WESTERLY

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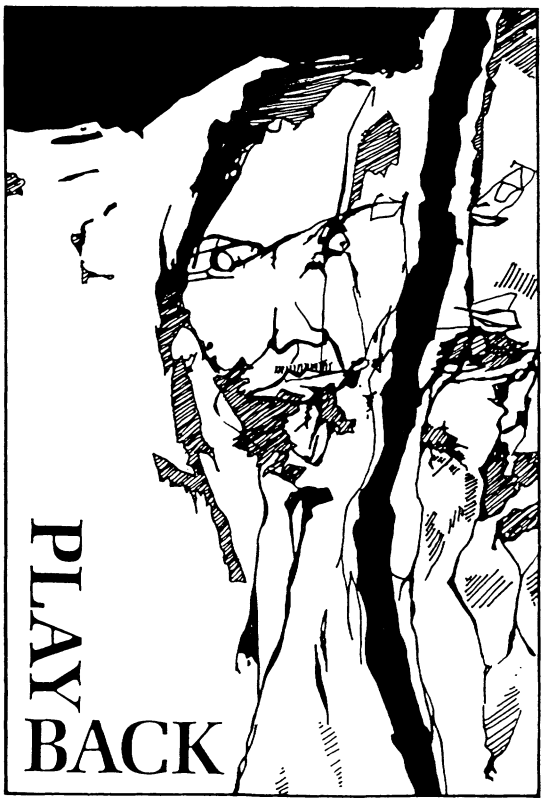
BEYOND EVIL AND GOOD — JUSTICE IN AUSTRALIA

SUMMER 1992 NUMBER 4 $5.00

a novel by Philip Salom

PLAYBACK

PREMIER'S BOOK AWARD · 1992
AWARD FOR FICTION



Jack Biner, folklorist and gifted listener, imagines Windrup is just another country town and its people. But soon he is entrusted with the vivid and often moving world of these people's memories. His need to remain an impartial collector is shaken. He finds he must live through much more than his own dilemmas as he meets Mrs Bukowski, the moody landlady; Laura, the painter; her cagey husband; and the enigmatic Fisher . . .

' . . . poet Philip Salom's first novel (has) an intensity and strong contemporary motion which will 'honey the nerves' of its readers . . . '

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WESTERLY

a quarterly review

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WESTERN AUSTRALIAN PREMIER'S BOOK AWARDS 1992

Premier's Prize

Mudrooroo, *The Garden of Gethsemane: Poems from the Lost Decade* (Hyland House)

Fiction

Philip Salom, *Playback* (Fremantle Arts Centre Press)

Poetry

Mudrooroo, *The Garden of Gethsemane*

Historical & Critical Studies

Bruce Bennett, *Spirit in Exile: Peter Porter and his Poetry* (Oxford University Press)

Special Award

James Ricketson, *Day of the Dog* (unpublished filmscript)

Children's Books

Errol Broome, *Dear Mr Sprouts* (Allen and Unwin)

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OBITUARY

Neville Teede, a legend of Western Australian theatre, died in Perth on Monday, 9 November 1992. Born in Bunbury in 1924, he served in RAAF Bomber Command during the Second World War and was taken prisoner in 1945. On his return to Perth he joined the English Department of The University of Western Australia as a tutor, while still an honours student, and later as Lecturer. During this career in theatre, Neville Teede appeared in more than 160 professional productions ranging from Restoration comedy to contemporary Australian plays. He appeared in Australian productions of plays by Dorothy Hewett, Jack Hibberd, Edgar Metcalfe and Douglas Stewart. His contribution to the enjoyment and understanding of theatre in Australia among students, actors and audiences has been enormous and his influence will endure.

PATRICK WHITE LITERARY AWARD

Peter Cowan, Western Australian short fiction writer and novelist, has been granted the Patrick White award for 1992. Previous winners include Christina Stead and Randolph Stow.

EVAN WHITTON

Royal Commissions: Meaning and Significance for Notions of Justice in Contemporary Australia

I can't understand why Australia has so many Royal Commissions; they are the perfect vehicle for concealing the truth.

John Mortimer QC, 1983

Since its invention by Defoe in 1704, modern journalism has had two obligations: to interest and/or amuse the customers, and to serve the community by exposing wrongdoing; in particular, to defend democracy against those who subvert it by corruption. The second obligation was rendered difficult by practitioners' natural sloth, moral corruption, and lack of sophisticated techniques, and by libel laws invented by common law judges in the 18th century to protect rogues in high places, the trade of authority at that time being corrupt to the rafters. The oldest rule of journalism, and the most forgotten, is to tell the customers what is really going on.

However, in the early 1960s Four Corners began to ask some really quite mild questions about prominent institutions. Much affront was taken at this breach of standard practice; where would it all end? A long-serving Prime Minister, Knight of the Thistle, and war criminal, Sir R. Menzies, prudently retired from politics in 1966 before the questions got too pointed. A watershed of sorts occurred in 1969, when a medical practitioner, Dr B.B. Wainer, who was a better on-the-road reporter than most then in the trade, and a disreputable organ, Melbourne *Truth*, also known as "The Whore of La Trobe Street", forced the first of a series of major commissions of inquiry on corruption in the trade of authority. At the inquiry, Wainer got a rough handling from counsel assisting, J. Winneke, and from the commissioner, W. Kaye QC (as he then was), but three corrupt detectives went to prison. An exceptional reporter, R.G. Bottom, forced more than a dozen similar inquiries in New South Wales during the 1970s and 1980s. Another exceptional reporter, Chris Masters, forced watershed inquiries in Sydney in 1983 and Brisbane in 1987. In the 1990s, earlier dubious practice by WA Inc made an inquiry inevitable.

At some stage in that 20-year process, the Cameron Effect came into play as a result of the data disclosed at the various inquiries. The name derives from an English reporter, Jim Cameron. He asserts that the effect of journalism on public opinion is quite mysterious, given that any sensible editor knows that some of his customers never read the sports pages, and some never read anything but. He likens it to a physical experiment concerning nuclear fission. The mass is bombarded with particles (facts) until it becomes critical; one more particle and fission occurs. An effect of all those inquiries is that the mass may now be more or less permanently at the critical stage. This is terrifying for elements of the trade of authority; if Menzies were to be operating in the current climate, it seems doubtful that he would be able to get away with his various perversions of democracy.

Of the law, the Hon. Mr Justice (as he later became) James Staples rightly observed in 1973 that our courts need more justice and less law. The basic problem is that the English (and hence the Australian and United States) adversarial system of criminal justice does not seek the truth. The Hon. Adrian Roden QC, a former Justice of the New South Wales Supreme Court, observed in 1989: "The right to silence, 'the caution', the right to make an unsworn statement at trial without being cross-examined, and the common advice to 'say nothing', combine to frustrate many police investigators and courts alike; under the common law system they are frequently obliged to proceed without the assistance of those who are likely to know more than anyone else about the matter under inquiry. Common lawyers, however, are at pains to explain that under our system courts are not concerned with getting at the facts; it is not their function to search for the truth. Their aim in criminal proceedings is "to determine whether, after a trial conducted in accordance with the rule of procedure and evidence, at which a fair trial has been heard according to law, the accused's guilt has been proved beyond reasonable doubt."[1]

An appropriate comment, it may be thought, appeared in a recent piece on Anglo-Australian libel law: "It follows, with very great respect, that [a legal system not interested in the truth] cannot be much interested in justice, and hence may be at daily risk of charges of false advertising under the Trade Descriptions Act, not to mention fraudulent misappropriation of public moneys".[2]

The criminal courts are lineal descendants of the jousting fields in trail by battle; defence champions seek to persuade the judge, via procedures and rules of evidence akin to the magical arts and practices of voodoo, to conceal from the jurors as much evidence as may be. The result, as Roden and the new Lord Chief Justice of England appear to recognise, may amount to a fraud on the public purse. Following an interview with Lord Justice (Peter) Taylor of Gosforth, *The Guardian*'s Hugo Young said

> "His [Taylor's] keenest eye addresses a different target, the trial process itself, on which Lord Runciman's Royal Commission is now deliberating. The biggest inducement, he reckons, to bent police procedures is the tilting of the rules in the defendant's favour. [Taylor said:] 'The chap has to be cautioned. If he says nothing, no comment can be passed. He doesn't have to give evidence. Meanwhile, the police, who are not always intelligent chaps, are cross-examined all over the place. They're easily bamboozled and they resent it, and they try and [sic] make up for it by other means'."[3]

In the epigraph to this piece, Mortimer's layers of irony, presumably deriving from his experience of English Royal Commissions, are both right and wrong. For one reason or another, some Australian inquiries - Voyager I for example - certainly concealed the truth, but many offer, on close analysis of the evidence, at least a glimmering of the truth, and some do more. Royal and other commissions of inquiry may thus tend to frustrate our sense of justice, not, as those with an interest assert, because the evidence may blackguard innocent people, but rather because of the gulf between the evidence heard at an inquiry and that heard by jurors in our system of criminal justice.

A commission of inquiry is, or is supposed to be, an inquisition into the truth. To that end, all available and relevant evidence, including hearsay, is admitted. European systems of criminal justice use an inquisitorial method: the focus is on the accused, who must give evidence; the judge and jury sit together, and decide the verdict and penalty, if any, together; the judge does the questioning; lawyers are properly restricted to the tradesmen's entrance.

The problem posed by commissions of inquiry for perceptions of justice is thus that the public may get a sense of the truth of a particular matter from the inquiry only to find that prosecutions are not lodged, or if they are that the criminal justice

system has great difficulty in getting an appropriate result. No prosecutions were launched following the inquiries on Black Deaths in Custody.

The inquiry itself may be vitiated for a number of reasons: the wrong commissioner(s), the wrong terms of reference, lack of follow-up by the authorities. As a consequence, the public may become seized of the notion that those involved are not much interested in truth and/or justice.

Inquiries are invariably chaired by lawyers, i.e. judges, retired judges, or silks. Such people, their minds cluttered with the bric-a-brac of English law, often have difficulty with facts. Ideally, the commissions should go to a lawyer, preferably a silk, to run the inquiry, and two lay persons to assess the facts. In a situation where the trade of authority would prefer the truth not to emerge, the terms of reference will be drawn tighter than the anus of a fish. If it emerges that the terms will frustrate the search for the truth, the commissioner can and should request wider terms; not all have done so. And if the authorities attempt to pigeonhole the inquiry's report, the community and the media should be tireless in reminding them of their duty. This does not always happen either.

It is worth considering some specific examples of commissions of inquiry, Royal or otherwise. Firstly PETROV: This is an example of an inquiry for the wrong reasons; no proper intelligence organisation would want a public inquiry into the activities of a spy they had turned. Menzies, who contrived to get Australians killed in four wars the country had no reason to be involved in,[4] laid on the Petrov Royal Commission in 1954 to win an election he would otherwise have lost. At a one-day hearing before the election, V.J. Windeyer QC (as he then was) asserted that the evidence would show that there were traitors in our midst but, on Menzies' instructions, did not disclose that the Australian Security Intelligence Organisation (ASIO) had paid the KGB agent, Vladimir Petrov, 5000 pounds to defect. The Commissioners, Justices Owen for New South Wales, Ligertwood of South Australia and Philp of Queensland, declined to hear the evidence of a handwriting expert, Dr Charles Monticone; they preferred that of a policeman.

Petrov proved to be a spy of surpassing incompetence. On his evidence, he never found anyone willing to betray Australia; worse, he left unopened for two years a letter from a predecessor pointing to potential prospects. The definition of a spy is that he is a liar; some months after he defected, Petrov produced what was clearly a recent invention: a payment of Moscow gold, in American bills of no known denomination, to an official of the Communist Party at a place several miles distant from the place where, as it happened, the official was at that time being surveilled by ASIO. The learned commissioners found that Petrov was a witness of truth; that there was indeed a ring of traitors; but that there was insufficient evidence to lay charges of treason or anything else against anyone.

Presumably by an oversight, the terms of reference related to ANY espionage against Australia. This was presumably one of the reasons why the Government sought to bury the Petrov documents forever.[5] When Document J came into the possession of the present writer in 1981, it emerged that the author, Rupert Lockwood, had made an allegation, sourced to a named Australian intelligence agent, that elements of the Liberal Party, including Sir Percy Spender, had been perhaps unduly solicitous of Japanese interests in the period leading to the war in the Pacific. The Royal Commission apparently did not investigate the allegation.

Finally, when Petrov died early in 1992, the one time head of ASIO, Sir Charles Chambers Folwell Spry, stated that Petrov had named some 500 KGB agents. That may be, but one he clearly missed was Harold Adrian Russell (Kim) Philby, who did not jump until 1963.

GIBBS: This appears to be an example of how corrupt police and their associates may confirm Mortimer's dictum. Late in 1963, a Labor MP, Colin

Bennett, asserted that the Queensland Police Commissioner, Francis Erich Bischof, and the chief of the Criminal Investigation Branch, Norwin Bauer, had "barnstormed through the country trying to foster votes for the return of the Liberal-Country Party Government in the recent election". Almost as an afterthought, Bennett stated that senior police officers, including Bischof, "frequented the National Hotel, encouraging and condoning a call girl service there".

A former employee of the hotel, David Young, came forward with a statement asserting that the hotel was mainly used by prostitutes, some of whom gave favours to senior police officers, and that Bischof ate and drank there after hours without paying. The Country Party Government headed by Honest (sic) Frank Nicklin appointed the Hon Mr Justice Harry Talbot Gibbs to hold an inquisition into the truth about the National Hotel, but not into corruption generally, nor into the claim that Bischof and Bauer were part of the Government's election machine.

Peter James, Rugby international and historian, analysed the Gibbs inquiry in *In Place of Justice*.[6] He says that "the activities which formed the subject of the inquiry were common knowledge at the time". Gibbs however seems to have been quite baffled. He noted in his report that he had the power to suspend the rules of evidence, including those relating to hearsay, and occasionally did so, but that he generally adhered to the rules. Roden QC observed at the conference already referred to:

> ... lawyers, and the law itself, are more at home making and observing rules than exercising judgment ... technical rules that can exclude the potentially valuable [evidence] have no place in investigations directed towards establishing the truth. In weighing all the material that is offered, those who head corruption investigations must exercise judgment. If they are doing no more than applying a set of rules they are not doing their job.

Gibbs's task was not made easier by the Government's instructions to its legal representative at the inquiry, Arnold Bennett QC, that the interests of the Government and the police were indivisible; nor by a "brick wall" erected by police in the name of brotherhood; nor by false evidence given by a prostitute, Shirley Brifman, who later said that police coached her before she gave evidence; nor by Gibbs's apparent naivete: asked for photographs of known prostitutes, the police produced pictures of working ladies so old and ravaged that they could obtain work only in bordellos; lay assessors may have suggested to Gibbs that police were pulling his leg; that it was perhaps unlikely that such types would be seductively plying for hire in the bars of a moderately upmarket hotel. Brifman falsely discredited one accuser; the celebrated police bagperson (collector of bribes; 1960-74; 1980-87), Jack Herbert, falsely discredited another. Gibbs found there was nothing in the allegations against Bischof or anyone else. It was to be 23 years before the legal trade got another chance to extirpate corruption in Queensland, and this time covered itself with glory.

James ends his book with the words:

> 'Whether a similar inquiry would be allowed to proceed as haphazardly and opaquely today, with as much lack of critical journalism, is open to debate. So too is the question of whether the same conclusions would be drawn from the same evidence.... Politics is too important a business to be left to politicians. So perhaps is law in its wider aspects too important to be left solely to lawyers. Not only does the bench have a different profile to different sections of society, but its main function often degenerates to a mere protection of its own dogmas and infallibilities, at the expense of protection ro society as a whole. Its only critic can be society as a whole. And it is up of society whether it accepts suppression of truth and grossly compromised solutions in place of justice.'

Gibbs's performance has thus been, with very great respect, the subject, of some derision, none of which prevented later glittering appointments: Federal Bankruptcy Court 1967, High Court 1970, Knight Commander of the Most Excellent Order of the British Empire 1970, Privy Council 1972, Presidency of the Australian Academy of Forensic Sciences 1980, Chief Justice 1981-1987, Hon. Doctor of Laws, University of Queensland, Knight Grand Cross of the Most Distinguished Order of St Michael and St George 1981, Chief Adjudicator BHP awards for excellence 1987, Chairman of review Commonwealth Criminal Law 1987-, Chairman inquiry into the conduct of Hon. Mr Justice (as he then was) Angelo Vasta 1989. The Vasta inquiry may suggest a reason why the appointment of retired judges sunk in indigence may lack a degree of utility. Gibbs and his two brother retirees, each at a per diem rate of $3000, found themselves unable to decide whether perjury by a Supreme Court judge, was, by itself, sufficient to warrant his removal from the bench.

VOYAGER I [7]: As it may appear, this was a case of the wrong judge riding to instructions to conceal the truth. A cover-up may be a crime, that of perversion of the course of justice. In February 1964, as Gibbs was winding up his nugatory inquiry into police corruption in Queensland, the destroyer Voyager dived under the bows of the aircraft carrier Melbourne and was cut in half; 83 sailors were killed. The cause is clear enough. Captain Duncan (Drunken Duncan) Stevens, who went down with the Voyager, having had at least one triple brandy, became confused while both boats were turning and went the wrong way. This is easy enough to do, as may be demonstrated with a couple of matches.

The point was that Stevens should not have been in command of the Voyager, and this was a reflection on his superiors in the Navy. Worse, it may have left the public purse open to requests for compensation from the maimed and relatives of the dead.

Stevens's father, Major-General Jack Stevens was wired into the major power centres in politics, the bureaucracy, the military and business. In the early 1950s, he had been a special adviser to Prime Minister Menzies, and for all we know may have had a hand in advice on how to work the system with the Petrov inquiry. Menzies appointed Sir John Spicer as sole Royal Commissioner. Spicer was a sound choice; he had been Menzies' Attorney-General from 1949 to 1956 before being given a soft landing as chief judge of the Commonwealth Industrial Court.

Deriving as it does from trial by battle, the law is an extension of games theory. The game plan at the Voyager inquiry was to shift all the blame from Stevens, and some of the blame from the Voyager to the Melbourne. To this end, Spicer concealed evidence, of which he was aware, of Stevens's notorious drinking habits, and duly produced the required result.

However, too many knew or became aware that Stevens was an alcoholic; to their credit, Liberal MPs John Jess and Ted St John QC pursued the matter, thus ruining their careers, and the Holt Government was obliged to hold another inquiry in 1967. This time there were three commissioners, Sir Stanley Burbury, Chief Justice of Tasmania, and Justices George Lucas of Queensland and Kenneth Asprey of New South Wales, but Lucas became ill and the inquiry went on with the other two. H.E. the Hon Sir (as he later became) Francis Theodore Page Burt QC, of the Perth Bar, was counsel assisting. He said: "This is an inquiry and not a law suit. We appear to assist that inquiry; we do not appear in an adversary role." Burt's task was not easy. The Secretary of the Navy, Sam Landau, appears to have been the major architect of another attempt to conceal the truth; some sailors with careers to think of also had a sound understanding of games theory.

However, over 85 days Burt was able to winkle out a reasonable approximation

to the truth, although the commissioners' chose not to hear the evidence of a Victorian authority on alcoholism, Dr James Rankin, and only reluctantly heard the evidence of the Victorian police surgeon, Dr John Birrell, who agreed with Rankin that Stevens was an alcoholic; in their report, they preferred the opinion of Sir William Morrow, a friend of Stevens' father, that Stevens was not an alcoholic. They found that Stevens was not fit to command the Voyager because of an ulcer, but expressed no opinion as to whether he was fit to command on the night of the disaster. They also found that the Naval Board were not aware of Stevens' condition. The *Sydney Morning Herald* (26 February 1968) observed that the commissioners seemed to be "unduly concerned to put the best possible complexion on everything". Nearly 30 years later, mentally maimed survivors and relatives of the dead are still having difficulty in securing justice and recompense from an intransigent trade of authority.

FITZGERALD: The Gibbs inquiry on corruption concerning prostitution appears to have rendered Queensland at least a minor service: in 1987, the key figures at a corruption inquiry, I.D.F. Callinan QC and G.E. Fitzgerald QC, were at any rate aware of how NOT to run such an inquiry. Analysing deficiencies of the Gibbs inquiry at a legal convention in Hobart in November 1988, Callinan noted narrow terms of reference; lack of investigative resources (police assigned to help included D.F. [Shady] Lane, later imprisoned for improperly trousering moneys from the public purse); Honest (sic) Frank's instructions to Bennett QC that police and Government interests were indivisible; and the problem a judge's legal mindset may give him in chairing an inquiry into the truth. He might have added that the Gibbs Report was never made publicly available: no copy exists in the Supreme Court Library or, so far as is known, in any state library. Callinan, who was representing the Ministers, broke the nexus between government and police by successfully recommending that police against whom there was substantial evidence would have to get separate legal representation.

Fitzgerald's remains the model for such inquiries, not least because he insisted on a Special Prosecutor independent of the legal bureaucracy. D.P. Drummond QC (as he then was) launched prosecutions against some 250 persons. As noted, zero prosecutions follows the Black Deaths in Custody inquiries. The 1973-74 Moffitt inquiry on organised crime in Sydney warned of the threat of Mafia penetration via the Bally America poker machine company. The Askin government pigeonholed the report; no prosecutions were launched. Jack Rooklyn, a shareholder in Bally America, was found guilty 18 years later of corruptly dealing with the queensland Police Commissioner, "Sir" Terence Lewis. The 1977-79 Woodward inquiry on Drug-trafficking produced a deal of material on Bob Trimbole and the Griffith cell of the Calabrian N'Dranghita; no prosecutions were launched against elements of the Calabrese Mob. The legislation for the WA Inc inquiry requires that the legal bureaucracy will have the carriage of prosecutions, if any, subsequent to the inquiry. The commissioners do not appear to have insisted on a Special Prosecutor.

Evidence given at the Fitzgerald inquisition and a subsequent criminal trial, The Queen v. "Sir" T. Lewis, offers the sharpest possible example of the gulf between evidence that is available and evidence that the jurors, as representatives of the community, are permitted to hear under the English system of criminal justice. In the late 1950s, it was so widely believed that Lewis was a bagperson for Commissioner Frank Bischof that "it was virtually taught in schools, this allegation?".[8] In the event, the learned District Court trial judge, Anthony Joseph Healy, told the jurors that the evidence of the principal Crown witness, bagperson Jack Herbert, was worthless; that (wrongly according to the Appeal Court) there was no evidence to corroborate Herbert; and that it would therefore be "dangerous" to

find Lewis guilty. The jury found Lewis guilty, but it took five days. Healy sent him down for 14 years.

A later report examined the evidence excluded from the jury and stated:

> "It may thus seem that Lewis was found guilty by the merest of flukes: jurors intelligent enough to discern that Healy was wrong about the evidence, and strong-minded enough to make their own decision. Had they found Lewis innocent, there was nothing that could be done about it; no matter how wrong a judge may be, the Crown cannot appeal against an acquittal. Such a miscarriage of justice would have been devastating to the Fitzgerald process of reform; the corrupt would be encouraged in the belief that, however strong the case against them, they would almost certainly not be convicted."[9]

The Appeal Court confirmed Lewis's conviction and sentence in August 1992. If the High Court does not undermine the authority of the jury's verdict, Lewis will presumably join the Earl of Carlisle, Sir Ralph Grey, Lord Scrope, the Duke of Buckingham, Lord D'Arcy, Sir Francis Mitchell, Lord Cochrane, Sir Roger Casement, Sir Joseph Jonas, Lord Kylsant, Sir Anthony Blunt, Sir Joe Kagan, and Sir Jack Lyons as the fourteenth person since the fourteenth century to have strippage performed on his knighthood.[10]

NOTES

1. Roden, A. *A Delicate Balance: the Place of Individual's Rights in Corruption Investigations*, Fourth International Anti-Corruption Conference Report, AGPS 1990, p.154.
2. Whitton, E. "Why Our Laws are Flawed", *The Courier-Mail*, 31 July 1992, p.9.
3. Young, H. "In Tune with the Times", *The Guardian Weekly*, 2 August 1992, p.23.
4. The 1939 European war, the 1950 Korean war, the 1957 conflict in Malaya, the 1965 Vietnam war.
5. In 1986, the Hawke Labour Government sought to bury forever fourteen allegations of criminal or improper conduct against the Hon. Mr Justice L.K. Murphy, of the High Court, that were to be examined by an inquiry headed by former judges. In the event, and if the Opposition parties in office fail to adhere to their 1986 vow to repeal the legislation, the allegations will be buried until the year 2016.
6. Refulgence Publishers, Brisbane, 1974.
7. See Whitton, E. "The Voyager Cover-up, Can of Worms II", Fairfax Library, 1987, pp. 300-315; also Evans, "The Politics of Poltroonery" at pp. 316-326 of that volume. When junior officers of the US destroyer Frank E. Evans incompetently replicated Stevens' manoeuvre, thus killing seventy four is a collision with the Melbourne, the US Navy sought to put part of the blame on the Melbourne. Elements of the Australian trade of authority were prepared to accept such a miscarriage of justice.
8. Question by John Jerrard, for Lewis, to J.R. Herbert at the Lewis trial.
9. Whitton, E. "Terry Lewis: The Secret Evidence", *The Weekend Australian* 8-9 August 1992, p.16.
10. Whitton, E. *The Weekend Independent*, 7 August 1992, p.4.

GEOFF PAGE

Decalogue in Double Voice

But first, dear brethren, let me say
What brings a bishop out this way
How pleased I am to speak to you
Words are many, blankets few
With everything so spic and span
Just like an English gentleman
The Ten Commandments are my text
What gubba nonsense coming next?
Especially from six to eight
Watch that stick and hook there, mate!
Number six 'Thou Shalt Not Kill'
My auntie's in the ground there still
Number seven's most important
Tells you what the white man oughtn't
'Thou Shalt Not Commit Adultery'
Unless she's black and velvety
'Thou Shalt Not Steal' is number eight
Or only dreaming any rate
Nine and ten we might defer
Thank you for the sermon, sir
Now let me see. Where should I start?
Number eight. I like that part.

NICHOLAS HASLUCK

House of Mirrors: Satire and the Law

At four o'clock in the morning on the 4th of May 1859 a cloaked figure crept stealthily towards a darkened cottage in Surrey. The intruder tested the front door of the dwelling but it was locked. Undeterred, he found his way to an open window at the rear of the premises, slipped inside, and paused to listen.

Satisfied that his entry had been accomplished without mishap, he tiptoed from room to room examining the householder's possessions. The sun had not yet risen but the first faint rays of dawn had appeared in the sky above the surrounding hills, and there was just enough light for him to see what he was doing.

He filled his bag and departed.

A few months later the intruder was brought before a Judge and jury at the Surrey Summer Assizes for breaking and entering. He admitted taking goods and chattels belonging to the householder - a man called Nixon.

A fierce legal battle then ensued during the course of which it became apparent that the outcome would depend upon the resolution of a fine point of law: a situation which would seem quite normal, if not commonplace, to lawyers throughout the ages. Put shortly, it was a courtroom scene of the kind that has been a constant source of inspiration to satirists from Horace to H.L. Mencken, an encounter containing a delicious mix of social drama, esoteric ritual, obscure pedantry and much posturing.

In this case, however, as we shall see, a dash of something extra was added to the usual brew which will bring us eventually, a century later, to the front door of another darkened place - the headquarters of the Democratic Party in a building known as Watergate - and to another litigant called Nixon: the President of the United States of America and the embodiment of apparently unlimited power.

Such is the labyrinthine nature of the law: an ever-multiplying maze, a house of mirrors with endlessly intersecting corridors, a phantasmagoria wherein, at the stroke of a pen, meanings which once seemed clear are rapidly distorted, people broaden into abstractions, day shrinks into grim-visaged night, and what was thought to be substantial and enduring suddenly becomes as enigmatic as the world behind the looking-glass.

But first: the facts and matters in issue.

The householder, the 19th century Nixon resident in Surrey, was in arrears with his rent. Under the summary remedy known as 'distress for rent' a landlord could seize chattels belonging to the person in default. Thus, the intruder argued, the clandestine entry was lawful - he was securing arrears by a seizure.

The intruder's plea failed. The court looked at the relevant law books and held that distress for rent undertaken before sunrise or after sunset is illegal because, during the hours of darkness, tenants are denied an opportunity to tender the amount

outstanding. There was also debate about whether sunrise is to be reckoned from the first appearance of beams of light above the horizon or from the time when the entire sun has emerged.

In the words of Lewis Carroll: "Alice puzzled over this for some time, but at last a bright thought struck her: 'Why it's a looking-glass book. And if I hold it up to a glass the words will go the right way again.'"

The verdict was taken on appeal.

Reflecting the dutiful spirit of the Victorian age, counsel referred to a vast array of previously decided cases and to a number of authoritative jurists including Coke and Blackstone. It can hardly be thought surprising, then, that the appeal court, assisted by thoroughly researched arguments, trained to act judiciously, handed down a decision, *Nixon v Freeman* 120 Revised Reports p.752, which is still cited as authority for the proposition that in certain contexts the term "day" denotes the period of time between sunrise and sunset (although distress for rent has now been abolished).

Why mention Coke's views on night and day?

He was a great jurist. His opposition to the misuse of the royal prerogative during the reign of James I made him famous amongst his contemporaries. His skill in restating the law as it had developed in medieval precedents led to the victory of the common law over the rival continental and roman law systems that threatened it, so that eventually the common law was exported to every corner of the world settled by the English including the North American colonies. His support for the independence of judges and the rule of law laid the foundations for the modern democratic state.

In a passage which would undoubtedly have delighted Lewis Carroll, Coke said: "The natural day is divided *in lucem*, light, which is *dies solaris*, and *in tenebris*, which is night. And therefore as long as the daylight continues, whereby a man's countenance may be discovered, it is called day: and when darkness comes and daylight is past, so as by the light of the day you cannot discern the countenance of man, then it is called night."

Unfortunately, as the appeal court noted during the course of argument, this passage was taken from Coke's chapter on burglary, and was not directly applicable to distress for rent. Hence, Mr Nixon's counsel was obliged to go back even further into legal history and rely upon a text published in 1290 called *Mirror of Justices*, being a work often cited by Coke with approval.

The appeal court was eventually persuaded to affirm a passage from the earlier work stating: "In the night time a man may not distrain, but only in the day time, but for *damage feasant*." (One may distrain by night for *damage feasant*, the court observed, otherwise the livestock the subject of the seizure might be driven away by the time dawn arrived).

So there it was - after careful deliberation, both at trial and on appeal, the fine point of law involved in Mr Nixon's case had finally been disposed of, and in a way which reveals, at first sight, the antiquity and stability of the common law system.

Enter Sir Frederick Pollock, the grand old man of modern legal scholarship. In a preface to the relevant volume of the law reports he had this to say about the case:

> "It is rather shocking to find the *Mirror of Justices* treated as authority. Fifty years ago it was almost as easy as it is now, by turning over a dozen pages of that book, to discover that it swarms with the wildest fictions. But it had deceived Coke, and there lingered a belief that it was impious to know more than Coke, who in fact was a hopelessly uncritical antiquary even in matters of notorious history. The origin and authority of the '*Mirror*', the writer's object, and the question of whether it was a blundering amateur's legal utopia, a satirical fantasy to which we have lost the key, or how

> otherwise, are still as uncertain as F.W. Maitland perforce left them in his introduction to the Selden Society's edition."

What are we to make of this outburst?

Legal fictions, in a technical sense, are well-known to the law. As in literature, a legal fiction is something false accepted as true. By a sleight of hand, the adopted child is treated as a natural child. The corporation becomes a person. In most cases a "day" is twenty four hours. Legal fictions are a means of suggesting stability while effecting change - a rapid swirl of mirrors and thimbles which some people would say is typical of the legal mind.

One should therefore not assume that Pollock's fulminations are directed at the notion of fictions per se. No, it is the element of fabrication akin to satire which seems to have aroused his ire; the presentation of a counter system - a world behind the looking-glass which not only mimics but also threatens to invade reality. The text in question has finished up being treated as authoritative; it is being quoted in the law reports!

Before taking a closer look at the various ambiguities surrounding *Mirror of Justices* it will be useful to make a few general comments about the relations of satirists to the law; indeed, this may even provide a clue to the authorship and purpose of the controversial work.

Satirists use extravagant scorn to expose vice and folly. If a satirist obeys the law of the genre then he may be obliged to disobey the law of the land. Horace and Juvenal took care to avoid entanglements with authority - the latter ends his first satire with the self-protective announcement that he will write only of the dead. Many satirists have attached prefaces or apologies to their work portraying themselves as decent but deprived citizens, wishing no harm, and forced by conscience to reveal the flaws in contemporary society.

Implicit in protestations of this kind is another characteristic of satire - it depends on the existence of an audience which shares certain assumptions. The satirist therefore often includes allusions to an earlier golden era. He exercises a double vision; he is of his own time, yet apart.

The combination of these factors - an awareness of risk and an appeal to shared assumptions - means that the satirist tends to approach his target indirectly, and disguises his intentions by burlesque or allegory. Farce may lead to the creation of caricature such as Dame Edna Everage, or the gallery of misfits in Heller's *Catch 22*; allegory may require the creation of a fictitious philosophy or an entire social structure, as in Swift's *Gulliver's Travels* or Orwell's *1984*. In the latter case the critique relied on by the satirist will be apparent from a comparison between reality and the invented world, although it was Swift, of course, that shrewd student of human nature, who observed that satire is a mirror wherein we catch a glimpse of every countenance but our own.

It sometimes happens, as a form of cultural osmosis perhaps, that there is a degree of percolation through the looking-glass - reality becomes so bizarre at times that the events in question resemble an author's flight of fancy, as in the case of President Nixon's downfall over Watergate; or aspects of a satire are so pertinent that they are thought to reflect an essential truth, as in 'Orwellian' or 'Catch 22' situations. In a chaotic age the fabrication is taken as gospel. Truth and fiction mingle, and feed off each other. For example, as I indicate in my novel *The Bellarmine Jug*, there is reason to believe that the Rosicrucian Manifestoes, which were published early in the 17th century and had a profound effect upon the religious schism in Europe during the turbulence of the thirty years war, and eventually came to play a significant part in the Batavia mutiny on the Abrolhos Islands, were actually the creation of the German satirist Johann Andreae.

This brings me back to the *Mirror of Justices*, the work utilized by Coke but denounced by Pollock as a 'satirical fantasy'. On which side of the looking-glass should it be placed?

As the famous legal historian F.W. Maitland noted in his introduction to the Selden Society's edition of 'the enigmatic treatize', the work bears many of the characteristics of a satire.

The author of the '*Mirror*' introduces himself to his readers in this way:

> When I perceive that divers of those who should govern the law by rule of right had regard to their own earthly profit ... and would never assent to the rights usages being put in writing ... and when I saw them cloaking their sin by the excuses of sin and error, I, the prosecutor of false judges, and falsely imprisoned by their order, in my sojourn in gaol searched out the privileges of the king and the old rolls of his treasury wherewith my friends solaced me, and discovered the foundations of the customs of England as are established as law.

Thus, like many satirists, the author wishes us to believe that he is a decent citizen who has fallen foul of authority, and that while in gaol, as an act of conscience, he has studied charters and other plausible sources and (with an apologetic tone) 'for your aid and that of the commonalty of people, I compiled this little summary.' Maitland observed that:

> the author's incarceration is a common form literary device which will awaken interest and sympathy. We can see that man who is going to pose as the prosecutor or sworn foe of false judges has a good deal to gain by pretending that he was imprisoned by their procurement.

The talk of false judges, and hints that the chancery and exchequeur are full of perjurers and thieves, were not without point and truth. At about the time the book was written Edward I, returning from France, heard such tales of judicial malpractice that he set up a tribunal of investigation composed of men of his own household. The result was the most spectacular purge the Bench has ever undergone. The *Mirror* is obviously reflecting this scandal, and the author is conscious that he is sailing close to the wind. he is quick to add praise to censure.

In purporting to give a description of contemporary law, freely criticised in the light of a golden age placed in the reign of King Alfred (the Norman conquest being virtually ignored), the author tells a great many wild stories. But this may be part of a preconceived satirical plan. Maitland summarizes his view of the book in a passage which almost amounts to a classic statement of the satirist's usual uneasy relationship with the law:

> What, then, shall we say of this book? And what shall we call its author? Is he lawyer, antiquary, preacher, agitator, pedant, faddist, lunatic, romancer, liar? A little of all, perhaps, but the romancer seems to predominate. He would like that some of his tales should be believed. He hopes, as other romancers have hoped, to edify as well as amuse his readers. But he is careful not to tell us when he is earnest and when he is at play. So to do would not merely be an inartistic blunder: it might end in his being taken too seriously. He is making an attack on powerful persons, on the king's justices and officers. He is hinting that the royal court is a den of thieves. It is well for him that, if called to account for his words, he can say that he was but telling stories of Alfred and Arthur, and ask you whether you cannot see a joke.

The authorship of this book remains a riddle. Maitland's guess is that the work is that of 'a young man ambitious of literary fame', with suspicion falling principally upon Andrew Horn, a fishmonger, and officer of the City of London. As appears from the reasoning of the appeal court in the 'night and day' case, *Nixon v Freeman*, and from Pollock's splenetic commentary, the great Lord Coke obviously obtained

a copy of the *Mirror* two centuries after it was published and devoured its contents with uncritical voracity. Through Coke's intervention it was long regarded as an important source of English legal history.

We have already noticed that satirical works such as *Catch 22* or Orwell's *1984*, in spite of the exaggerated pictures they present, are sometimes thought to encapsulate important truths about an age and thereby become part of contemporary life, entering the language or foreshadowing the issues that lie ahead.

Could it be that Coke was attracted to *Mirror of Justices* because it supported his own views concerning the need for an independent, uncorrupted judiciary and the desirability of restraints upon executive power? According to the *Mirror* (or is it Horn, the fishmonger, speaking?): "The first and sovereign abuse is that the king is beyond the law, whereas he ought to be subject to it, as is contained in his oath ... judges are those who have jurisdiction."

When Coke drew upon medieval law as it was in the middle ages he was not proceeding as a historian might, an antiquary determined to produce an accurate description of the past, but as a creative common lawyer making sure that legal principles were developed to meet the needs of a changing society. He interpreted Magna Carta as a charter of liberty for all English people, not merely as a charter of different liberties for different classes. He took a comparatively insignificant procedural direction addressed to jailers holding prisoners awaiting trial, and by the use of a legal fiction, moulded it into the writ of habeas corpus almost as we know it today - a final safeguard against the use of arbitrary executive power.

When President Nixon's men approached the darkened premises of the Democratic Party's Headquarters at Watergate little did they know that their superior's ability to cover up the escapade would be fatally handicapped by a line of precedents going back through the constitution to Blackstone, to Coke, and ultimately, seven centuries earlier, to Andrew Horn, the fishmonger: "A young man ambitious of literary fame."

The house of law has many mirrors.

In 1973, a year after the break-in, Americans were shocked to learn that their President had been bugging his own Oval office and would not release what were believed to be incriminating tapes for use against the Watergate conspirators.

President Nixon's counsel argued before the Supreme Court that the constitution provided an absolute privilege of confidentiality for all presidential communications, and that the President himself was the proper person to interpret the limits of the entitlement. The Supreme Court was unconvinced. It recognized that constitutional government would be in serious jeopardy if the President was the sole arbiter of what the constitution meant and held that it is the province of the judiciary to determine what the law is.

Leon Jaworski, the Special Prosecutor, was charged with the responsibility of determining whether the President had used the powers of his high office to obstruct the official investigation of the unlawful entry. In describing the scene inside the Supreme Court on the day the crucial constitutional issue was debated - a forum very close to the centre of the multi-faceted, age-old, legal maze - Jaworski said of that corner of the house of mirrors: "It seemed that every face around me reflected the sudden knowledge that this was a special place where the honour of the Republic reposed."

HELEN BUDGE

Rationality

Thoughts, crash the consciousness
Wave after wave,
Surf in, frothing
And tumbling,
Are sucked back
And return
Suitable for distribution
And consumption.

Where does the wildness go?
I want to know.
Does it sink deep
Too deep to surface?
Can't wild thoughts
Be public?

What is there to fear?
Thoughts are insubstantial,
Mere tremblings of the mind.
They are not guns,
Nor unexploded bombs:
But only seem so.

GRAEME TURNER

Making It Legal: Business, Law and the Local Hero

There was a time when it seemed as if a suspicion of capitalism and a lack of respect for business was a permanent feature of representations of Australian life. When one goes back through *The Bulletin*'s early decades, the cartoon figure of the 'fat capitalist' litters its pages; the foreign banker is similarly pilloried, usually in ways we would now recognise as anti-Semitic, throughout the press of the late twenties and thirties as a reflection of the popular linkage between the onset of the Depression and the influence of overseas bankers on the domestic economy. Such an attitude to the businessman was not motivated by a sense of the 'vulgarity' of trade or commerce; it was simpler than that. Anyone whose life was dominated by the making of money had to be doing so at someone's expense and therefore could not be trusted. If this seems a valid characterisation of the representation of Australian attitudes in the past, it makes the sudden change in the Australian representation of and attitudes to business in the 1980s hard to explain.

It has become orthodox to argue that the deregulation of the banks triggered the 'larrikin capitalism' of the 1980s. While this orthodoxy helps explain the banks' hysterical lending practices, it doesn't explain why certain Australian entrepreneurs were turned into heroes - represented as risk-taking, buccanneering characters whose shrewd and iconoclastic attacks on foreign companies and traditional accounting was leading us all out of recession into a golden era where multinational companies might actually base themselves here. Today, as these same entrepreneurs make their way through the courts to the gaols, those leader-writers and columnists who helped create their heroic status are, of course, deploring such business practices and wondering how the banks let it all happen. What such hypocrisy is meant to mask is an extraordinarily complicit relationship between business and the media, a relationship that allowed Alan Bond to be seen as the paragon of Australian development while his companies were responsible for something like ten per cent of the nation's foreign debt. The key to the way in which this relationship was maintained is the connection between business and the national character - a connection which is at its most seamless when Bond wins the America's Cup but which can be seen in countless treatments of Australian business during this period. (*Business Review Weekly* ran a history of Australian capitalism which explored the roots of the competitive, entrepreneurial spirit in convict society in December, 1987.). In this essay, I want to look at another connection: this time it is between business and the law, and the way in which Sydney lawyer Malcolm Turnbull served as an image of the common interests of these two institutions and - as the chain of connections lengthens - between these two institutions and the national character.

At the moment, with Bond having experienced gaol and contemplating more of

the same, Connell seemingly on his way, and Skase's future resting on his allegedly dicky back, the law looks as if it is cleaning up the mess the banks created during the 1980s. It should be remembered that this mess was only possible due to the inadequacies of Australian company law and the shrewdness with which members of the legal profession exploited these inadequacies to benefit their clients while regularly modifying their own practices to keep ahead of changes in the organisation of criminal investigation. The 'inventiveness' of Australia's legal profession has been celebrated in the same irresponsible terms as that of the accounting profession. For example, when foreign bankers expressed doubt about the accounting methods used by the Australian entrepreneurs to revalue their assets in order to finance further debt, this was represented as the fuddy-duddy traditionalism of those who had failed to keep up with the times. Australia had the upper hand, the argument went, because the British and Americans didn't 'seem to understand our accounting system'. As we know now, their failure to understand was occasioned not by their bewilderment at its complexity but by their astonishment that it could be considered within the law. Similarly, the ways in which foreign regulatory agencies failed to prevent asset-stripping takeovers by Australian entrepreneurs was used as evidence of their old-fashioned legalism, the eschewal of which also gave us the competitive edge. In Australia, where there was less and less intervention in the market place, the business media made repeated calls for the reduction of the remaining regulatory controls, the 'petty application of authority and demands for detailed information' which so constrained and 'irked' local business (Editorial, *Rydges*, January, 1984).

The risk-taking speculative behaviour which helped land Australia in its current mess cannot be disconnected from its crucial relationship with the law and lawyers. 'Larrikin capitalism' was enabled by legal advice which ignored its public, in favour of its commercial responsibilities and by legal structures which were not up to the task of protecting the public interest. Even now, these structures are going to be very difficult to reform without the full cooperation of the legal profession - something that is yet to materialise.

Progressively, over the last decade, the law has positioned itself as an arm of business. In recent Australian history, the notion of justice seems to have been emptied out of commercial law so that it now seems virtually impossible to protect shareholders' interests against the depredations of an unscrupulous entrepreneur. The function of the law in business is disturbingly self-reflexive, as if the purpose of its commercial operation is to get around its institutional responsibilities - that is, business law is about the avoidance, not the observance, of legislative limits. There was another way, however, in which the law's cultural meanings were positioned: the Bond route - it seized some territory upon which it could articulate itself as an image of the national character.

The mid-eighties trial over ex-M15 agent Peter Wright's memoirs, *Spycatcher*, started out as a pretty forlorn attempt by the publishers Heinemann to head off the British government's curiously bloodyminded attempt to prohibit publication in Australia as well as in Britain. The strategy adopted by Peter Wright's defence was twofold: one, to maintain that the book contained nothing that had not already been published in other spy memoirs and, two, that the British Government had no right to intervene in the publication of a book in Australia. This latter argument, ultimately about the British government's failure to acknowledge Australian sovereignty, was the one most eagerly taken up in the media and ultimately the one which provided the dominant flavour for the goings-on in court. These ended up as high farce, in which the young Australian lawyer, Malcolm Turnbull, cheekily baited and tormented a string of Sir Humphrey-like British Civil Service types. The hearings increasingly acquired the characteristics of a cricket Test between the two

nations, and was described through the media in ways that clearly placed the Australian/Peter Wright/*Spycatcher* team on the side of truth, democracy, and a sense of humour while just as clearly placing the British Government/anti-*Spycatcher* team on the side of secrecy, privilege and po-faced stuffiness. Even Mr Justice Powell entered into the spirit of things from the bench, drily referring to his status as 'a lowly colonial judge' sitting in judgement on Her Majesty's Government, and characterising the British Government's refusal to supply the defence with summonsed documents as childish. As the *Australian* reported it (November 27, 1986), Mr Justice Powell 'found it offensive for someone with his hands to his ears and tongue out saying: "Nah, nah, nah, you can't get anywhere near it"'.

Once it became clear that there was a populist and anti-British spin to be put on the whole affair, the editorial writers got involved. *The Australian*, again, reviewed the history of M15 to question whether British government secrecy provisions only operated effectively when suppressing information about the failure of secrecy provisions:

> It would appear that in Britain there has been too much secrecy for too long. From the 1930s, Britain's security services were devastatingly penetrated by a group of Cambridge-educated homosexual Marxists who rendered invaluable service to the Soviets. This compromise of British intelligence also compromised the intelligence of Britain's allies. (November 28, 1986).

Dramatisations of the trial were telecast daily in Britain, playing out the colonial melodrama to the full. The British were treated to a selection of the 'funniest, wittiest, and most ironic one-liners to emerge from the transcripts', within the unique spectacle of an Australian court's 'casual modernity' (*The Australian*, 21/12/1986). The villain in this melodrama was Peter Wright's lawyer, Malcolm Turnbull, 'portrayed as a cheeky hotshot with a nasty glint in his eye'. In Australia, these attributes hit a responsive chord which acquired very different meanings. Malcolm Turnbull became something of a local hero, the irreverent and witty champion of Australian interests who defeated the British government.

The media's treatment of Turnbull over the course of the trial, and again upon publication of his book, *The Spycatcher Trial* (1988), was unashamedly mythologising. Interviewed after Justice Powell had found in his favour by *The Sydney Morning Herald* (March 14, 1987), Turnbull showed admirable modesty - 'you win some and you lose some' - but the paper was not to be put off. Turnbull's impeccable credentials as an Australian nationalist were wheeled out ('his ancestors came to Australia as free settlers in 1802, building the first Presbyterian church in the country') while a personal history of resistance to British stuffiness was implied in the story about Turnbull's response to an English vicar who had refused to perform the marriage ceremony for Turnbull and his wife-to-be, Lucy Hughes:

> Mr Turnbull said the Anglican vicar wondered why he should marry a non-practising Presbyterian (Turnbull) and a non-practising Catholic (Hughes). Mr Turnbull explained that it was the vicar's duty, as the agent of the State Church to discourage and, if possible, to prevent fornication outside marriage.

This story was repeated across the media, as were a number of exchanges involving Turnbull and Sir Robert Armstrong, widely regarded as the decent but hapless fall-guy for the Thatcher Government. Accounts of Turnbull's iconoclastic career routinely quote his remark about a period when he worked for *Nation Review*, the Catholic Church-owned radio station 2SM, and Kerry Packer, as simultaneously 'serving Marx, God and Mammon'. Clearly, Turnbull was expert in feeding such

stories to the press, but the press obviously needed little assistance to produce their own characteristic hyperbole: 'Who, then,' asked *The Weekend Australian*, 'is this most accomplished of younger Australians?'

> Who is this Jack to the Thatcher giant, this previously little-known Sydney lawyer who humiliated Whitehall's most powerful mandarin, Sir Robert Armstrong, and who has been described by some British commentators as a potential future prime minister of Australia? (September 3-4, 1988)

As the cultural cringe of that last clause suggests, in Turnbull we had found yet another example - like Alan Bond a few years earlier - of an Australian who could show 'them' (Britain, America, the world) that we were not to be underestimated. The local hero received, consequently, a dream run; his conduct of the trial was seen as a triumph, his book was well reviewed and excerpted into the weekend press, and he and Lucy even found their way into the gossip magazines as one of Australia's most promising and handsome young couples. Turnbull's cheek, his apparently cheery refusal to take his battle with Armstrong personally, his history of 'audacious challenges to authority' (as one account of the vicar story described it), and the depth of his ancestors' roots in Australian history, all worked to provide a sense of the lawyer as the typical Australian larrikin - shrewd, witty, egalitarian, and world-class.

The highpoint in Turbull's trajectory probably arrived when he received *The Business Review Weekly's* award for Businessman of the Year. (The award was also the initial provocation for my interest in the conflation of law and business during this period.) As the *Business Review Weekly* editorial (December 11, 1987) points out, however, the relations between law and business were not entirely explicit; to some, the editorial suggests, the choice of a lawyer may have seemed 'a little obscure'. But the award is the occasion for a clarification of the relationship. While the legal profession should be considered as part of 'the services sector', the editorial goes on, there are deeper reasons for establishing the connection Turnbull's award proposes:

> We are accustomed to seeing the parades of QCs, junior counsels and teams of solicitors at important cases of corporate litigation. On page 55 we explain how Turnbull and his wife Lucy went about beating the Thatcher Government in the *Spycatcher* book litigation. Turnbull told the audience [at his presentation] on Monday evening that in this case his opponents were overmanned, with him battling between eight and 16 expensive lawyers at different times. There are inefficiencies in all areas of business, and Turnbull singled out the legal profession as one where business could cut its costs.

The editorial's account of Turnbull's speech continues to develop this analogy between the efficiency of legal businesses and Australian business in general. Turnbull's success at law is seen to suggest how Australian business might become more competitive and efficient in the post-stock-market crash era of the last days of 1987. And in case one still felt that there are principles of law which are not entirely consonant with those at work in business, Turnbull's closing aphorism is recommended to us: 'just as freedom of speech is important (for the press), the ability to think laterally and challenge ideas is important to business. Freedom is the companion to efficiency'.

Now it is tempting to underline how artificial this local hero image was by referring back to Turnbull's relatively patrician past. However, one only needs to move forward a few years to a point where Turnbull's reputation is more closely bound up with that of the corporate world - he went on to set up a merchant bank with Nicholas Whitlam, among other ventures, and continued his association with

Kerry Packer - to see another set of representations applied. In the *Good Weekend* for *The Age* and *The Sydney Morning Herald* (April 13, 1991), we again find Turnbull as the subject of a major story - the cover story, in fact. Times, however, have changed: by 1991, the business practices of the eighties are discredited, Turnbull himself is seen to have profited from those practices, and his local hero status is fast fading into memory. The story now is a very different one for the press and as a result the construction of Malcolm Turnbull is radically different too.

The cover photo is intimidating, Turnbull leaning aggressively over a desk, unsmiling and threatening. The headline: 'Malcolm Turnbull - Humility Is For Saints'. Inside, it is Turnbull's complexity, volatility, and personal power that is the subject:

> Suddenly. He can turn. The charmer becomes the menacer, the defender of freedom of speech its most sophisticated challenger. He laughs, and disarms, but always be on guard. Malcolm Turnbull, at 36, is one of the most powerful lawyers in Australia, and inspires a wide range of feelings among those who know him.
> 'He's a prick', says ex-business partner Nicholas Whitlam, who says he is being restrained in what he says so as not to fuel an ongoing feud.
> 'He's wonderful, kind, generous and warm and friendly', says actor Kate Fitzpatrick, a longtime friend.
> 'He's a turd,' says former Labor senator Jim McClelland. 'He's easy to loathe, he's a shit, he'd devour anyone for breakfast, he's on the make, he's cynical, he's offensively smug. He's a good exploiter of publicity, although I applauded the way he ran *Spycatcher* against Margaret Thatcher.' (p.21)

No longer is Turnbull the simply explicable local hero with the history of resisting British authority, whose championing of Peter Wright was on behalf of all Australians - an act of national independence. In this article, he is complex and frightening: a symbol of the combination of law and commercial power that I have suggested is one of the legacies of the eighties.

Of course, there is no reason to see this portrait as any more 'accurate' than those which preceded or will follow it. Nevertheless, the Malcolm Turnbull we encounter in the media these days is a much more contradictory - and thus more believable - character than the one we met during the *Spycatcher* hearings. On the one hand, for instance, Turnbull turns up as an eloquent spokesperson for the republican movement; here, clearly, his *Spycatcher* credentials are relevant. On the other hand, however, when two local representatives were bumped off (or, more correctly, encouraged to resign from) the board of Bond University in order to make room for representatives of the Japanese owners, EIE, it was widely alleged that it was Turnbull who convinced the locals to depart. One thing is clear, however; Turnbull's activities now are more easily understood as being within the sphere of business, rather than the law. The transition has been completed.

What interests me in this case, and I admit it is perhaps a unique (if well-known) case is how Turnbull seems to operate as a site where a whole range of interests and discourses converge: those of commercial law, the public good, the entrepreneurial spirit of Australian business, the larrikin essence of the national character. This convergence, in turn, interests me because it seems to have worked to elevate its participants beyond criticism. Turnbull himself is probably only interesting inasmuch as his public career shows how effortlessly media constructions can temporarily produce this kind of mythological status; more generally, however, he remains a supremely clear example of what has become a damaging but largely unchallenged partnership between law and business.

One of the stories of Australia in the eighties is about the alliance between the law and business: once begun, such a story would focus on their frantic

interdependence as representatives of both institutions conspired to protect each other against the demands of the Australian people while naturalising this arrangement as the expression of the national character. If there is one overriding feeling most of us experience as we witness the ritual trials now dealing with 'failed businessmen' (*why* do we call them this, rather than 'failed criminals'?), it is frustration with a legal system that can so easily protect the rights of those who exploited their shareholders and their fellow taxpayers, while it so categorically fails to protect the rights of their victims. In my view, this frustration is further fuelled by the sense that no longer is the law a set of limits upon business, and thus still relatively autonomous. The law has now become almost encapsulated *within* the domain of business: as if our legal system and its functionaries are themselves yet another *effect* - like the reeling education system, like the decline in welfare support schemes - of a rationalistically conceived economy. In this context, then, the law becomes yet another domain appropriated from and then denied to the vast majority of the population who are the subjects of this ever-narrowing circle of capital and legal power.

I would like to acknowledge the research assistance of Jo Robertson in the preparation of this piece.

KATE O'NEILL

My Friend, George

It's all a long time ago now, but I've not forgotten. She was a good friend and got me through a tough time.

The first I heard of her was in a film, "A Song To Remember", which had Cornel Wilde bleeding bright drops of blood on the piano in his heroic struggle with the last stages of T.B. He was being Chopin. Merle Oberon was George Sand, dark, dead-pan, enigmatic. She was being cold and bossy and, of course, HARD.

It was an interesting portrayal, but I thought, "Balls, balls, balls!" and went straight along to the public library to find out what George Sand had been like, REALLY. I started researching and then I couldn't stop.

The Merle Oberon version had been a Hollywood stereotype. In the late 1940s a woman who sometimes wore trousers and often called the tune *had* to be cold and hard. She should actually have been shot or had her glasses removed, but this was supposed to be history, so all they did was rescue Chopin from her so that he could die more heart-rendingly. Actually, the rescue job would more fittingly have been done the other way around. Put a frail, hyper-sensitive genius down anywhere you like and you'll soon find everybody running around with hot water bottles and aspirin. George Sand was my sort and I feel for her entirely.

I was seventeen then and a loner and trying to make sense of the mating game, and she came along just at the right time. She had been a loner, too, and she had been brought up by a mother and grandmother very like mine, a working class fascinator and an un-bending old aristocratic Rationalist. Her father had been an officer in Napoleon's army and was early dead. She'd rattled around on her grandmother's estate, often in trousers on horse back, getting away with pretty much what she liked, and when the crunch came and she was told to behave fittingly and marry well, she connived with her old pal, Casimir, Baron Dudevant, from a neighbouring estate. They were to marry and live happily ever after doing their own thing. Of course it didn't turn out that way, but it was a good try.

It was the sort of solution that I may well have chosen for myself, but it seemed to me that the situation had got worse since her day. You had a lot decided for you then, which took most of the pressure off. They even lined your options up, and all you had to do was take your pick. You could even stick you heels in and refuse the lot. It made you an old maid, which was supposed to be the pits, but at least it was an option. You weren't branded a coward and practically shot at dawn. You could even stay a virgin and not have everyone sneering at you. D.H. Lawrence and his mob have a lot to answer for. I hate him.

How they had you set up in the early 1950s was that they had brought you up to be bloody terrified of sex, and then they shoved you out to fend for yourselves. They'd already brainwashed you into believing that somebody out there was waiting

to love just you, and that you had a strictly limited time to find him in. If the bell rang and your hands were still empty, then you were a failure and a terminal coward. It wouldn't have been so bad if only one sex had been terrorised. At least one side might have retained some sense. But, no, it was both; so what you had was two opposing armies, each scared witless of the other. If you got any of your moves wrong then everybody laughed at you and your whole life was a failure. Boy, did I need George Sand!

She said that I needn't worry so much. She said that I just had to remember how scared the males were and I'd have the edge. "That way", she said, "you keep the initiative". But the big secret was never to be afraid of making a fool of yourself. She said that she'd managed to roll up to Paris and start her writing career quite easily because Casimir was always so scared of looking a fool and she hadn't been.

"Being a fool is pure strength", she said.

I've remembered that all my life. It's probably true, too.

I was, at the time, probably more ignorant than most. Other kids had learnt quite a lot from being whispered to in dunnies and behind the school tank, but I never got whispered to. That is a prime disadvantage in being a loner. Another one is that you can't go around in a flock, rubbing off the edges of your terror by doing most of your mating rituals among a warm, giggly crowd of friends. When you get to having to face up to this sort of crisis you can see why humans are really herd animals. It pays. Still, it was too late to change, so I just got stuck into things as best I could.

The first independent strategy I tried was picking men up along the banks of the River Torrens. George Sand didn't like this because it wasn't Romantic, but I said, "Be buggered to Romance." That was always our battleground. She said that I was a cynic, but I said, "Just a Realist."

"It's the same thing", she said.

I left it there.

The banks of the Torrens were a lot safer then, of course, and I didn't spend much time on the experiment. If I'd just missed a train and had ages to wait, well, I'd go down to the Torrens and see what I could see. They were mostly scrag-ends and fairly harmless, but you have to start somewhere. And there were all these newly arrived migrants around who didn't know anybody and had to rely on pickups, so you could just get a bargain. Anyhow, in case you're interested, this is how I went about picking someone up. The important thing was to make sure that the fellow didn't get to realise that you had started it. First you lie down on the grass near your target and start reading a book, not a very interesting one. Then your gaze wanders and you end up gazing at him. He meets your gaze and you look hastily away in confusion. Repeat. You probably only have to do it twice, and he'll be over to try his luck. Act mildly surprised but quite friendly. Being a scrag end, he will very likely be quite slow at starting anything. If he is really boringly slow you say, "Goodness! I have a train to catch in half an hour."

If you say 'ten minutes' it will not help. The odds are that he'll just fold up his act. 'Half an hour' gets it just about right. He'll start making love then, and you can let it go at whatever speed he likes, because if it gets too hot all you have to do is spring up and cry, "God, my train!" and you run. This is why it is important that your target should believe that *he* picked *you* up. He can get very shitty if he thinks that you have been using him, which you have. But then how else can you get practise?

George Sand said, "Well, not that way. It is downright dishonest."

"Don't start telling me that I should go to dances and join clubs", I said,

"because I won't."

"No", she said, "I quite agree. Nevertheless, you ought to give one of those poor fellows half a chance to prove his worth."

"And be bored silly? Have my time wasted?"

"Is it because you fear to chance your heart?" she asked.

"Balls!"

But one had to admit that she practised what she preached. If there were medals given out for heart-chancing, she'd have a string of gold. Just take Alfred De Musset as a prime example. He was a wan and sickly prick who read out yards of his poetry to yearning females while running his long, aristocratic fingers through his silken curls. He drank. He drugged. And nothing was ever, ever his fault, and I am being outrageously unfair, but so would you be. Well, George Sand managed a Great Romance with him! Hell, it was downright heroic!

So, next time, instead of clearing out while my luck was in, I made an appointment to see the fellow again. His name was Charlie. He was thin and pimply, but quite handsome in a limp way, and he was a university student with a widowed mother, and he was taking Geography because he hoped it would be easier than the other options. He was hell on wheels, all right, and I got stuck with him.

Charlie talked a lot. He even read me drafts of his hideously tedious essays. He did his essays by patching together bits and pieces of the set books on his reading list, and he really thought that that was how you wrote essays, and that everyone else did exactly the same. If I tried to say what I thought (censored), he would look at me and he would strain his ears dutifully, but he did not hear a damned thing because he had never bloody well listened to anything in his whole bloody life. He was a NOTHING and he was always going to be one. He hadn't a hope. He was cooked. Every time I tried to chuck him he would listen with his deaf ears and he would cling and cling and cling, and he would even believe that he loved me because I was there and tangible, and he mightn't ever get another chance. He didn't know me, and what he did know he didn't really like, but there he was convincing himself that he was in love. It was like trying to throw away some little white mouse which had been cruelly misused in some unpleasant laboratory experiment. It was hell.

I said to that bloody fool, George Sand, "Here's your Romance!"

"At least you felt something", she said, "even if it was only pity. It is better than feeling nothing."

"Better for whom?"

"In the end", she mused, "it was all I could feel for poor Alfred. But before that, what passion! What elevation!"

"Was he such a red-hot lover?"

"Alfred? Not at all. He was dreadful. But he was such a little boy. How could one deny him?"

"It's something that ought to come quite easily", I thought.

I stopped seeing Charlie.

That's when my mother started bothering me again, as she periodically did. She had another go at trying to make me wear plunging necklines, stockings, makeup. She complained again of the way I walked, my lack of suitable conversation, my failure to charm.

I said to George, "Did you have this sort of bother?"

"Not from my mother", she said. "She saw that I had money and secure position. She assumed that I had no need to charm."

"I wonder what gets my Mum in such a fuss."

"Perhaps she fears that you love only women."

"Eh?"

"You do love women, do you not?"

"You mean SEX?"

"Of course."

"What a good idea", I said. It hadn't occurred to me. It would solve quite a few problems. I LIKE women."

"Ah, of course", she said, "but where is the CHALLENGE?"

"You have to be kidding! Why should I want challenge?"

"It is Life. Look at me. I have a friend. She is more to me than a hundred men. She listens to me and helps me and makes love to me, as I do to her. We understand each other's needs as only women can. But she has her life to live and her lovers to placate, and I have mine."

"Good lord, why?"

She looked at me with exasperation. "When have you seen a play called "Rosemary and Juliet" or "Antonia and Cleopatra"? Where would be the tension, the drama? Between women is too much harmony. Do you climb a small hill to plant a flag, or do you struggle to top Everest? It is BECAUSE it is not easy, because it is fraught with danger and dreadful possibilities that we must always seek the male. And where would I be without my angels; my good little Maurice, my beautiful Solange? One must expect to pay. Quite heavily", she brooded.

"Honestly", I said, "I just don't think I'm going to be much good at this sex business."

"I was abysmal, myself", she said, "and I despaired. My friend advised me. She told me to get a lover who was not a little boy, one who knew women. I had heard much of Prosper Merimee. She believed him at least worth trying."

"All right", I said. "I'll try, too."

Shortly afterwards I went to an amateur play production, and after the show I went backstage to see a friend. There was a big fellow called Moss. He had thick lips and horn-rimmed glasses and huge wide shoulders. He thought a lot of himself and made a dead set at me, which was very flattering.

"Let me take you home", he said.

"Steer clear of that one", muttered my friend. "He has a lousy reputation".

"What for?" I asked.

"A real wrecker. Thinks he's irresistible."

"And is he?"

"How should I know?"

I turned to him. "O.K. Have you got a car?"

"I can borrow one", said Moss, and he did.

On the way he said, "I'm learning a play about Captain Cook and I need someone to help me with my lines. Would you?"

He wrote down his address and drew me a little map of how to get to his flat. I was quite excited. In less than twenty-four hours I could cease to be a virgin. Not to be a liar, I was also shit-scared. I started to think that maybe, after all, I could postpone it for a year or two.

George Sand said, "Give raw Nature a chance."

"Did you?" I asked.

"Once."

"Then I'm game."

Next day I went to the address, and he let me in and shut the door and then kissed me on the neck. I blanked right out in an erotic swoon. When I came to I was in bed with nothing on. Moss was across the room from me and naked, too. He was coming at me, and what I saw then stopped my flood of eroticism cold. It

was a huge penis.

"Bloody hell!" I thought, "That won't fit. I could get killed!"

He came slithering up from the bottom of the bed. I grabbed his hips and pushed down. He held my shoulders and heaved up. He said, "Oh, come on!"

I said, "Quit it."

Finally he did, and we just lay panting for a while.

"I'll get my play script", he said.

It was a damned silly play. I was Captain Cook and Mrs Cook and assorted Tahitian maidens, and Moss was a Tahitian chief demonstrating how uninhibited and natural he was. It gets me how people think that if you're primitive you're always very uninhibited. Joke, joke, joke. Moss said that the play was a powerful attack on bourgeois values, and that the trouble with me was that I was a prisoner of the bourgeoisie. I told him to go soak his head. He said I was being stifled by my inhibitions. I started to get my clothes on. He grabbed me.

"This is a half-Nelson", he said. "See if you can get out of it".

That got my interest back. I could test my theory that if didn't take particular strength to get out of wrestling holds.

"I'm a contender for the amateur championship", he said. "Come on, bust out of this."

He was enormously strong, and for a while I was strapped. Then I had an idea. This is what you do. You start to quiver. You keep at it till you've worked up quite a speed with tiny, rapid movements. It doesn't matter who's holding you, they can't keep a decent grip if you're going like a Mixmaster. Then, Froom! you suddenly make a lunge, and there you are, free! Moss was cross.

"We'll try another grip", he said.

Well, we tried five or six more, with Moss getting snappier and snappier.

"It was your idea", I said.

"Let's get dressed", he grumped.

He got me a cup of coffee and he became very confidential. He told this very sad story about this girl that he'd cared tremendously for and she'd let him down. She'd gone and married someone. It was a profound blow. it had destroyed his faith in women. He was so haunted by this lost love that he found that he could no longer take any woman seriously. He tried. My God, he tried. He looked deep into my eyes and then he lowered his brow onto the hand he was clasping.

"Goodbye," I said.

"I don't think I'm quite ready for a full experience", I said to George Sand. "Men who understand women are so sleazy."

"Prosper, too, was a louse", she said. "When he failed to gain an erection he fell to abusing me. He said I was too shameless; that I had no mystery."

"This one didn't have that trouble", I said. "Which reminds me; I could do with some physiological information, if you wouldn't mind."

It turned out that it would probably have been all right after all. One's vagina usually stretches to accommodate, and I was a good, big girl. Still, I wasn't going to go back and find out. Imagine being in erotic thrall to a sleaze-bucket!

"Nonsense! One's very soul would revolt!" she cried.

She often talks like that.

When I got home that night there was my mother crying on the sofa.

"What's wrong?" I asked.

"Everything! My children walk all over me. They do whatever they want. They disgrace me. People laugh at me behind my back because they're sorry for me."

"I mean, what's REALLY wrong?"

"You've just bought a whole pile of books. You didn't buy any clothes."

"Why should I buy clothes? You always make them for me."

"Only because you will not buy them."

"Well, then?"

Some people have damned silly parents. I patted her for a while and quietened her down ... for the time being.

George said, "Love is all. When love reigns all is with God, and Truth and Beauty prevail."

I started listing the occasions in which she'd been sure that she'd been in love, and in which Truth and Beauty had got a hiding.

"Did I say that one never made mistakes? Heed me. You will love and you will know that I speak the truth."

"Is that a prophecy?"

But she'd quit on me. One minute she was there; the next she wasn't. I was all alone.

Not long afterwards I was directing a production of "Antigone" at Teachers' college, and there he was. He had been cast as Haemon and he couldn't act at all, but did that matter? Actually, it did, because any audience would have had a hard time hearing a work he said, and he could never remember from one rehearsal to the next where he was supposed to be and how he was supposed to move.

You had to drive everything in with nails, but, oh, he was Haemon! He was quite short and very blond and maybe a bit younger than I was, and he had a lovely soft complexion and beautiful, steadfast eyes. It was an absolute certainty that if Antigone had been his girl he would not have thought twice about going to the tomb with her. I should be so lucky! Oh, I fell, fell, fell. That did not stop me from bossing him to Hell and back when he was up there on the stage. What it did was strike me utterly dumb when he wasn't. "This isn't true! This isn't happening to me", I said over and over, but it was, and it got worse. It became quite obvious that he was pretty keen on me, too, and exactly the same thing happened to him. We would stand there side by, stand and stand and stand, and not one word would come, not from him, not from me. Rehearsals continued, then the play went on, and every now and then we'd stand together and hope. Sometimes we tried sitting. Nothing ever happened, and it became increasingly obvious that nothing ever would. Then we just gave up. It was terrible.

"George bloody Sand?" I roared. "What is the meaning of this?"

"So you have discovered the paradox", she said at my elbow.

"Paradox? I came across this damned awful snag", I said. "Now what do I do?"

"I do not know."

"WHAT?"

"I was hoping *you'd* find a way."

I stared at her.

"It would seem", she said, "that if feeling strikes too deep, one becomes so terrifyingly aware of every possibility of action, that action itself becomes impossible. Though I frequently thought", she went on broodingly, "that if he had been caught in a burning building ... had been threatened by Apaches ... then I could have flung myself to save him, and died there for him. And I am quite, quite sure that he would have done as much for me", she finished more brightly.

"Jesus! I had to get myself a flaming Romantic as an adviser!"

"But it is true", she said. "It is always easier to die for love. Living with it? It is then that one deceives one's self that this spoilt child or that mollycoddle or some oaf or other is of great moment."

"I will not settle for some bloody idiot", I raged.

"Then your life will be a tragedy."

"Balls!"

"It is so. All great love stories are tragedies that find consummation in death. It is because one cannot look God in the face and live. If one lives, one lives a comedy and sees only the hinder parts."

"Comedy? I don't see anything funny about it."

"Comedy is a play that ends in marriage, just as tragedy is a play that ends with death. Tragedy gives us the ideal, but how else but in comedy do we have our children? Come. Why not marry?"

"Are you out of your mind? Having children is the most terrifying thing of all."

"Yes, and it compels one to live, and not to be always flinging oneself at burning buildings. Goodbye, and good luck."

* * *

She didn't come back again. I don't suppose I expected her to. As I said, it's all a long time ago, now. I'm 59 next birthday. George Sand had her very last affair at the age of sixty. It was with a fellow half hr age. It's not a bad idea, but I didn't keep things up the way she did. In fact I haven't done very much in the way of mating since I saw her last. Oh, a marriage, three kids a brief affair or two ... or three. I don't think I've learnt much. I'm certainly no wiser.

I've noticed that much the same could be said of my friends. Those who married did so for all sorts of reasons and called them all 'love', as is customary. Their choices, if you can call them choices, were mainly mundane and, on the whole, bad; the usual thing, in fact.

As least I kept to what she told me so many years ago.

"Be a fool", she said, and I was.

D.M. LUMSDEN

Not just any P-Plater

She struggles to park her scarlet-duco'd Porsche.
Strangers' eyes penetrate the tinted glass,
loving her snowballing embarrassment.

For someone so young and with such xeroxed beauty
each day must be a river of ordeals.
Tailed through crowded nightmare streets
the butt of yobbo rape-her wit,
sealed in a centrefold body,
she is a focus for contempt.

Eyes will always track her, eager for tragedy;
she'll get more than she deserves of goods and pain;
and there'll always be a mob like this
watching every desperate move.

HAL COLEBATCH

The man in the picture

The elderly bus jolted on the rutted, badly-surfaced road, leaving a thin trail of bluish-grey exhaust. It was a long ride home from school as the long summer twilight slipped away, and the boy was restless.

There were few passengers, and the boy moved from seat to sea. The shabby, tired-faced adults took little notice. He was a regular on the bus, and so were most of the passengers. He knew most of their faces, if not their names. He was not encouraged to talk to strangers.

Then the man caught the boy's eye, the man he had not seen before, a man with a thin, sad face, tired, rather Asian-looking eyes and a beaky nose, sitting alone, carrying a shapeless parcel. His clothes were no more nor less poor-looking and dingy than those of all the other people on the bus.

The boy looked at him, looked away, at the passing brown oak leaves, and then looked back at the man, staring up at him with a child's stare. Then he shifted into the seat beside him.

"Who are you?" he asked.

"A forester." It was an accent from far away, a city accent that seemed to belie the words. "I work in the woods."

"Are you somebody important?"

"No." The sad-faced man's voice was not unkind, but he did no volunteer any information, or ask if there was any reason behind the question. The child had not learned enough of social interaction to be silenced.

"You're really not anybody important?" He sounded as if he knew a trick was being played on him.

"No."

The trees passing outside the window gave way to a cleared field. A tractor stood near the road, and further away a team of mismatched horses were ploughing in a cloud of soft dust, reminding the boy of the plumes of smoke thrown up by tanks on exercise. Then the trees began again. The boy turned again to the man.

"Then why have my mother and father got your picture on the wall at home?"

The boy did not see the man's reaction, but he was aware of a long moment in which the man said nothing. When the man spoke again it was in a different voice.

"How old are you?"

"Nine."

"They don't have a picture of me." The boy could not tell if the man's words were a question or a statement.

"Yes, they do. They keep flowers in front of it. In the old glasses. The pretty ones."

The man's manner changed. He spoke with a surprising firmness.

"It is not me. I only look like the man in your picture. But they should take it down. Even if I were that man, they should take it down ... tell them I said so ... tell them the man in the picture said so. For their own sake. It is better for them."

The man held the boy's eyes strangely. As he looked up at his face the boy became more convinced than ever that this was the man he saw every day above his parent's mantelpiece. He was out of place, somehow, as a bus-passenger.

The bus turned a corner, inching past the hulk of a long-broken-down threshing machine. The dusty trees gave way to a sudden street of small, stucco houses.

"I get off here," the boy said. The bell-pull was broken, but the driver knew his stop.

"Tell you parents," said the man. Then he added, as the boy rose and moved to the bus's door: "Thank you for telling me."

The boy had never met anyone out of a picture before. It would be news to tell his parents, he thought as he walked to his door. Only his parents, though. Already he knew that there were some things to be told to parents alone, and somehow he guessed that this was one of them.

He found himself hesitating before the door. Somewhere inside himself, he discovered, there was a tiny ice-crystal of a fear that he had done something bad, bad in a special way. He had never thought of it especially before, but now he realised that he had always known the picture was not to be talked about. He remembered when there had been some visitors, and his father had taken it down before they arrived.

Yet surely there could have been no harm in telling the man who was its very subject? The thought of supper quickened his feet.

The ice-crystal of fear seemed to evaporate on the threshold. There was his mother bending to be kissed with her invariable question, Did you have a good day at school, Jiri, and his father's What did you learn?

There was his bowl of soup on the well-scrubbed, yellowish-grey table: garlic and potato soup to welcome him home from school one day, a taste of sauce and dumpling the next. He was used to the fact that his family were creatures of habit.

Confirming to himself what he had seen, he examined the picture above the cracked mantle-piece. A portrait of a man with a high forehead and somehow Asiatic eyes. On either side stood single, mismatched, coloured crystal goblets, very old, cut and embellished in the pre-war Bohemian style, which, with their seasonal flowers, were almost the only bright-coloured thing in the room.

The picture had been there as long as the boy could remember, along with the bright pieces of crystal.

He climbed onto his chair, telling his news as he reached for his spoon.

"I saw the man in the picture today," he said, "he was on the bus with me."

"That man?" There was, for a moment, a note that he had never heard in his father's voice before.

"Yes. It looked just like him. I told him!"

"Told him? Told him what?"

"About the picture."

"What did he say? Jiri, what did the man say?"

The boy had heard that sound in an adult's voice before and hated it. He was beginning, without yet admitting it to himself, to recognise it as the sound of fear.

"He said to take it down."

He wanted, without being able to put the wish into coherent thoughts, to reassure his father, to convey the message that the man on the bus, the man in the

picture, had been a friend, however quite and sad he had seemed. The boy knew many people were sad and quiet.

"He said it was better to take it down."

It had been a political poster once. Cheap, acid paper, never meant to last, that had been folded and hidden away years before.

A label was pasted on the bottom, letters of a wandering manual type-writer on cheap paper faded to brown, the pasted ends peeling away:

"ALEXANDR DUBCEK, 1968"

Now, stained and cracked and torn along the old creases, the picture was preserved behind a crude, home-made frame, covered with a piece of cheap window-glass. The writing printed in the background was faded into enigmatic variations of grey on lighter grey.

The two pieces of crystal, one purple, the other blue, ornate unfaded relics of some splendour he senses with intuition beyond knowledge, had always seemed to the boy to have something magic about them. The boy looked up at the portrait now as if seeing it for the first time.

"Who is he?" he asked.

"A man. Just a man."

"It means something. What does it mean?"

His father spoke with a sudden welling-up of bitterness, even as his eyes moved about the room with something in them of re-awakened fear.

"It doesn't mean anything now ... it's a danger to us. Only a danger. We should get rid of it."

The boy knew his news had been wrong now. The picture and the man in the picture were connected with the bad things whose existence he had lately began to recognise, the things that were joined by the webs of fear which he knew lay upon adult eyes, and which his own eyes were now beginning to discern.

But instead of removing the picture the father sat down, staring at the stove. "Don't touch it," he said to no one in particular. Neither of the adults moved.

"We're not the only ones," said his wife. "It did matter."

"Yes, it did matter ... " His breath was full of fear. "It's dangerous," he said again. "Eat your soup, Jiri ..." Then he echoed her words: "No, we're not the only ones. We've kept it a long time."

"I know," said his wife.

"Seventeen years. A wasted lifetime ago."

"It was what it was."

"And what's it all meant?"

"We survived. Perhaps we did more. And ... and the picture survives, at least."

"It's trouble."

"Yes, it's trouble. Should we burn it, do you think? Tear it to pieces and throw it on the rubbish-heap?"

"Some would say that was appropriate. All the rest is gone to the rubbish-heap. As they said."

"Better than if all the rest had gone to the fire, perhaps. It might have come to that."

It was a cold, strained silence. The boy's father got up and switched on the radio. Brave music filled the room for a moment. Then he switched if off with an almost violent gesture. He paced up and down the room, striking the wall a futile blow with his fist. Then he sat down again.

"To Hell with it." he said. "We keep the picture."

There must, thought the boy, be some adult sense behind it all. He had never

sensed the webs of fear more clearly, fear that seemed to run from the fact that this faded picture existed, between the glittering, fragile pieces of crystal and the meadow-flowers.

"We've had that picture a long time, Jiri," his mother said. "We've had it since, well, since before you were born."

"I know."

"Something happened then. Something nearly happened. Something that we hoped would be for our children. Children like you. The glasses ... belonged to your grandfather's father, and they are all that we have left to remember his time by. It doesn't mean anything now."

"No," said his father. "It doesn't mean anything now. Look, Jana, we have the pork and mushrooms tonight."

The boy thought his mother was going to cry. She sometimes did, but not, he knew, when she thought he might see or hear. His father, his moment of rage expended, looked shrunken and still. The boy stared at his parents in bewilderment and then he asked:

"Why do we keep the picture, then?"

His father looked at him for a moment as if lost for words. It would be, the boy knew somehow, the first fully adult reply to a question he had ever been given, a small, hard initiation.

His father shook his head. There was a note in his voice now that was not so much fearful or bitter as somehow of a deep darkness. When he spoke it was in the voice of a man with a sudden realisation of hopelessness. "God knows," he answered. He shook his head again.

ROBERT DIXON

Closing the Can of Worms: Enactments of Justice in *Bleak House*, *The Mystery of a Hansom Cab* and *The Tax Inspector*

> What connexion can there have been between many people in the innumerable histories of this world, who, from opposite sides of great gulfs, have, nevertheless, been very curiously brought together![1]

> 'Did you talk to Jack? Jack Catchprice, my youngest son.' She nodded to a colour photograph hanging on the wall beside the doorway to the kitchen. It was of a good-looking man in an expensive suit shaking hands with the Premier of the State of New South Wales. 'Jack's the property developer. He tells everyone about his funny family.'[2]

Peter Carey has said that *The Tax Inspector* (1991) began with a desire to write about corruption in Sydney that was triggered by the murder of Anita Cobby in 1986. A policewoman told reporters at the time that "Anita was a lovely, ordinary girl. She ... wasn't a tart or a drug addict, she was just a normal girl".[3] It is odd that Carey should cite the Cobby case as his starting point, since the murder of Sallie-Anne Huckstepp four days later had a more significant bearing on the problem of corruption. Sallie-Anne Huckstepp was anything but "a normal girl" and her death promised to open a can of worms in New South Wales. Huckstepp was a prostitute and heroin addict, and the girl-friend of heroin dealer turned police informant, Warren Lanfranchi, who was himself shot dead by rogue policeman Roger Rogerson. As Wendy Bacon remarked in *The National Times*, the search for Huckstepp's killer threatened to disclose connections between criminals, police and public officials, but a month after her body was dragged from a pond in Sydney's Centennial Park "a blanket of silence" fell on the investigation (10).

The coverage of the murders of Anita Cobby and Sallie-Anne Huckstepp demonstrates two different ways in which the media represent corruption. Reports of the Huckstepp case suggest that corruption is systemic, a problem of institutional cultures; their mode of explanation is structural. Reports of the Cobby case lead away from institutions and focus on the private trauma of an unlucky, individual woman and her "demented" assailant; their mode of explanation is symbolic and humanist. With certain notable exceptions, media reports of corruption tend to prefer symbolic modes of explanation: it is easier, quicker, to "explain" the causes of social decline by the case of a "sick" individual mind than to grapple with the embedded cultures of public institutions. The fact that Carey has cited the murder of Anita Cobby as his originary myth re-enacts this process, leaving the real can of

worms unopened; it leads away from the systemic and institutional nature of corruption and focuses on the private trauma of a "normal" woman. I want to argue that this displacement from systemic to symbolic explanation is also enacted in Carey's novel, and that this is a feature of the narrative genre with which *The Tax Inspector* has strong links - the novel of crime and detection.

One of the earliest such novels was Charles Dickens's *Bleak House* (1853). Dickens used the trope of detection to inquire into the condition of England at the time of the Great Exhibition; he found the body politic to be moribund, bogged down in a mire of waste and inefficiency. Dickens understood the power of systemic forces, yet his interest in public institutions, including the parliament and the judiciary, is finally displaced by the disclosure of a dark secret at the heart of a respectable family, the secret of Lady Dedlock's liaison with Nemo. This fissure in *Bleak House* has long been noted, though never satisfactorily explained. J. Hillis Miller suggests

> Perhaps [Dickens] wanted to mislead the reader into thinking that the revelation of Lady Dedlock's secret is at the same time an explanation of the real mystery in the novel - that is, the question of why English society is in such a sad state ... [Yet] the larger mystery ... of the degeneration of England, is in fact not explained.[4]

Whether Dickens "wanted to mislead the reader" or not is irrelevant. The point is that *Bleak House* "works" as it does precisely because it mystifies what it apparently sets out to explain. I want to suggest that this fissure at the heart of *Bleak House* was in fact constitutive of its popular success, and that the discursive economy Dickens bequeathed to the genre of detective fiction is symptomatic of certain mechanisms of ordering and sense-making that are now fundamental to middle-class life. Like a good deal of journalistic inquiry then and since, it mythologises public corruption as a deregulation of private life, and private corruption as a synecdoche of public life.

I want to approach this problem by using a theory of middle-class culture developed by Peter Stallybrass and Allon White in *The Politics and Poetics of Transgression*.[5] Following Bakhtin, they argue that the formation of the cultural Imaginary of the middle class during the nineteenth century - the period which saw the emergence of detective fiction - involved an internal distancing from popular culture through a series of hierarchical oppositions between high and low:

> A recurrent pattern emerges: the 'top' attempts to reject and eliminate the 'bottom' for reasons of prestige and status, only to discover, not only that it is in some way frequently dependent upon that low-Other ... but also that the top *includes* that low symbolically, as a primary eroticized constituent of its own fantasy life ... the result is ... a psychological dependence upon precisely those Others which are being rigorously opposed and excluded at the social level. (5)

This pattern is disseminated across the symbolic domains that constitute the middle-class identity - the body, the city, the private domestic space and the public social order. Because they are inscribed by a conflictual economy of desire and disavowal, each of these sites is connected to the others, paradoxically, by the assertion of their separation: "What was so peculiar to the development of the middle class ... was [that it] mystified the interconnection of domains" (199). This mystification can be seen in the obsessive transcoding that takes place in so many nineteenth-century texts between the private body, the topography of the city and the social formation. In tracts on social reform, in accounts of the Londin underworld, in pornography and in the newly emerging genre of detective fiction, "the nineteenth-century city was produced as the locus of fear, disgust and fascination ...

the slum, the labouring poor, the prostitute, the sewer, were recreated for the bourgeois study and drawing-room" (125). Yet because of the peculiar discursive economy at work in these texts, the connections between symbolic domains were at once visible and unreadable:

> ... the body is transcoded through ... the city ... But this means that the obsessional neurosis or hysterical symptom can never be immediately traced back through the psychic domain. To deconstruct the symptomatic language of the bourgeois body it is necessary to reconstruct the mediating topography of the city. (144-5)

In *Bleak House*, and particularly in the private history of Lady Dedlock, Dickens staged a shocking disclosure of the "mystified interconnection of domains". His text "reads" the unreadable by treating the body of the city as the "symptomatic language" of the psychic domain. This reading is so powerful, so mesmerising in its breaking of taboos, that it mythologises wider questions of justice in the public sphere. As J. Hillis Miller noted, Lady Dedlock's history in no way explains the problems of institutional decay raised by Dickens's text - in fact she is not even connected with the Jarndyce case - yet the psychological impact of the novel is so profound that this "fissure" in its explanatory process goes unnoticed. I want to suggest that this same displacement occurs not only in the detective novels which are the heirs of *Bleak House*, but also in a good deal of contemporary media coverage of sex crimes and scandals. Such stories constitute a staging of "justice" in which the systemic and institutional nature of corruption is symbolically displaced into the private sphere. Moral crisis usually develop around the failure of individuals to regulate those hierarchies of high and low upon which middle-class values are constructed. For all their frequency, such crises are - by definition - abnormal, and therefore tragic. "Justice" implicitly demands that normal individuals continue to observe the proper separation of high from low in its dissemination across the different domains of the body, the city and the bourgeois household. In this way, "justice" is staged as the regulation of disorder in private life.

Fergus Hume's early Australian thriller, *The Mystery of a Hansom Cab*[6], derives its plot directly from *Bleak House* and is exemplary in its staging of "justice". Through the mode of melodrama it brings the bourgeois subject into contact with the low other he excludes as part of his own constitution, causing a moral panic which the narrative must resolve. The novel opens with the sensational murder of a blackmailer who has proof that Mark Frettlby, a wealthy squatter and leading citizen of Melbourne, was married to the burlesque theatre actress Rosanna Moore, who has recently died in the slums of Little Bourke Street. Frettlby has already entered into a second, bigamous marriage, and Madge, the child of that marriage, is therefore illegitimate.

When Madge Frettlby's fiance, Brian Fitzgerald, is wrongly arrested for the murder, disorder irrupts into the bourgeois household, and Fitzgerald's sleep is haunted by the image of the murdered man. His dream calls up the low imagery of carnival. The grotesque body and its "mocking laughter" embody a knowledge that threatens to drag his identity into the abyss of the lower classes: " ... he fell from a great height, down, down, with the mocking laughter still sounding in his ears" (49). Instinctively, Fitzgerald performs the ritual of his morning bath, for "Brian was a man who never neglected his toilet" (50). His actions follow the logic of repression. As White and Stallybrass observe, "the emphasis upon dirt was ... central to the discourse which traced the concealed links between slum and suburb, sewage and 'civilization'"[7]: cleanliness is a means of excluding the symbolic filth of class pollution.

The irruptions of the lower body in Fitzgerald's dream are disseminated across

the body of the city of Melbourne, whose suburbs are at once connected to and disconnected from each other. As White and Stallybrass argue, "thinking the body is thinking social topography and vice versa" (192). Like the other "representatives of swelldom", Brian Fitzgerald promenades on the Block in Collins Street (59). The repressed "others" of the Block are the Melbourne Gaol in Russell Street, where he is soon to find himself, and the slums of Little Bourke Street, where Rosanna Moore has just died. Despite their apparent disconnection, these places are linked by the hansom cabs which feature so prominently in a plot that turns on the swiftness of transport. The principal characters are in constant movement, travelling with ease through the streets from one class of suburb to another: "The tram, the railway station ... above all the streets themselves, were shockingly promiscuous".[8]

The filth excluded from Collins Street accumulates, symbolically, in Mother Guttersnipe's crib in the slums of Little Bourke Street; in fact, it circulates throughout the length and breadth of the social body. The letter Sal Rawlins delivers to Fitzgerald at the Melbourne Club summoning him to the slum on the night of the murder is an image of this circulation. It is "a precious dirty letter"[9], but written on expensive letter headed stationery, "creamy and white", stolen from Talbot Villa in Toorak (97).

The visit of the lawyer Calton and Detective Kilsip to Little Bourke Street is one of countless visits to slums by detectives or reformers in nineteenth-century texts, both fictional and non-fictional. Hume's description of the slum's "never-ceasing stream of people" suggests a seething collective body driven by low desires. Like the letter which emanates from the slum, the people are "grimy" (98), and the fear of contagion is uppermost in the lawyer's mind as he makes his way down the ever-narrowing lanes (100). Like Fitzgerald, he seems to be entering an abyss: "The girl ... led the way into the black chasm and up the stairs, which were so shaky that Calton was in terror lest they should be precipitated into unknown depths" (101-2). At the centre of the slum is the carnivalesque figure of Mother Guttersnipe, "A Woman of the People". In her room she performs "festivities" associated with carnival, including fortune-telling and drinking to excess (103). Her grotesque appearance expresses her defiance of the higher orders and their codes of civility, and she reminds Calton of the women of Paris during the French Revolution, in their element "in that sea of blood and turbulence" (125).

Mother Guttersnipe's daughter, Rosanna Moore, is the secret "other" side of Frettlby's family romance. Her otherness is signified by her career in the popular theatre, a "low" form which was frequently subject to moral regulation but much visited by the gentry.[10] Rosanna was a local actress who went to London, where she became "notorious" as "a burlesque actress at the Frivolity Theatre ... and, being a very handsome woman, had been photographed innumerable times".[11] In Melbourne, too, the theatre is associated with the slums and with the seething public body: "Bourke Street is always more crowded than Collins Street, especially at night. The theatres are there" (98).

To bring the real murderer to justice, Calton must discover the connections between the suburb and the slum, the music hall and the mansion. But the full truth is even more shocking than the fact of Frettlby's marriage to Rosanna Moore; it is that Sal Rawlins is their child:

> "I understand now," said the barrister, slowly. "For if Mark Frettlby was lawfully married to Rosanna Moore - Madge is illegitimate ... and she now occupies the place which Sal Rawlins - or rather Sal Frettlby - ought to." (191)

The mystery disclosed is not merely a connection between the suburb and the slum,

between high and low, but their interchangeability, personified in Frettlby's two daughters. His second family has been constituted by the exclusion of his first, which he represses as the low other - for Sal Rawlins is a fallen woman.

In the end, "justice" is brought about not - as we might expect - by the disclosure of these links, but by their suppression. "Justice" demands a concealment of the irregularities in Frettlby's private life, a civilized repression of the forbidden connection between the bourgeois psyche and its low other. The penultimate chapter, titled "The Hands of Justice", describes the arrest of Roger Moreland in Calton's office for the murder of the blackmailer. But "Justice" in the sense of his sentencing, trial and execution, is never carried out. Moreland conveniently commits suicide in Melbourne Gaol before his trial, thus allowing the scandal of the Frettlby family to be concealed. Like "the blanket of silence" that fell on the investigation into the murder of Sallie-Anne Huckstepp, Hume's novel ends by closing the can of worms. Frettlby's executors argue that "as Moreland was now dead, nothing could be gained by publishing the confession of Mark Frettlby" (222). They also cover up the fact of Sal Rawlins's legitimacy, which would allow a fallen woman to change places with a respectable one.

In their model of the symbolic relationship between the body and the city, White and Stallybrass argue that the transcoding between the two domains ensures that the hysterical symptom can never be traced back to the psychic domain, leaving the bourgeois psyche clean and disconnected from its own low desires. This is precisely what happens at the end of Hume's novel. The closing description of Melbourne stresses its degeneration: " ... over all the great city hung a cloud of smoke like a pall ... The flaring red light of the sinking sun glared angrily on the heavy waters, and the steamer seemed to be making its way through a sea of blood" (224). This image of the city is a displacement of the disturbed bourgeois psyche that makes it impossible to trace the connection between the two. Thus, as Madge and Brian take their last look at Melbourne, their hearts are "chastened and purified" (224). Nor is there any way to trace the dirt of the colony back to the metropolis, for "the great steamer ... bore them away into the placid beauty of the coming night towards the old world and the new life" (224).

The Mystery of a Hansom Cab stages an enactment of "justice" in Melbourne at the end of the nineteenth century. Peter Carey's novel, *The Tax Inspector*, discloses the connections between Sydney's wealthy in the 1980s and the "sewers" that lie beneath their lives. The extent of institutional corruption is suggested by numerous characters and events, but Carey does not develop these leads. Instead, his novel is driven, like Dickens's and Hume's nineteenth-century melodramas, by a guilty secret at the heart of family life, now located in Sydney's western suburbs. In *Bleak House* and *The Mystery of a Hansom Cab* the secret was illegitimacy; in *The Tax Inspector* it is incest. The revelation of this secret displaces the blame that properly belongs to the wealthy and powerful on to the low-life characters of the western suburbs, re-enacting the othering of popular culture that is constitutive of the middle-class sensibility.

The style of *The Tax Inspector* is "melodramatic" in the sense that Peter Brooks uses that term in his discussion of Dickens. "Within an apparent context of 'realism' and the ordinary," Brooks argues, "[he] seemed in fact to be staging a heightened and hyperbolic drama ... [he] seemed to place [his] characters at the point of intersection of primal ethical forces".[12] There is something Dickensian about Carey's heroine, Maria Takis, the tax inspector. Like Inspector Bucket in *Bleak House* she is an idealist and a moralist, but in sleeping with the wealthy property developer, Jack Catchprice, she allows herself to be seduced by the evils of the city in which she lives.

As the novel opens, Maria is conducting an audit on Catchprice Motors in the western Sydney suburb of Franklin. Like the Badgerys' pet emporium in *Illywhacker*, Catchprice Motors has sold the farm: they sell General Motors products and are heavily in debt to the General Motors Acceptance Corporation. The company is a microcosm of contemporary Australia. With its origins in the business ethics of the past, it is now part of the great suburban ugliness, its soul mortgaged to America. It is a place from which most wish to escape. Each member of the family has his or her dreams of transcendence: Mort dreams of operas he will never sing; Benny imagines himself an angel; Johnny becomes an angel from a different cosmology - a Hare Krishna; Cathy and Howie aspire to be country music stars; Frieda dreams of owning a flower farm. Only Jack has escaped to the other side of the city by becoming a property developer: "They didn't want to be stuck there", he tells Maria, "but by the time they realized it they had no other choices ... If I hadn't got out, I would have been just like them".[13]

Like the nineteenth-century reformers with whose work his own text has much in common, Carey traces the concealed links between the suburb and the slum, civilization and sewage. The central connection to be disclosed is apparently that between Jack Catchprice's career as a property developer and the "sewer" of public corruption. A prophetic moment early in the novel describes a photograph connecting him with the Premier of New South Wales. Jack realises that his world rests upon a sewer. He suggests to Maria that "If no one can change ... what point is there in anything? ... The world is just going to slide further and further into the sewer" (251-2). When Jack has the tax investigation called off, he reflects, *"I did the fucking impossible for you. I crawled down sewers. I shook hands with rats"* (238).

Jack's links with the low other are transcoded on to the body of his city. Like Dickens's London, Carey's Sydney is a place where the connections between things are repressed. But the streets and pavements of this city, too, are promiscuous; they recall to the surface hidden connections. Carey's characters, like Hume's, are in constant movement from one side of the city to the other. The roads and the cars, which are partly responsible for marking distinctions between psychic spaces, are also responsible for smooth and easy connections between them. Jack confesses that his Jaguar is "a sort of addiction" which reminds him of the distance he has travelled - socially - from Franklin (194): "as [he] became richer, the family business sank deeper and deeper into the mud. They could see his betrayal in his expensive cars - which he did not buy from them ... " (167-8). Yet the Jaguar is also his link with the family's love of fast cars, and the means by which he travels smoothly across town, into or away from his own past.

Jack's journey "home" from the eastern suburbs to Franklin traces the forbidden connection between the bourgeois psyche and the body of the city:

> These roads ... made the spine of his life and he had driven up and down them for nearly forty years ... It was the path he had taken from childhood to adulthood ... Its physical desolation, its lack of a single building or street ... that might suggest beauty or happiness, became like a mould into which his emotions were pressed and he would always arrive in Franklin feeling bleak and empty.
>
> He would drive back to Sydney very fast ... (167)

In his early short stories Carey often avoided using place names that would link his fictions to recognisable Australian cities. In *The Tax Inspector* events unfold in precisely identified streets. When Jack drives Maria from her father's home in Newtown to his own beach-house at Bilgola, their journey traces a connection between the two faces of the city: its inner urban slums and the affluent suburbs of

the northern beaches. In William Street, teenage prostitutes solicit in the lights of car showrooms. The Jaguar turns right into Woolloomooloo, up beside the Art Gallery and on to the Cahill Expressway. "'If you look at the Cahill Expressway,' Jack said, ' ... you can see how corrupt the city is ... You can read a city. You can see who's winning and who's losing'" (202).

Jack comes close here to acknowledging the relationship between the symbolic domains of the psyche and the city. If Maria is capable of reading the city, she is also able to "read" Jack Catchprice, and she worries away at the mystery of his connections: "I can't believe this ... From Catchprice Motors in Franklin ... you seem so totally unconnected with them ... It seems impossible" (197-8). Aware of the thrust of her inquiries - both personal and professional - Jack notes, "It's true I go to work in the swamp each day ... but I do try to wipe my boots when I come into decent people's homes" (202). This symbolic gesture has its counterpart in Jack's impeccably good manners: "Jack smiled this shining, bright smile. You could not guess what it might mean" (193). If Jack works hard to repress his connections with the sewer, they are finally revealed to Maria by a fellow guest at a Rose Bay dinner party: "Well, you know, we took dirty money from the Medicis, so I guess we'll take it from Jack Catchprice too" (243).

There is every reason to expect that Maria's "investigation" will expose Jack Catchprice's links with corruption. But what is this "sewer" to which Jack is apparently connected? Is it connected with the Premier of New South Wales, with whom he has been photographed (38); with Moose Chanley, the corrupt policeman from the Gaming Squad who "owes" him one (170); with the crime boss, Wally Fischer, who runs "Dial-a-Death"; or with the Attorney General being lobbied at a dinner party in the eastern suburbs (243)? From the outset, Jack's links with these sources of corruption are confused with his family background. This uncertainty in *The Tax Inspector* is like the fissure in *Bleak House*, and accounts for its failure to address coherently the problems of contemporary Sydney. Despite the fact that Maria distinguishes between real criminals like Wally Fischer and "these poor people out at Franklin" (81), the "sewer" in *The Tax Inspector* is not, in fact, the criminality that pervades the city, but the secrets of family life in its western suburbs. It is as if the kind of narrative Carey has written has a limited capacity to diagnose systemic corruption, compelled as it is to tell the story of flawed individual lives.

Maria's audit of Catchprice Motors discloses more than just bad debts. The Catchprice family conceals a dark secret: in each generation the father has sexually abused his children. One Saturday afternoon, as the boys were mucking about with cars in the paddock behind the house, Sophie Catchprice "stood at the door of her bedroom ... and saw her husband sucking her younger son's penis" (105). Benny personifies the corruption of the present generation. Now 16, he seduces his father by posing as an angel, and tortures people in his cellar on a device copied from a pornographic magazine. His enactment of pornographic fantasies recalls the warning of serial killer Ted Bundy: "the pornography only goes so far and you wonder whether actually doing it will give you that which is beyond just ... looking at it".[14]

It is one thing to connect pornography with acts of sexual violence, as Carey appears to do; it is quite another thing, however, to conflate them both with other forms of crime, and with political and business corruption. In doing just that, *The Tax Inspector* creates an impression that sexual violence can be taken as a symbol - the symbol - of corruption in Sydney. This is to reproduce precisely the misapprehension created by the spate of stories about serial killing currently circulating in the texts of popular culture. As criminologist Paul Wilson observes,

"It's a disturbing trend, a contemporary witch-hunt which sees our social problems, especially crime, in terms of generally undefined pornography".[15]

Carey's fascination with incest in the western suburbs has much in common with media accounts of sex crimes. Although *The Tax Inspector* is far from being a re-telling of the murder of Anita Cobby, it remains open to a network of intertextual relations with media reports of rape and serial killings, and the various discourses upon which they draw, including detective fiction and pornography. This is nowhere more evident than in the conclusion. Carey's account of Benny's attempt to rape Maria reproduces the way news reports, like pornographic texts, so often present violence through the rapist's eyes and objectify his victim.[16] The final scene of the novel is observed substantially through Benny's eyes and Carey seems dangerously at one with Benny in his insistence on a big finish. Benny's pregnant victim is a cross between a monstrous De Kooning woman and a Roy Lichtenstein cartoon: "She had an industrial strength bra with white straps. He was shocked by how her stomach stretched, by the ragged brown line down her middle, by the size of everything, the muscles in her legs ... She had buckshot wounds in her arms and thighs".[17] The episode suggests that it is probably impossible to write about a "snuff" story without reproducing the mystified explanation of social decline already inscribed in media texts.

In establishing Jack's repression of his links with the western suburbs, *The Tax Inspector* is also complicit with discourses that constitute popular culture as the "other" of middle-class sensibility. When Vish "comes home", we know he is on the western suburbs railway line because of the crudity of his fellow passengers: "He collapsed in his seat opposite a man in shorts and a woman in a tight red dress ... The man's hairy leg was between the woman's resisting knees and he was kissing her while he massaged her big backside. Vish was coming home" (13). Carey's descriptions of the upstairs apartments at Catchprice Motors have an edge of disgust that belongs to a line of Australian satire of low life going back through Murray Bail to Patrick White's Sarsaparilla, Barry Humphries's Moonie Ponds and Fergus Hume's Little Bourke Street. As Granny Catchprice cooks her lamb chops, "the fat spurted and flared and ignited in long liquid spills which left a sooty spoor on the glossy walls of her kitchen and a fatty smell which impregnated the bride dolls in the display case and the flock velvet upholstery on the chairs ..." (13-14). It is in this room that Frieda hangs the photograph of her wealthy son, "a good-looking man in an expensive suit shaking hands with the Premier of the State of New South Wales" (38). This moment in the text exemplifies its symbolic displacements. The real dirt is Jack's connection with the public officials who facilitate his property developments, not the chop fat on his mother's stove.

The major carnivalesque image is the dank and filthy cellar beneath Catchprice Motors where Benny takes his victims. It is the novel's principal image of an underworld in which those who are socially low carry the burden - again through a process of displacement - of the "sewer" imagery originally associated with criminals and corrupt police: "It was like a subway tunnel in here. [Maria] could smell her death in the stink of the water. Even while she had fought to stop his grandmother being committed, all this - the innards of Catchprice Motors - had been here, underneath her feet" (259). It is as if Maria is punished for sleeping with the enemy, not by Jack himself, but by his young nephew - for in the melodramatic world of *The Tax Inspector*, it is he, and not the real criminal, Wally Fischer, who is the Mr Hyde lurking inside Jack's Dr Jekyll. But perhaps it is better not to think of sixteen-year-old kids from the western suburbs as either angels or devils - even if they do wear *Judas Priest* t-shirts. As Raymond Williams warned years ago,

> I do not think of my relatives, friends, neighbours, colleagues, acquaintances, as masses; we none of us can or do. The masses are always the others, whom we don't know, and can't know. Yet now, in our kind of society, we see these others regularly ... They are here, and we are here with them. And that we are with them is of course the whole point ... Masses are other people. There are in fact no masses; there are only ways of seeing people as masses.[18]

For all its social compassion, *The Tax Inspector* demonstrates once again that narratives of sexual transgression are seriously flawed as vehicles for analysing the complex problems of social decline. Inevitably, they offer individual acts of sexual violence as metaphors for problems that are really of a different order. *Bleak House, The Mystery of a Hansom Cab* and *The Tax Inspector* share a common discursive economy; they mystify systemic corruption as an echo of private impropriety, especially in "low" society. In so doing, they tend to close the cans of worms they initially seem to open. Their parallels with media accounts of rape and scandal suggest that closing the can of worms has become a fundamental mechanism of sense-making in our culture. These problems suggest either that narrative fiction is incapable of diagnosing structural corruption, or that it must be used with a greater self-awareness of the way its conventions of characterisation and story telling draw it toward symbolic and humanist modes of explanation. If there are ways for the contemporary novelist to comment on a venal society, he or she may have to do so by working against the novel's genres and conventions as much as within them.

NOTES

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KATHY HUNT

Hell: a Detail

The poet dragged his wife across the room,
witnessed by critics who noted
how clearly he saw
the sacrament in her salmon patties
and the limit of her rituals.

(I think he processed her existence,
simulating the rising rhythms of real poets
and better men,
adding just a touch of Stevie Smith
for the students who love death, chips
and the panel discussion).

Then, deep in literary rave,
he took his pen and pinned her to the page -
just another masquerade
of plastic passion,
nicely cryptic,
(typical),
recycled runes, pre-fabricated truth -
and that was good for business too.

Later in the day, when she had stopped bleeding,
he typed her up and mailed her off
to be published widely in magazines and anthologies
here, and in America and Canada.

KIERAN DOLIN

Legal Fictions and Nicholas Hasluck's *The Bellarmine Jug*

As a feature of modern criticism, the pun in the title is perhaps nowhere more evident than in studies which relate literature to other discourses, for the connections proposed between the two can be highlighted by the conversion of technical terms into tropes. In the interdisciplinary field of literature and the law, one legal term has proved virtually irresistible to critics: "legal fictions."[1] The semantic possibilities of this phrase are well illustrated by Brook Thomas's article, "The Legal Fictions of Herman Melville and Lemuel Shaw."[2] Thomas examines the relationship between Melville's use of legal themes in fictional narratives such as "Billy Budd" and the development of legal ideology in leading judgments by Shaw, who was Melville's father-in-law and Chief Justice of Massachusetts. Both kinds of texts, imaginary stories and judicial opinions which change the law, constitute legal fictions: Shaw's because they made the law, palpably "made it up" in some cases, according to his opponents; and Melville's because by treating legal issues through fictional plots and symbols they exposed the social contradictions suppressed by the dominant ideology through legal institutions. A threefold understanding of legal fiction emerges. First, the practice from Roman law, which permitted in certain pleadings a false averment that could not be controverted, from which Sir Henry Maine generalized his classic nineteenth-century definition: "any assumption which conceals, or affects to conceal, the fact that a rule of law has undergone alteration, its letter remaining unchanged, its operation being modified."[3] Secondly, this legal signifier is applied to literary fictions dealing with the law. Thirdly, an interaction is proposed between these two senses, an analogy offered between this traditional method of legal change and the literary creation of imaginative worlds which comment upon and perhaps provide alternatives to the existing orders of society. The novels of Nicholas Hasluck, a practising lawyer and writer, furnish a possible "test case" for this analogy, not only because they form a body of work which unites concerns for legal values and literary form, but because one of these novels, *The Bellarmine Jug*, makes a specific connection between these two realms of fictional activity. With its combination of self-conscious fictionality and institutional change, the legal fiction offers a way of accommodating the textual experiments of contemporary metafiction to the traditional quest for justice in history.

In his published essays Hasluck has reflected upon the polysemic potential of this term. One paper, which argues for commonalities between the practices of law and literature, is entitled "Devising Legal Fictions". Here the phrase is used in the second sense mentioned above; but in the course of his argument he points to the complex, multi-faceted narrative structure of the legal trial, and to the long tradition of "interferences with reality" which continues to excite the literary critic:

> A legal fiction in the technical sense - something false accepted as true, a corporation treated as a person, for example - is an utterly familiar concept, a means of overcoming the inconvenience of an existing rule, and scarcely troubles a lawyer, although literary academics often carry on as though conundrums and interferences with reality of that kind were an exclusively post-modern revelation.[4]

Hasluck's scepticism here seems overstated when the nineteenth-century campaign against fictions (in which Dickens and Bentham united) and the predominance of positivism in the law since then are recalled. Even Maine felt compelled to admit the irrationalism of fictions. The cultural attractiveness of fictions, then, is post-realist if not post-modernist. What is most interesting about this account is Hasluck's recognition of the linear and mimetic quality of most legal narrative. He relates this to lawyers' continuing dependence on inherited "models of reality". They prefer "to play a part in [rather] than to build a model of reality". The novelist, by contrast, is creative, experimental, responsive to new ways of looking at the world. Such writing is mimetic in ways familiar from modernism, imitating the experiences of multiplicity, fragmentation, and the juxtaposition of the mundane and the extraordinary. The two effects of this contrast are to reduce the importance of the technical legal fiction as an agent of change in the law and to foreclose any discussion of the interaction of these senses.

The latter possibility is taken up in a later article, "The Making of *The Country Without Music*".[5] Hasluck places the experience of change in the inherited law in the larger context of cultural change:

> The past, like the Treaty of Waitangi [in New Zealand], is constantly open to reinterpretation in the light of contemporary concerns, and the same may obviously be said of the law and of legal systems. In effecting change and reinterpretation it has always been thought appropriate by lawyers to make use of legal fictions. And this is where I submit (to use a legal term) literature has a part to play.[6]

This suggestion of a common function for legal and literary fictions is not expounded, and in considering the relationship between literature and social change one inevitably recalls Auden's sceptical aphorism, "Poetry makes nothing happen". This may be true in an immediate materialist sense, but as the legal historian, Robert Cover, has argued, we also "inhabit a *nomos*", a world of laws, traditions, conceptions of reality, which are expressed through "sacred" or "governing" narratives.[7] Literary fictions can both reproduce and reinterpret these narratives, can influence our understandings of or commitments to the law in this broad normative or ideological sense. Hasluck concludes "The Making of *The Country Without Music*" by acknowledging that "real events, and the ideas which brought them into being, live on as an abiding influence in ways which a work of fiction can never hope to emulate", but this modest disclaimer overlooks the special capacity of narrative fiction to embody in plot and symbol the life of ideas in time. Indeed the "migration" of ideas, especially "transportation" of ideals and corruption from Europe to Australia, is one of the central concerns of *The Bellarmine Jug* and *The Country Without Music*.

The Bellarmine Jug is constructed as an "historiographic metafiction", its form, its story, its discourse all highlighting "the presence of the past".[8] It interweaves a dramatic representation of the Aveling imbroglio at the Grotius Institute in 1948 with a retrospective reconstruction of it from the early nineteen-eighties. Leon's academic examinations are re-examined in the context of his security check, prompting the reflection that perhaps the exam "wasn't over as far as he was concerned. Perhaps it never would be".[9] This reinterpretation of the past is itself

destabilized by the novel's Epilogue, which recasts the preceding narrative as a fiction, an "historical pastiche", and which hints at a third explanation of the Aveling affair. Hasluck's text incorporates another fictional narrative, the "Pelsaert fragment", a dubious account of the Abrolhos mutiny, which forms the ambiguous centre of the action. This manuscript charges that Hugo Grotius, the son and namesake of the distinguished jurist, was one of the mutineers, and that his father's doctrines inspired the uprising. This damaging document, which the Institute has suppressed for centuries, acquires new significance as Indonesia seeks independence from the Dutch. The control of the past, the authority of Grotian jurisprudence (on which the Empire was founded) are threatened. When Aveling's access to the document and his subsequent expulsion from the Institute are discovered, the integrity of the Institute and of the legal tradition it represents, is questioned. Is it committed to the ideal of justice according to law, or is justice, as its exam question repeatedly suggests, "the interest of the stronger party"?

The students confess their commitment to the mythology of the rule of law when they demand that the expulsion of Aveling be investigated by a tribunal set up under the Institute's Code. What Cover calls "imperial" values are indicated by the students' faith in legal process as a proper and efficacious means of determining the justice of this case. Such commitment is to be expected in law students and in their teachers. So that the Institute may appear to practise what it teaches, the Warden convenes a tribunal, and the students, despite his advice to concentrate on the exam, take on the roles of prosecutor and defence counsel.

That such legalism might be unnatural or unhelpful is suggested by Aveling himself when, at the students' cabaret, he complains that the matter has been taken out of his hands: "'I'm not your client. ... All I asked was for someone to look at the register. ... Suddenly every bastard around here is patting himself on the back for putting me on trial'" (p.97). This case seems the perfect educational opportunity, a practical experiment in the operation of the law. Far from yielding the Socratic union of "knowledge and virtue", however, the course of the trial produces a smear campaign, prejudice, theft and distortion of evidence, threats against Leon, and the encouragement of perjury. If the tribunal does not advance Aveling's cause, neither does it serve the interests of the Institute. It threatens to expose the Institute's scandal, Niesmann's release of the fragment to Sanwar, and thus its implication in subversion both of Dutch imperialism and of Western atomic hegemony. In what Leon regards as a cynical retreat from normative commitment, the Warden disbands the tribunal, and presents a complex argument designed to justify his Thrasymachean action. He argues that justice is not solely defined or attained by procedural means, that the effectiveness of the rule of law depends on "'stability. A legal system. Defined procedures. Nice, indeed, to have it if you can. But here on the Continent we have just seen constitutions uprooted and legal systems swept away'" (pp.183-4). He challenges Leon to consider other, collective rather than individual, notions of justice: "'economic justice. Distribution. Welfare'", but these values lead immediately into institutional survival, "'Continuity. Keeping things intact'".

Whereas earlier the Warden had used the experience of the war to explain the need for the rule of law, and to justify the tribunal, now he uses the same experience to close it down. Legalism, it appears, is not necessarily conducive to order: it can promote the just regulation of society, but it can also expose an establishment that is corrupt. The Warden's language is typical of nations in wartime or states of emergency, in which the rights of citizens are suspended in deference to "the national interest" or "national security". The precariousness of Aveling's "rights under the Code" and of the rule of law in general is illustrated in this critical study of the liberal *nomos*: such rights are sustained by the social order, are part of its

mythology, but they may be dispensed with in the name of the survival of that order. In a further reversal, however, the abandonment of the mythology of legalism leads to student resistance: the claims of order merely precipitate a deeper collapse of social order.

The abortive trial fails to produce the desired legal result, a comprehensive linear account of what happened and a just resolution. Another layer of fragmentary scenes is superimposed, Grantham's enquiry, which reconfigures the intrigue as a screen for atomic espionage. The focus moves from the "legal" illegitimacy of the Warden's actions to the "political subversion" of the state. The Warden's defence of the Institute becomes not simply analogous to or metonymic of the "defence of the realm", but literally part of that defence. The Institute is not, therefore, a symbol of an abstract *nomos* (the rule of law), but a figure for a particular type of political system, the constitutionally-governed nation-state. In the conventional spy thriller of the postwar period this system is set in opposition to Communist totalitarianism. By invoking this conventional plot among its narrative modes, *The Bellarmine Jug* becomes a "tale of the boundary between nations and cultures."[10] However, the defence of this boundary is ironized through the mouth of Ramshaw,

> "Radicals. They come into a place like this and take advantage of it. They use it as a platform. Universities are being penetrated. The next war is being lost already. Asia or wherever. Don't tell me what's relevant. Everything is. Every snide remark" (p.37).

This outburst is simplistic and McCarthyist: it combines an overconfident demarcation between self and other with an implicit suggestion that the border should be actively patrolled. His assumption of cultural uniformity and political unanimity is disproved by the plurality of views and motivations brought into conflict by the Aveling case.

Further, the quotation within the novel of the text of Pelsaert's trial of the Rosicrucian mutiny provides an historical parallel for the radical ideology of equality through revolution. The Rose Cross becomes a symbol for the students' revolt against the Warden's authority. The Warden expounds the possible connection with communism: "'Others find in the egalitarian philosophy of Christian Rosenkreuz the seeds of European communism.'" (p.126) Historical parallelism serves to relativize judgments about the strangeness of such doctrines and the justification for revolt. As Niesmann tells Leon, "'much history is bound up with the Rosicrucian myth'", including the French Revolution (p.144). To modern ears, the heresy attributed to young Grotius, "that the freedom of the seas is a condition of man's soul", (p.60) expresses an idealistic yearning for a new world of "Liberty, Equality, Fraternity". This political heteroglossia is retained for the contemporary encounter between Grantham and Leon: the former's concern with atomic security is opposed by the latter's commitment to disarmament.

Yet this linguistic metaphor does distort the novel's representation of politics. Throughout, Leon engages the Warden in dialogue, only to find that his answers and actions do not match up. Political education at the Grotius Institute consists less in the study of canonical texts than in learning to operate successfully in "'the real world [that] is mundane, mendacious, hypocritical'". It offers a Machiavellian rather than a Grotian concept of politics. This discounting of rational dialogue is confirmed by Grantham's thirty years later: "'There's no power left in argument'" (p.245). In the face of such debased political communication, Leon and his friends seek "'to maintain the sense of dialogue'" through images, to contest official explanations through fictions.

Mondrian's class on fictions, the sole lesson featured in the novel, presents a

detached, disaffiliated attitude to the state: like "'corporate personality'" it is "'merely a fiction. Puncture the illusion and everything collapses'" (p.219). Mondrian's rhetoric emphasizes the analogies between the kinds of duplicity contained in the espionage novel and the legal fiction: "'a convoluted undercover operation which some people would say is typical of the legal mind'". The effect of this analogy is to suggest that all law has the character of fiction and to redefine the subversion plot as an attempt to promote legal change.

Mondrian's reflections on Leon's "historical pastiche" present a more positive valuation of fictions in general. He speaks of "'this perilous search, this need to kindle the imagination, this hunger to deceive ourselves in the name of experience in order to find out who we are'" (p.259). These words evince a consciousness of the collective psyche's "need" to construct fictional situations as part of its effort to make sense of the world. Another writer who suggests that this cognitive quest entails the subversion of existing forms, legal and literary, is Owen Barfield. His analysis of the making of fictions draws its key terms from anti-Nazi resistance writings in the Second World War. He argues that metaphors and legal fictions are intensely creative phenomena, both of which involve what he coins "tarning".[11] This word is adapted from the German *Tarnung*, meaning disguise, and signifies the making of one statement under the guise of another. He distinguishes two elements: a transformation of ordinary usage; and subterfuge enabling the acceptance of this departure from the previous norm. Tarning in Barfield's special sense derives from the *Tarnhelm* and the *Tarnkappe*, respectively the "helmet of darkness" and the "cloak of darkness" worn by Siegfried in the Nibelung stories. Siegfried was conspicuously enrolled in the mythology constructed by Nazi propagandists as the type of Nordic hero. However, the motif of the *Tarnhelm* provided anti-Nazi forces with a mode of figuration for using literary activity as a means of covertly striking against the Reich, its myths and its censorship. In Germany the *Tarnschriften* movement imported printing blocks to publish opposition propaganda and some classics, while in France the rewriting of classics such as *Antigone* became a mode of resistance.[12]

The novel's major example of such "tarning" is the *muederherren* figure drawn from the Institute's wartime parody of Damhouder. Although a case of *engagé* writing, a form of political action designed for immediate circumstances, its functions are not simply negative. In its construction, its choice of story, image, language, it develops alternative world-views and animates the comparative faculty of the reader. Between the pseudo-historical world portrayed and the repressive world in which it is published new connections are proposed by the fiction which reorder the world that "is" into a world that might be, a world of "as if". The *muederherren* of medieval Bruges become the Dutch resistance fighters, while the Nazis overlords become "jack-booted scum" to be cleared from the street. In the Aveling case the routes to be cleaned are further idealized, as the function is applied to obtaining the truth from the morass of deception and misleading surfaces. Such fictions, however, lead a life independent of their creators as the inversion of the meaning of *muederherren* into "those who spread filth" indicates. In its original sense *muederherren* is a word enabling self-identification, and it retains this possibility throughout the Aveling case and Leon's later security examination, but through its misuse it becomes a term of denunciation. This semantic ambiguity may be regarded as comparable to, expressive of, the situational confusion. André Brink notes the "mask" effect of such communications, transparent to some readers, opaque to others. They create between their writers and cognizant readers a secret society, a new Rosicrucian Brotherhood. Under the mask, the writer declares his or her membership. Such self-identification is the opposite of spreading mud, of

obscuring communication. The latter more accurately describes the operations of the post-war "spy". It follows that the incorrect meaning of *muederherren* functions not simply as solecism, but as catachresis, a re-figuring or re-"tarning" of the word. This possibility is seen by Leon when Grantham exploits its ambiguity:

> But Grantham said simply, 'We are all *muederherren* now.'
> And Leon couldn't be sure whether he was quoting from the paper or speaking for himself, nor even in what sense he was using the word. (p.175)

The history of *muederherren* illustrates that travelling of words and ideas on which the novel ends, but it also demonstrates the political power of parody. The model for the Damhouder parody, according to the Warden, was the German satirist Johann Andreae, reputed author of the Rosicrucian manifestoes. These works purported to announce the impending hegemony of the Rosicrucian Brotherhood with its possession of alchemical secrets and occult wisdom from the ancient East. No such organization existed, but such was the interest aroused by these documents that a movement bearing this name and treating the texts as true was born.[13] Furthermore, as Niesmann notes, the Rosicrucian myth refused to die. The possibility that it travelled to the Southern Hemisphere aboard Pelsaert's vessel and was connected to the Abrolhos mutiny is raised by Randolph Stow.[14] The connection is based on Jeronimus Cornelij's confession that he was a follower of Torrentius, a debauchee who was suspected of being the leader of the Rosicrucians in Holland. The latter belief is mentioned only in passing in Henrietta Drake-Brockman's life of Pelsaert, which includes his Journal and records of the mutiny trials.[15] Hasluck magnifies this connection in his parody of Pelsaert's text and adds a "third man" to the two mutineers left on the Australian mainland. The spirit of Johann Andreae therefore hovers not only above Mondrian but above his creator.

It is of the essence, to borrow a contractual metaphor, that this novel about parodic fictions should have as the premise of its intrigue a series of readers and writers who act as *if* the disputed fragment were true, and that this fragment refers in turn to further documents, the Rosicrucian manifestoes, as *if* they were true. Transposed into these Vaihingerian terms, the novel seems structured as a *mise en abyme*, but it employs its metafictionality less to play with the possibility of an infinite regression of fictions, than to place their use into ethical and political contexts. The Pelsaert fragment may be a hoax, but its potential is recognized by Sanwar, who weaves it into the tapestry of stories through which he hopes to unify the Javanese in a successful uprising. The Institute's attempt to suppress the document having failed, the Warden seeks to cover up the leak. This plan requires him to utter knowingly false statements, as Niesmann shows. These dissemblings have material consequences for Aveling, Leon and Toblen. In this light, Helen Daniel's assimilation of "History, learning, truth, morality, reality" with narrative fictions in a general category of "the Lie" is reductive.[16]

Leon's admission to Mondrian in the Epilogue that the preceding narrative is a collective fiction, a speculative rewriting by the class of 1948 of the controversial events of that year, prompts the question whether this reinterpretation of the past tells us anything about who we are in the present. Is the Aveling case, like the Dreyfus or the Sacco and Vanzetti affairs, a vehicle for the expression of fears and prejudices current in society? Can it be interpreted parabolically in reference to contemporary history? Does it contest our prevailing narratives?

One parallel is Watergate, which Mondrian tells Leon was this summer's *cause célèbre* at the Institute. A similar sequence of events is visible: a crime, a cover-up, an enquiry which reveals complicity at the highest levels of power, an attempt to abort the enquiry through claims of executive privilege, and a resulting "legitimation

crisis" which places the whole system of law into doubt.[17] Watergate has become the "type" for subsequent scandals of governmental illegality and subterfuge, lending its name as a suffix to the "Iran-Contragate" and the South African "Muldergate" affairs among others. Like Damhouder's *muederherren*, the Aveling story does not have a single referent. What is most interesting, though perhaps coincidental, is that the other official secret of 1948, the British atomic tests in Australia, was exposed for reinterpretation during the 1980's. In the year in which *The Bellarmine Jug* was published, the Australian government established a Royal Commission to inquire into the conduct of these tests, including possible violations of international law, and their effect on the health of local Aboriginal communities.[18] It concluded that no adequate protection system was established for these nomadic people, groups of whom were found in the security area after tests, and that their hunting grounds and sacred sites had been affected. This story did not become public knowledge until twenty years later; and the scientist appointed to protect Australia's interests in the safety of the tests described the Aborigines' claims as a "smear campaign". This was an utterly inappropriate metaphor, given that they claimed to have been covered by a "black mist" on the day when the test went ahead although the wind was coming from the wrong direction. As the novel asks, who are the *muederherren*?

Reviewing this novel in the *TLS*, Jim Crace pondered the significance of this coincidence, and asked satirically: "Is Hasluck beaming disruptive notions at the Royal Commission?"[18] His tone echoes that of Mondrian the parodic satirist. However, in the Epilogue Mondrian's usual banter gives way to a lyrical symbolism which permits occult declarations of his normative commitments: his evocation of remembered grief on the day of Togliatti's death hints at his Communist affiliation. To end the novel in this mode is to invite the reader to interpret Mondrian's imagery, to help construct his promised narrative. What does the "ghostly figure standing on an empty beach - an image that will haunt the future" (p.257) signify? Pelsaert's castaway is a figure of the repressed side of the European dream, the criminal son disowned and expelled, and foreshadows the transformation of the Southland into a penal colony. This image also figures in a contemporary fear, the nuclear apocalypse, in which human society is destroyed and the last survivors are found, in Nevil Shute's popular formulation, "on the beach". Mondrian's visionary chronotope, "'The future is a distant country. Its inhabitants are shouting to us but we cannot hear them, ... We are bombing their cities, destroying their fields, polluting their water,'" expresses an awareness of the fate of conquered peoples, combining a melancholy interpretation of the history of imperialism with a consciousness of the particular destructiveness of nuclear weapons. This is spatial history as fable, but its application to Australia is underlined by the novel's juxtaposition of the Abrolhos and Monte Bello stories. Obliquely, then, *The Bellarmine Jug* impels a re-interpretation of the European nomos in Australia. The figure of the pale mariner has served as an image of our foundation, but in recent years we have begun to hear the voices who were there all along. The beach, they say, was not empty, not a normative *tabula rasa*, but had an Aboriginal name, and owners, and was the site of dreaming stories which expressed another law. One such narrative has recently been acknowledged by the High Court, the Mabo case concerning some Torres Strait islands. The open ending of Hasluck's novel leaves us at the brink of a new nomic consciousness in Australia, with the promise of new fictions to facilitate the process of change. We embark with Mondrian, "beaming disruptive notions" to create a passage for our ideals.

NOTES

1. E.g. John Frow, "Legal Fictions", unpublished paper delivered to the "Breaking the Boundaries" Symposia, Fremantle, May, 1987, on the application of an artistic ideology of copyright to computer corporations; and the Dickens Project/Law and Humanities Institute Conference entitled "Legal Fictions: Dickens, Victorian Society and the Law," University of Santa Cruz, August, 1988.
2. *Critical Inquiry* 11 (1984), 86-111.
3. *Ancient Law*. Introd. Sir Frederick Pollock. (1861; London: Macmillan, 1906), pp.30-1.
4. "Devising Legal Fictions", *Quadrant*, 35 (October, 1990) 32-5 at p.34.
5. *Quadrant*, 37 (April 1992), 46-51.
6. "The Making of *The Country Without Music*", p.51.
7. "*Nomos* and Narrative", *Harvard Law Review* 97 (1983-4), 4-68.
8. Linda Hutcheon, *A Poetics of Postmodernism* (London: Methuen, 1988) argues that such texts produce a politically conscious postmodernism.
9. *The Bellarmine Jug* (Ringwood, Vic: Penguin, 1984), p.11.
10. Michael Denning, *Cover Stories: Narrative and Ideology in the British Spy Thriller* (London: Routledge and Kegan Paul, 1987), pp.13-4.
11. "Poetic Diction and Legal Fiction", in *Essays Presented to Charles Williams*, introd. C.S. Lewis (London: OUP, 1947), pp.106-27 at p.109.
12. Andre Brink, *Mapmakers* (London: Faber, 1983), p.183.
13. In *A Maggot* Fowles notes the similar effect of another parodic text, Defoe's pamphlet, *The Shortest Way with the Dissenters*. His outrageous solution, transportation to America, appealed to the conservatives he mocked.
14. "The Southland of Antichrist: The *Batavia* Disaster of 1629", in *Randolph Stow*, ed. Anthony J. Hassall [UQP Australian Authors] (St Lucia: University of Queensland Press, 1990) pp. 410-19 at p.414.
15. *Voyage to Disaster: The Life of Francisco Pelsaert* (Sydney: Angus and Robertson, 1963), p.75.
16. Daniel's discussion in *Liars: Australian New Novelists* (Ringwood, Vic. Penguin, 1988) 231-61 is generally rewarding, but overstates Hasluck's destabilization of the truth concept. See p.255. For a more balanced account, emphasising Hasluck's combination of radical and traditional commitments, see Veronica Brady, "An Approach to Vigilance: Nicholas Hasluck's *The Country Without Music*', *Westerly*, 36 (1991) 47-58.
17. Hasluck discusses the connections between his novel and Watergate in an interview with Candida Baker, *Yacker* (Sydney: Picador, 1986), p.168.
18. Hasluck notes this coincidence in "The Past's Deceitful Dream", *Island Magazine* 39 (1989) 76-83.
19. 8 March 1985, p.266.

JOHN FOSTER

'Truth, Justice and the Australian Way'

Think of a comic strip hero. You thought, probably, of a super-hero, fighting Evil in all its guises, and standing for all that is Good. Perhaps, however, you thought of Ginger Meggs, the Australian larrikin who, like all small boys, is sometimes on the side of the angels and at other times not. This essay encompasses both types of hero, for it is an examination of the representation of Good and Evil, and of the concept of Justice, in the strips contained in Australian-originating comic books. A comparison will be made between the strips included in comic books published in the 1940s and 1950s when, for historical reasons, the vast majority appeared, and those of the late 1980s, when there was a short-lived Renaissance. Over that period, Australian society changed radically and, if comic strips are mirrors of the societies which produce them, those changes should be reflected in the material.

Before this examination takes place, however, some terms should be defined. A 'comic book' contains 'comic strips' which are 'stories' or narratives consisting of a series of 'frames' or 'panels'. These are individual illustrations which, in all probability, include within their borders speech in 'balloons', and descriptive 'text'. All but the few 'pantomime' strips have three aspects: illustrations, language, and the relationship between them, which should be one of complementarity.

The Past: the 1940s and 1950s

When the question of the representation of Good and Evil in comic strips is raised, a question is begged: what representation would readers like to see? Given that the vast majority of readers were male[1], white and native speakers of English, it is not surprising that an equally large majority of protagonists in the strips share these characteristics. Equally, the utilization of nonwhites and speakers of other languages as villains could be anticipated. Females, for many readers, merely slow the pace of the action, and so are usually of secondary importance, if present at all.

Add to this consideration the fact that the strips discussed in this section appeared in comic books that were published during two 'hot' wars - World War II and the Korean War - and the Cold War, and it becomes more apparent that, in many strips, the representation of Good and Evil will be assumed. This would not be true of all genres, however: no racial or nationalistic element is present in most Crime or Superhero strips, for example, and the battle between Good and Evil must be fought on other grounds.

Perhaps the clearest method of presenting the first part of the topic, the representation of Good and Evil, is on a generic basis in order to allow for comparisons and contrasts. A general discussion of the concept of Justice in these

Figure 1. Virgil Reilly, *Punch Perkins of the Fighting Fleet*, No. 6, p.2.

older strips will follow: there is insufficient material for it to be dealt with genre by genre.

War strips

The majority of the strips in this genre were published during and immediately after World War II, and the representations of Good and Evil could not, of course, be more clearcut. The typical Australian (or British) serviceman. the standardbearer for Good, is like the hero of John Egan's 'Fighter Pilot' (*Real! Comics*):

> "HE IS A TYPICAL AUSTRALIAN WITH A DEVIL-MAY-CARE LOOK ON LIFE, ALWAYS GETTING IN JAMS AND LOOKING FOR TROUBLE."(16)

Similarly stereotyped, with no hint of weakness either physical or psychological, is Blitz O'Brien, from J.B.'s strip of the same name (*Grand Adventure*), who, 'TOO PROUD TO PROTEST, PREPARED TO MEET ... HIS DEATH WITH A SMILE' (23) at the hands of the Japanese.

In contrast, the agents of Evil, especially the Japanese, have been portrayed unrelievedly negatively. The evil Dr Gojo in Jim Colt's 'Commando Conn of the Rough and Tough' (*Kayo Comics*), for example, is pleased to learn that some captured Australians will be at his disposal and laughs, '"H'H'HE-HE! MY NEW EXPERIMENT NEEDS HUMAN GUINEA PIGS"' (unp.), as he attempts to perfect his poison gas formula. The most unpleasant antagonists of all, however, are Bruteman and his Mongoloids from Virgil Reilly's 'Punch Perkins of the Fighting Fleet' (*Punch Perkins of the Fighting Fleet* series). *Punch Perkins* was first published in 1950, and the Mongoloids represented the North Koreans or Chinese with overtones, perhaps, of the still unforgiven Japanese. The brutal treatment of Australian prisoners at the hands of the Mongoloids is illustrated in figure 1.

The nature of Evil can change over time, though, as hard feelings soften. Certainly, Nazis ready to conquer the world could be found in strips published in the 1950s, but the differentiation between Nazis and Germans was apparent soon after the War, and some Germans were portrayed sympathetically. In Virgil Reilly's 1953 strip 'The Story of the Glowworm' (*Navy Combat*, no. 15), for example, two German seamen, rescuing British sailors from a destroyer which rammed their own vessels, say:

> "CAREFUL WITH THEM HANS... THEY ARE SAILORS LIKE US."
> "YA... AND BRAVE ONES TOO!" (p.21)

Adventure strips

An Australian reading a War strip knows immediately which characters represent Good and which Evil; the same is true of all but the most perverse readers of Crime strips. Adventure strips are different, however, in that a racial dimension is frequently present so that, perhaps, one reader's interpretation of events may differ from that of another. A less objective reader will sympathize with a protagonist as the embodiment of Good, simply because it is the convention to do so, or because the hero's violence is either less extreme or more justifiable than that of the villain.

Chinese, Arabs and Mexicans are never protagonists in these strips: they are, at

best, neutral characters, but are more likely to be villains. In all strips, speech and accent must be represented as broadly as possible to indicate a character's origins and role in a story, and those from these three races or nationalities are seldom given the opportunity to speak Standard English.

In today's context, however, it is the portrayal of Aboriginal characters which would be of greatest interest. There are Aboriginal villains in strips of this genre, but writers and artists like Eric Jolliffe, whose knowledge of Aborigines stems from personal contact and years of outback travel, individualize them, so that they, as a race, are never wholly good or evil. In contrast, the mysterious Theo's 'Jim Grey' (*The Secret of the Wreck*) is the most racist of strips as can be seen from the panels illustrated (figures 2 and 3). The savagery of Theo's Aborigines is undeniable, and their portrayal as the embodiment of Evil contrasts strongly with Jolliffe's Aborigines, who are simply people.

Max Judd's *Sky Police* (*Legion of Space* and others) is unusual for this type of strip in that whites, not blacks, are the villains in racial clashes. Set in Southern Africa, Boer rebels and their German allies in one incident attack a native village:

> "THE LITTLE VILLAGE WAS STREWEN [sic] WITH DEAD NATIVES — UNARMED NATIVES - SLAUGHTERED." (*Real! Comics*, p.14)

In most strips, in fact, the villains are shown to be more racist than the heroes, with many of the latter - but none of the former - having strong egalitarian opinions. The Panther, from Terry Wheelahan's eponymous strip (*The Panther* series), has this following exchange with an English girl:

> Girl: "REALLY YOU'RE NOT AT ALL POLITE. I SUPPOSE THAT IS WHAT COMES FROM LIVING AMONG SAVAGES."
>
> Panther: "I'M NOT INTERESTED IN YOUR IMPRESSIONS OF MY MANNERS. AND PLEASE DON'T INSULT MY PEOPLE. ONE MAYZARK IS WORTH A DOZEN ENGLISHMEN."

However, some ambiguity is possible in the nature of both Good and Evil. The protagonist of Monty Wedd's 'The Scorpion' (*The Scorpion* series) is a case in point. The man fought bravely for the Allies as a secret agent in Germany but, after the war, became a successful burglar. There was no ambiguity for the censors of the Queensland Literature Board, however: *The Scorpion* was banned in that state because the protagonist was not punished for his crimes.[2]

There is some equivocation, also, in the representation of Evil in 'Yarmak' (*Yarmak* series) by Stanley and Reginald Pitt and Frank Ashley. Didacticism is not uncommon in this strip, as this example demonstrates:

> "YARMAK'S HEART IS LIGHT NOW, FOR ONCE AGAIN HE HAS BROUGHT HAPPINESS WHERE THERE HAD ONLY BEEN MISERY, AND COMPLETE LOSS OF HOPE. YES, YARMAK HAS GOOD REASON TO SMILE... AND REMEMBER, WE CAN BE FOREVER HAPPY AND SMILING, TOO, IF WE TRY, IN OUR OWN SIMPLE LITTLE WAY, TO HELP OTHERS, AND NOT BE ALWAYS THINKING ONLY OF OURSELVES." (*Yarmak*, no. 4, p.20)

In contrast, the representation of Evil in the story entitled 'The Hooded Horde' (*Yarmak*, no. 48) allows for the justification of the most hideous crimes. The leader of the Horde boasts, '"...WE HAVE REDUCED THE BLACK RACE BY ANOTHER THOUSAND - OUR CAMPAIGN IS WORKING WELL TO SCHEDULE."' (p.2) but remembers his unhappy childhood in which

> "A BIG CRAZY NEGRO WAS AFTER YOU THEN - YOU'D POKED

Figure 2. Theo's 'Jim Grey', *The Secret of the Wreck*, unp.

Figure 3. Theo's 'Jim Grey', *The Secret of the Wreck*, unp.

> FUN AT HIM AND HE'D CHASED YOU - YOU HADN'T MEANT HIM ANY HARM, BUT HE LOOKED LIKE HE WANTED TO KILL YOU! ...HE STRUCK YOU WITH HIS HUGE BLACK FISTS AND SUDDENLY YOU HATED ALL HIS RACE! (p.16)

Although the villain dies, the enormity of his crime is diminished by the mitigation of his guilt, and a moral certainty is undermined.

Western (and Outback) strips

The representation of Good and Evil in Western strips is of paramount importance, because violence is usually a means by which the over-riding theme of these strips was worked out. That theme is the constant battle between these two opposing forces, a battle which is fought in parts of the world so primitive and isolated that official law enforcement is seldom possible. However, a significant percentage of violent incidents can only be seen as furthering this theme if it is considered that the white settlers are 'good' and Indians, Mexicans and, to some lesser extent, Aborigines, 'evil'. Usually, Australian blacks are led astray by evil white men, who are punished more harshly, but many Indians, especially Apaches, are portrayed as being totally villainous.

Certainly, there was no monolithic set of racial attitudes towards indigenous people in Western strips of the 1940s and 1950s, and two contrasting examples illustrate this. In Monty Wedd's 'Tod Trail and the Apache Renegades' (*Tod Trail and the Apache Renegades*), the protagonist states after a massacre of whites:

> "FOLKS BLAMED THE APACHES BUT IT WASN'T THE INJUNS COLONEL. IT WAS TOO NEAT FOR THEM. APACHES LIKE MUTILATING THEIR VICTIMS, AS YOU KNOW." (p.10)

The evil nature of these Indians lies at one end of the spectrum: at the other can be found an understanding of their plight by El Lobo, the protagonist of Keith Chatto's 'El Lobo' (*El Lobo* series). He points out:

> "THEY'RE NO MORE SAVAGES THAN WHAT WE ARE... THEY HAVE A DIFFERENT POINT OF VIEW AND WAY OF LIFE, THAT'S ALL!" (*El Lobo*, no. 8, p.25)

Evil in Western strips, to a surprisingly large degree, is represented by another minority group, also: the physically deformed. Examples of deformed villains include the 'HIDEOUS HUNCHBACK' (p.12) in Len Lawson's 'The Lone Avenger' (*The Lone Avenger*, no. 29) and the dwarf in his 'Hooded Rider' (*The Hooded Rider*, no. 17). The old idea of 'a twisted mind in a twisted body' is illustrated in several other genres, too, and there are no handicapped or deformed protagonists to be found in any strip.

Historical strips

Given the exigencies of the mass market, and the nature of the readership, it is not surprising that most Historical strips are set in violent periods of history. Conflict is often on a racial basis, once more, while even religion can be a battleground between what are perceived to be Good and Evil. In Hal English's 'Clancy of the Overflow' (*Clancy of the Overflow* series), for example, Aborigines are described in the following terms:

"THERE IS BLOOD ON THE HANDS OF THESE WILD MEN, WHO HAVE ALREADY WROUGHT SO MUCH WICKEDNESS... THE COMMAND IS... 'KILL!'" (no. 3, p.25)

If the Aborigines represent Evil, the title character of Rosamond Stokes 'The Young Knight' is the embodiment of Good, as he courageously battles Muslim fanatics until all those around him have fallen. This line has its exceptions, however: the protagonist of C.W. Barnes' 'The Adventures of Roger Farr' (*The Crimson Comet* series), on arrival at an African slave port, exclaims, "'SO THIS IS THE STINKING HOLE, WHERE THEY DEAL IN HUMAN FLESH AND MISERY.'" (no. 4, p.4). This last example indicates, once more, that heroes might be racist, but that villains are more racist still.

It is in the treatment of pirates, however, that questions arise concerning the representation of Good and Evil although, unsurprisingly, there is a precedent for this ambiguous treatment: Robert Louis Stevenson's *Treasure Island.* Pirate strips can be regarded as a separate subgenre of the Historical strip, if only because of the different moral schema found within them. Many pirates are treated sympathetically, especially in Syd Nicholls' 'The Phantom Pirate" (*The Phantom Pirate*), in which the protagonist is portrayed as being an honourable - if not honest - man. In fact, a poem celebrating the life of the pirate introduces the comic and character, creating a macabre but exciting atmosphere:

"Out on the wide grey Spanish main
The Phantom Pirate sails again
With dead men from the yardarm
swinging
As dead as pickled pig -
And dark swashbuckling fellows
singing,
Or dancing of a jig."

In this strip and others of the subgenre, pirates are portrayed as being malign to varying degrees, similar to Ben Gunn, Long John Silver and Israel Hands in *Treasure Island.* Even so, the life of a pirate is romanticized in the majority of cases, with emphasis being given to their carefree independence, and not to their slaughter of innocent victims.

The Concept of Justice

It is with Historical strips that discussion of this topic, the second part of the essay, should commence. It is clear that, if readers were to gain all their knowledge of Australian history from these strips, they would conclude that the convicts transported here were either innocent of the crimes for which they had been sentenced or, at worst, had been, like the girl in Doug Maxted's 'Ben Barbary' (*Ben Barbary Super Thrillers* and series), 'CONVICTED OF STEALING A SILK HANDKERCHIEF' (no. 8, unp.). Furthermore, the vast majority of bushrangers turn out to be escaped (innocent) convicts, whose exploits are aimed at the unscrupulous rich or offenders less honourable than themselves. Captain Justice, in Monty Wedd's 'Captain Justice' (*Captain Justice* series) is a former bushranger who has become a crusader for Good, and whose enemies are, indeed, bushrangers themselves.

Perhaps the idealising and romanticising of these criminals is an attempt by the

creators of these strips to whitewash Australian history; more probably, of course, it is merely the making acceptable of interesting protagonists. Even so, there is a questioning of the justice system that branded these people as criminals. That system is criticized, also, in Paul Wheelahan's crime strip 'The Raven' (*The Raven* series). The protagonist is wrongly convicted of a crime and, after escaping from gaol, dedicates his life to assisting those in the same situation, declaring:

> "I KNOW BRITISH JUSTICE IS THE FAIREST IN THE WORLD, BUT MISTAKES, CAN BE MADE... IT WILL BE MY TASK TO RIGHT SUCH ERRORS." (no. 1, p.10)

Not only is the Raven a fugitive from justice, but also he acts as if he is above the law, which is seen to be inferior to, and different from, justice. That same justice system is found wanting, also, in J.L. Curtis's 'When the Gangs Came to London' (*Edgar Wallace Comic*), a retelling of the novel of the same title. An important theme of this strip is the lack of police powers to incarcerate the guilty who, if having the right connections, remain unpublished for their crimes.

Justice in War strips, in contrast, is always seen to be done, simply because the Allied service personnel are always victorious. The same is true of those in the Crime genre, if for no other reason than that the censor insisted upon it. This is probably unfair: after all, the overt theme of many Crime strips is that 'Crime does not pay'. The Edgar Wallace story mentioned above is not an exception to this rule, for the chief villains did suffer the consequences of their crimes.

If 'justice' were to include 'social justice', the reader would discover a comic strip world of, in the main, sexism and racism, a world in which the middle and upper classes are shown to be superior to the working class, except in Humorous strips. In all but two genres, Humorous strips again and Sports strips, protagonists are better educated and speak more grammatically than either secondary characters or villains. The difference between Humorous strips and others lies in the fact that, in so many cases, the humour turns on the very Australian characteristics of irony and the puncturing of the pretensions of those who consider themselves to be socially superior, thus leading to role reversal.

It is here, too, that J.C. Bancks' 'Ginger Meggs' must be mentioned, for the concept of Justice in these strips is related more to life than to any expectation of reward or punishment. In other words, Ginger can suffer when doing the right thing, like being accused of fighting when he has been hit by a golf ball (*More Adventures of Ginger Meggs*, unp.) or, equally, escape punishment, usually by deceit or trickery, when he has been naughty. This is the result, of course, of the realistic portrayal of Ginger who, like most of us, is a combination of Good and Evil.

The Present

This, then, was the state of Australian comic strips in the 1940s and 1950s with reference to the topics under consideration. Attention will now be turned to strips found in comic books published in the late 1980s. As there are so few strips available for examination, a general discussion seems to be of more value than one that is genre-based. The readership of comic books is different, also, from anecdotal evidence: readers seem to be older, more sophisticated and less likely to be male.

The differences between Australian society at the end of the 1950s and that thirty years later include the dismantling of the White Australia policy; the general acceptance of gender equality; the recognition of the rights of Aborigines; and the

increased percentage of the population which speaks a language other than English. At the same time, some social problems have not been solved - those concerning Aborigines, for example - while others have risen in prominence, like the sexual abuse of children.

Undoubtedly, comic strips in this decade have changed with society, but the creators of these strips moved in one of two directions: to mirror mainstream society, or to present the needs and desires of an alternative society, the members of which come from the fringes of mainstream society - Aborigines; non-English speakers, especially females; the disabled; and sexually active, drug-using street kids. These two types of strip will be examined individually, and then compared with the early material.

It will be demonstrated that the representation of Good and Evil has changed radically in that time. Although local evidence for this is limited because only twenty modern comics were discovered for analysis against the thousand older comic books examined, American strips of the same genre have changed similarly, indicating the widespread impact of societal change on comic strips.

Mainstream strips

A close analysis of two Superhero strips leads to conclusions valid for all the recent strips in this genre. The first is 'Moving Home' (*The Southern Squadron*, no.9) by David de Vries and Gary Chaloner. The Squadron of superheroes is led by a woman, albeit one with big breasts and long legs like any '40s comic strips female, but her colleagues include a Greek man and an Italian woman, neither of whom would have appeared in an earlier decade. This inclusivity is repeated in John Breden's 'Santa from the Stars' (*Forerunners*, no.1). The 'Forerunners' are a group of eight superheroes, of whom three are female, one a small boy, one an Aboriginal man and another a teenage boy with mental problems.

An examination of strips of other genres reinforces the impression that, in the mainstream strips of the late '80s, anyone can stand for Good. Examples include two blonde girls in Steve Stamatiadis' 'Hedrax' (*Eureka!* series), a science fiction strip; another blonde in Michal Dutkiewicz's fantasy 'Verity Aloeha' (*Eureka!* series); and a female private detective in Ian Eddy's 'Galaxy Invasion' (*Bonza Comics* series). It can be seen, then, that the number of female protagonists in all genres has increased markedly, while the role of females even in such a conservative strip as 'Ginger Meggs' is greater under Kemsley than under its originator Bancks. While the nature of Good has changed so markedly, that of Evil has not altered to the same extent, although the villains in 'Moving Home' are a varied bunch which includes a black woman, an Italian woman modelled on the singer Madonna, and a bionic Sioux chieftain. It is apparent that females are presented more frequently as villains, but that nonwhites, still, play an important negative role.

The concept of Justice in these strips cannot be said to have changed in any noteworthy way since the publication of the earlier material. In other words, Good, in the person of the Australian heroes/superheroes, triumphed over the villains, who were, perhaps, not Australian.

Alternative strips

The comic books in which the recent mainstream strips were found were, like the old comic books, commercial publications: however, it seems that all failed in the

market place. Commercialism, though, is not a problem for *Streetwize Comics*, which is the vehicle for the alternative strips, because it is published by the Redfern Legal Service and supported by the Commonwealth Government. The aim of the anonymous creators of the strips in this series is simple: to educate readers about their rights, both legal and social. This is achieved, in most cases, by putting young protagonists into situations which result in the appropriate types of conflict, so that the educational points can be made.

This leads to quite different representations of Good and, more spectacularly, of Evil, and to concepts of Justice equally foreign to the writers and artists of the 1940s and 1950s. In many of the strips in *Streetwize Comics* the villains are male authority figures, notably fathers, policemen, school teachers and employers. The wicked deeds of these men can be found in almost every issue: examples include the exploitative employers in 'Ripoffs' and 'Killer Pigs' (no. 13), the argumentative father in 'What About Us!' (no.14) and, much worse, the incestuous father in 'Getting Out!' in the same issue (figure 4).

If the majority of villains are similar in age, gender and position, the same is true of protagonists in terms of age (young), position (powerless) and social class (low). At least half the protagonists are female, often in non-stereotypical situations or employment, such as carpentry (no. 13). In almost every comic can be found a story about a young person from a non-English-speaking background, perhaps a Vietnamese, Aborigine or Macedonian. Homosexuals and the disabled, all victimized, are represented as well, in what amount to case studies. This reversal of the values and attitudes of mainstream Australian society is confirmed by the number of male protagonists with ear-rings and protagonists of both genders who have tattoos, are sexually active, or take illegal drugs.

Justice in *Streetwize Comics*, then, stems from knowing one's rights and acting on that knowledge. However, because of the need to transmit information concerning fairly specific rights, *Streetwize Comics* cannot present anything but a narrow, legalistic interpretation of Justice. In mainstream strips, old or new, a hero or superhero fights crime and criminals; here, however, the protagonists fight is against not only ordinary people, but also often a member of the protagonist's own family.

Conclusion

The world has changed, and with it has changed a number of important elements in Australian comic strips, including the representation of Good and Evil and, to a lesser extent, the concept of Justice. Many of the old certainties have disappeared - it is no longer possible, for example, to be able to guess the gender and race of a protagonist or villain before reading a strip - but some have been replaced by new certainties, such as the role of middle-aged white males in *Streetwize Comics* strips.

Decades of peace have left writers and artists without natural villains for many of their stories: War strips have disappeared, and villainy is now on a more individual basis. Evil, in other words, is more the property of a person than a group and, for the most part, stereotypes and generalizations have been dropped.

Equally, the representation of Good is much more inclusive in the recent strips: the white English-speaking male hero has become almost a rarity in *Streetwize Comics*, for example. This does not mean that the strips in that series are mirrors of Australian society, however, given the 'street kid' nature of many of the protagonists. Perhaps, then, the unchanging Ginger Meggs, the 'normal' small boy, should represent both Good and Evil in the strips of today.

Figure 4. Anonymous, 'Getting Out!', *Streetwize Comics*, No. 14, p.17.

Even in the most 'alternative' of strips, it is demonstrated that crime *should* not pay, even if it does. While the older and modern mainstream strips show a securely moral world, the alternative strips can show an ironic picture of Australian society, a society in which the downtrodden are exploited by those in power. However, a corollary of this bitter picture is the fact that two of the reasons for reading strips, for escapism and illusion, cannot apply.

The older strips were, often, sexist or racist, 'classist' or conservative, but, at least, they were enjoyable to read. This is not the case with the didactic alternative strips, and is not necessarily true of the egalitarian modern mainstream stories. Back in the 1940s and 1950s, the reader knew who represented Good and Evil, and that Crime Does Not Pay: these certainties reflected the more hidebound and restricted society of the time, a time which was simpler and less sophisticated, if not necessarily more pleasant.

Notes

1. According to a 1952 American survey, 90% of regular comic book readers were male (as were 95% of those who created the strips).

2. The censor, it could be said, made Evil less threatening in one incident in *The Scorpion*, by erasing a knife so that it looked as if the hero were in mortal danger from a man armed only with a clenched fist.

JULIE HUNT

Restoration of the Jawo

In 1983 the Chinese Government allowed the recovery of some of the religious artifacts they had stolen from Tibet.

Among the broken statues
in a dusty Chinese storehouse
Jawo Mikyoe Dorjee
leaking sacred ash
chest nose and navel
pitted with chisel marks
the last of the gold plating
peeling from his armpits
said:
    Good fortune I am not sold
    to a Beijing foundry

His upper torso was in Lhasa
Half his people had fled
Half spoke in whispers
and still he said:
    Some broken things can be repaired
    Patience. Do not hate
    Each day the sky in tatters
    each night mended
    with infinite grace

He journeyed home in a wooden crate
facing the Holy City

ANDY KISSANE

The Atrium, Hotel Inter-Continental

You ring and say "how about lunch, it's on me"
and I accept thinking of submerging
myself in leather chairs and ordering
an *Orgasm* or *Between the Sheets*
just to see your reaction.

We never talked about sex -
you left that to Mum,
off on one of your trips north,
my adam's apple jutting,
my pimples bleeding

from apprentice razor swipes,
while all the time your leeches
were in my socks
trying to drain me of myself,
undetected. I know you now -

your crystal icons,
your gold-plated love,
you're not the strip-mining king,
the desert pirate you think you are -
"better than Tarzan, Zorro and Jungle Jim."

I've taken a geiger counter to your heart
and the needle's still spinning -
even your rationalisations
spread like cane toads.
Unlike Einstein, who often appeared in class

in casual dress, you wear blue suits and a red tie,
you understand power dressing
and if you ever write to the President
it will be about risk capital, tax relief
and how you've helped the aboriginals.

Occasionally, my face swerves through your mind
like a stolen car on a joy ride
and you want to compost our differences
and make me your Pancho as you ride
your Heigh Ho Silver mine off into the sunset.

I might be a mere scattering of iron filings
but I know what animal you are, Dad -
you're a tapeworm
reproducing indiscriminately,
spreading your suckers so you bloat

everything you touch
without effort, without work...
Your exotic presents and live lobster
handshakes don't impress me - I'm wary,
I'm ready and I'm licking my lips.

PHYLLIS JAGER

At the Hospital

You walk the cold winding passage;
through half open doors
apparitions of faces drift by
old, mostly frightened
they've come here to die.

Here is his bed, rising toward you
cloud face floating
above a mountain of pillows;
you arrange a calm gaze -
his will be anxious enough.

His eyes flicker in knowing, not knowing
love replace duty
as you sit by his bed
his hand answers your hand -
whatever can be said has been said.

Today we wait in closed curtains
father and child
quick needles have eased him
to an almost sleep
his hands lie quiet along the sheet.

Not all the remembering
the sad growing up
to his harsh words and silence,
not the first vivid memory
of being rocked to sleep in his arms
as he sang the old songs of soldiers
not even that he is miserable and spent -

nothing protects from the waves of his dying -
they buffet me homewards
through the dark driving,
the precise changing of gears.

LYNETTE KEENAN

Moving Boundaries

The edge of my mother's world is moving closer. Yesterday it was at the corner, today its precipice is the front gate.

She doesn't drive anymore. Her 1965 Falcon, immaculately restored after her small win in Lotto, sits in the garage. She bought it, her prized possession, at Sydney Atkinsons in the city. When she picked it up there was a bouquet of flowers almost covering the back seat. She said that's when there was still such a thing as service. When she won the money she had the rust cut out and it was repainted. The same grey - she would never have a blue car; blue was bad luck. And the grey was intended to match the deep red upholstery. Even without covers, the leather seats are as shiny and supple as ever. She says her car will be worth a lot of money one day. It's almost a vintage. The chap down at the service station in Guildford offered her $2000 for it.

She used to drive down through Greenmount for the shopping but she says the long lonely stretches on the highway are no place for a woman to be stranded on her own. You're not even safe driving your car. Cars tear past - always breaking the speed limit. Everyone's always in a hurry.

But she doesn't drive anymore.

The edge of my mother's world is creeping along the driveway. It is eating away at the path. Soon there will be no way out. Soon there will be no way in.

The letter box rejects last week's snail infested catalogues. There was a time when she read them, savouring the coloured specials, comparing the black plastic pots from Big W with those in the Coles' Dollar Dazzler catalogue. There was a time when my mother bought the pots for the orchids she grew. Some of the blooms were as big as dinner plates. She kept them locked up in the shade house, checking the buds daily. She watched the buds bulge before breaking open. They allowed her to see a little more of their perfect secret unfurling every day. The woman two doors up from my mother, started to collect orchids. She went out of her way to get different species. She wasted her money on large expensive plants. You only need to start with a small bulb - if you know what you're doing.

Her garden is the universe. No spring can break its private winter.

Florists ordered the waxen blooms from my mother for wedding bouquets. One bloom nearly covered the small hands of a dainty bride. The florist brought my mother photographs of the bridal bouquets. My mother hadn't carried in orchid -

either time. She told the florist not to call anymore. There had been no money for flowers when she married my father. Life was tough in 1940 but love had been free. A quick wedding; he in an Army uniform, she in Tram Conductress blue. The baby was early.

No orchids, no champagne and no guests to sip to the toast.

Then she became the discarded one. The second time, she married to escape the pain of being left behind. My mother looked into the mirror and the discarded one looked back. Her four children watched the short ceremony in a Registry Office too small for ten people. The frangipani was overpowering in the stuffy February air.

The discarded one blocked my mother's vision; she couldn't see past her at times. Others didn't know what was blocking her view and tried to get closer. They soon found it was blocking her view of them too. This time she was independent. She wore black suits and red lipstick and worked in Haberdashery at David Jones. She paid her own way. She paid for her children. She laughed but she didn't smile.

But now, the edge of my mother's world is moving towards her, drawing closer until there is not room for even one.

The Company She Keeps

Rosa didn't' want to meet Luisa during her lunch break, or go window shopping and browsing with Anna. She was fed up hearing about their families, their traumas, all those gossiping cul-de-sacs. Today she preferred to be alone.
She made herself a sandwich, and decided to go for a stroll. Eventually she reached Hyde park. She had rarely come this far, surprised at the narrow range of her movements from the cafe.
She saw several people standing around a huge chess board, and walked towards the group to see what was going on. Of the two players, one stood, hands in pockets, watching carefully as the other man limped slowly between the knight and castle, undecided about his response, on the defensive.

Rosa hesitated, then sat down on a cement ledge to watch, eating her sandwich.
Soon, an old man shuffled towards her and sat nearby. He was small and dark, his body slightly stooped, and his face distorted by the impact of age, neglect and alcohol.
With uncoordinated, jagged movements, he scratched his stubble, and took a drink from a wine bottle, before hugging it to his chest in a gesture of reverence and possessiveness. There were drips of saliva on his lips, his trousers torn and dirty, his crotch covered by a dark stain where he had pissed in his pants.
Rosa involuntarily turned away from him, as he edged nearer. After staring at the chess board for a few minutes, he glanced at her, saying, "Black's stuffed eh?" and then began sniffing and mumbling to himself. "You play?" he asked.
She didn't reply and he slid closer. Suddenly he shouted, "Silly bugger. Big mistake", as one of the men moved a piece. He looked at her, and smirked, realising she had no idea what he was talking about. "The horse's head is called a knight", he explained in a wheezy, nonchalant tone. "Not, night and day like. With a k."
Unexpectedly, and with a certain eloquence, he began to name the various pieces and describe the basic rules of the game, whilst keeping an eye on the state of play. By now, more people had arrived and gathered around the players, partially obstructing their view. The old man got up and stood on the ledge. "Oi" he said to Rosa, and jabbed at her shoulder to get her attention. Wanting to know how the game was progressing, she also mounted the ledge.
"Appreciate it more from here. I get tired though, standing." He sat down again.
"What's happening?"
"The black's moved a.. bishop...to.."
He scrambled up beside her. "..to King's Knight 3! Oh shit!" he finished, then sat down once more.

He continued to talk about chess, until he seemed to lose concentration, and after taking a long gulp from his bottle, fiddled with his shoelaces, and polished his shoes with scraps of newspaper.
Finally he stood up, saying, "Name's Bazz. See ya tomorrow?"
"I don't ... perhaps", she told him, surprised at her answer, at this willingness to observe and understand what was happening.

That night during dinner she asked her son. "Ever played chess, David?"
When he shook his head, and the others looked at her with puzzled expressions, she told them all briefly about her adventure.
"That's why you forgot to pay the gas", suggested her husband, laughing at her.
"Well, we know what to buy mum for her birthday", joked her daughter Enrica.
Wanting to justify herself, she detailed Bazz's obvious skill at the game, and how much she had enjoyed its drama and logic. It was strange to hear herself speaking with such confidence and energy about something out of the ordinary.
Getting a little exasperated, Umberto taunted her, indicating the lack of food on the table.
"Let's worry about more important things eh?"

The next day Rosa went to the park at the same time. She found she could track the moves quite well, appreciating the various strategies, and, with growing assurance, even anticipating particular manoeuvres.
Bazz didn't appear. She felt disappointed, cheated, wanting to ask him questions, and missing his enthusiasm and knowledge.

For several days she didn't return, as the weather was cold and drizzling and she was busy with lunch time chores. Once, on a work errand to deliver coffee and sandwiches, she detoured guiltily into a book shop, and briefly leafed through some chess books.
When she went to the park again, she saw Bazz on the board playing a game. As she approached, he came and stood beside her, acknowledging her presence with a quick, shy greeting. They stood together for a few moments, not saying anything, before she went and sat on the ledge.
He was purposeful in his movements, although walking about with some effort, his hands trembling visibly. His eyes behind the thick glasses however, were still bright, alert, with a hint of generosity and stubbornness. There was a soft, harmless menace about him that appealed to her as he stalked the board. "Check mate" he finally said.
Rosa clapped, admiring the rapid, ruthless way in which this had been achieved. She was suddenly embarrassed, realising that others were staring.
Bazz turned and bowed, and went to her.
"Did allright eh?" he gloated, beginning to explain his tactics and why he had made specific feints and moves. Today he was less lucid, inclined to ramble. Sometimes he would stop talking and focus on the game being played, asking her, "Go on quick, what should he do?"
She began to make hesitant comments, gradually becoming more and more satisfied at the ease with which she was able to predict the moves.
At other times he would lapse into what was a comfortable, undemanding silence, giving an impression of weariness, of a sad longing for some personal dreaming Eden.
She wondered how he endured this basic, trapped existence. What made him persevere and want to live? She could only guess at his resilience.

In a curious way she envied him, not fussed by rituals and responsibilities, almost disconnected from the world.

When it was time for her to go, and she was walking off, he yelled, "What's your name then?"
She paused, retraced her steps, and told him. He struggled to his feet, holding out his hand, wanting to shake hers. On moving away, he called to her again, and when she looked back he gave her the thumbs up sign.

The following day she was not able to go to the park. She went however, after work, and sat in her usual spot. She was alone. It was raining, and she remained, rugged up in her coat, immobile, staring at the board, and feeling the lure of its indefinable mystery. She stayed there longer than she had anticipated, nibbling at her nails, and daydreaming. She began to plot extravagant moves that pleased her, playing both colours, in an unusual display of oblique, refined cunning.

When she arrived home Umberto was already there, sitting in the lounge and reading the newspaper.
"Got held up", she told him before he could say anything.
In the kitchen she discovered something very interesting. The floor tiles reminded her of a chess board. Making sure that no one was around, she stood on a brown tile and imagined that she was a knight, carefully stepping forward and across two spaces. She continued these dancing, stuttering movements for several minutes, pacing herself through complex patterns that gave her unexpected pleasure.

She went to the bedroom to change.
Instead she sat on the bed and remained still for several moments before cruising aimlessly about the room. Everything was neat and orderly. She spent a lot of time keeping it like that. Her family expected it. She sighed and made her way to the kitchen, to begin preparing dinner.
In the middle of washing some vegetables, she stopped, went back into the lounge, and sat down next to her husband, who looked at her with a bemused, wary expression.
Apart from the rustling of Umberto's newspaper, the house was very quiet. Rosa took deep breaths and massaged her neck. She removed each shoe with the other foot, and closed her eyes in relaxation.
She could feel Umberto becoming restless, tensing, looking at her with sharp, impatient glances.
"What's the matter?" he finally asked.
"Nothing. Why?"
"Well, what about dinner."
At that moment David arrived, and surprised to see his mother sitting down when she would normally have been in the kitchen cooking, he went and sat beside her.
"Hi mum. What's up?"
"Nothing", she answered.
"Are you all right?"
"Yes", she responded, with mounting irritation. "I'm just not cooking tonight, that's all. As soon as Enrica comes home, you're going to buy something to eat."
"What?" asked her husband.
"I don't know. Chinese."
"Chinese? You've never eaten Chinese. Or Thai, Or Ind..." protested David.
"Well tonight we are, OK?"

"Rosa, if I wanted to eat cats, I would have stayed in Italy, especially around the Colosseum."
"I'm not cooking tonight", she insisted.

* * *

Rosa decided to bring Bazz something to eat and drink. She prepared a sandwich for each of them, stuffing it with a variety of vegetables and ham and cheese, and also made a cappuccino.
As she walked along, a gust of wind splattered the froth against her dress, and into the side of her face. She paused, in the middle of the footpath, and giggled, unable and unwilling to restrain herself.

When she gave the food to Bazz, he took it without comment.
"What do you like to eat?" she asked.
"Anything. People chuck away good food", he muttered, then added, "But when I can get it, an egg beaten into a cup of hot milk and coffee, with a few bread pieces thrown in."
She swallowed, and put a hand to her mouth, grimacing playfully.

At one stage, Rosa took off her shoes, saying, "My feet get swollen easily."
"Because you eat too much", he replied, gently mocking her. "The food sinks to the feet so they swell."
He bent low wanting to massage her feet. She took hold of his jacket, and pulled him back up. Trying to distract him, she asked, "Do you have a family?"
"Had a dog for a while."
"What was it called?"
He frowned, thinking, then told her matter of factly, "It was a long time ago, I reckon."
"I don't mind forgetting some things."
"Not much left for me to remember."

When she told him she had to go, he got up as well.
"I'll walk a bit with you." She hesitated, and he added, "If that's all right."
As they walked, she noted the studied, sullen disapproval of passers by. Appreciating her uneasiness, he explained, with open satisfaction, "People think I'm nuts. Means I can say and do what I like."

Over the next few days they met regularly.
He brought along a chess set, and helped her practice, until she was winning constantly. He urged her to test herself against some of the others, to challenge several of the more flamboyant, yet disciplined players publicly, but she refused, self-conscious and uncertain about her skills.

During their games, Rosa did most of the talking. Her English was good, and she had a propensity for small talk, knowing how to be jovial and attentive and patient. He in turn, seemed uncorrupted, blameless, having surrendered to the innocence of not caring about anything, except chess.

* * *

When Rosa got home one afternoon, towards the end, she found Enrica in the

kitchen, preparing dinner, and David bustling about helping her.
"Mum, we've decided that we're not having reheated pasta again tonight."
"Go and have a rest, relax. We'll call you when its ready."

Before they started eating, Rosa got up and brought back a parcel. "Look what I bought today", showing them a small plastic chess set.
"Who are you going to play with?"
"I'm going to teach your father."
"Of course you are", Umberto said sarcastically.
For a while no one spoke.
"Maybe Bazz can come and teach you then." Without even thinking about it, she added, "I thought, one evening perhaps, we could ask him here, for dinner."
They all looked at her.
"Mum!"
"Don't let people laugh at our expense, Rosa."
"He's just a drunk Mum. There are thousands of them. What are you going to do, invite them all over?"
"He's on a pension isn't he, what's he got to worry about", added David.
"He's dangerous, you understand. He's mad and he's dangerous." Umberto shouted, tapping his forehead repeatedly in a gesture indicating foolishness.
Rosa watched everyone. She felt lethargic and distant, like a timid voyeur. She resented these clumsy reprimands, brooding with anger as she tried to resist the family's careless insults.
"See this?" continued Umberto, grabbing the chess set. "I'll shove it up his arse."
He threw the pieces onto the floor, and started to kick and stamp on them. For a few moments Rosa didn't respond, then she bent down and began to collect them.
"You stop going to this park, right? I want you to stop seeing this man, stop playing this shit. Otherwise you stay home."
Rosa lifted her head. "Shut up!" she warned, and abruptly rising to her feet, rushed out of the kitchen, taking some of the pieces with her.

When Umberto entered the bedroom, he saw that all the drawers and cupboards were open. Clothing was scattered on the floor and over the bed, with Rosa picking items up at random and folding and refolding them, in a compulsive effort to keep busy.
Umberto watched, unsure of how to approach her, or respond to this frantic, chaotic energy.
"I'm sorry OK?" he said from the doorway.
She turned on him. "No. No it's not OK!" She knelt, wanting to ignore him as she picked up clothes and piled them onto the bed.
Umberto went up behind her, his breathing shallow and nervous. He pulled Rosa to her feet, rubbing both her shoulders with his hands, and pressing her backwards, against him.
She relaxed a little, wanting to be consoled by the rhythmic caress of one of his hands on her hip and her thigh.
"When we're angry, we don't always listen very carefully" he apologised, kissing the back of her head. "You really like this chess?"
How could she describe its immense enjoyment, that mixture of precision and lateral thoughts, the way her mind teased out consequences, the tricky reasoning that controlled her imagination.
Rosa merely nodded, and turned into him, rubbing her face against his chest, before looking up. "Even more than ironing and doing the dishes", she confessed.

She forgave easily, with a buoyant, self-mocking humour
Umberto noted the strong inspiring look in her green eyes, her lips pink and full like an eighteen year old. He tried not to resent her mood of independence, that she did not pamper him any longer, or confide in him, or give him all her attention and respect.
"Rosa, don't forget me."
"You are so stupid", she told him affectionately.
She pushed herself away, walked to the radio and put it on. Standing still, she traced the line of her breasts, beginning to move her hips sensuously, as if re-discovering her body. It gave her pleasure. Her husband was talking to her, although she had missed most of what he was saying. Holding his face between her hands she kissed him, pushing her tongue into his mouth, something she had not done for over twenty years. His response was one of excited surprise, grabbing her recklessly and roughly and pushing her down onto his lap. She hugged him tightly, and they stayed like this for some time, before falling back onto the bed.
Rosa started to sing, to serenade Umberto in a low vibrant voice. He took her hand and kissed it, muttering her name over and over, wanting to sustain this sentimental, startling passion.

Rosa did not see Bazz for almost a week, despite his having promised to show her some new opening gambits.
She was not sure what to do. She spoke about it to Umberto, who did not like her idea of going to look for him. No matter how much he tried to be supportive, he did not want his wife to meddle with such hopeless, scarred people, who had nothing to offer except their disastrous past.

Nevertheless, the next day she went to Hyde park again, and asked some of the regulars. No one had seen or heard from Bazz, he came and went as he pleased. One of the men told her where he lived, and she decided to go there, after convincing Umberto and David to accompany her.

The following afternoon, when they arrived at the boarding house, their knock was answered by the owner, an old, hard-to-understand Ukrainian, who told them he had not seen Bazz for quite a few days.
After some insistence from Rosa, he agreed to show them the room which Bazz shared with two others.
They all gathered at the door, quiet and strangely passive.
There were three beds in the room. The walls were damp, the paint discoloured and peeling. On the floorboards, near one of the beds, there were half-empty wine flagons, liquor bottles, several newspapers, and milk cartons.
Scattered in a corner, half-wrapped in brown paper, Rosa noticed several shrivelled lumps of black liver. A small crucifix was hanging above the heard rest of one of the beds, next to a black and white photo of a family group. Taped on the wall around another bed were a series of nudes from magazines. The third bed had been stripped, although two blankets and a cushion were on top of it. A small electric heater, its cord tied firmly to one of the bed posts, was beside the blankets. The owner pointed to this bed, adding, "If you see him, you tell him, tomorrow, or I must give to someone else."
Rosa took a couple of steps into the room, then stopped, turned, and quickly pushed her way past the others still crowding the entrance.

Several days later she was sitting and watching a game, with little enthusiasm, when

an old man approached her.
"You Rosa?" he asked. "Bazz, you know him? Made me promise, to give you this...."
He handed her a package, wrapped in newspaper, and tied with string.
"Where is he?" she said.
He shrugged. "Dunno. I liked old Bazz." He backed away, and after staring at her for a few moments, left.
She removed the newspaper. It was the small chess set she had practised on with him. She picked up a piece, and juggling it from hand to hand, reflected on her strengthening desire to change the circumstances of her life.

In a few minutes, she decided, she would stand up, walk confidently to the middle of the board and issue her first public challenge. It would be a small beginning.

STEPHEN MAGEE

Collaborator suite

1. My father: 1969

Oh yes - we cheered the police,
two weary cops dragging home from Derry
after war against the hoons.

But everything changed when we
became the enemy: the miles
you put between Belfast and us
melted overnight, smoke billowing
from the wireless, the news breaking up
into the scratch of incident reports.

2. Bonfires

Every Twelfth we were locked inside
to look, but not to ask to play.
This was their day - no great degree
could tell you any more than what we knew,
that this was all they had: a date,
a drum, a bowler hat, a sash.

Sorry - not forgetting hate,
our eyes in their backs, reflecting
in the bush a million fires.

3. My fathers

Your fathers - were they small-
minded, did they speak to you again?
Old stock and immigrants,
they kept no high table, have left no opinions
on the Catholic question: your apostasy,
your marriage. I would like to take that ferry

back upstream, and to say:
fathers, this is what I eat
and this is what I drink.

4. My grandchildren

I came here, had a life
so easy worry worked me sick
into the grave of my ambitions.
Leaves I missed, September afternoons
outside the jail, and midnight mass
at the death of winter.

But Sydney Harbour burned me soft
with vistas, the Botanical Gardens with wine;
I held your father's hand as he walked along the seawall.

5. Sydney reprise

I laugh about it now
my eyes are turning gold,
but still not blind enough to swear
another Twelfth at the GPO
wouldn't find me blood bursting
in my chest as Orangemen
parade through Martin Place.

Old men in bowlers and black -
grandfathers, I could hate you.

GEOFFREY HUTCHINGS

Johannesburg Wartime Childhood

Triple-storied yellow brick
Apartment block, facing north -
Front flats with balconies, back
Ones lacking warmth, looking south
Into the yards behind the shops
In Raleigh Street - then turning east,
The Yeoville Cinema - another turn,
More flats, the police next door, and west
The synagogue - end of the world a mile
In each direction - church and school,
Golf course, park and water tower -
The latter sinister, grey on the hill.

Open Sundays, Grodzhinski's smelt
Of bread - rich, dark rye -
And sauerkraut and pickled fish -
The strange taste of far away -
Grocer Beverley, odourless, discreet,
Aloof at the opposite end of the block,
Kept to orderly office hours -
Nel the Barber was short back
And sides only, and sold frenchies -
Another shop with electric trains -
The C. N. A. - McCrudden's Shoes,
Where Johnny's dad blew out his brains.

The "native boys" who cleaned the flats
Climbed an iron fire escape
To reach their rooftop stygian quarters
That smelt of soap and mieliepap.
To real boys it was out of bounds -
But worth the risk to gain the height
To see the other world - and maybe
Rouse to wrath the great white
Witch downstairs whose doorstep we peed
Upon to counteract the spells -
Coming down was scary - through space
Between the steps we'd see the cells.

On Sunday night the drunks inside
The cells would howl like wolves in the wood -
On Monday, when I left for school,
I saw the gutter running blood -
Carefully holding breakfast down
I walked the kerb along its edge -
The kids from Yeoville Boys, their socks
Around their ankles, mocked my badge:
"K. E. P. S."
(And the crown imperial worn on the heart)
"Kaffirs Eat Port Sausages!"
They crowed, and so the week might start.

MARIA GABOR

The Fence

For Henry who knows me now,
Hilda who knew me then,
and for Sarah who walked with me
along the path between them.

Ridi leaves the shopping area and walks towards the park. A faded sign is nailed to the fence. 'MEMORIAL RESERVE'. She glances around. The place is deserted. People shopping. A crow on a wooden stump preens itself, black feathers glistening. "One for sadness," Ridi whispers.

She scans the high fence. She's been enclosed many times in her life. She clutches the iron bars. Her knuckles show white. Crumpled brown leaves trapped against the fence. Like refugees. Post-war years. Plenty of ice and snow but no food. No shelter. Now, hot sun stings her bare arms and still she shivers. Torn shoes, no stockings, just a thin grey army blanket and the constant clat-clatter of trains.

Patter of feet. A little girl, all red hair and freckles, bounces towards her. Stands and stares. Ridi looks away.
"Gross neglect of your infant child, leading to death."
"It was an accident. An accident," she screams.
"I couldn't cope on my own."
The child untwists spirals of hair from her fingers and runs towards a woman pushing a shiny pram.

Ridi feels hot tears slither between her face and the fence. Dogs bark. Snarling, barking. Dogs. Guards. Men. All the same. Even this morning the man at home ... She steps out of the bathroom, wearing his robe.

"You thief!" the fat guard hissed, stripping her in the cold examination room. She shivered and tried to turn away. What was theft, then? Even the dead are decently covered.

Smells of roasted meat wafts towards the park. From the shopping village a voice on a loudspeaker barks meat specials. Dogs. Men. Guards.

A breeze caresses her face. Ridi straightens and walks down the path towards a bench framed by white flowering oleander. She removes her sandals and grips

fallen flowers with her toes.

Trees, heavy with snow, lined the river at Innstrasse. Hordes of refugees stampeded the city swelling the number of homeless.

She clears snow from a bench and curls up. A man's voice wakes her. "You sleep here and you freeze to death." It wasn't the first time she had dozed on these benches until the last of the theatre-goers passed. Only then could she shelter in a doorway. Still cold but dry.

Grunts. An old woman in a black coat sits on the next bench and pulls a bottle from her bag. She gulps and wipes her mouth with the back of her sleeve. Ridi rubs her arm. The woman burps, scrunches the duffle bag into a pillow and stretches along the bench. One hand clutches the bag.

AR-RRR-RRK. A single crow hops between the benches. Ridi picks up her sandals. She walks to the old woman, presses money into her palm and wanders back to the iron gates. A sudden gust torments the trapped leaves and sends them scattering.

BRUCE ROBERTS

Presence

She is with me on the mountain, thrill in my spine,
tripping downward with the sun through the white light
of our horizons. Descending dolerite slabs and broken stone,
warm still from our ascent, her touch. Descending
together on the mountain down scatter-scree steep slopes
shortening long-legged shadows and casting them away
beyond the pillars and the rockfall, wind burnt heath,
lemon scented step into boronia, cushion plants
and ferns that bury wallaby tracks to needle bush
scratching snowgums, catching leggings; glancing back
catching breath, excited eyes see an ancient sky
descending rock columns plumed in mist.
- We, she says, briefly breaking step,
- must not lose sight of this.
And waves her arm about our world.
The giant manna gum, aged stooping boughs, discarding bark;
the slip of dew in failing rays on straps of tall pandanni.
We hurry on like wombats to our burrows, cocooned in thought,
our presence on the mountain succumbing to the dusk.

ALEX SEGAL

The Annulled Gift and the Repression of Ethics

In a recent review, Stephen Connor - a leading commentator on postmodernist theory - speaks of an "extraordinary 'ethical turn' which has taken place over the last few years in contemporary theory and criticism".[1] He likens this event to the return of the repressed, thus evoking the widespread belief that the advent of contemporary theory involved something like an anti-ethical turn. The reasons for this belief are not difficult to discern. The structuralist and poststructuralist insistence on the arbitrariness of the sign is in conflict with the notion of literature as embodying or enacting values, a notion implying a fusion of signifier and signified, of form and content, inner and outer. The arbitrariness of the sign is of course one of the motifs in theory's critique of representation; to the extent that criticism has traditionally tied ethical value to literature's being mimetic, to its being true to human nature, contemporary theory's critique of representation may well appear to be an anti-ethical gesture. Deconstruction was from the outset associated with the displacement of the hierarchy of speech over writing, speech here being construed in terms of the values of self-presence, spontaneity and immediacy. And it is precisely such values which are central to Leavis's criticism - for many the paradigm of ethical criticism; literature is valued by Leavis for its enabling self-realization and self-possession, for its rendering thought and emotion coherent and self-transparent. For Leavis such an achievement, such finding of oneself, is only made possible through participation in tradition. Yet contemporary theory has targeted the idea of a great tradition, of a literary canon - essential to the ethical project of traditional criticism - as idealist and totalizing. Moreover, it is not just the idea of an ethically motivated literary criticism which has come into question. Deconstruction's displacement of the categories of intention and of consciousness, and its affirmation of the irreducibility of undecidability - an undecidability which marks the very style of deconstructive texts - have appeared to many to be gestures that are opposed to ethics as such. Critics of deconstruction have perceived its anti-humanism as hostile to ethics.

Connor seems to suggest that the ethical turn he speaks of has occurred not just in the reception of the work of the major figures of literary theory, but in that work itself - he mentions Foucault here. He may also have mentioned Derrida whose recent publications bear titles such as "The Politics of Friendship", "Towards an Ethic of Discussion" and "Force of Law: The 'Mystical Foundation of Authority'". In the article that goes under the last mentioned title Derrida himself broaches the question of deconstruction's apparent avoidance of ethics. What he says however is very far from confirming Connor's story of repression and return:

> Deconstruction, while seeming not to "address" the problem of justice, has

> done nothing but address it, if only obliquely, unable to do so directly. Obliquely, as at this very moment, in which I'm preparing to demonstrate that one cannot speak *directly* about justice, thematize or objectivize justice, say "this is just" and even less "I am just", without immediately betraying justice.[2]

Derrida not only rejects the idea that deconstruction involved an anti-ethical turn. He ties what he sees as deconstruction's sensitivity to the ethical to what his detractors have seen as ethical evasion.

The present essay considers the indirection with which deconstruction addresses ethics. The topic may seem remote from the concerns of a journal devoted to Australian studies. Yet Derrida insists on the proximity of his "formal, abstract statement of several aporias ... between law and justice" to "historical memory" - in particular, the historical memory of the "founding violence of the law or of the imposition of state law [which] has consisted in imposing a language on national or ethnic minorities regrouped by the state".[3] Such a historical memory is of course very widespread; but it is particularly insistent in countries like Australia. It is a memory which is perhaps more readily associated with Lyotard's work - which draws attention to the repression of the narratives of archaic cultures by the grand narrative of western modernity - than with Derrida's. Indeed, Bill Readings, a leading commentator on Lyotard, has recently argued that the relation between the Australian state and the Aborigines requires the exercise of pagan or experimental justice advocated in Lyotard's *Just Gaming* and *The Differend.* In my discussion I shall proceed without detour from one of Derrida's more formal treatments of ethics to the historically specific concerns of Readings' article.

* * *

The justice that cannot be objectivized demands Derrida says "gift without exchange, without circulation, without recognition or gratitude, without economic circularity, without calculation and without rules".[4] Derrida takes up the question of the gift in one of his most recent articles "Given Time: The Time of the King". What I shall be drawing attention to is the way that the traits of deconstruction that I began by evoking, are in this article tied precisely to the ethical responsiveness that they are widely thought to exclude.

Derrida sets out from the "semantic precomprehension of the word *gift* in our language or in a few familiar languages". At this "simplest level" he observes:

> For there to be a gift, there must be no reciprocity, return, exchange, countergift, or debt. If the other gives me back or owes me or ought to give me back what I give him or her, there will not have been a gift, whether this restitution is immediate or whether it is programmed by a complex calculation of a long-term deferral.[5]

The consequences of this non-reciprocity are striking. The donee must not even recognize the gift as gift. For such recognition "gives back, in the place, let us say, of the thing itself, a symbolic equivalent" (p.171). Moreover, the donor "must not see it or know it either; otherwise he begins, at the threshold, as soon as he intends to give, to pay himself with a symbolic recognition, ... to give back to himself symbolically the value of what he thinks he is preparing to give" (p.172).

Already we can begin to see why Derrida holds that to say "this is just" or "I am just" betrays justice. For these locutions involve the kind of recognition, the kind of identification, which he says annuls the gift. His reasons for thinking that the first-person locution involves more of a betrayal are suggested by the tone of his description of the donor who repays himself: "The simple consciousness of the gift

right away sends itself back the gratifying image of goodness or generosity, of the giving-being who, knowing itself to be such, recognizes itself in a circular, specular fashion, in a sort of auto-recognition, self-approval, and narcissistic gratitude" (p.179). In differentiating the first-person locution from locutions that refer to others, Derrida seems to signal his respect for what the Jewish philosopher Emmanuel Levinas calls the asymmetry of the ethical relationship, the asymmetry involved in my demanding more of myself than I demand of others. To the extent that justice is held to involve such asymmetry, justice cannot be thematized or objectivized; for the asymmetry cannot be taken in, contemplated, from the third person point of view. Levinas holds therefore that philosophy, in attempting to offer a *theory* of justice or ethics, has reduced what is specific to ethics. In his suspicion of speaking of justice directly, Derrida's debt to Levinas is apparent. This, incidentally, is a debt he shares with Lyotard.

To say that justice cannot be objectivized or thematized is to say that justice cannot be represented. What we find in Derrida's analysis of the gift is precisely a rupture between ethical responsibility and representation: in order for there to be gift, it cannot be identified. To the extent that deconstruction has sought to displace the values truth and mimesis, it cannot be assumed to be inimical to ethics. A literature that bore witness to the gift, that sought to testify to it, would not be mimetic.

Derrida's analysis displaces the categories of intention and consciousness - "The simple intention to give, insofar as it carries the intentional meaning of the gift, suffices to make a return payment to oneself" (p.179) - and the categories of the self and the subject. The annulment of the gift, Derrida says, occurs

> as soon as there is a subject, as soon as donor and donee are constituted as identical, identifiable subjects, capable of identifying themselves by keeping and naming themselves. ... the gift cannot take place between two subjects exchanging objects, things, or symbols. The question of the gift should therefore seek its place before any relation to the subject, before any conscious or unconscious relation to self of the subject. (pp. 179-80)

It is significant that Derrida's anti-humanism - such as it is - is nowhere more apparent than when he speaks of the gift, of generosity. Anti-humanism is also at stake in Levinas's insistence on asymmetry. For the categories of the self and the person - the categories on which humanism grounds itself - posit a symmetry, an equivalence between self and other.

The kind of criticism that is predicated on notions of self-realization and self-possession is unresponsive to the demand for the gift. Leavis seems to wish to link spontaneity and sincerity to generosity: the achieving of complete sincerity is for him a matter of eliminating "ego-interested distortion and all impure motives"; and he describes Hardy's "After a Journey" - a poem which he argues achieves such sincerity - as "the purest fidelity, the sincerest tribute to the actual woman".[6] But such fidelity and tribute to the other is for Leavis tied to self-constitution: the speaker of the poem (whom Leavis identifies with Hardy) achieves rare integrity; he has the right to declare himself "just the same" as his past self, the self he recollects. To this extent the speaker can be described in the very terms Derrida uses to describe the subject that annihilates the gift, the subject that seeks "by the gesture of the gift to constitute its own unity and, precisely, to get its own identity recognized so that that identity comes back to it, so that it can reappropriate its identity: as its property" (p.169). The spontaneity that Leavis extols remains, Derrida's analysis would suggest, a matter of calculation.

I mentioned at the outset that at issue in deconstruction's break with traditional criticism is precisely the value of tradition. Derrida in effect argues that for there to

be gift, donor and donee must break with tradition to the extent that if the gift is anticipated or remembered a payback occurs:

> The temporalization of time (memory, present, anticipation; retention, protention, imminence of the future; "ecstasies", and so forth) always sets in motion the process of a destruction of the gift: through keeping, restitution, reproduction, the anticipatory expectation or apprehension that grasps or comprehends in advance. (p.172)

Wordsworth's notion of poetry as emotion recollected in tranquillity, Eliot's positing of an organic link between tradition and the individual talent, Leavis's great tradition, all invoke the temporalization of time; all posit an order in which the gift is annulled.

Derrida is explicit about his own break with tradition. He says that in departing from "the anthropologies, indeed the metaphysics of the gift" - all of which have "treated *together*, as a system, the gift and the debt, the gift and the cycle of restitution, the gift and the loan" - he is departing from tradition itself (p.171). The anthropologies and the metaphysics after all are themselves under the sway of what Heidegger calls the traditional conception of time, time as temporalization. Moreover, they are sanctioned by "common language and logic" - by common sense perhaps, and tradition seems to be bound up with such sense, a sense that can be transmitted, shared, held in common. On the other hand, Derrida's proposition - that "[i]f the gift appears or signifies itself, if it exists or if it is presently *as gift*, as what it is, then it is not, it annuls itself" - is aporetic, paradoxical; he himself says that it "obviously defies common sense" (p.182).

The issue of a common language is crucial to Derrida's questioning of the tradition of anthropology. Referring to Marcel Mauss's *The Gift* - the seminal anthropological treatment of the subject - Derrida asks "How is one to legitimate the translations thanks to which Mauss circulates and travels, identifying from one culture to another what he understands by gift, what he calls *gift*?"; "What is the semantic horizon of anticipation that authorizes him to gather together or compare so many phenomena of diverse sorts, belonging to different cultures, manifesting themselves in heterogeneous languages, under the unique and supposedly identifiable category of gift, under the sign 'gift'?" (p.181). Mauss's circulating between cultures is linked to the fact that he analyzes the gift in terms of a circulation within cultures (thereby, Derrida contends, annulling it: "*The Gift* speaks of everything but the gift" (p.180)).

At stake in Derrida's discussion is the issue of justice between cultures. It is this issue which informs Readings' essay on the Aborigines and the Australian State. Derrida's image of the anthropologist as one who circulates and travels is parallelled by Readings' picture of the citizens of modern Western democracies:

> The American "we" is inherently integrationist - which is why anyone can become an American, why all Americans (and Australians) are essentially immigrants. This is why fantasies of space travel such as *Star Trek* are so compelling: the site in which the modern state elaborates the understanding of the human subject as essentially immigrant.[7]

The anthropologist according to Derrida takes for granted "the unique and supposedly identifiable category of gift", assumes the "existence of something like *the* gift, that is, the common referent of this sign" (p.181); Australians - citizens of the modern state - according to Readings, have a similar attitude to language, to its translatability. They assume for instance a common referent of the sign "land", a referent which transcends cultural difference. Yet precisely this attitude precludes respect for the Aboriginal relationship to land. Readings writes:

> The Aborigines "belong" (to) a land which cannot be abstracted, transferred, translated (*trans-latio*, lift across, move, transfer); it is not a land on which humans live, which they exploit, but a land to which humans and non-humans belong in a way that cannot be mapped conceptually.[8]

Precisely to the extent that the Aborigines "can't be transplanted, immigrate elsewhere",[9] their way of speaking the land is incommensurable with, untranslatable into, our way of speaking about it. The Aboriginal voice cannot be abstracted from its locality.

Our way of speaking about land objectivizes it; land for us is an object in relationship to which we are the subject, something that may be exchanged between us. Our language and logic is dominated by the opposition subject/object. This is the language in which all anthropologies, all metaphysics of the gift according to Derrida have spoken of the gift. And just as this way of speaking annuls the gift, so too does it seem to annul the Aborigines' way of speaking the land. Aborigines are not subjects. Readings argues therefore that we and the Aborigines do not share a common human nature: "They have no *abstract human nature* that would survive in another place, anywhere else".[10] To appeal to such a nature is precisely to deny their relationship to the land. Hence Readings claims that it "is unjust to think that they are human".[11] As was the case with Derrida, anti-humanism here is tied to ethical demand.

What Readings is calling into question is the authority of representation. In a sense his claim that it is unjust to think of Aborigines as human is a denial that they can be represented. For representation would sever them from their conceptually unmappable relationship with the land; it would ascribe to them an abstract human nature. To the extent that their relationship to land is conceptually unmappable, their claim "can only be evoked as irrepresentable" (p.173). Readings praises Werner Herzog's film *Where the Green Ants Dream* - upon which his account of the Aborigines is based - because it "does not represent an other so much as bear witness to an otherness to representation".[12] The film is not governed by the values of truth and mimesis.

* * *

I began this discussion by evoking the widespread view that contemporary theory - with deconstruction perhaps as the chief culprit - has repressed ethics. We can now see what the deconstructive response to this would be: that what has traditionally gone under the name of ethics has itself involved an ethical repression. Of speech act theorists (who have been influential in contemporary Anglo-American philosophy of language), Derrida writes:

> often while analyzing a certain ethicity inscribed in language ... they reproduce, under the guise of describing it in its ideal purity, the given ethical conditions of a *given* ethics. They exclude, ignore, relegate to the margins other conditions no less essential to ethics in general, whether of this *given* ethics or of *another*, of a law that would not answer to Western concepts of ethics, rights, or politics.[13]

The conditions speech act theorists describe have to do with reciprocity, mutual knowledge, equality: in the ideal speech act - that which is sincere and serious - addresser and addressee are present to each other and to themselves. Amongst the excluded conditions are those that have to do with the self-forgetting, the non-return, that Derrida speaks of in talking of the gift. What Derrida says about speech act theory applies also to ethical literary criticism. His statement suggests that at stake in this exclusion is a repression of that which is non-Western. The law that annuls

the gift coincides with, or is closely related to, the law that objectivizes land, turns it into an object of exchange, thereby repressing the law that governs the Aboriginal relationship to land.

NOTES

1. Steven Connor, "Review: Tobin Siebers, *The Ethics of Criticism*", *Textual Practice*, Vol.6, No. 2, Summer 1992, pp.354-63 (p.354).
2. Jacques Derrida, "Force of Law: The 'Mystical Foundation of Authority'", trans. Mary Quaintance, *Cardozo Law Review*, Vol. 11. No. 5/6, July/August 1990, pp.919-1045 (p.935).
3. Ibid, p.957.
4. Ibid, p.965.
5. Jacques Derrida, "Given Time: The Time of the Kings", trans. Peggy Kamuf, *Critical Inquiry*, Vol. 18, Winter 1992, pp.161-87 (p.170). All further references to this article shall appear in the text.
6. F.R. Leavis, *The Living Principle: "English" as a Discipline of Thought*, Methuen, London, 1975, pp.141, 134.
7. Bill Readings, "Pagans, Perverts or Primitives?: Experimental Justice in the Empire of Capital", in *Judging Lyotard*, ed. Andrew Benjamin, Routledge, London and New York, 1992, pp. 168-91 (p.174).
8. Ibid, p.183.
9. Loc. cit.
10. Loc. cit.
11. Ibid, p.185.
12. Ibid, pp. 173, 176.
13. Jacques Derrida, *Limited Inc*, trans. Samuel Weber, Northwestern University Press, Evanston, Ill., 1988, p.122.

BRIAN DIBBLE & MARGARET MACINTYRE

Hybridity in Jack Davis' *No Sugar*

The story of Australia, as it is constituted in white Australian history and culture, has as two of its powerful underlying themes the achievement of nationhood and the quest for an Australian identity: as Andrew Lattas observes, "[t]he continual questioning of who we really are is the essence of Australian nationalism."[1] Lattas' remark is itself an incident in the Australian story, for though it poses an essential, monocultural "we", it admits that this "we" is constituted through doubt, uncertainty, "questioning". Such instability of identity and authority is the product, not only of a Derridean *différance*, but also of the doubleness of colonial discourse in Australia. On the one hand, the Australian "we" is both identified with and opposed to British imperial power - thus, for example, the BBC is reinscribed as the ABC, even as "whingeing poms" are positioned as interlopers in the Lucky Country. On the other hand, the Australian Aborigine is simultaneously excluded from and incorporated into the Australian "we" - witness the state policies (sequentially) of genocide, assimilation and (now) multiculturalism. In short, the story of Australia is both a colonised and colonising narrative.

Thus a central trope in the Australian narrative of nation is what Bob Hodge and Vijay Mishra, following Edward Said in *Orientalism*, call "Aboriginalism", which they define as "a class of strategies that colonial powers have adopted to construct the colonised Other."[2] Basic to these strategies is the dual definition of the Aborigine as physically, psychologically and social inferior and, at the same time, through their identification with tribe, land, and nature, as metaphysically or spiritually superior. This is the familiar double inscription of sexist, classist and racist discourses: the subject, the "we", is constructed through biologically and culturally essentialist definitions of the Other that simultaneously devalue and idealise, exclude and incorporate. Such double-inscription also underlies the more current, putatively non-racist, strategies of Aboriginalism: that is, multiculturalism, pan-Aboriginality and culturalism. Multiculturalism is at heart a liberal-pluralist discourse that assumes essential ethnic or racial identities, acknowledges their differences, and then subsumes those differences to the narrative of nation. Notions of pan-Aboriginality repeat the same manoeuvre within a black "nation". And recourse to culturally specific definitions of Aboriginality exclude as "inauthentic" those blacks who are distant in space, time, biology and practices from their tribal origins.

Aboriginalism, then, is a colonising discourse which, in the Australian context, has the double function of being a strategy for escaping the position of the colonised, even as it constructs the Australian "we": through it, the "colonial Boy" of the song becomes the independent man of Russel Ward's Australian Legend. In this way white Australia writes itself/himself into history.

Such writing-the-Australian-self-into-history entails writing the Aborigine out of it. From the invasion, white culture has associated Aborigines not with history but with tradition, myth and timelessness. By this means Aborigines are both deprived of historical agency and claim to the land and, by the same token, nominated as spiritual mediators. Thus white Australians displace Aboriginal cultures and bestow on themselves an antiquity and historical past which their recent arrival and colonial status precludes. However, as Hodge and Mishra note,[3] many Aborigines now resist their erasure from white history, and indeed see doing so as an important site of their resistance. Necessarily, this resistance is what Homi Bhabha describes as subversive rather than oppositional, for the Australian Aborigine can enter Australian history in no other way than through the language of the coloniser. Aboriginal subversion, therefore, consists of exploiting the double inscription of colonising discourse - that is, the dual definition of the Other as both unlike and like, as devalued and idealised. To exploit this ambiguity is to make clear the arbitrary nature of colonial authority and the desire on which it is founded. To exploit it is to make a space for a different set of attitudes, values, definitions and knowledges.

In effect, such subversive exploitation consists of a double-speech that, following Bhabha, we can call "hybridity"; that is, it consists of speech whose components simultaneously call into play two belief systems and thus simultaneously have two different, even contradictory, meanings. Hybridity *enables* a subjected peoples, giving them space in which to construct their own subjectivity and solidarity, and it *disables* the oppressor by disguising deviance as compliance. The title of Western Australian playwright Jack Davis' play *No Sugar* alludes to an incident in the play that illustrates hybridity: at the 1934 Australia Day ceremony the Moore River Settlement Aborigines are told to sing "There is a Happy Land" to celebrate the "Saviour King" George VI; but instead they sing to that tune the words "No sugar in our tea/Bread and butter we never see...."[4] Their deviant compliance enables subjectivity and solidarity, and destabilises the authority of the Chief Protector of Aborigines, A.O. Neville - all that is lacking here is the element of disguise.

As the example suggests, *No Sugar* extensively exploits the fault lines of Australian colonising discourse. Textual ways it does so relate to linguistic, cultural and generic codes and conventions, and contextual ways it does so relate to the groupings of his plays and the timing of their premieres.

Linguistic

On the level of dialogue *No Sugar* is rich with examples of hybridity. It is illustrated when the signifieds or referents of words are not shared - David Millimurra knows families, but not the significance of the nativity tale Sister Eileen tells,[5] just as Bluey does not know the narrative of Jimmy's Nyoongah crab-hunting song nor Sam the story told by Billy's northwest tribal body-paintings.[6] Such instances illustrate how blacks are required to master knowledge of central white myths in order to become "real" Australians, but whites do not act reciprocally in relation to black cultures in the way these men at the corroboree do. Similarly, hybridity is exemplified when two groups share word and referent but give different values to the latter, as when Frank Brown says that Jimmy Millimurra took Frank to his "home" and the question by the incredulous Justice of the Peace ("His what?") forces Brown to correct himself, saying "his camp at Government Well."[7] Under colonial discourse, "home" is where the white is.

But if hybridity, as this last example indicates, is a condition of black

oppression, it is also the means for subversive resistance. In the play one major technique of subversion works on the direct-address axis, and there are several illustrations of that in the court house scene.[8] Sam comes late for the call from the Justice of the Peace, causing the latter to say "I hope you're not trying to make a mockery of the court by delaying proceedings" - and then Jimmy comes still later by reason, he cheerfully announces, of having been "on the shit bucket"; next Jimmy interrupts the usual superior-to-inferior address sequence by continually interjecting, helpfully insisting that the Sergeant is "telling it wrong"; and finally Sam, in one of the funniest exchanges of the play, outrages the court-room direct-address formal rubric by responding when not spoken to when the JP says to Jimmy, "Shut up, you bloody idiot, or I'll charge you with contempt of court," and Sam answers "Yes, sir!" When both men are late, when they speak out of turn, when Jimmy admits nothing and Sam takes responsibility for anything - all this might be read as slapstick by a white audience. But to a black audience it can be read as a subversive contempt of the colonial court - a refusal to acknowledge, to engage and to accept the white processes that routinely find them guilty of drinking to escape degradation and the tedium of the reserve to which the whites have consigned them after taking their land. As such, this scene is emblematic of their resistance to the rituals of white colonial discourse.

Cultural

On the level of character the play lays bare the discontinuities of Aboriginalism. Auber Octavius Neville, Chief Protector of Aborigines, holds his office in a Western Australia government building revealingly named "Fisheries, Forestry, Wildlife and Aborigines". And his actions further embody the contradictions of Australian colonial discourse: as his stirring anti-genocide speech to the Western Australian Historical Society indicates, he can be an idealist, like Governor Stirling was when he said the Aborigines must be respected and protected like "any other of His Majesty's subjects";[9] but, as his outrage at the Aborigines' mocking of the "Happy Land" song indicates, he can verbally "Other" Aborigines as savagely as Stirling did physically one hundred years before when he led the Battle of Pinjarra which killed dozens of Aboriginal men, women and children - Neville shouts "you will live to rue the day", and, in the most ironic line of the play, "There will be no more privileges from now on."[10] That the double-think intrinsic to colonising discourse is finally contradictory, and that such contradiction destabilises its claim to authority is further strikingly exemplified by Sergeant Carroll, the presiding policeman at Northam, whose sense of British justice both drives his prejudice against blacks and causes him to bully Neville into allowing the Millimurra family to travel to the Moore River with their hunting dogs. Sergeant Carroll is bisected by the contradictions of the colonial discourse that he represents - and which is the condition for black resistance.

With respect to such resistance, Billy Kimberley is the most complex character. He is Other to the whites for being black and not having English as his first language. But he is also Other to the Millimurra family for being still blacker than they - "He ain't black, he's purple!" the young David says[11] - and for speaking a Kimberly dialect whereas they are Nyoongahs. However, the white colonising discourse has reinscribed Billy Kimberley as an agent of its oppression of blacks - he represents himself as a "politjman", and the children call him "black crow", a word which ironically recalls manatj (Nyoongah for black cockatoo and also for policeman). At first he conducts himself like a policeman when he pursues Joe and Mary who have run away, and when he whips David who avoids Sunday school,

but at the end he defines a third position for himself. At the corroboree he tells the story of the 1926 Oombulgarri massacre, revealing that he is now a man without a people or a place, a family or a home. So, when he offers his whip to Joe at the end of the play,[12] he is doing more than betraying Superintendent Neal and more than helping the Millimurra family. After absolute dispossession through genocide and ethnocide, and oppression through reinscription as the white man's lackey, he is fashioning a new identity within the constraints of colonisation. He has been positioned in relation to the Nyoongah people of the southwest as the British were to the colonists. But, through an act of cross-cultural affiliation, he - an ex-Kimberley Aborigine - finds a new position in the discourse of the black Other, and his act is symbolically reciprocated when Joe Millimurra gives him *gnummari* - not the nigger-twist tobacco the government gives the Aborigines, but a packet of Luxors he brought back from gaol. And, finally, this new identity is acknowledged and the affiliation is strengthened when Mary (who is from the same tribe) calls him *dumbart*, the name for a person of the same tribe. The condition of hybridity is Billy's occasion for creating a subjectivity for himself which, in turn, enables him to achieve solidarity with those who are different but similarly Othered.

Generic

Generically, to a white Western Australian audience *No Sugar* might be regarded primarily as a "protest play", a term used to define its motive as didactic rather than aesthetic and, thereby, paradoxically, to depoliticise it by qualifying its literary status. However, a black Western Australian audience might well regard the play primarily as a documentary where blacks act as subjects in Australian history. Indeed, in the play traditional European generic conventions are skewed to open up a space for this speaking of black history and subjectivity. The semiotics of the staging from the outset announces its differentness from classical European drama: it can be played in a traditional theatre with standard sets, costumes and props, but it could equally effectively be presented in a bush setting; the Perth and Northam offices are literally and ideologically marginalised on the left, the Moore River Settlement and its offices on the right, with the black space - the campfire - central stage. Moreover, the play is European for a plot which presents a coherent and continuous narrative, but also is distinctive for not having closure in the European sense, being an episodic series of unresolved confrontations in which the Aborigines are more agonists than protagonists or antagonists. And, finally, the play is usual for presenting official white history and some of its historical contradictions (like the "Tasmanian solution" of death-by-strychnine, or the Western Australian death-by-ambush approach), but arresting, for its recording Aboriginal oral history.

This exploitation of generic conventions is one means of writing blacks into Australian history. Difference is emphasised for the play's white audience, who might well not sympathise with the white protagonists for identifying with the black agonists. Simultaneously, the use of Aboriginal dialects and the performance of Aboriginal dances and songs invites black engagement, as does the likelihood that an acquaintance or family member would have experienced some of the events referred to or depicted. Protest *and* documentary play *No Sugar* hijacks traditional, European dramatic conventions in the interest of black subjectivity.

Context

No Sugar's hybrid generic status as protest play and documentary history is produced not only internally but also by the moment in which it was written and

performed. Premiered in Perth on 18 February 1985, *No Sugar* is the second part of a trilogy called *The First Born* which traces the history of Aborigines in Western Australia from the white invasion (1829) to the present. The first play, *Kullark* ("Home"), represents "the devastation of the Nyungar (Nyoongah) people and their social and personal subjugation to incoming European settlers,"[13] and was written as an angry response to Western Australia's Sesquicentenary in 1979. The second play, *No Sugar*, depicts post-tribal/pre-urban Aboriginal people, and anticipated the 1988 Australian Bicentenary by concluding with the Australia Day celebration of 1934 where the protesting Jimmy Munday collapses and dies with his arms around the flagpole. The last play, *The Dreamers*, depicts urban Aboriginal people in the present day. Thus *No Sugar*, and the trilogy it belongs to, invokes history by representing what has happened; and it constitutes history by intervening in particular moments of white colonising self-writing (the Sequicentennial, the Bicentennial); and, finally, it proposes history by writing black subjectivity.

Conclusion

Jack Davis' play *No Sugar* resists Aboriginalism by using language in ways which reveal the contradictions in Australian colonising discourse. It creates characters who dramatise how discourses of oppression can be exploited in order to create Aboriginal subjectivity. And it does so by means of hybridity - by appropriating linguistic, cultural and generic codes and conventions in ways which protest the meanings of the Australian colonisers' "we" and facilitate black solidarity.

JACK DAVIS: MAJOR WORKS

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NOTES

1. Lattas, Andrew, "Aborigines and Contemporary Australian Nationalism: Primordiality and the Cultural Politics of Otherness", *Writing Australian Culture: Text Society and National Identity*. ed. Julie Marcus, 1990, p. 54.
2. Hodge, Bob, Vijay Mishra, *Dark Side of the Dream: Australian literature and the postcolonial mind*. Sydney, Allen and Unwin, 1990, xxxi.
3. *Ibid*, p. 101-2.
4. Davis, Jack, *No Sugar*. Sydney, Currency Press, 1986, IV, 5.
5. *Ibid*, IV, 1.

6. *Ibid*, II, 6.
7. *Ibid*, I, 5.
8. *Ibid*, I, 8.
9. *Ibid*, III, 5.
10. *Ibid*, IV, 5.
11. *Ibid*, II, 1.
12. *Ibid*, IV, 10.
13. Berndt, Ronald M. "The Aboriginal Heritage". *Kullark/The Dreamers, Jack Davis*, Sydney: Currency Press, 1982, xiii-xxi.

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REVIEWS

Bernard Cohen *Tourism,* Sydney, Pan Macmillan. 1992.

Geography is not something we usually think about; tourism is another matter. But Bernard Cohen's *Tourism*, paradoxically, is about geography, and more fun, certainly more mental fun, than tourism usually is.

What, after all, is place? Cohen's account of Alice Springs for instance, begins like this:

> The placement of a relation between buildings corresponds to the positioning of words on the laid-out page. Knowledge and courage are required to achieve the best results. The need to justify your placements has demands beyond those of visual interest: there is a difference between an awkward gap and a river.

Representation, it seems, does not necessarily mean correspondence. That may be what Foucault meant when he remarked that "everywhere representational thinking is at an end". At any rate, it seems to be at an end here. What takes its place is a set of brief, economically expressed, sometimes gnomic, comments on place and space and the way they act on us and we behave in them, comments which compose and decompose or simply readjust commonsense. Thus Victor Harbour, for instance, (with apologies to its less earnest inhabitants):

> This seaside town is obsessed with prevention, vaccination, insurance. There are no cures in this town. Nothing around here operates posts faction. You can't argue that people in Victor Harbour are inadequately prepared. People here have been known to spend their entire lives filling in application forms. There is planning for a future in this place. Here the pre-written gains privacy. Here even a hiccough acts as a warning.

In contrast, the account of Violet Town, the next entry, begins:

> The boy's eyebrows are practically touching, so hard is he concentrating. He can be relied upon. Everyone in this town can, in fact, be relied upon. If a result is plausible this is the town to make it happen. You can rely on me.

As Cohen says, "nothing here operates post factum"; facts are incidents of perception. Story, too, follows the order of the alphabet, not any kind of human intention, beginning with Adaminaby (or is it with "Acknowledgements" on the previous page?) and ending with Zeehan. This is a world in which you can see, and therefore do, anything, a world of economy without trade, if you like, but much more beneficent than the one invented by current economic theory.

Commonsense treats space as something dead, fired, immobile, undialectical. But here it is rich, fecund, living and dialectical. Australia for most of us is merely a map or the place we reach after following a map, where we meet someone, pursue our business or buy and/or invest something, a "field" to use Foucault's sense, that is an economico-juridical notion. For most of, too, geography goes together with history to constitute a "nation" and ourselves part of it. Contemplating the map of Australia fills some of us with patriotic and civic spirit. Certainly, as Paul Carter, reminds us in *The Road to Botany Bay*, in the early days of settlement, maps were instruments of power, opening out the territory, the "terra nullius" we felt we were meant to conquer, inhabit, possess and "develop", adding "value" to it by filling it with sheep and cattle and making it grow crops or yield up its minerals.

The goal of all of this, of course, was just as fantastic as Cohen's explorations, more fantastic perhaps since it paid less attention to individual experience. The map Cohen draws here, in contrast, is one of quirky selfhood - a return, if you like to the maps of earlier times with their mermaids and mythical monsters, a proclamation of freedom not only in relation to space but also to the alphabet which organises his travels across space (as it is laid out, enigmatically, on the cover. Like Hamlet who could be "bounded in a nut shell" and yet "count (himself) king of infinite space", Cohen expands his territory by going inwards. The places that matter are crowded with impressions and possibilities, the others, he ignores.

Tourism, then, is about a triumph of orientation and thus what is important and what is not. The places which matter are the places, processes and sometimes, with towns like Caboolture, Lake Cargelligo, Triabunna and Utopia, one suspects, with names which interest him. But the interest, it seems, comes from the mind at work on them. As it works on Adelaide, for instance, it reflects:

> The streets are empty, recently emptied. Crowds are illusory, a fleeting impression. People leave this place, abandoning the parks and avenue, never to return. A solitary figure remains, deeply shadowed, standing in the city centre. There is a battle for statis; and we are its objects.

In the beginning, as Derrida put it, is the hermeneutic. *Tourism* has to do with hermeneutics, that is, with a not always successful attempt to make sense of things. The failures however, can be as engaging as the successes - hermeneutics for its own sake can be fun. Thus Swan Hill, for instance, may defeat understanding but it makes for some interesting reflections: the "rhetoric of [the] town swallows itself up like the old joke of the snake swallowing its own tail." But what emerges is a new, more expansive, if enigmatic, kind of intelligibility:

> There's no gravity at work here. We're not talking about black holes.
>
> Or rather, the gravity we are discussing is not an object - gravity but a subject-gravity. Don Quixote's *cogito*. This is the question this place poses: is self-assertion enough?

What we have here is what Derrida calls the interpretation of the poet, an interpretation of interpretations, and one which is also well-read also. But there is some purchase here on what we like to call "reality", too. Physical fact may tend to dissolve into metaphor here, but for that reason it points to another kind of "reality", to an intuition, to what "is", beyond meaning, what Furphy called the "truth truer than truth itself". Thus in the long run, one suspects, may matter more than the physical facts. Nor are these intuitions entirely personal or whimsical. They can be political also. So the account of Brisbane, for example, begins:

> The crisscross of telegraph wires obscure the sun. In Brisbane, one only need breathe to repeat. Tiny narratives reproduce themselves like bacteria, sullying the existence of everyone of us. This is a dark, a dark city.

The city or town may be subsumed into literary theory, but that, too, may can become part of this kind of politics/perception. So, with Denmark (WA):

> In this town, the lives of the residents are modelled on farce. This is the place of eternal deferral. Even the name is temporary, tacked on until a more appropriate name can be found. In this place Achilles never would have eaten tortoise soup, he never would have caught up.

Farce becomes theory and geography becomes genealogy, a form of history that accounts for what we experience and know without referring to any larger system of meaning or significance but focussing intensely instead on personal perception. The inconsequential thus becomes strangely illuminating. Thus, the principal mode of transport in Melbourne is agricultural machinery", for instance: "Residents of Launceston rarely build on sites susceptible to earthquake or volcanic activity. The people here can afford to be choosy"; and so on.

The post-modern is often thought to be frivolous. But serious business is implicit here, an examination of the links between knowledge and power. That this is done lightly and wittily does not undercut this business. Rather, since as the proposition, formulated at Shepparton, puts it, "no serious students today believe that a theory can be established as a theory of natural processes. In a highly developed science there are usually no statements whatsoever, it matters to pursue the theory." The further proposition, "All this stroking. In Shepparton, the residents are perfectly attentive. They may live among rocks and on rough ground, but their senses are honed to the highest degree", pursues it still further. *Essence*, as Wittgenstein says, "is expressed by grammar".

It is a tricky kind of grammar, of course, and some would say, inhumane in its implications. Pinjarra and Roebourne here, for instance, do not bear much resemblance to the places usually associated with Aboriginal deaths, being much more playfully represented. But that, too expresses its own kind of perception, truthful enough in its way. As Hodge and Mishra remind us in their book about racism, *The Dark Side of the Dream*, the Australian psyche is duplicitous; we tend to evade and multiply what we fear to acknowledge. So in Pinjarra here we are told that "the loyalties have been divided and dished out" - which is true enough. People who were once farmers now work for Alcoa, enjoying the facilities they provide: "Doors spring open to reveal scenes from your dreams. Industrial complexes hide within tiny cottages"

and you can pick wildflowers where Aboriginal women and children were ridden down and massacred in the nineteenth century.

Tourism is about a different kind of travelling, then, from the kind to which most travel agents and travel books introduce you. It may also revise your notions of geography. It is a book to enjoy.

Veronica Brady

NOTE

For my ideas on geography I have drawn on "Questions of Geography" In Colin Gordon (ed) *Power/Knowledge: Selected Interviews and Other Writings 1972-1977 by Michel Foucault.* New York, Harvester Press, 1980 pp.63-77.

The Bird Catcher's Song: A Salt Anthology of Contemporary Poetry (comprising issues 3 and 4 of *Salt Literary Journal*), ed. John Kinsella, edited by John Kinsella, PO Box 202 Applecross WA 6153, paperback, RRP $19.95, 247 pp.

First of all, the *Salt* anthology is a beautiful glossy production. Full marks to John Kinsella or whoever it is at *Salt* with the fine eye for paper and a font. The journal leaps to the hand and eye. Even if the typos do some leaping as well. I'm pleased the editor - or editors - have made it clear the journal is not a continuation of the old Army magazine *Salt*. That journal was also a distinguished publication, not least for its sophisticated graphics: Vane Lindesay, current art editor of *Overland*, was a guiding hand in the old *Salt*.

Second, concerning mateship, or if you like, the trans-national old-boy network, also known as the patriarchy.... I know mobs of people in this collection, and I'm biased enough to say that while I can stand the company of some of them, I'm not thrilled to death by all their contributions to *The Bird Catcher's Song*.

I like Robert Harris' sequence 'Jane, Interlinear' enormously: it knocks Robert Adamson's work into a cocked hat. It recommends itself by its strong narrative pace and plain, sparse language. Harris controls an impulse to show off technique at expense of prosaic sense. This isn't a contradiction: Spenser varied narrative through irony and baroque description in *The Fairy Queens*, and I think for all Harris' poem's 'modern' appearance, it adheres to an old formula. What's modern about it, I suppose, is the montage effect resulting from inclusion of historical records and commentaries in a jigsaw pattern which signals his own attitudes to historicism and poetry, as well as embodying a Tudor thriller. His construction of the period is impressive, and Harris's proper subject, poetry and its timelessness, should not require turgid interpretation with reference to 'post-modernism'.

In spite of years of hype about Bob Adamson's skill and polish, his work in *Salt* strikes me as pretty flaccid (I considered putting a full stop after 'pretty'). This issue of *Salt* represents a tribute to Adamson: the subtitle (*The Bird Catcher's Song*) is borrowed from an Adamson poem, and the first thirty pages include Adamson's verse, and prose excerpts from his autobiographical prose. The offerings are interspersed with photos by Juno Gemes, and in case you miss the volume's orientation, there's a portrait of Adamson on the back cover. Fair enough to celebrate the man, but the first picture in the book sets a tone of tweeness and contrivance which distinguishes much of Adamson's ensuing verse. This isn't to say I don't think Gemes is a fine photographer: the front cover illustration is marvellous, and the black-and -white photographs are, with the exception of the title illustration of the 'Prelude to the Bird Catcher's Song', arresting and rewarding. I suppose I'm meant to read the entire setup as a discrete text, but I find the arrangement silly.

Some of the poems are outstandingly crafted: 'The Boat With An Empty Mind', 'Boatman of the Glow' and 'Mary Durnello's Song' seem to me the pick of the bunch: to varying degrees the rest sound self-consciously stilted and seem to patronise their subjects. People who love the sound of things rather than their sense may find my judgment impaired when they consider

> Becuase it is my work, strange
> work I know,
> I will catch you the delicate
> fire-tail finch,
> and for you, feed her flames so
> you can see
> fire-works of love

Suggestion, symbol, sure. But silly. And the colloquial performance piece 'Before The Book' (I take it Adamson reads this one with some verve) tells a halfway interesting story about a fabulous fisherman, but the switches from one speech-register to another don't make the poem dramatically taut. Quite the opposite: the poem looks and sounds confused. Some readers might think of Geoff Goodfellow's early working class poems when they read this poem: I can hear Les Murray's experiments behind the scenes. The Adamson lot's a mixed bag: admirable ambition with technical craft, but often as not he offers meditations and descriptions that barely cohere.

I know it's ungentle to knock major poets, but I can't resist another. Fay Zwicky's 'Push or Knock' is on the wordy side even if it is an interesting idea when you've got through the narrative.

Nicolette Stasko more convincingly achieves what Adamson is after: compelling us to recognise a poetic 'insight', and finding a concise form to reinforce the sense of something worth saying said right. 'Ornithology' and 'Wild Roses' use words sparingly and suggestively, eschewing fat boring descriptiveness more effectively, I think, than Zwicky, J.S. Harry and John Bennett. Bennett seems bent on making untractable material form itself into a poem in 'The Burrell Tomb' and is unconsciously absurd in 'After the gale'. Some people would call the latter poem surreal but I think you have to be a bit more humorous to make that sad old dog get up and dance. 'After the gale' is full of dead images refusing to do their stuff. Bennett's 'Three years absence' does it all a lot better.

Shapcott's 'Habit' is interesting: I've sometimes had difficulty focussing attention while reading his work, and I experienced no such difficulty with this poem - or group of poems (the habit of putting a mob of little bits together and calling them a suite or sequence or even one poem is contagious: people used to call them 'odes' when they were busted up into numbered parts of varying - or regular length). The poem is, in fact, clever. Was I too dismissive of his work earlier? A glance at his collected works doesn't help.

John Forbes is usually very clever. Not here. I've read and reread 'Anti-Romantic', wondering at my slow wit. The poem still looks dead in the water. I'll have to try again.

Curiously, I experience the same disillusion with Brenda Walker's prose-piece 'Death and Thee'. I'd love to say complimentary things about it, but I think it's over-contrived, like Adamson's 'The Kite'. Maybe I should have read Adamson and Walker in Rhumbarella's or Badde Manors. But I read it in a plane over Nundle.

Ken Bolton's poems will drive some readers insane with their apparent flippancy and lack of centre. The epigraph to 'Lives of the Poets, II (with Brooke)' may even corroborate an impression that Bolton's unsure about precisely what he thinks he's doing: 'It's great fun - writing jokes'. Bolton says much the same in an interview in a recent *Australian Book Review*. Was it Robert Lowell who used to get in a stitch about Frank O'Hara's apparent casual unconcern for form? Bolton doesn't appear to me to have the clout of O'Hara, but I'm sure he and Brooke are having tons of fun.

Philip Salom returns us to a more publicly accessible reference-system, in a long series about a Singapore residency. On the way through this poem I observe a feature of several other works in the journal: lapses in proofreading which give me pause: 'getting the flavours one thing. Biting's natural to it'. Maybe so: but is that really a plural, 'flavours', or is there an apostrophe missing? After a while you wish you'd marked every obvious blunder, to save yourself the trouble of adjusting every time you meet them.

Is this the place to say John Kinsella's poems are pretty accomplished? His images of broken parrots - 'the emerald green/of chests emploding their smalls fists/ against the windows of the car' (that's how it's printed) - and other phenomena encountered in long-distance travelling are memorable concoctions.

Much of David Ray's series about New Zealand is ostensibly concerned with the mood of the place. Ray is looking for something of which New Zealand is purely symbol. Outraged ecological conscience get the better of him in 'Wool Highways' a fantasy about thinking sheep. 'Toward the Smile' suggests he may have to go further to escape the spell of James K. Baxter's poetic *mana*. To describe a gull as 'a little feathered cradle of gentleness' is

finely observed; the references to cathedrals, a son, silence, communion, a walk with Baxter, love and the invocation 'Friend, walk beside me' adds up to another overdose on the *Jerusalem Daybook*. The later Baxter was always an irresistible lure dragging one's vocabulary, syntax and formal arrangement of poems on the page into conformity with Te Whaea. Ray's 'A Day with Baxter: His Home in New Zealand' is a homage to the poet, right down to the employment of the double-barrelled lines which Baxter made distinctively his own in *Autumn Testament, Jerusalem Daybook* and other late works. Nothing the matter with homage, but the image of a little dog back home in America 'chasing sheep of the air' strikes me as twee. The observations on 'Baxter's hills - so much like the South Downs/ of your Sussex' is as spot-on as Les Murray's 'our Croft, our Downs, Our sober, shining land' in another context, though few New Zealanders would agree that 'this nation is England/ imagined, rebuilt to survive should catastrophe/ strike'. Ask any Dunedin street kid or businessman. Paul Theroux, in an appalling recent travelogue, retails the same impression. What sort of genteel company did Ray and Theroux enjoy? Ray's series conjures an image of a green and pleasant land threatened by nasty polluters, interrupted in their work of destruction only by international outcry against despoliation of albatross breeding grounds. There's that too in the woebegone neighbouring nation, but I read these poems as wavering between a versified tourist-diary and a hard edged look at another place you might have known from the start would not provide an escape hatch. I don't want to imply Ray's series is full of mishaps; he tells us a great deal about himself with considerable flair. And the poem on American television destroying New Zealand more efficiently than any nuclear ship's presence is probably the most powerful political poem in *Salt*.

David Ray's poems represent one of the major genres in this anthology, the travelogue poem, or poetry as travel writing. Judy Ray (no relation, surely), provides a striking travel poem in 'More Innocents Abroad'. Rod Moran's 'Lazarus poems' might be read as travelogue, but like Judy Ray and David Ray, he contrives to travel over more than geographical space. Anthony Lawrence is obsessed, in his journeys over 'the extensive necrology' of the road from Carnarvon to Perth, with James Dickey; earlier, 'The Mercenary Heart' reviews an American poet's description of a bird's death on a farm in Nevada and the crucifixions of eagles on Australian farms, to draw an analogy between these 'warnings' and the provocation to write poetry. It's stylish stuff.

There are surprisingly few 'engaged' poems in the collection. Heather Russell's 'Sorting Clothes for the Kurds', Dennis Haskell's 'Speech for Richard Nixon' and, stretching the definition, Rod Moran's 'The Lazarus Poems' (whose marvellous last line is 'I have seen the Apocalypse, & it works') and remarkably few others out of a cast of hundreds seem anything like politically engaged works. Perhaps the time is not ripe for glossy journals to admit the ragtag and bobtail poets who talk about nasty stuff. A pity: the cafes, pubs and student papers, the folksong and rock and roll trade can toss up the odd political line that's well-put.

One might get the impression from *Salt* - and not only *Salt* by a long mark - that no one editing poetry in national journals gives much of a toss for poetry on topical matters. I think we've been sold a pup, really. Political verse, topical verse, light verse too, is discriminated against. And yet much of what passes for serious verse is so light-on that you wonder the whistle isn't blown on it by committed souls who make it their living to edit, review, and teach poetry. Yes, I believe in conspiracies - of silence and gormlessness. It has something to do with resistance to change until change becomes a matter of catastrophic unheaval. And then you have a brave New Guard asserting that everything written before their own work is garbage. Ridiculous. I don't see that it's necessary to throw out the baby with the bathwater, but for the life of me I can't see why poetry journals can't open the doors to more varied styles and subject-matter. I commend *Salt* for going a long way toward this: God knows editors must take what they can get, but I think it's death to promote people because they are already well-known. Fine to accept unusual work, no matter who wrote it; and it's doubtless annoying to have to frame polite refusal to people who can produce terrific work, but have been allowed to think that everything

they produce is Holy Writ. The poems of Robert Adamson in this issue of *Salt* are a case in point.

Conclusion? *Salt*'s worth the price. But I think the journal can promote a line which steers away from the accepted, the too-secure. The most tedious works are written by people who could shuffle their tropes into any journal in the country without fear of rejection. The most interesting work in the journal for my money is written by people who haven't hit their straps yet or, if they have, they have done so in obscure corners of the country (and overseas). These people should be encouraged to riffle through their drawers for more along the lines of extended works, or single poems which will put more distance between *Salt* and the opposition. It pleases me that *Salt* has few reviews, and no letters to the editor: these haven't much place in a literary journal, unless editors really believe the poetry submitted is a wholesale embarrassment. And on balance, only about half of this decenlty got up, thoughtful journal is embarrassing. The rest is worth the effort of attentive reading.

Michael Sharkey

Lawrence Bourke, *A Vivid Steady State: Les Murray and Australian Poetry.* Sydney, New South Wales University Press & New Endeavour Press, 1992, $19.95. ISBN 0 86840 0445 9.

Lawrence Bourke's *A Vivid Steady State* is an important and ambitious work, being the first book-length study of the poetry and prose of Les A. Murray, arguably Australia's most important living writer. Bourke seeks "to approach Murray's writing in its wholeness" (23), which means covering all collections of poetry to date, Murray's three fiesty volumes of essays and his book on *The Australian Year*, plus the two anthologies of poetry he has edited, uncollected articles, interviews and reviews. Bourke also gives some attention to links between the writing and the life, and so attempts a fairly comprehensive analysis of the formation of Murray's vernacular republic.

This would be impossible for a prolific writer still in full flight on the back of Pegasus except that Bourke convincingly demonstrates that Murray's concerns recur again and again and that, by and large, his attitudes and values remain constant. Like much else in Murray's work, this constancy flies in the face of modern critical concerns with a writer's "development". Hence Bourke's sub-title: "Les Murray and Australian Poetry"; as if the vast sweep of Murray's poetry was not enough, Bourke attempts to place him in the context of the poetry culture of Murray's writing career, especially since the late-1960s. In doing so *A Vivid Steady State* reflects that culture, with its scepticism about autonomous individual will or achievement, and any sense of an art resting from theory or ideology. Accordingly, *A Vivid Steady State* is structured thematically rather than, say, chronologically, and presents a bardic, communalist poet loyal to his rural and Celtic origins, whose personal concerns are hidden by a public voice. Murray's interests in history, anthropology and loyalty all find adequate attention here. Murray's fundamental concern is seen to be with myth, with its sense of "largely unchanging patterns of behaviour and traits of character" (26), a Boeotian stance at odds with changing Athenian modes of style and sensibility, and which aligns Murray with the Australian Legend of Paterson, Lawson and the *Bulletin*.

There is much to be said for all this in considering a poet who has declared, "In art, in my writing, my abiding interest is in integrations, in convergences" (*Persistence in Folly*, 27), and that "everywhere outside the quasi-rationalist enclave which Western man has so recently created, the elaboration of myths has been perhaps the great human endeavour" (*Persistence in Folly*, 50). However, to my mind some problems with *A Vivid Steady State* emerge from its structure and its attempt to cover Murray and Australian poetry in a mere 160 pages. The thematic structuring leads to some pointless repetition, especially about the Australian Legend; by the end of the book I wanted to take the Mitchells and stew them in their own billy. A full attempt to relate Murray to his literary context would give much more consideration to the 1950s and to figures such as Lex Banning and Geoff Lehmann. The need for brevity has drawn Bourke into some simplifications, for example about modernism and Australia in the 1920s. Bourke writes that "Nationalists ... and those artists who gathered around Norman Lindsay, all agreed on one thing: modernism ... was to be attacked wher-

ever it manifested itself" (37-8) and strongly implies that these artists believed in protection of "'young'", "vulnerable" Australia through censorship (38). The much maligned Lindsay's attitudes to Modernism were far more complex then this allows, as Lindsay's approval of Slessor's work shows, and both he and Slessor were internationalist and virulently anti-censorship. *A Vivid Steady State* also includes a gullible acceptance of John Tranter's rhetoric about "the 1970s battle of the books", describing it as a "rivalry ... between an indigenous tradition and modernism" (42), as well as of Murray's own rhetoric about Boeotia and Athens. Bourke does take some note of the latter, and at times points to contradictions in Murray's own declared stances. In fact, even a quick reading of Murray's poetry will reveal how Modernist, and Athenian, a writer he is. His real dislike is of modernity rather than literary Modernism, and Bourke makes some interesting points in aligning Murray with W.B. Yeats. This is not to completely deny Murray's differences from Pound, Woolf and Joyce or his Boeotianism; Murray is a large poet in every sense of the word, and more readily than Whitman contains multitudes. The form of his poems, his preoccupation with language, the depth of his thoughts, the originality of his imagery and range of his rhythms, even his concern with the city in many poems, all point to massive differences between Murray and Lawson, Paterson or Russel Ward. Bourke touches on all these issues but as a whole *A Vivid Steady State* presents Murray as an adherent of the Australian Legend who came "too late in the day" (136).

Murray is wide-ranging enough that each reader might construct a different version of his whole work. I must admit that I would give greater emphasis to humour, to religion and a sense of grace and radiance than Bourke does. To my mind the core poem of Murray's work is not "The Mitchells" or "The Buladelah-Taree Holiday Song Cycle" but "Equanimity", which receives only one passing mention here. The title "A Vivid Steady State" comes from Murray's poem "First Essay on Interest", a section of which provides the book's epigraph. This steady state is the state of equanimity which lies at the heart of human order, from which "all holiness speaks" and where "nothing is diminished by perspective". Murray's myth-making, I believe, cannot be separated from his Christianity. "Justice is the people's otherworld" he wrote in one of his most important lines. Murray said to me in 1982, "There are lots of ideas that can only drive you mad if you believe only in this world, and justice is one of them". "Justice" is a word that has meaning only because of the existence of a spiritual world that constitutes the really important world; Murray's myths are not just a matter of explanatory archetypes but of spiritual truths.

All of which is to provide an overly critical view of *A Vivid Steady State*. Bourke has provided a courageous and intelligent book and he writes lucid prose. He doesn't fuss, or baulk the issues; he shows an awareness of recent literary theory without jargonising or becoming enslaved by it. His biographical readings of Murray's poems as an artistic recovery of the farm from which his father was evicted is fascinating, and the book provides a number of insightful readings of individual poems (such as "The Ballad Trap" and "Second Essay on Interest: The Emu"). *A Vivid Steady State* has a cover vivid only in its garishness, from whose unsteady colours Murray smiles out like a Buddha who has discovered sprawl; a very useful chronology; a bibliography excellent except for its omission of the magnificent Brindabella Press edition of *The Idyll Wheel* and, oddly, the 1991 *Collected Poems* mentioned at the beginning of the book; plus an excellent index. There will be many more books on Murray (one is in process already) but Lawrence Bourke has provided pioneer work which later critics will be bound to acknowledge.

Dennis Haskell

Yahp, Beth, *The Crocodile Fury*, Sydney, Angus & Robertson, Imprint Series, 1992, p.329. $16.95.

The Crocodile Fury is Beth Yahp's first novel, although her short stories have been published widely in various anthologies and journals in Australia. Her novel is rich with traditions and superstitions drawn from China and Malaysia, an interest which has no doubt been fostered by her Malaysian background (she spent the first twenty years of her life living in a town near

Kuala Lumpur) and by her Chinese heritage.

In her "Acknowledgements" which preface *The Crocodile Fury*, Yahp declares a debt to oral stories and also to a number of written references on the subjects of Malay and Chinese symbols, beliefs and superstitions. As with her short story "In 1969", which takes a first-person, retrospective look at the ethnic violence between Chinese and Malays after a federal election, Yahp is not content to base her writing upon oral tales but finds written evidence to back it up.[1] This tendency is also evident in Yahp's fiction; her characters often feel obliged to search for evidence or proof through literature or photography in an unstable world. Fortunately, Beth Yahp resists the temptation to sentimentalise the Chinese-Malay women she writes about. She asks politically crucial questions about foreign intervention as well as exploring situations and tales familiar to all societies - the tensions between generations, the creation of myths, the importance of storytelling, how a child becomes a bully and how a shy person finds strength.

Yahp's novel is set on the edge of a city somewhere in Malaysia and is narrated by a Chinese-Malay schoolgirl. The young girl lives with her meek mother and her fierce adopted grandmother. The grandmother is a wonderful figure, a power-house of ancient Chinese knowledge about charms, the defeat of ghosts and the cursing of enemies. She is a woman of great strength of will, but also a crotchety old lady who gets in the way of her granddaughter's fun. The greatest tension in the novel is whether or not the narrator will come to value her grandmother's knowledge or not. Will she finally sway towards the nuns and her mother's Christian beliefs, her Grandmother's dying lore drawn from China or the logic of her own tumultuous imagination? Yahp explores the dynamics of exchanges between generations: the special ties that can develop between grandchild and grandparent, the desire to pass on beliefs to the next generation and the constant, brief partnerships that appear and disappear as these dynamics are played out. The acerbic exchanges in these situations are convincing and often comic; Yahp's control of dialogue can be delightful.

The exploration of the history of the convent buildings provides a central focus for the action of the novel. Through this device, Yahp depicts the neo-colonial community in which the European beliefs of the convent are gradually catching on and the ways of the local people are changing. *The Crocodile Fury* deals sensitively, and not too solemnly, with the process of foreign intervention. The Grandmother recognises a lack of interest in her wise-woman knowledge and becomes obsessed with infiltrating the convent to learn the secret of its magic. She sends her adopted daughter to learn the nuns' secrets while working in the school laundry. Ironically, however, her daughter becomes won over by the church, especially by the attractive absence of the bad luck demon, a local belief which has dogged her for most of her life. Yahp is careful to point out the discrimination certain individuals, particularly the deformed, receive as a result of indigenous beliefs. However, when the narrator's mother becomes Christian, she also loses that attractive aura of pride, of "scolding the fight into people: in fighting to win" which Grandmother taught her (p.246). In a similarly tragic sense, the narrator states that "The Christian future gulped down my mother's past"; her tales of people turning into ghosts are therefore lost to the next generation (p.274).

Although the convent wins some followers, the final optimistic sense of *The Crocodile Fury* is that the considerable strengths behind the traditions will continue to endure. This is hinted in a vital and imaginative interpretation of the philosophy of the nuns which is given by the narrator. Incorporating her new knowledge about Christianity with her existing knowledge of ghost-lore, the narrator comes up with a vital conglomerate of beliefs. For convent girls, she concludes, ghosts are not the problem; instead the enemy is everything outside the convent:

> Good convent boarders from good sheltered backgrounds think that everyone is their friend. The teachers and nuns have to line them up in rows and take them outside to experience the enemy first-hand. These trips are called school excursions.... (p.57)

The narrator also observes that the logic of the nuns proposes methods to keep oneself safe from harm, just as her Grandmother has charms or the *Avert!* sign to ward off ghosts. She notes in a rather superior tone that:

> Groups of giggling cackling convent girls with fists raised and legs poised to run are a sure deterrent for certain types of enemies (p.58).

The inventive integration of new ideas with the old stresses the resilience of the people of Yahp's fictional Malaysia; these once-colonised people are definitely not victims, they possess a rare resilience.

The structure of *The Crocodile Fury* draws upon an oral story telling tradition; it cleverly parallels the narrator's descriptions of her Grandmother's tales, sharing that excruciating failure to continue just when an interesting tale has been begun, only to return to the topic when least expected. However, the movement from past to present and back again can become uncomfortable for the reader. The technique sometimes seems to approximate the musings of Salim in Rushdie's *Midnight's Children*, but in *The Crocodile Fury* there is not always enough substance to make each vignette worth returning to. The fable-like quality of the novel, with its unnamed characters, is also refreshing at first, but in a 300-odd page book the result is that the pages occasionally become crowded with pronouns. These are minor problems, however, in a book which celebrates invention and announces the welcome arrival of a new writer to the Australian literary scene.

Cathy Bennett

NOTES

1. Yahp, Beth. "In 1969". *Heroines: A Contemporary Anthology of Australian Women Writers.* Dale Spender (ed.). Ringwood, Penguin, 1991.

Bruce Bennett, *Spirit in Exile: Peter Porter and His Poetry*, Oxford University Press, 1991, 294pp, rrp $29.95. hb.

Bruce Bennett's critical biography, *Spirit in Exile*, is the first major study of Peter Porter's work. Soon after it was published, Porter was asked what he thought of the book.[1] He was uncomfortable with the title, implying that it claimed too much for him. Later when asked whether he saw any major themes in his poetry, he commented:

> I suppose my *idee fixe* is a kind of expulsion from Eden. Of course I was never in Eden; it never existed. But, feeling expelled, I have to invent an Eden which I was expelled from. So I invented it in terms of my imagination.

Not the least of the achievements of *Spirit in Exile* is that it keeps up with a writer as disconcertingly mobile in his sense of self as Porter who can shift from disowning 'spirit in exile' to proposing a similar self-image, 'the one expelled from Eden'. As a title for the study of any other writer, 'Spirit in Exile' might raise the spectre of the Hunt for the Snark, but applied to Porter, it comes to seem entirely appropriate, even inevitable, and precisely because the terms 'spirit' and 'exile' lack stable referents while carrying their potent traces.

The Index to *Spirit in Exile* records that 'exile' appears on average once every ten pages. 'Spirit' escaped the indexer, but it also recurs throughout the text, if less frequently. The terms, however, don't cement the discussion down so much as provide moving points upon which it can also turn. 'Exile' covers for instance, not only notions of expatriate, but also the concept of the political and cultural outsider, the existential isolate, and the post-modernist in a de-centred world. The more contentious term, 'spirit', is even more agile. Bruce Bennett is careful to earth it, often preferring its verbal form, for instance, where he defines 'Porter's "spirit" [as] his spirited response' (66). But of course the term's transcendent referents cannot be obliterated, and throughout the text they shadow the writer who once described himself as a 'residual Christian'. 'Spirit' brings with it a history, in particular that of Western Civilisation, which is to say that Bennett uses the term much in the way that Porter himself uses cultural allusions in his poetry, locating the individual within a wider context.

The referents for 'spirit' and 'exile' meet over a biographer's ground zero: the self. As Bennett documents, Porter has seen himself as an exile, and continues to do so where-ever he lives. Bennett suggests various reasons for this self-conception: there were the traumatic childhood events - Porter's mother died when he was nine; his father, unable to cope, sent him to boarding schools which, for Porter, were nightmarish tortures. An only child, till then protected by the relative comfort of a middle-

class family, Porter watched the emotional and economic safeguards disintegrate. There were more general reasons: as a young person interested in music, writing, and fine art, Porter was alienated from the claustrophobic, pragmatic country town that was Brisbane in the forties; as an outsider in London of the sixties Porter satirised the complacencies of the English professional class.

Porter sees the image of outsider as exemplary for his life and work; for us the interest in his self-image extends to include his responses to it. Perhaps this explains Porter's doubt about the title *Spirit in Exile*. He is 'at home' in 'exile', while the reader, coming to the poetry as the outsider, is better positioned to see *how* Porter responds to his situation. Bennett gives instances of Porter's reactions to crises, such as his attempt to run away from home after his mother's death; or playing the 'court jester' at high school, satirising boys with pretensions to being intellectuals. Such examples indicate that if Porter felt himself an exile it was a role he would enact strongly, actively, or as, Bennett might put it, with spirit. The same vigour is also of course typical of Porter's poetry. Here the various meanings and forms of 'spirit' come together, as action becomes character, as 'spirited' becomes 'spirit'.

Problematising 'self' has become one of the enthusiasms of our time, bringing with it questions about agency and authority. As in a replay of the medieval debate between determinism and free-will, God and the individual, our answers here are invariably articles of faith in a pre-existent frame - marxist, structuralist, or humanist. Stephen Spender apparently responded to Porter's appearance in *Penguin Modern Poets* (1962) with the question: 'Who is Peter Porter?' (xiii). Reviewing *Spirit in Exile* for the *Times Literary Supplement* (24 Jan 1992), Sean O'Brien proposes that Spender's question remains open (23). Ultimately that is so, but ultimates are like that - always beyond our horizon. We may not be able to nail down 'Peter Porter', but *Spirit in Exile*, acknowledging this, gives us the points from which to build up a fuller picture of characteristics gathered under that name. But are those characteristics of the poetry or the poet?

Bennett's interests shift from the poet to the poetry. The biographical chapters follow Porter from his upbringing until he establishes his reputation as a poet. These years have been the most 'eventful' ones in Porter's life, and Bennett, following Porter, sees them as formative. *Spirit in Exile* discusses fully and openly Porter's traumatic childhood, his early years in London, love affairs, the renewal of ties with Australia and the death of his first wife in 1974. Bennett ranged widely among Porter's associates and friends for information and he is generous with the results, enabling us to read the evidence in different ways from those which he himself prefers. With its interest upon formative experiences, *Spirit in Exile* passes over aspects of Porter's daily life, for instance Porter's working habits and income from writing are mentioned only briefly. As the work moves to the present the interest becomes mainly literary criticism.

Bennett takes what he calls Porter's use of 'personal allegory' to draw together the two main elements of any critical biography, the writer and the work. He teases out ways in which biography can be made over into poetry, problematising the one-to-one relationship of 'the life' to 'the art' which some critical biographies merely assume. If Porter has written out of emotional material - the sense of exile - the writing itself is always controlled, 'adjudicating autobiography'.

One of the attractions of *Spirit in Exile* is that while engaging with debate about 'self' and biography it does so with a style that is never pretentious. Like Porter's poetry is explores various angles, but, sceptical of totalitarian claims, retains its intellectual independence, resisting modish forms of language, precisely through an awareness that language is never a disinterested medium. In part it achieves its independence, paradoxically, through embedding its own interest in these matters within its discussion of Porter's poetry.

Unlike some biographers, Bennett assumes that the reader wants to find out about the subject rather than the biographer. Yet he is prepared to intrude where he thinks Porter is wrong: as where he says Porter has simplified ecological dangers in contemporary Australia; or where he proposes that the influence of John Ashbery has encouraged Porter to indulge in 'poetic talkativeness' (182). But overall Bennett prefers to describe rather than judge. In this he

shares with Porter a sense of inhabiting a time of change and relativities where fixed positions from which to take a measure are notoriously absent.

The problem of evaluation is particularly acute with Porter because of the question of the context from which we read his poetry: is the poetry 'Australian', 'English', 'Modern', 'Post-modern', or some Polonius-inspired amalgum of these? Bennett is clearly sceptical of the ideologies that lurk beneath universalisms and 'world literature'. He quotes Porter's 'On First Looking into Chapman's Homer' - 'The apogée ... Is where your audience and its aspirations are' - to make the point that a writer inevitably works from both out of and within a specific culture. 'On First Looking into Chapman's Homer' becomes an important text for Bennett, both for what it says about nationality and for how it was received in Australia. I wonder whether the poem is not only watching the nationalists 'at home', but also has an eye on 'On First Looking Into Loeb's Horace', by Lawrence Durrell, one of those English neo-Romantics who were anathema to Porter's early associates in the Movement?

Spirit in Exile includes a history of the reception of Porter's poetry. After dealing with Porter's youth and first years in London, the book organises each chapter around successive Porter-books, quoting influential critics and reviewers upon them. What emerges, from a range of critics of varying persuasions, besides the growing consensus of opinion that Porter is a major writer, are the institutional or national biases of criticism.

Bennett divides the criticisms into English and Australian responses. The first volumes, published in England by the small press, Scorpion Books, were reviewed mostly by English critics, although noted by a few Australian reviewers such as Sylvia Lawson in *Nation*. With each successive book published by Oxford the size of the Australian critical reception grew, until by 1983 with *Collected Poems* it is large and enthusiastic.

To 'place' Porter a critic invariably sets him in a national team - either the English side, 'from Hardy to Hill', or the Australian 'from Hope to Harwood' ('Top poets' names begin with H') or, for some, a mixed Anglo-Australian team. We could also introduce players from other countries into the game - Margaret Atwood, Kamala Das, Allen Curnow, Kendrick Smithyman and so on - which only replicates the same problem of evaluation: how to find an independent position from which to measure the play. What the problem highlights is the role of institutions in setting the critical agenda, in defining the code with which we pick the team and judge the competition. Raising the question of why North American critics have not shared the English and Australian enthusiasm for Porter, Bennett answers by suggesting the importance of contextualising a writer, and observes: 'American ignorance of Australian culture was only beginning to be rectified, chiefly at an academic level, in the 1980s.' (201)

Spirit in Exile has been recognized as a superb and moving study of Porter and his poetry; it also quietly engages with the hot issues in contemporary literary theory as it shows that poetry as good as Porter's deserves a wider readership. Bennett writes that 'Porter comprehends more than his own individuality' (xiv), and quotes Porter's self-assessment that he is 'part of a ... given not chosen domain.' Typically, in his poetry with its Protestant concern with responsibility and self-control, Porter moderates, if not contradicts, his own determinism. Bennett rejects the determinist implications, presenting 'Porter not as a passive receptor, but as an active thinker in his writing, a resistance fighter against unthinking conformism' (xiv). The comment also holds for *Spirit in Exile*, recently awarded the WA Premier's Prize.

Lawrence Bourke

NOTES

1. Peter Huck, 'The Power to Spring Surprises'. *SMH* 31 Aug, 1991, p.40.

NOTES ON CONTRIBUTORS

CATHY BENNETT is a PhD student in the English Department at U.W.A. She is writing a thesis on Asian migrant writing in Australia and Canada.

LAWRENCE BOURKE's book *A Vivid Steady State: Les Murray and Australian Poetry* was published this year by the University of New South Wales Press.

VERONICA BRADY is Associate Professor in the English Department at The University of Western Australia; she has published widely in Australian literature.

HELEN BUDGE arrived in Western Australia in 1952 from Edinburgh, Scotland. She is a part-time high school teacher, has her own Education Consultancy, and has been writing on and off for years.

HAL COLEBATCH is a journalist and lawyer. His most recent book of poetry is *Earthquake Lands* (Angus & Robertson, 1990).

BRIAN DIBBLE is Professor of Comparative Literature at Curtin University of Technology. He is working on a book on poetic metre and is engaged on a study of Australian bush wisdom. He is also a short story writer and poet.

ROBERT DIXON teaches at James Cook University. He is the author of *The Course of Empire* (1986) and is currently preparing a book on nineteenth-century Australian popular fiction, *Ripping Yarns.*

KIERAN DOLIN has recently been awarded his PhD for a thesis on representations of the law in fiction.

JOHN FOSTER teaches Children's Literature at the Salisbury campus of the University of South Australia. His doctoral thesis was written on Australian children's comics.

MARIA GABOR lives in Carine, Western Australia.

DENNIS HASKELL is senior Lecturer in English at the University of W.A. He is Co-editor of *Wordhord: a critical selection of Western Australian Poetry* (1989). He has written on Kenneth Slessor and John Keats and co-edited *Whose Place? a study of Sally Morgan's 'My Place'* (with Delys Bird).

NICHOLAS HASLUCK is a Perth barrister, novelist, playwright and poet. His most recent novel *The Blosseville File* (Penguin 1991), was shortlisted for the WA Premier's Award.

JULIE HUNT was born in 1958, works part time in a childcare centre in Hobart, writes poetry and children's stories. Her first book *The Answerman* was published in 1991. This year her work appeared in *Lozenge*, a book by four Tasmanian poets.

KATHY HUNT was born in Euroa in 1952. She started writing satire in 1987 and now write for the *Independent Monthly.* Her TV credits include The Big Gig, Fast Forward, Kittson Fahey. She has had poetry published in *Overland, Imago*, and *Quadrant.*

GEOFFREY HUTCHINGS was born and bred in Southern Africa. He has taught, walked and sung in Britain, South Africa and Malawi. He is at present living in Natal.

PHYLLIS JAGER lives in Sorrento, Western Australia.

LYNETTE KEENAN is a postgraduate student at Curtin University of Technology and teaches Creative Writing at TAFE.

ANDY KISSANE lives in Canterbury, N.S.W.

DAVID LUMSDEN lives in Melbourne, and edits *Nocturnal Submissions.*

MARGARET MACINTYRE is a lecturer in the School of Communication and Cultural Studies, Curtin University of Technology. Her research interests include transvestism in the theatre and contemporary British theatre.

STEPHEN MAGEE is of Protestant and Catholic ancestry, and left Belfast in 1971 and now lives in Eastwood, NSW. His relatives believe that he now has an Australian accent.

KATE O'NEILL is a retired art, drama and English teacher, sometime playwright, critic and art historian. She is divorced, has three children and lives alone.

GEOFF PAGE is a Canberra poet. His most recent books are *Selected Poems* (A&R 1991), *Gravel Corners* (A&R 1992) and *On the Move: Australian Poets in Europe* (ed) (Butterfly Books 1992).

UGO ROTELLINI was born in Italy and came to Australia at the age of five. He has had a variety of poems and short stories published in magazines and newspapers.

ALEX SEGAL completed a PhD in literary theory at Cambridge University and teaches at the University of W.A.

MICHAEL SHARKEY is a writer and reviewer who lecturers in Australian Literature at the University of New England. He has recently returned from China where he was a visiting lecturer at Beijing Foreign Studies University.

GRAEME TURNER is Associate Professor in the Department of English at the University of Queensland. His books include *National Fictions* (1986) and *Film as Social Practice* (1988).

EVAN WHITTON teaches Journalism at the University of Queensland. He is author of *Can of Worms: a citizen's reference book to crime and the administration of justice.*

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Offers of papers and inquiries:

Dr Ban Kah Choon
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Kent Ridge
SINGAPORE 0511
(FAX: 773 2981)

Professor Bruce Bennett*
Centre for Studies in Australian Literature
University of Western Australia
Nedlands, WA 6009
(FAX: (09) 380 1030)

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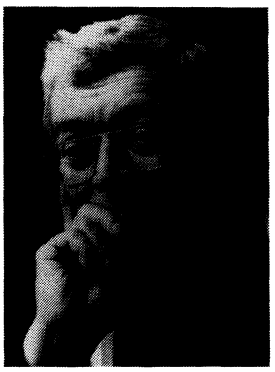

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