

### **GONE FOR A SONG: A DEATH IN CUSTODY ON PALM ISLAND**

Jeff Waters, ABC Books, 2008,  
272 pp, \$24.95 (paperback)

### **THE TALL MAN: DEATH AND LIFE ON PALM ISLAND**

Chloe Hooper, Hamish Hamilton,  
2008, 288 pp, \$32.95 (paperback)

Within weeks of each other, in mid-2008, two books on the infamous death in custody at Palm Island in November 2004 hit the bookshops and review editors' desks. Both were by journalists. Chloe Hooper is also a young novelist living in Melbourne. Jeff Waters, an ex-freelancer of twenty years experience, had returned to his childhood home in Brisbane just before the saga began and interviewed many of the major players on ABC radio over the next four years.

For young lawyers or human rights activists seeking a briefing on the injustices in the Queensland criminal justice system, Waters' book is probably the place to start. He outlines the well-known sequence of events leading to Mulrunji's (Cameron Doomadgee's) death. There was the policeman under pressure, the song ("Who let the dogs out?"), the arrest and subsequent punch — which tipped Senior Sergeant Hurley's morning a darker shade of red — and the struggle and fall as Hurley and Doomadgee wrestled at the door of the police station.

What happened there and afterwards has been the subject of a coronial inquest, a DPP (Director of Public Prosecutions) review, an external review by the former NSW Chief Justice, and a criminal trial. Either Hurley punched Mulrunji, or kneed him, or fell on him accidentally. In mid-2007, in possibly the first trial of an Australian police officer over an Indigenous death in custody, the jury found there was not enough evidence to convict.

Waters covers some depressingly well-trodden ground, including the failures of police to adhere to the Royal Commission into Deaths in Custody recommendations, the cursory and contemptuous physical

checks and the initial police 'investigation' comprising discussions with Hurley's friends. He pans out to the history of Palm Island as a penitentiary for recalcitrant Indigenous people, the brutality, stolen generations and stolen wages, the riots and paramilitary response and the involvement of HREOC and the Crime and Misconduct Commission (CMC).

Waters relies heavily on interviews he and others conducted, and on the transcripts of various investigations. He did visit Palm Island in 2005. His chapter describing this visit focuses on the issue of housing, overcrowding and health problems. Again, this is useful information for those seeking to know more about why Aboriginal people continue to live in third- or fourth-world conditions, despite the chimera of money being thrown in their direction.

Worthy as the book undoubtedly is, it is also rather dull. Waters seems to have paid more attention to the painstaking task of gathering and presenting some of the massive detail in this slowly unfolding saga, rather than evoking the story. The book at times reads like a loosely strung-together sequence of quotes — and when the author ventures to description, he rarely stretches beyond the mundane.

It is true that it can seem almost belittling — a colonialist exercise in itself — to present the incredibly painful details of this saga in the guise of art. It is also true that anybody with any sensitivity trying to write about such things must feel the bitterness of the privilege of being able to write. However, after twenty years of such talk, surely those of us, like myself, who are part of the interested non-Indigenous public, need something more. Undoubtedly the book burns with the flame of the passionate and seasoned human rights activist — but that flame can burn the eyes of those who have stared at it too long.

Chloe Hooper's book is quite different. She says she came across the story only incidentally, through a chance meeting in Melbourne with criminal lawyer Andrew Boe, who had attended Doomadgee's funeral, and volunteered to represent the community. For many chapters she retains that carefully naïve guise. She presents the

'scholarly articles' she read before visiting the island with a deft novelist's touch.

Perhaps the most interesting aspect of the first part of the book is how careful she is to present Hurley's perspective. Seen in a certain light, she suggests there is something heroic about him: few men or women, human rights lawyers or otherwise, are prepared to go out and live on the 'frontier'. Hurley sought it out; in various remote locations he entered into the fighting and brawling, delivering a brand of justice Hooper suggests may be the only brand possible, given current conditions and police and funding restraints.

Certainly Hurley had his eye on the main chance — remote postings were a quick route to promotion in the police service — but he also went out of his way to help people, kids especially. In the process he earned the respect of many Aboriginal people, including Murrando Yanner, who said of him, 'I wouldn't usually let any copper touch my dog, but I trusted this bloke with my son.'

Hooper takes a while to register hints of judgement. Her first, tentative question is whether you can 'step into this dysfunction and desperation and not be corrupted in some way? In a community of extreme violence, are you also forced to be violent?' (p 81) There are hints of Mr Kurtz here. Later Hooper expands on the idea, positing Hurley as the 'dark side' of the Australian modern male, whose trips back to family and mainstream society were like those of a man returning from a war.

Her attitude changes subtly when certain details come out at the inquest and trial. She seems struck by evidence of prior complaints by Aboriginal people of being hit by Hurley, and evidence of Hurley's 'settler' for troublesome drunks, involving a knee to the chest. She notes that he was 'capable of duplicity', and makes some play of the fact that he vehemently denied having fallen on top of the dead man, until eventually learning of the way Mulrunji died. Perhaps this was because Hurley refused to talk to Hooper, and because she was increasingly aware of the hostility and brothers-in-arms attitude of the boys and girls in blue. Perhaps she simply felt the need, finally, to choose a side.

While the reception to this book was muted at first, it received a massive boost when Robert Drewe devoted his fortnightly column in *The Age* to sing its praises, describing it as 'the country's finest work of literature so far this century'. Soon afterwards it was shortlisted for *The Age* 'Book of the Year' and other awards. I was sceptical, but won over. If I have a criticism, it is that the book lacks a certain moral authority that characterises the very finest books. Hooper seems ultimately aghast at her subject — she admits to being unable to stand Hurley's gaze in court, and to 'blubbing' in the women's toilets after the verdict.

Of course, she wants to present herself like this. Hers is the stance of the novelist, not the lawyer or human rights activist — and it works, powerfully, with this material. She deserves whatever prizes she gets — but that such a story should be transmuted into literary prizes is a cause for wonder in itself.

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## DISGRACE

Directed by Steve Jacobs; adapted for the screen by Anna Maria Monticelli; starring John Malkovich and Jessica Haines; 2008; 118 mins.

Perhaps it's only when we lose everything, when we are completely defeated, that we can begin to have compassion for others; through suffering comes grace. Once a respected university professor, now middle-aged, divorced and living alone, David Lurie teaches romantic poetry to disinterested students at a Cape Town university. Sexual escapades with young women are his main diversion. After sleeping with a student, however, he is forced to resign — but refuses to apologise. Lurie lives by the dubious wisdom of the poetry he teaches: that a beautiful woman is a rose to be plucked, that women are obliged to share their beauty with men.

The focus of the film, and the Booker Prize-winning novel by J M Coetzee, is the complex relationship between Lurie and his daughter Lucy. Lucy runs a small farm

and market garden, to which Lurie retreats after his impulsive affair.

Lurie is confronted by the people who make up his daughter's life: Bev Shaw, a plump woman with 'no neck' who runs a free veterinary clinic; Petrus, Lucy's neighbour, an African man with two wives. After initial resistance, Lurie agrees to help Bev at the clinic, which includes assisting her to euthanise unwanted animals. Lurie also learns to respect Petrus and his place in Lucy's life.

Lurie and Lucy are savagely attacked at the farm but she refuses to prosecute the offenders. He sees this as a sign of weakness, possibly exposing her to further attacks in the future. She insists on managing her life as she sees fit.

Lurie is forced to face his attitudes to women, sex and power. Ultimately, he apologises to the parents of the student he seduced. The film has a strong South African feel, in which the main character 'recognis[es] the injustices of [the] past' (*Constitution of the Republic of South Africa* 1996, Preamble), and seeks to remedy those wrongs. The novel's author was born in South Africa and lived through the difficult transition from apartheid to democracy. 'Disgrace' follows a line of South African films, such as 'Tsotsi' and 'Cry, The Beloved Country', which emphasise forgiveness and healing.

Lurie's transformation from a self-absorbed chauvinist to a caring and compassionate father and human being is played superbly by John Malkovich. On the way to the tip with a load of dead dogs to be burnt, he pulls over on a quiet stretch of road. He crumples over the steering wheel, chest heaving. In a private moment, a rare show of emotion.

The final scene sees Lurie returning to Lucy's farm. He comes to respect her pragmatic and forgiving attitude, realising that she is no longer simply his daughter, but a capable and wise woman from whom he could learn a great deal.

**BILL SWANNIE** is a Melbourne solicitor interested in human rights.

## ROADSINGER

Yusuf; Island/Universal; \$21.95

Three decades after embracing Islam, changing his name and renouncing pop music, Yusuf Islam resurfaced with the tepid 'An Other Cup'. Like many, I thought that album meant he'd lost the old spark. Wrong. It may have taken another three years, but 'Roadsinger (To Warm You through the Night)' signals a triumphant return to the musical flair that once made Cat Stevens an archetypal singer-songwriter and global pop icon with 60 million album sales. His new CD is credited simply to 'Yusuf', suggesting a desire to avoid controversy. The cover photos depict a modern-day troubadour, guitar slung over his back and Kombi van nearby featuring a white dove of peace; I guess a peace van's more realistic than a whole train. However there's still a charming 70s hippie naivety about the lyrics with their spiritual overtones. This happy, uplifting album may not be quite in the 'Tea for the Tillerman' league, but its tasteful textures, resonant acoustic guitars and hook-laden melodies prompt highly-favourable comparisons. Forget his imitators, Yusuf's the real thing. As the opening song — one of the CD's highlights — says, 'Welcome Home'.

**MIKE DALY** is a journalist and music reviewer.