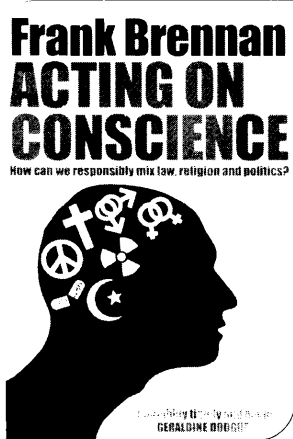


# Reviews



## **Acting on Conscience: How Can We Responsibly Mix Law, Religion and Politics?**

By Frank Brennan,  
University of Queensland  
Press, 2007; pp267

\$34.95

### **Acting on Conscience: How Can We Responsibly Mix Law, Religion and Politics?**

*The 'Sydney Morning Herald' recently reported on the Pope's visit to Brazil, where the Pope issued a strong condemnation of abortion and appeared to agree with suggestions that Catholic politicians who legalise abortion should be excommunicated. As the Herald reported:*

'In Mexico City, politicians who approved the abortion law accused the Pope of interference.

"I did my duty as a legislator and as a woman," said Leticia Quezada, one of the law's chief backers. "I voted to address a crisis of public health. I will continue to be a believer. The church has no right to interfere in my conscience."<sup>1</sup>

It is exactly this type of situation that Father Frank Brennan discusses in *Acting on Conscience*. In this insightful and provoking book, the 'meddling priest' searches for the answer to 'the appropriate place of religion in the public forum, investigating its relationship to law and policy and setting appropriate limits on the use to be made of religious ideas and the role of religious authorities participating in public debate about contested issues'.

It is an interesting task, given the general reticence on espousing religious views in Australia's contemporary pluralist society. The Judeo-Christian background of Australia's laws is largely unchallenged but rarely acknowledged; religious views are seen as a private matter, to be kept out of public affairs. While we may be used to seeing church leaders 'making periodic appearances on

contested moral questions such as abortion, euthanasia and stem cell research', only on rare occasions can we point to an exchange or debate about religious views between politicians—the debate between the then Opposition Foreign Affairs spokesman Kevin Rudd and Health Minister Tony Abbott on faith in politics being one of the more recent.

So, what role should religion have in law and politics? Brennan suggests that while religious beliefs cannot be trumps in debates about uncontested issues of law, government policy and public administration, neither are they irrelevant. He suggests that:

'In our post-11 September world, even the most hardened atheist and even the most intolerant liberal has to admit that religion does have a place in the mix. Keeping religion out of politics is neither a worthy ideal nor a practical objective in robust western democracies, because the subject matter of politics will inevitably include issues about which citizens care passionately and on which they disagree vehemently, some of them drawing their inspiration and vision from a religious tradition.'

However, while religion is guaranteed its place in the public forum of Australia's democracy, Brennan argues that 'its place and role will be circumscribed by legal, moral and prudential considerations relevant to the discharge of any public office'.

Starting with a consideration of religion in contemporary Australia and the importance of protecting and promoting the primacy of conscience, Brennan then goes on to look at particular manifestations of religion in law and politics, including the 2004 presidential election in the United States, the Iraq War.

Work Choices, stem-cell research, and same-sex marriages.

Brennan seeks to assert the valuable role the church can play in participating in the public debate and helping to inform people's consciences. He writes that religious citizens and leaders are 'well placed to contribute to social and political change because their motivations are not purely political and because they see the contemporary political issues in a broader, even transcendental perspective'. He argues that church leaders are allowed to express their views on important moral issues, and when they confine themselves to statements of principle true to their religious traditions, they can be seen as expressing, for example, an Anglican or Catholic view.

However, it is in the application of those principles and in the assessment of the detail of any proposed laws and policy that the primacy of individual conscience must come into play, to guide each public official and private individual to their own conclusion.

*Acting on Conscience* is an engaging, stimulating and compassionate read. Brennan's central argument around the primacy of the conscience is important and valuable and, as recent events in Mexico City would demonstrate, timely as well. Only by allowing and encouraging both public and private members of our community to be guided by good conscience—whether that conscience is informed in part by religious beliefs or a secular humanist perspective—can we take the first step towards appropriately, properly and responsibly incorporating religion into law, politics, and the political process. The next steps of ensuring that there are adequate checks and balances in place to protect individuals and minorities from populist interferences and upholding the rule of law without 'undue religious influence' will see us, in Brennan's view, well on the way to putting religion and politics in their proper place.

Endnotes

1. T Wilkinson. 'Pope ignites abortion row as he visits Brazil'. *Sydney Morning Herald* (online), 11 May 2007. <[www.smh.com.au](http://www.smh.com.au)>.

△ Lauren Jamieson

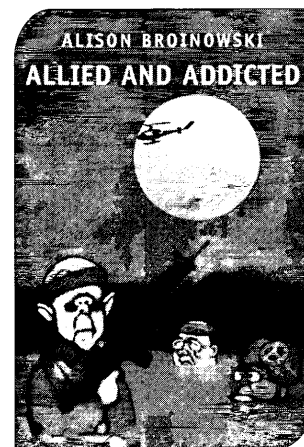
## ***Allied and Addicted***

*Our alliance with the US is not only about our troop commitments, or Abram tanks, or being close to a warring super-power so that it would come to our aid if we are in need. It does not affect only our foreign and trade policies, isolating us from our neighbours in the region.*

One of its effects is that we imitate the Americans culturally, socially and economically. We cannot get enough of American culture, cannot feel safe without an unquestioning alliance and every time someone mentions acting as an equal rather than as a subservient partner, we experience withdrawal pains. Simply stated, we are addicted to the US alliance. And like any addiction, the pill of Americanisation seems vital to our survival. We, the addict, feel good, safe and secure and happy with life when we can take as much of the harmful product as we can. We feel anxious, even frightened and in pain, when we cannot. This is the scenario laid out by Alison Broinowski in *Allied and Addicted*. In the book, she advocates forcefully that it is time to rethink this alliance; it is time to apologise to family and friends, do a few TV interviews, look more closely at where we really are in the world and attend rehab.

Broinowski is unapologetic, direct and hard-hitting. She criticises what she sees as the unquestioning alliance with the US militarily and politically and asks the question, 'what will the Americans do for us?'. She examines our fascination with American culture and society and asks us not to compromise our cultural uniqueness and independence to yet another foreign friend. With Machiavellian foresight she asks the question whether the Americans would come to our aid if we were ever attacked, or needed their protection, and answers it in the negative. When it comes to the crunch, Broinowski argues, a nation that avowedly protects only its own interests will invariably opt not to help a mate; it matters not how close and chummy our leaders are.

The first chapter is dedicated to our adoption and practice of what she calls 'cringe culture'—it is a culture of duplicity, subservience and deceit that she speaks of. It is interlaced with illegality, fear and war. In her opinion, our invasion of Iraq behind or—as sometimes proudly mentioned—ahead of the American war machine was a profoundly illegal. Was a profoundly illegal act. The book argues that



## ***Allied and Addicted***

By Alison Broinowski,  
Scribe Publications,  
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being one of the standard bearers for this war was, therefore, a curious engagement for a Prime Minister who told Parliament that his government will never breach international law. From our American friends we have learnt to pick and choose our obligations, Broinowski says, even though we have acceded to them all. Ironically, we still consider the Americans and ourselves good international citizens: as nations that play by the rules. The rest of the international community may have other views.

Broinowski moves on to the environment next exposing some frightful, yet unsurprising, facts about our government's approach towards the environment. She examines what she describes as our failure to force our government to try harder and make a constructive move on the issue. She concludes that our government and our industry are contributing to the fouling of our nest by not making any move on climate change; our investment in developing renewable sources of power is abysmally small compared even to developing economies such as China and India, who we normally point a finger at and accuse of polluting the environment even more than we do; and of course, the only solution we can conceive is nuclear power. We make this move almost in tandem with the Americans, while the rest of the world, especially Europe, is slowly moving away from nuclear power as a source of energy.

In the final chapter of her book, Broinowski talks about the role of the 'absolute monarch', the Prime Minister, in bringing us closer to the Americans. Having centralised foreign, trade and defence policy in his own person and office he has swallowed the American pill without considering its side-effects. Our identification as the most blind of America's allies and our invasion of Afghanistan and Iraq have undoubtedly made us more vulnerable to terrorism. Our chumminess with America, moreover, has sidelined us from trade conferences in our own region, to which we do not even get invited. It is rare, Broinowski says, that Australians get elected to judicial positions on international courts and tribunals; even rarer still is the spectacle of an Australian being elected to a high political position in the UN. And is this international isolation worth being in what she calls, the 'axis of the feeble'? Maybe not.

While Broinowski mounts a strong argument for her case that our addiction to America is sickening and is a bad spot for the health of our nation, her point of view seems sometimes to be clouded by an inflexible adherence to this thesis. Sometimes, she has to resort to the most tenuous of connections to make her point good.

Nevertheless, this is a compelling book. It typifies strong advocacy, demonstrates unwavering support for principle in politics, and more than most stands for an independent Australian identity.

△ Pouyan Afshar Mazandaran

## **Environmental Principles and Policies**

*Author Sharon Beder originally trained as a civil engineer, went on to complete a Masters of Science and Society degree at the University of New South Wales, followed by a PhD, during which she made discoveries about the contamination and sewerage pollution of Sydney's beaches. In 2001 Beder received a 'World Technology Award in Ethics'.*

This book is a well-researched examination of six major principles that relate to the environmental problems facing the world.

Three of the principles concern environmental matters—ecological sustainability, the polluter pays principle, and the precautionary principle. The other three—equity, human rights, and public participation—have wider social applications. The principles discussed were chosen because of their broad acceptance around the world and the degree to which they have been incorporated into international treaties and national laws.

These principles are discussed in relation to a set of policies that seeks to utilise economic incentives and market forces in protecting the environment, such as emissions trading schemes, mitigation banks, fishing quotas and tradeable polluting rights. The book is divided into four parts.

Part I looks at the three environmental principles. The first chapter, 'The Sustainability Principle', examines limits to growth and the conflict between economic growth and attempts at achieving environmental sustainability. Chapter 2 examines the principle of 'polluter pays' and looks at how it has been applied, with varying degrees of success, in international conventions and legislation. Chapter 3, 'The Precautionary Principle', considers the idea that it is 'better safe than sorry', especially when scientific uncertainty exists. Different interpretations of the precautionary principle, and how it has been incorporated into legislation around the world, are looked at in some detail.

Part II, 'Social Principles and Environmental Protection', begins with a chapter on the equity principle and looks at the basic concepts of fairness and justice. A number of important concepts are looked at in this chapter—the poor, and people in developing countries, often

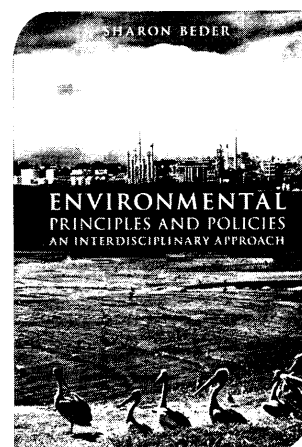
bear the brunt of environmental degradation but receive very few of the economic benefits derived; and the responsibility we owe to future generations—to mention two. Chapter 5, 'Human Rights Principles', looks at the International Bill of Rights (and the various covenants enacted since) and the role of environmental protection in ensuring that these rights are maintained. Chapter 6, 'The Participation Principle', looks at freedom of information legislation and how it applies to the activities of large polluters. The situation in various countries around the world is examined, with particular emphasis placed on people's ability to monitor, or influence, the behaviour of polluters.

Part III, 'Economic Methods of Environmental Valuation', begins with 'measuring environmental value', which looks at the traditional, economists' methods for valuing the natural environment. Cost benefit analysis is looked at in some detail. In chapter 8, 'Is Monetary Valuation Principled', these methods are examined to determine how well they comply with the six principles previously discussed.

The final two sections of this book, Part IV, 'Economic Instruments for Pollution Control' and Part V, 'Markets for Conservation', provide a detailed analysis of the various economic mechanisms available for reducing pollution and environmental degradation. The mechanisms are evaluated using the application of the six environmental principles. Numerous case studies are cited to illustrate the effectiveness, or lack of, these various mechanisms. There are too many different concepts to look at here, but the final sections of this book explore the many possible solutions to the problems that face the world today. The relationships between the six main principles discussed and the economy, environment, standard of living, human rights, scientific uncertainty and political will are portrayed in a non-prescriptive way, leaving the reader better able to make their own critical evaluation of a complex situation.

This book is particularly relevant at present with debate raging about global warming, the introduction of carbon trading and other environmental issues such as drought and the use of nuclear energy. *Environmental Principles and Policies* would be a valuable resource for anyone interested in protecting the environment or involved in the formulation of government or industrial environmental policies.

△ Greg Diggs



### **Environmental Principles and Policies: An Interdisciplinary Approach**

By Sharon Beder, UNSW Press, 2006; pp 336

**\$54.95**