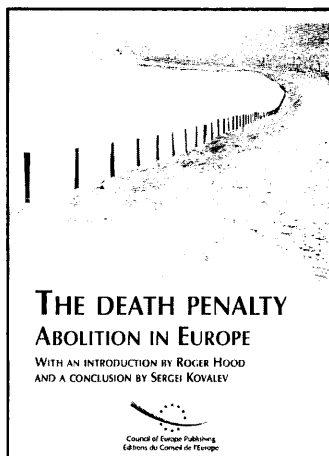


# Reviews

***The Death Penalty - Abolition in Europe* by Tanja Kleinsorge & Barbara Zatlökal (eds), Council of Europe Publishing, 1999; pp185; US\$30.00.**



This fascinating collection of essays by contributors from governments, non-government organisations and academia, for the most part unabashedly adopts an 'abolitionist' stance in addressing the issue of the death penalty.

Most European nations have now abandoned or abolished the death penalty, so the focus of the book is on education of a wavering or non-abolitionist public; the need to remove the death penalty from some third world and eastern European countries; and the complete abolition of the death penalty in the United States, where it is still practised in 38 states. There is also detailed discussion on Protocol No 6 to the European Convention on Human Rights, which calls for the abolition of the death penalty and is now signed by 28 European nations.

The essays reiterate the standard arguments against the death penalty - that it is a morally abhorrent human rights violation, has no practical deterrent effect and is both hypocritical and counterproductive. But interesting arguments that reflect the political climate in many European countries are also raised. For example, it is argued that the greater a society's concern regarding serious crime, the less likely it is that the death penalty will be applied without error. This being said, the moral argument is always dominant, to the extent that "even if

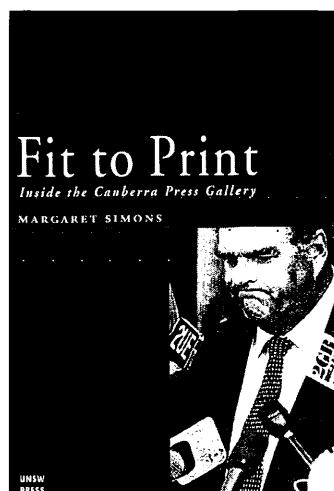
there were every logical reason to retain the death penalty, we would still be against it".

Interestingly, there is also a detectable political conservatism in some of the writing; the perhaps patronising stance that public opinion is only valid if well-informed, and that leadership that flies in the face of ill-informed public opinion is to be admired.

Although most of the writers take great pains to emphasise that their's is a reasoned, not blindly partisan view, the main criticism of this collection is its lack of balance. For example, the issue of providing closure for families of victims of crime, so central to the discussion of the death penalty in the US is, with one exception, ignored. Peter Hodginkson's essay, which berates the fact that the victims of crime "represent a major omission from the rhetoric of the abolitionist community" sits poignantly amid a collection of essays that make just such an omission.

- Matt Hall

***Fit to Print: inside the Canberra Press Gallery* by Margaret Simons, UNSW Press, 1999; pp118; \$16.95.**



Margaret Simons, a journalist and novelist who formerly worked for *The Age* and *The Sydney Morning Herald*, spent some time in Canberra before and during the last general election campaign, observing the press gallery from the inside. Or rather, from a position both inside (since she

had access to the areas and facilities used by journalists) and outside (since she was not, in fact, working as a press gallery journalist). This distinction between 'insiders' and 'outsiders' is the most potent area of tension in the book.

Simons gives a thumbnail history of the relationship between the press gallery and politicians. During and after World War II was a 'cosy' stage when there were fewer journalists, and frequent briefings from politicians. The 1960s and 1970s were a 'free market' stage, in which journalists acted more independently of politicians and each other, and developed their contacts across the bureaucracy as well as within parliament. In the 1980s and 1990s, according to Simons, a 'stagey' stage has developed, in which the position of journalists in Parliament House is so secure that the media "has become part of the club", and must spend vast amounts of time processing information provided by politicians and other media outlets for the benefit of those on the outside - the general public.

Simons gives much attention to the various aspects of being an insider. She describes her own experiences as a novice journalist being introduced to the job, and as a newcomer to the press gallery being instructed in the codes and etiquette of the gallery. More subtly, she positions herself as an insider in relation to the reader, in describing workplace anecdotes relating to well-known journalists and reporting conversations with them. A wistful note comes into Simons' prose as she observes the activities of the journalists, bureaucrats and politicians in a club to which she no longer belongs, made heavily metaphorical when she stands "not quite with my nose against the glass" of the Ottoman restaurant, watching the power-brokers inside. A long description of a dispute between Simons and journalist Dennis Shanahan regarding her use of some off-the-cuff comments, while introduced as an illustration of journalists' ethics in practice, also has a flavour of a dispute over the insider-outsider territory.

The central theme of this book is that old journalists' bone of contention, the tension between personal or private concerns and the public interest. Many passages relate to this theme, but it is so poorly developed that the book is ultimately frustrating to read.

Simons describes a number of instances in which journalists' use of personal information has been

controversial, such as the publication of details of Cheryl Kernot's private life; or interviews with politicians' children; and refers to a sense of discomfort over Nick Sherry's public discussion of his suicide attempt. She describes, from her own experience and those of other journalists, the problems of combining a personal life (the definition apparently restricted to being a parent of small children) with a professional life. She mentions the discomfort of journalists when their own private life is exposed to scrutiny. She provides considerable detail of her own domestic life and her personal views and conversations. Yet she makes little use of this material, and the discussion of its significance does not progress beyond the banal.

Simons makes legitimate criticisms of the language of political journalism and its inflationary use of language, which she describes as "a dangerous, weird, hyped-up sort of dullness". However, she is guilty of another deadly sin of contemporary journalism, which I would describe as self-referential fuzziness. Too many journalists presume that because public events affect personal lives, their own personal experiences are intrinsically interesting, or somehow emblematic. Simons' descriptions of her children, conversations with friends and incidents in the preparation of the book might have some significance to the themes, but since she does not explore the themes in any depth, this material appears simply self-indulgent.

This is an interesting, readable account of the work of journalists in the press gallery, written from the point of view of, and in the style of, another kind of journalist. A more coherent approach to analysis could have made it more illuminating.

- Helen Dakin

***A History of the  
Australian Environment  
Movement by Drew Hutton  
and Libby Connors,  
Cambridge University  
Press, 1999; pp324; \$29.95.***

Too often the environmental movement is dismissed as a recent phenomenon dating back to the 1960s made up of a few radicals on the margins of the mainstream of

Australian society. Drew Hutton and Libby Connors challenge and extend governing conceptions of what qualifies as a 'social movement', and are thus able to reclaim a history of the Australian environmental movement dating back to the late 19th century, comprising a wide variety of individuals and communities from throughout Australian society. From field naturalists campaigning for national parks in the 1860s, to bureaucrats administering government bodies in the 1950s, to the successful campaigners of the late 20th century, the movement's path to effecting profound changes on the Australian legal and political landscape is traced.

A difficulty arises, however, with Hutton and Connors' definition of the Australian environmental movement and what it encompasses. On the one hand, their definition has been criticised for including too much (environmental bureaucrats and anthropocentrically minded resource conservationists, for example) obscuring fundamental conflicts facing the movement. On the other hand, it is said to leave out important aspects of the movement; not analysing, for example, the impact of imagery - paintings, cartoons and photography - in furthering an environmental ethic.

However, it seems to me that the value of their narrative is that it focuses on the people that constitute the movement; the individuals and communities - in institutional and non-institutional roles - that have been concerned with their environment. While perhaps their definition is problematic (and the authors acknowledge that "social movements are notoriously difficult to define"), the book succeeds in leaving the reader with a strong impression of their own power - whatever their role in society - in being able to effect and participate in change.

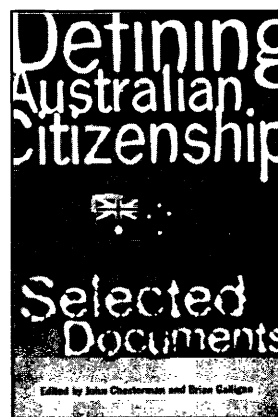
In the authors' narrative, the environmental movement is revealed as a strong, durable and successful movement that takes its place alongside the labour, feminist, Indigenous and peace movements within Australian political culture. This is no more clearly demonstrated than in the late 1980s, when "environmental movement organisations claimed to have 300,000 members Australia-wide - more than all the members of political parties combined". It is the authors' focus on the mobility and power of the movement - and the individuals that constitute it - that transforms this book from being a valuable encyclopaedic account of the history of a significant social movement, to

a document that provides its readers with a sense of their own environmental responsibilities and that offers a source of mobilisation for the movement in the future.

This book is essential reading for anyone interested in the development of an environmental ethic in Australia, in particular, or more generally social movements and the process of reform.

- Andrew Baron

***Defining Australian Citizenship - Selected Documents*, by John Chesterman and Brian Galligan (eds), Melbourne University Press, 1999; pp304; \$29.95.**



Citizenship, according to the authors of *Defining Australian Citizenship*, is at the heart of the Australian political system. They consider that the creation of an Australian citizenship was one of the great achievements of Federation in 1901. Despite this, there is a general lack of understanding amongst Australians of what it means to be

an Australian citizen, as well as a lack of appreciation and celebration of the history and development of Australian citizenship over the past century.

Australian citizenship, the authors state, is an elusive concept that has not been defined in the Constitution or a single Act of parliament. Instead, it has been defined and developed through legislation, administrative practice and public policy at the Commonwealth and state levels, in key political, civil, economic and social areas.

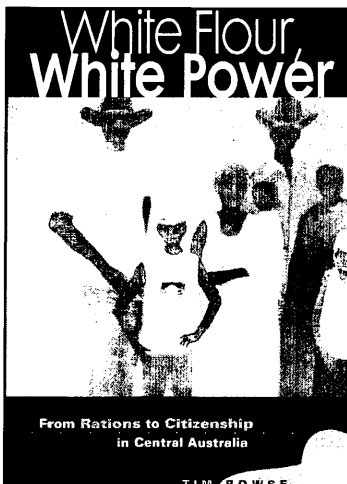
The authors argue that Australian citizenship is "institutionally diffuse, federal in character and developmental over time". Rather than defining Australian citizenship, they have presented excerpts from primary

materials covering a range of social, economic, political and civil issues that reflect the changing concepts of Australian citizenship over the past century. Readers are guided through these materials with introductory comments to contextualise them. Issues covered include free speech; freedom of religion and movement; equal protection of the law; the minimum wage; social security and education; and Indigenous rights. (For a more thorough consideration of Indigenous Australians and citizenship see the previous book by the authors, *Citizens without rights – Aborigines and Australian Citizenship*, reviewed in *Reform*, Issue 72, Autumn 1998.)

The result is a fascinating collection of materials that serves as an excellent introduction to issues surrounding citizenship and which will stimulate debate on what it means to be an Australian citizen.

- Darren Dick

***White flour, white power*  
- From rations to  
citizenship in Central  
Australia by Tim Rowse,  
Cambridge University  
Press, 1998; pp255; \$49.95.**



In *White flour, white power*, Tim Rowse takes a much different approach to citizenship than Chesterman and Galligan. He develops a concept of citizenship by examining the practice of rationing employed in relation to Indigenous people in the Alice Springs region in the

period from 1890 through to the 1970s.

While rationing is a topic that has received little consideration to date, Rowse argues convincingly that such practices were a “pervasive institution of Central Australian colonialism”. He contends that, in the 1890s, rationing

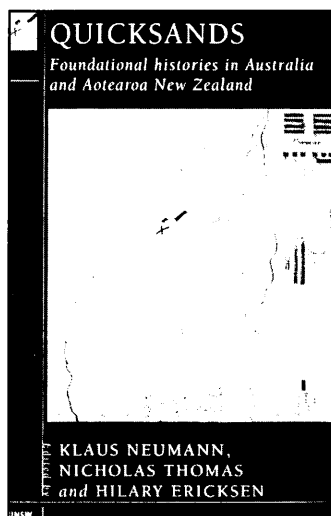
offered an alternative to frontier violence, whereas later it constituted an integral component of the policy of assimilation – though an ill-suited one. He also contrasts rationing with the more immediately damaging practice of the assimilationist period of removing Indigenous children from their families.

Rowse is guided in his analysis by the ideas of Michel Foucault. His analysis is well written, cogently argued and stimulating. However, you may have guessed by now that it is not light reading.

Nevertheless, this is an important contribution to debates on citizenship and Indigenous rights. Furthermore, the concluding section of the book, which examines the principle of self-determination, in my view stands alongside James Anaya’s *Indigenous People in International Law* as one of the most outstanding contributions to the literature on this topic.

- Darren Dick

***Quicksands: Foundational Histories in Australia and Aotearoa New Zealand* by Klaus Neumann, Nicholas Thomas and Hilary Ericksen (eds), UNSW Press, 1999; pp288; \$29.95.**



If you think tomorrow will be brighter than today, it could be the colour of your glasses. If you think history is about the past, then think again. This volume of essays asks its readers to have a good think about many things: constitutional law; property law; reconciliation; national identity; colonisation;

republicanism; sovereignty; knowledge; ignorance; language; technology; art; ecology; history and sport.

The prevalence of these issues is argued to be a part of something that is sometimes referred to as non-Indigenous angst. Whatever you call it and however you like to think about it, it's worth a look. And that's the beauty of this book. It provides 12 different looks at the same thing: ourselves.

The book's introduction declared that the contributing authors had not adopted "the detached stance of a demystifying critic who can draw attention to the constructed nature of other's beliefs from a comfortable standpoint of access to a true or superior understanding of history and identity". The honesty is refreshing, but I admit I was hoping the authors would at least try that authoritative 'trust me' tone. I expected a book with the subtitle *Foundational Histories in Australia and Aotearoa New Zealand* to fill in some gaps in my knowledge about my past, or at least the past I have inherited as an Australian. And I had hoped to take their word for it like I had so many times in my education. In short I didn't foresee what trust had to do with anything. I was after an informative read that would keep me up to speed with history.

Why is trust an issue? Are historians untrustworthy? Is history unreliable? Are our national origins contested? Trust is an issue because, the editors argue, the foundational histories of these two countries are fragile and contingent. These historians argue that the power and responsibility for determining history is not their domain exclusively. For this reason they insist on the vital implication of the reader in answering questions of history by asking us to do our own thinking and our own researching.

Written by historians, ecologists, anthropologists, curators and social theorists, each essay has a different style, method and subject field. Most of the essays are accessible and engaging to non-academic readership, with clear, direct and relevant arguments. All of them are interesting. The book is well edited and structured into topics that showcase intelligent responses to current issues.

The combination of Australia and New Zealand isn't new but it is surprising given the enormous differences between these countries. The differences are carefully considered and fleshed out in many of the essays with new and intelligent insights. Their research suggests that one particular difference distinguishes and defines the two countries profoundly: a treaty. Although Tim Rowse

contends in his essay *A Spear in the Thigh for Senator Evans* that a treaty is a product of (and meaningless without) something even more important: "the capacity and willingness of settlers to listen to Indigenous people". This is where the rose coloured glasses come off.

Are Australians stuck in time like a broken record? Where is Australia today? Where will it be tomorrow? What is Australia's history? *Quicksands* is concerned with these questions, but it isn't a revision or a correction of the colonial histories of Australia and New Zealand. It rather addresses itself to the less comfortable evaluation of why those questions matter at all and who is responsible for answering them. In sum, it is about the function of history today and at the formation of the national and social identities of these countries.

- Nicole Graham



**The Australasian Legal Information Institute provides free internet access to Australian legal materials. AustLII is one of the largest sources of legal materials on the net, with about half a million searchable documents. AustLII publishes public legal information: that is, primary legal materials (legislation, treaties and decisions of courts and tribunals); and secondary legal materials created by public bodies for purposes of public access (law reform and royal commission reports etc). AustLII's policy agenda is to convince parliaments, governments, courts, law reform bodies and other public institutions to make legal materials they control available free via the internet.**

**<http://www.austlii.edu.au/>**