head. So, 'Dubito, ergo sum', as René Descartes should have said. I recognise that many secularists have a commitment to goodness, generosity, truth, justice and courage: they feel no need for a revealed religion.

So, I define myself as a sceptical Christian fellow-traveller of the school of Pascal, a follower of Jesus, hovering on the margins between religious experience and aesthetics: an ecclesiastical voluptuary transformed by the impact of music, architecture, liturgy and text.

'Values' – some US and Australian comparisons

The current debate about redefining 'values' has been led enthusiastically by Prime Minister John Howard. Mainstream churches in Australia seem to have withdrawn, even recoiled, from serious involvement in great public moral issues, apart from support for foreign aid and disaster relief.

Australia is a strikingly secular society compared to the United States, where religious observance is high and fundamentalist religion is influential in politics, education, health and research, despite the clear separation of Church and State set out in the Constitution. In the United States, 40 per cent of citizens claim to be 'born again'. Nevertheless, rates of homicide, sexually transmitted diseases, abortion and teen pregnancy are far higher in the 'Bible belt' of the US than in secular Australia. 'Creation science' has only a marginal market share in Australia, while in the United States it is entrenched as a significant paradigm in some states. Relentless commercialisation and commodification of life has not been inhibited by American religious observance. Religious polarisation is far deeper there than in Australia and the Them v. Us dichotomy more conflicted.

In 'Made in England' (2003), published as a *Quarterly Essay*, David Malouf distinguished between the mind-set and language of founding fathers in the American colonies and the colonisation of New Holland/ Australia by act of state. The American colonists from the 17th-century were 'passionately evangelical and utopian, deeply imbued with the religious fanaticism and radical violence of the time...' Slavery was still an open question, and so was the concept of divine-right monarchy. In the late 18th-century, Australia, originally a convict settlement, tough and pragmatic, lacked a millenarian element, and was overwhelmingly practical in its operations. After the Enlightenment, slavery and absolute monarchy were no longer on the political or social agenda: they had become settled issues. We had no place for a 'language of the transcendental'. Our religious practices, like so much in Australia, became more suburban than universal.

When the Australian Labor Party was founded in 1891, many of its supporters were Irish Catholics, many of them with a sense of marginalisation and grievance, but encouraged by Pope Leo XIII's encyclical, *Rerum Novarum*, also dating from 1891, recognising the rights of organised labor. There were other Christians in the ALP, many of them Methodists, and many secularists indifferent to the claims of religion. After the Labor split in 1916 Catholic influence became predominant until a further major split in 1954-55 over attitudes to Communism, when many Catholics withdrew and this kept Labor out of power nationally for a generation.

Sir Robert Menzies' long career demonstrates the democratic paradox that contemporary judgment is often overturned by historical judgment. In politics, timing is everything. Menzies won seven straight elections, but his political program (White Australia, support for South Africa's Apartheid regime, high tariffs, Suez, Vietnam, remoteness from Asia) was anachronistic even in his lifetime, as he came to recognize himself. Bert Evatt lost elections in 1954, 1955 and 1958 and suffered from serious errors of judgment – but decades later his platform retains some contemporary relevance/resonance. Labor lost spectacularly in 1966 over Vietnam, recovered well on the same issue in 1969, and won office in 1972. Who was right/wrong – and when?

The death penalty controversy did not prevent Henry Bolte winning elections in 1967 and 1970, but now there is bipartisan commitment against capital punishment in all our Parliaments. Despite Whitlam's landslide defeat in 1975, much of his agenda survived under Fraser. Labor's position in the Tasmanian Dams controversy, deeply unpopular in Tasmania in 1983, is now uncontested. Joh Bjelke-Petersen strode Queensland like a colossus, but two decades after he left office his politics are acknowledged on both sides of politics to have been both deluded and corrupt.

The terms 'Left' and 'Right' have been of diminished relevance since 1989 when only one economic model remained standing internationally, and are largely confined to political rhetoric. However, even in an age of ideological convergence, there would be common agreement among people engaged in the political process about the dichotomy of 'Left' and 'Right' and the relative priorities:

Left	Right
Other interest/ collective interest	Self interest/ individual interest
General interest (climate change)	Vested interest (coal industry)
Public good	Private benefit
Narrowing economic and social divisions	Preserving economic and social divisions
Reducing stratification	Retaining stratification [= 'choice']
Questioning power distribution	Status quo in power distribution.

By the year 2000 the most dynamic political force in the United States was a coalition between evangelical fundamentalism, the neocons (neo-conservatives) and corporate power, strongly supported by mass-media ownership. This was not Fascism in a European context, but there were some disturbing ideological parallels, which Philip Roth took up in his novel *The Plot Against America* (2004). President George W. Bush claims Jesus as his 'favourite philosopher' and believes in the infallibility of Scripture. Bush, unlike his Episcopalian father, is a Southern Methodist, a group which broke away from mainstream Methodists in 1940, strong only in the former slave states. 'Prosperity Christianity', while stopping short of insisting that God is American, sees the hand of God in establishing United States hegemony, rejects analysis and argument. It was hard to reconcile 'Prosperity Christianity' with Luke xiv: 33: 'So likewise, whosoever he be of you that forsaketh not all that he hath, he cannot be my disciple'.

Amanda Lohrey's important essay *Voting for Jesus: Christianity and Politics*, published as a *Quarterly Essay* in 2006, argues that as society fragments in the pursuit of economic liberalism and 'choice', the newly emerging charismatic or fundamentalist churches provide a sense of community and engagement in rapidly growing outer suburbs, creating a network of support – child care, counselling, tennis clubs, entertainment, hobbies – which local government and the mainstream churches are unable to provide.

Marion Maddox argues that

Sociologists of religion have long pointed out that as societies become more secular, religion comes to be seen in increasingly instrumental terms. It becomes less a system of beliefs relating to a cosmic order that makes claims upon us than a toolbox of therapeutic and goal-setting techniques that can be adopted selectively to achieve individual ends...¹

Churches have sharp differences about the problem of poverty. Whose responsibility is it? Is poverty the result of personal failure in which destitution is the penalty for non-performance (the Hobbesian view) or is the pauper the victim of society, which then imposes on society the moral responsibility to provide restitution or support (the Lockean view). This issue has profound moral implications and there are deep divisions within the churches. Fundamentalist and charismatic churches tend to be opposed to the 'welfare state' while mainstream churches tend to support it.

Churches are also deeply divided about the environment, resources and their exploitation. The Judaeo-Christian tradition advanced two different teachings about man's relationship with nature, each receiving about equal space in the Bible: (a) Man sharing with God transcendence over nature and transforming it, that is, 'man (or woman) as developer': but also (b) Man as the good steward and trustee of nature, with a duty to tend the garden for all succeeding generations, or 'man the conservationist'. The first view contributed to the 19th-century doctrine of material progress in which belief in God was replaced by a belief that science and truth were synonymous, and that technology was the pathway to solving human problems. The second is more sympathetic to sustainability and preserving the environment with lower levels of consumption. I often quote the words of former US Senator Tim Wirth: 'The economy is a wholly owned subsidiary of the environment, and not the other way round'. The environment is the totality of the world – the planet itself, soil, air, water, biota and minerals. Concerns for the environment cannot be regarded as mere discretionary matters after the economy has taken its share.

On the global warming debate, the Prime Minister simply doesn't get it. He sees Environment and the Economy as competing interests – strengthen one and you weaken the other – and Ethics simply doesn't come into it. He does not understand the total integration and mutual interdependence of the Environment and the Economy. A wrecked environment must inevitably wreck the economy. Mr Howard seems to be gripped by some bizarre notion of quarantine, as if the global interest could suffer but Australia could sail unscathed through it all. This is not just impossible: even worse, it is silly. He said yesterday that history was littered with examples of over-reaction to problems. This was certainly true of Vietnam and Iraq, which he didn't mention, but I'd like to see the entries on his list.

In the United States the Religious Right has claimed success in campaigning on a number of issues, and contributed significantly to George W. Bush's victory in two Presidential elections. Last week's episode of *The West Wing* illustrated how important the issue of 'gay marriage' could be in a Presidential campaign, even though marriage is not a Federal issue. However, the Religious Right had a spectacular failure in the case of Terry Schiavo in 2005 about the withdrawal of life support for a person who had been in a persistent vegetative state for 15 years.

Kevin Rudd's articles

In *The Monthly* (Oct. and Nov. 2006), Kevin Rudd wrote two outstanding articles 'Faith in Politics' and 'Howard's Brutopia'. He sets out his own religious position, heavily influenced by the example of Dietrich Bonhoeffer. He argued that Christianity 'must always take the side of the marginalised, the vulnerable and the oppressed... function of the church in ...areas of social, economic and security policy is to speak directly to the state: to give power to the powerless, voice to those who have none, and to point to the great silences in our national discourse where otherwise there are no natural advocates'.

He is scathing about candidates who say 'Vote for me because I am a Christian,... I have a defined set of views on private sexual morality, ...and I chant the political mantra of "family values"'. He insists that 'It is the fundamental ethical challenge of our age to protect the planet – in the language of the Bible, to be proper stewards of creation'. He adds, 'Bonhoeffer would be traumatised by the privatised, pietised and politically compliant Christianity on offer from the televangelists of the twenty-first century'.

In his second essay, Kevin Rudd takes up Michael Oakeshott's warning against a 'brutopia' of unchecked market forces. He takes aim at John Howard's 'culture war', with its two elements – first 'the conscious exacerbation of fear, anxiety and uncertainty', and second to 'proffer the healing balm of certainty...by running a series of falsely dichotomous arguments in the public debate: tradition versus modernity, absolutism versus moral relativism, monoculture versus multicultural'.

An ethical agenda

Given my notorious addiction to lists, I have tried to set out topics which should be on the ethical agenda in politics/ public life. I stopped counting at 42, the last six outside your own terms of reference. You will be relieved that I do not intend to discuss them all tonight, but will touch on several:

1. 'Terror'
2. Torture
3. Death Penalty
4. Weapons of mass destruction [e.g. cluster bombs]
5. Refugees/ asylum seekers
6. Institutionalised cruelty
7. 'Shooting the victim'
8. 'Otherness'/ 'the oppressed'.
9. Religious freedom/ tolerance
10. Monoculturism v. multiculturalism
11. Censorship and freedom of expression
12. Hope v. Fear
13. Guns
14. Global warming
15. Water
16. Sustainability
17. 'Global poverty'
18. Debt forgiveness
19. Forestry
20. Strip mining the environment
21. Racism
22. Aborigines
23. 'Sorry'
24. 'Plausible deniability' in politics/ serial lying / moral erosion
25. The use of double standards
26. Needs based education – the problem of transfer payments
27. Defining 'values'/ 'Australian values'/ social inclusion
28. Decision making – faith based? or evidence based?
29. 'Certainty' v. 'Uncertainty'
30. Economic v. Non-economic factors
31. Double standards – Hicks, refugees, Santo Santoro
32. Drugs – legal v. illegal
33. Gambling
34. Sexual exploitation/ pornography
35. Child labour
36. Women's rights/ affirmative action
37. Animal rights/ cruelty/ experimentation
- ~~38. Research in embryonic stem cells~~
- ~~39. HIV/AIDS~~
- ~~40. Abortion~~
- ~~41. Euthanasia~~
42. 'Same sex relationships'

Some current issues

Tackling the problem of terrorism by the application of force is unlikely to succeed. Pouring blood on the Iraqi desert produced an upsurge of terrorism where none had been before: cruelty, genocide even, but not terrorism, let alone fundamentalist terrorism.

Terrorism will continue to damage open societies until we understand how to eliminate its causes and we will not be safe so long as we pursue politics that strengthen the cause of martyrdom.

Our prevailing policy line in the West is that terrorism has no cause – it is a baffling phenomenon, beyond rational analysis, an epidemic, a manifestation of evil, not seen as a political reaction, to be resolved, or even understood, by rational processes. Since terrorism is random, irrational and causeless, then negotiation is out of the question. The threat, pervasive, permanent and unpredictable is seen as totally unrelated to cause, hence the insistence of the Spanish and British Prime Ministers that terrorist attacks in Madrid and in London were not payback against participation in the Iraq war.

Contrary to the popular stereotype, some suicide bombers and kamikaze pilots were not religious fanatics, brain-washed zombies, but are shaped more by political commitment than religious zeal, well educated, with some experience of the outside world (e.g. Hamburg, Leeds, Florida), committed to murder/suicide on the issue of dispossession and land rights.

The case of David Hicks raises disturbing examples of double standards. It is inconceivable that Hicks could have been held by, say, the French, or the Russians, under comparable conditions as at Guantánamo Bay, without expressions of outrage from John Howard, or even Philip Ruddock.

No American citizen could be detained at Guantánamo Bay because it would violate the US Bill of Rights – but Australian citizens were liable if its Government made no protest.

Before the trial began, Prime Minister Howard and the US Ambassador Robert McCallum both declared Hicks guilty of unspecified but serious offences. They wanted him to be convicted of something (almost anything would have done) by some tribunal, anywhere but in Australia. Given the composition of the Military Commission set up to try Hicks, and its ability to rely on uncontested and unchallengeable evidence, some extracted by torture, it was inconceivable that Hicks could have been acquitted. (If such a miracle had occurred, an acquittal would have been profoundly embarrassing to the US and Australian Governments. A 'fix' based on a guilty plea followed by rapid repatriation, and release after the 2007 election might be a way to bury the controversy.

Torture is now routinely justified instead of being outlawed. The arguments 'We only torture in a good cause' and 'If they can do it, so can we...' should have been dismissed out of hand, but were not. We should have asked: 'How are torturers recruited? Self-selection? Going with the flow? Does the Eichmann defence of 'superior orders' apply?'

The rule of law, presumption of innocence, access to courts and legal representation can all be withdrawn at will. Violence and sexual humiliation of prisoners became routine. Moving prospective torturees to a jurisdiction beyond the reach of US courts is coyly described as 'rendition' or 'extraordinary rendition', meaning 'outsourced, privatised torture'. Freedom of Information requests are refused and 'plausible deniability' becomes the norm. The Australian government has maintained a Trappist silence on torture, and seems to be far more relaxed about it than the US Courts or the US Congress.

As Prime Minister, John Howard perfected the idea that compassion is an Australian export, but not an import. We were prepared to fight for the Iraqis, whether they liked it or not, but we would not let

Saddam's victims come here as refugees. Nor would we admit refugees from Aceh whose habitat had been swept into the ocean.

It is paradoxical that the Australian Government strongly opposes barriers in trade, and strongly supports high barriers for people.

It has been disturbing to see Kevin Andrews, our Minister for Immigration, a barrister and practising Christian, referring to the need to apply 'deterrence' against refugees. But the concept of deterrence belongs to the criminal law. Australia is a signatory to the Refugee Convention, which makes it clear that refugees are not 'illegals' for arriving without papers or authorisation. The Prime Minister has succeeded in persuading many Australians that refugees who arrive without papers or authorisation are guilty of breaking the law and should be imprisoned.

Our refugees are held administratively, not judicially. They are treated as outlaws, outside the protection of the law. We have created our own extraterritorial enclave in Nauru – which is outside the jurisdiction of our courts. We have had the absurd situation where Christmas Island is inside our jurisdiction for some purposes, outside it for others, and our boundaries move in and out at the Government's whim. Evidence? Rationality? Judgment? Compassion? – all have been downgraded.

Our institutionalised sadism is designed to destroy human dignity. In our detention centres, there are no longer 'suicide attempts': they have been redefined out of existence and are now called 'attention-seeking incidents' or 'blackmail'. A cause for compassion is now treated as a cause for humiliation, derision, censure or condemnation. Refugees are mere numbers, deprived of access to MPs, lawyers, media – and me as a citizen. But I am deprived of access to the refugees – I can't get close enough to feel the shock of recognition: Are they like me? I can't get close enough to tell.

The destruction of personal identity is unconscionable and acquiescence in it diminishes us all.

The Government promotes a very narrow ethical agenda: sex, family, education, but rejects a broad one: compassion for refugees, peace, sustainability, tolerance, saving the planet.

The history wars generate fury because some historians attempt to hold politicians, living or dead, to account for sins of omission or commission, including major errors of judgment or misreading evidence, unwittingly or deliberately, in order to advance a political objective.

One of the disturbing elements of modern political practice is an absolute refusal of politicians to admit that they were wrong, and if this is so then the right of historians to make an adverse judgment must be denied.

Strikingly, John Howard refuses to see the Vietnam War as being a mistake. He is isolated in his intransigence. Similarly, he has never said, 'I was wrong about Apartheid and the role of Nelson Mandela in South Africa' or 'I was wrong in opposing recognition of the Peoples' Republic of China'.

In 2003, Mr Howard's reasons for supporting the US invasion of Iraq were that Saddam Hussein possessed weapons of mass destruction which threatened regional stability in the Middle East, essentially the same justification that Tony Blair offered. Indeed at the National Press Club (13 March 2003), Mr Howard specifically rejected 'regime change' as a justification of war. However, when the WMDs failed to materialise, he made a seamless transition to adopting 'regime change' as the justification for war.

Like Edith Piaf, the Prime Minister could say – if he was bilingual – 'Non, je ne regrette rien'. John Howard has been absolutely consistent in refusing to apologise for anything, irrespective of whether it was the establishment of a settler society based on Aboriginal dispossession, or actions carried out by his Government: the children overboard, the AWB scandal, institutionalised cruelty by the Immigration Department, entry into the Iraq war based on completely false premises, derailing the

process of Aboriginal reconciliation, failing to act on global warming, silencing dissent, the supine approach on the Hicks case. He must find Tony Blair's expressions of remorse about Britain's involvement in the trans-Atlantic slave trade completely incomprehensible.

Strikingly, Howard attacked Rudd for having admitted an error of judgment in meeting Brian Burke, any admission being a terrible sign of weakness from his point of view. In fact Rudd's admission was evidence of character and strength.

The Canadian philosopher Ronald Wright argues: 'States arrogate to themselves the power of coercive violence: the right to crack the whip, execute prisoners, send young men to the battlefield. From this stems... [what] J.M. Coetzee has called "the black flower of civilization" – torture, wrongful imprisonment, violence for display – the forging of might into right'. States employ 'various styles of human sacrifice'... as forms of 'the ultimate political theatre'.²

Singapore and Indonesia are strikingly inconsistent and erratic, imposing the death penalty for particular drug offences when the most lethal drugs of dependence remain legal in both countries.

Australia is hypocritical, being opposed to the imposition of capital punishment domestically and its use on Australian citizens abroad, but going along opportunistically when the death penalty is imposed in cases where Australians have been victims, or in the case of Saddam Hussein.

I was deeply moved by Alexander Downer's call for compassion towards Senator Santo Santoro, in which he twice described him as 'a human being', an incontestable proposition. But I have never heard Downer say in defence of refugees that 'they are human beings' and he has certainly never applied the term to David Hicks. Was it a Freudian slip when Philip Ruddock referred to Shayan Badraie, a child traumatised in the Woomera Detention Centre as 'it', and presumably not a human being?

We should be concerned about how conflict between State and non-State systems can reinforce the fragmentation and stratification of society, all in the name of 'choice'. The State system's 'open door' schools presuppose a society based on co-operation, emphasising mutuality of interest, avoiding segmentation or stratification. 'Gated' schools recognise, accept and build on differentiation, competition, segmentation or stratification. The two systems are in a continuum. The businessman John Elliott used to threaten one of his daughters: 'If you don't behave, I'll send you to a high school'. The threat apparently worked.

As the State system strengthens, stratification/segmentation in society will reduce: but if the State system weakens, stratification/segmentation in society must increase. As a society, we ought to be courageous enough to acknowledge and discuss these issues. In 2006, John Howard expressed satisfaction that State school enrolments had fallen by 22 per cent in his decade as Prime Minister. There was a growing risk that State education in Australia would be seen as a residual system for the poor, not the system of choice. A study in 2004 by the *Sydney Morning Herald* indicated that more than 70 per cent of parents of state school pupils would opt out if they could afford it, which would be a serious blow to social cohesion.

I welcome public discourse about 'values'. It is essential not to confuse 'values' with 'value', especially with a \$ sign in front of it. Often it is hard to identify non economic values – and careful analysis of media reporting provides a rather unflattering view of Australia – harshly materialist, narrowly self-interested, obsessively short termist, eternally self-congratulatory. Education and health are increasingly regarded as businesses. Universities have become trading corporations. Subjects which try to explain the meaning of life are struggling to survive. The environment is seen as an economic resource, with forests seen as woodchips on stumps, the ocean as a dumping ground or a quarry and threats to soil and water have a low political priority. Citizens, students, patients, passengers, audiences have all become customers – the economic factor subsumes every other characteristic.

The values that I would like to see promoted are

- Compassion
- Generosity
- Global perspective
- Openness
- Reconciliation
- Creativity
- Imagination
- Relieving gender, race and class conflicts
- Intellectual rigour
- Taking a longer term perspective
- Handling fear in a positive, constructive way
- Courage
- Independent judgment.

These are the building blocks for a just and compassionate society.

I salute your commitment in founding the Centre for an Ethical Society, wish you well, offer my support and declare the Sydney Chapter duly launched. God bless all who sail in her.

26 July 2006

¹ Marion Maddox, *God under Howard* (Crows Nest, NSW: Allen & Unwin, 2005), p. 187.

² Ronald Wright, *A Short History of Progress* (Melbourne: Text Publishing, 2005), p. 71.

Note: Part of this Lecture is drawn from Chapters 13, 14 and 15 of my autobiography, *A Thinking Reed* (Allen & Unwin, 2006).