

Sex and Children: A volatile mix

In October, the Institute released a report by Emma Rush on the increasing sexualisation of children in Australia.

Over the last decade, there has been an increase in direct sexualisation of children, where children are presented in advertisements and magazines in ways modelled on sexy adults.

The Institute highlighted this new phenomenon, and the range of risks involved for children, in a discussion paper entitled *Corporate Paedophilia*, which received extensive media coverage when it was released in October.



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The greatest risk to children from premature sexualisation is probably the least obvious. Child development experts speak in one voice about the importance of play activities in laying the foundations for children's later development.

When today's adults were children, they participated in a broad range of play activities – informal sports, reading, problem-solving games, open-ended creative play and constructive activities.

If children now discard these sorts of pastimes as 'uncool' at an early age

and instead adopt highly sexualised games such as modelling, makeovers and imitating pop stars, this could have profound implications for their long-term cognitive and physical development.

Equally, middle childhood (ages 8-12) is a key period in which children develop an understanding about their place in the world outside the immediate family.

Celebrity culture, heavily marketed to girls of primary school age in magazines such as *Disney Girl*, *Total Girl*, and *Barbie Magazine*, sends a clear message to young girls that what really matters in the wider world is not what they think, not what they care about, not what they can do, but what they look like.

Eating disorders

This message is already taking effect. One South Australian study showed that among seven-year-old girls of a normal healthy weight, half want to be thinner.

At the same time, experts in adolescent medicine report that hospitalisations for eating disorders are occurring at younger ages – an ironic twist on childhood obesity concerns.

Of course, not all children will develop eating disorders. But bringing adolescent angst about looks and weight forward to such a young age is deeply unfair.

How do advertisers, marketers and broadcasters expect children as young as seven to cope with relentless messages that looking sexy is the way to feel good about yourself?

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What is most confronting is the fact that when advertisers and marketers present children in clothing, make-up, and poses that are more commonly seen on sexy adult models, this sends a message that it is acceptable for adults to see children as 'sexy'.

During *The 7.30 Report* coverage of the Institute's paper, Bill Glaser, forensic psychiatrist at the University of Melbourne, confirmed that the sexualisation of children is seen by paedophiles as legitimating their desire.

He noted that convicted paedophiles say 'here is all this advertising around the place and surely it cannot be wrong, seeing it is on public display'. He added: 'Some offenders would even use these images almost as a recipe for offending in terms of getting the children or their victims to pose in particular ways'.

Despite the outpouring of public concern ... politicians ignored the issue.

Despite the outpouring of public concern (described by Phillip Adams as 'headlines hammered and talkback hummed'), politicians ignored the issue. Where they acknowledged it at all, it was only to argue that 'parents can just say no' to sexualised advertising by avoiding the stores that use it.

In contrast, parent after parent expressed their concern to the Institute that while they do try to control what goes on at home, they can't stop their young children being exposed to endless sexy outdoor advertising, and they have only limited control over what children see in the playground or at friends' houses.

Politicians don't seem to recognise the rate at which advertising has ratcheted up targeting of children. Parents have to say no constantly and they tell us that the endless defensive parenting is tiring and demoralising.

Nor do politicians seem to accept that that the ubiquitous hypersexualised advertising and popular culture directed at adults has a significant impact on children, who are not its target audience.

Rather than being able to introduce sex and sexuality to children at an age where they can be expected to begin to understand it, parents are now left trying to manage extremely young children's misinterpretations of what they've seen.

In one opinion piece, Liz Conor wrote that 'when my [three-year-old] daughter test-drove a full-romance, Disney-derived pash down my throat, I recoiled in horror before I could gather my mother-wits'.

Regulatory vacuum

In short, children face developmental, physical and sexual risks as a result of premature sexualisation, and in anything like a normal family life, even the best-intentioned parent can no longer protect their children against such premature sexualisation. Hence, politicians need to act in support of the family values they are usually so quick to talk about.

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The Institute identified the three most important sources of the sexualisation of children to be advertising (print, outdoor and television), girls' magazines, and free-to-air television programs (including music video-clips). Existing regulation in these areas is patchy and inadequate to address the issue of the sexualisation of children. Children's magazines are not regulated at all.

The regulation that does occur is based on a case-by-case approach. But the risks children face as a result of premature sexualisation slip through this regulatory system. Children rarely suffer harm as a result

of exposure to a single case of sexualising material of the type discussed here. Rather, harm is caused by cumulative exposure to sexualising material from a range of sources.

Harm is caused by cumulative exposure to sexualising material.

Belatedly, some regulators have shown some first signs of concern about the sexualisation of children. For example, following the Institute's report, The Australian reported that the industry-run Advertising Standards Board had banned two television commercials 'that link sexualised images and children'. An unnamed source said the Board was keen to combat criticism that it was 'soft' on the sexualisation of children.

We will wait to see if these moves are themselves a PR exercise or represent a real shift in attitudes.

In any case, such ad hoc responses cannot address the fundamental limitations of the case-by-case approach. Fortunately, an opportunity to revise the current regulatory environment for media in Australia is likely to arise as the traditional distinctions between media (print, radio, television) become increasingly blurred by newer technologies.

Current media trends suggest that over time it will become necessary to cease regulating separately for different types of media and instead establish an all-encompassing office of media regulation. This is advocated in the Institute's follow-up paper.

There would be plenty of scope within such an office to include a section with the primary responsibility of protecting children's interests. This task would include stopping the direct sexualisation of children and limiting the indirect sexualisation of children in all types of media.

There are international precedents for giving priority to children's interests by stronger media regulation and all the indications are that there would be broad community support for bipartisan action. ■

Playing politics with national security

Andrew Wilkie introduces the issues covered in his recent discussion paper for The Australia Institute, All Quiet in the Ranks: An exploration of dissent in Australia's security agencies.

Australia's security agencies – principally the Australian Defence Forces, Australian Federal Police, intelligence services and relevant policy departments – have become increasingly politicised under the Howard Government.

Direct political interference and self-censorship have shaped the agencies and skewed their outcomes to the point where they now cannot be relied upon to consistently put the public interest ahead of the Government's political interests.

Political interference goes well beyond the appointment of former Prime Ministerial staffers such as Peter Varghese and Paul O'Sullivan to key positions in the Office of National Assessments (ONA) and the Australian Security Intelligence Organisation respectively.

As a result of the politicisation of the agencies under the Coalition Government, Australia's security has been undermined.

The Government has also created a climate in which security officials are increasingly concerned that legislation could be used against them if they challenge policies or disclose misconduct.

Between 1997 and 2004 the AFP investigated 111 leaks from government agencies, indicating that the government has no tolerance for those who speak out.

For those that do, there is the risk of severe criminal sanctions. For example, the Crimes Act specifies two years gaol for disclosing information and Howard Government initiatives such as the sedition legislation contain provisions that can be applied



Nicholson of "The Australian" newspaper.
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to outspoken officials under certain circumstances.

Alarming, there is no specific Commonwealth whistle-blower legislation.

The problem of the politicisation of the security agencies is compounded by the lack of a robust oversight regime. Ministerial responsibility is ineffective, as shown by the refusal of any minister to take responsibility for the wrongful detention of Australian citizen Cornelia Rau.

Moreover the Parliament has little involvement in security matters these days. The Government prevents security officials testifying before some Parliamentary committees, and oversight committees such as the Parliamentary Joint Committee on Intelligence and Security have only limited insight into the security agencies and are almost invariably undermined by the Liberal-Labor consensus on security matters.

Numerous examples illustrate the politicisation of the security agencies. In 2001 several public servants told the Government what it wanted to hear, or acquiesced, over the so-called 'children-overboard' affair.

In 2002 ONA decided not to provide the Government with a crucial

assessment detailing the dangerous situation in Afghanistan because it contradicted the Government's policy to return refugees to that country.

In 2003 the Department of the Prime Minister and Cabinet, amongst others, apparently failed to challenge the Government over its flawed case for the Iraq invasion.

The inquiry into Rau's detention in 2005 found widespread cultural defects in the Department of Immigration and Multicultural and Indigenous Affairs.

As a result of the politicisation and political misuse of the agencies under the Coalition Government, Australia's security has been undermined.

An example of the way security objectives are being compromised is the ADF commitment in Iraq, which is putting soldiers at risk and preventing additional capabilities from being deployed for more relevant security challenges.

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Some reform proposals:

- * Remove politics from the appointment of security officials.
- * Open up the agencies to a more diverse groups of people whose views are genuinely encouraged.
- * Legislate to protect independent minds and voices.
- * Enhance the security agency accountability regime by strengthening ministerial, parliamentary, standing committee and ad hoc committee oversight.

Religion and global warming

Australia's religious communities want action on climate change. Kate Mannix, from the Climate Institute explains.

*THE WORLD is charged with the grandeur of God.
It will flame out, like shining from shook foil;
It gathers to a greatness....*

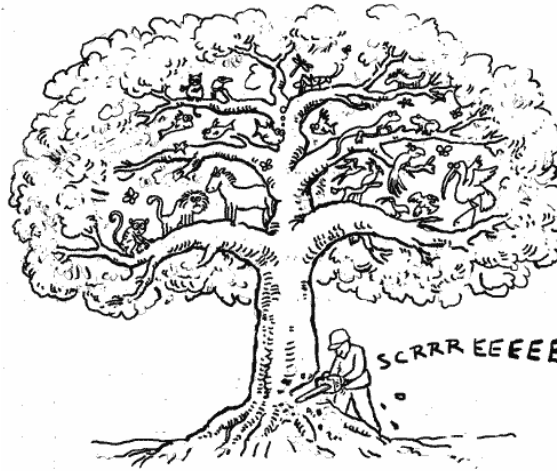
The opening lines of the poem "God's Grandeur" by the Jesuit, Gerard Manley Hopkins, express an idea that may be coming back into fashion.

The idea is that this world is more than its physical expression. The human intuition that 'there's something more than this' is why religion exists: to find the words and symbols that help us to wrestle with the mystery and wonder of being alive. On this view, the threat to the Earth from climate change means more than the possible end of a large complicated ecosystem and one highly evolved species.

Common Belief: Australia's Faith Communities on Climate Change was launched in Sydney on 5 December by the Climate Institute. The Institute had invited religious groups to make a statement each on the moral imperative for action on climate change. It stands among the first collected multifaith statements on climate change anywhere in the world.

Communities participating include Anglicans, Bahais, Baptists, Buddhists, Catholics, Evangelical Christians (see note at end), Greek Orthodox, Hindus, Jews, Lutherans, Muslims, the Salvation Army, Sikhs and the Uniting Church. *Common Belief* also includes a statement from the Canberra-based Australian Christian Lobby.

An Australian collection of statements on land and morality would be unthinkable without a contribution from Aboriginal people. Patrick Dodson, a former Catholic priest and now leader of the Lingiari Foundation, offered a statement that is both wise and generous. He writes in part:



THE TREE OF LIFE
From the cartoon book, *the Beast That Ate The Earth* by Chris Madden; Incline Press

'The damage and destruction caused pain not only to the country but to our own spirit and well-being. This new society tended to see nature as something that must be managed for its maximum capital exploitation, an asset of power and dominance. The land, seas and river systems were something that must be controlled as though they were a threat — not a part of every element of ourselves, as Aboriginal people perceive it.'

As a statement of religiosity, this Aboriginal idea is remarkably similar to Hopkins'. The world — including human beings — is God's self-expression. The idea that everything that exists in this world — 'seen and unseen' — is both sacred and interconnected, reappears time and time again from every religious tradition.

Each religious community speaks in a distinct voice, as can be seen from their full contributions in *Common Belief*, but many common themes emerge.

For example, some point out the environmental damage, human suffering and waste of resources caused by warfare. Many point out that future generations too have rights to care for and enjoy this earth. All recognise the injustice in the fact that the poorest and most vulnerable

populations, particularly Pacific nations on Australia's doorstep who have done nothing to cause this crisis, will suffer first.

Religious groups are generally wary about appearing to lecture governments. However in *Common Belief*, faith communities have been united and unequivocal in calling for a commitment to change by all sections of the community.

As the Evangelical statement puts it: 'Individuals cannot leave it to community groups, or community groups leave it to business, or businesses

leave it to government. Nor can Australia leave it to larger nations. Our credibility in the world, our moral responsibility to our global neighbours and our influence on others will be diminished unless we act.'

The last word should go to Pat Dodson:

'Perhaps then, at this point of crisis, we can finally come together with common cause to stop this destruction of the environment and build a society of equals where all our rights and responsibilities can be fulfilled in a shared nation.'

Common Belief: Australia's Faith Communities on Climate Change, is published by the Climate Institute (Australia):

<http://www.climateinstitute.org.au/cial/index.php>.

Note: 'Evangelical Christians' does not include some groups better described as 'Pentecostal' (such as Assemblies of God, Hillsong, Brethren, Jehovah's Witnesses, and Mormons) but rather those churches that emerged out of the 16th century Reformation: Lutherans, Baptists, Presbyterians, Congregationalists and others. ■

Howard's morality play

After attacking public schools for failing to teach morals, the Federal Government proposes to send in chaplains. Andrew Macintosh is sceptical.

The recently launched National School Chaplaincy Program (NSCP) is the latest strike by the Federal Government against the separation of church and state and further evidence of its desire to place ideological battles at the centre of school policies. The Government seems to be placing political objectives above the needs of students.

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The separation of church and state in Australia has never been complete. For example, religious institutions have enjoyed favourable tax treatment as charities and, since the 1960s, religious schools have been directly subsidised by the Federal Government. Despite this, there has generally been wide acceptance that the affairs of the state are best kept apart from religion.

At the Federal level, this sentiment is reflected in section 116 of the Constitution, which prohibits the Commonwealth from making 'any law establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion'.

This clause does not prevent the Federal Government from subsidising religious activities. However, the absence of a prohibition in the Constitution does not justify religious subsidies that are unrelated to matters of public interest.

John Stuart Mill once said that 'each is the proper guardian of his own health, whether bodily, or mental or spiritual'. What he was suggesting is that there is a private sphere in which the state, and the general public, has no direct interest. This is because acts

taken within this sphere do not directly affect the wellbeing of others.

Where governments involve themselves in the private sphere, there is a risk of oppression – of the options open to the individual being constrained on the basis of choices made by others.

Banning acts that do not have a direct impact on the wellbeing of others constitutes the worst form of government intrusion in the private sphere. Yet subsidising religious activities contains similar dangers, particularly where the activities concern children and schools.

Under the NSCP, the Federal Government will offer grants of up to \$20,000 per school to assist with the employment of a chaplain, or more accurately, a religious instructor. The grants are available to schools that already have a chaplain and there is no sign the allocations will be means-tested or based on need.



The chaplains will not be counsellors in the traditional sense; their roles are to provide spiritual guidance and pastoral care. The only restrictions on who can be employed as a chaplain are that the person must be 'recognised through either formal academic qualifications or through formal endorsement by recognised, relevant religious authorities or groups'. The Government has emphasised that it will have the right

to veto grants where it deems proposed chaplains are unsuitable.

There are two main dangers here. Firstly, the Government is promoting religion and, in doing so, involving itself in the private sphere. The NSCP is not like normal school grant programs where the object is to promote education.

The fact that some schools that receive education grants provide religious instruction is usually a reflection of the legitimate choices of parents rather than choices made by the state. In the case of the NSCP, the government is crossing a divide by delving into private matters.

It is also an inefficient use of resources.

Secondly, not only is the Government promoting religion, it may also promote certain religions over others. The program allows the Government to choose who is an appropriate chaplain, meaning it can discriminate against religions and religious instructors.

Even if the Government does not intend to target certain religions or religious instructors, the nature of the program means that one religion is likely to be given preferential treatment at each school. The program allows for more than one chaplain to be employed at a school, but each school can only get a maximum of \$20,000 per year, making the employment of several chaplains from different religious persuasions unlikely.

Schools with chaplains may not be precluding students from choosing secular values or another religion, but they are pushing one choice ahead of the others. The end result may be to close student's minds to the choices that the school did not prefer.

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Howard's politics of the past

The Prime Minister's speech in October at the 50th anniversary of *Quadrant* provided an opportunity to assess the state of political debate on the nation. Clive Hamilton comments.

In his *Quadrant* speech, Prime Minister Howard argued that the great battle between right and left continues despite the fall of communism in Europe. Pro-communist influence, he believes, has marched through the institutions and from there still exercises its nefarious influence.

Like those who gather around *Quadrant*, Howard is haunted by the ghost of past ideological conflict. Perhaps someone should tell our Prime Minister that the Cold War is over; and that we won.

Howard is haunted by the ghost of past ideological conflict.

But an ideological warrior needs enemies and if there aren't any he must invent them. This explains his continuing attacks on universities, teachers, trade unions and NGOs. He may still be fighting yesterday's battles but he is doing real harm in the process.

As a number of commentators have noted, the Workchoices legislation is really about settling old scores. Few experts believe the changes to workplace laws will improve productivity and even among business the reception has been at best luke-warm.

Yet the unions are no longer the militant force they were when Howard cut his political teeth in the 60s and 70s; they are now service organisations that facilitate the smooth operation of the bargaining system. Yet he is determined to crush them.

Environmentalism is another pet hate because it has historically been associated with the left. This can be the only explanation for the Prime Minister's refusal to address the

most severe threat to Australia's future, the climate crisis.

Climate science is not left wing and Coalition voters are just as vulnerable to the devastations we face, indeed more so in the bush. Yet it is more important to give environmentalists one in the eye than to protect the country from a threat far greater than terrorism.

Any modern Prime Minister, of either party, would understand that one of his or her foremost duties is to continue the historic task of reconciliation. But because the Indigenous cause was taken up by the left it is anathema to Howard and his barrackers.

Quadrant gloated that 'on many indicators Aborigines are worse off than they were nearly forty years ago'

Thus he told the *Quadrant* crowd that of the causes the journal had taken up, none was more important to him personally than its role in undermining the 'black arm-band' view of Australian history. Proving the left wrong is more important than solving Indigenous disadvantage.

In an editorial commemorating its 50 years, *Quadrant* gloated that 'on many indicators Aborigines are worse off than they were nearly forty years ago' because the left had been intolerant of alternative views on Indigenous policy.

The editor conveniently forgot that the Howard Government has had 11 years to do something about it yet the situation has, if anything, become worse. They blame the left for its failures and even for their own.

It is particularly disturbing to watch the orchestrated campaign against public schools launched by Howard. Everything is wrong about them: their values, their curriculums, the standard



Nicholson of "The Australian" newspaper. www.nicholsoncartoons.com.au

of teaching and the alleged political extremism of the teachers. We now have the astonishing spectacle of the education minister Julie Bishop condemning 'Maoist' influences in the schools.

If one's only sources of information were Government speeches, it would be impossible to accept the fact that, according to the OECD, Australian students consistently rank among the top five of 41 rich countries. Instead of acknowledging this, our education minister imagines reds under the desk.

It is particularly disturbing to watch the orchestrated campaign against public schools.

But it is the universities that attract the most bitter diatribes of the Cold War warriors. The Prime Minister is especially agitated by the ranks of leftist academics, the purveyors of political correctness who pander to tyrants and are intolerant of dissenting opinion.

On the same theme, *Quadrant's* editorial presented the journal as the true defender of liberalism and tolerance.

Neither the Prime Minister nor *Quadrant* mentioned the recent case of the ANU academics who argued, in an article published in the *Medical Journal of Australia*, that the US-Australia Free Trade Agreement may mean that blood collected in this country will be sent overseas for processing, potentially jeopardising the safety of blood products. The Vice-Chancellor, Ian Chubb, received threatening phone calls from powerful interests suggesting that the researchers were ‘anti-American’ and that the university would be unwise to promote the research.

Nor did *Quadrant* and its chief political friend mention the case of Dr John Goldberg of the University of Sydney who wrote an article critical of Macquarie Bank for benefiting from public subsidies on its toll roads.

Since when did universities have to ‘authorise’ the research output of every academic?

After a strongly worded letter from Warwick Smith, Executive Director of Macquarie Bank, the Vice-Chancellor publicly dissociated the University from Dr Goldberg and said that the University had not ‘authorised’ his paper.

Since when did universities have to ‘authorise’ the research output of every academic? The Vice-Chancellor then claimed that he was concerned that some people ‘may believe [Goldberg] is speaking for the University of Sydney’. Since when did academics doing their research ever speak for a university?

The role of universities in Australia is under grave threat, but not from the ‘political correctness’ of some ‘progressivist’ consensus as the Howard-*Quadrant* axis would have us believe. It is under attack from conservative political interference and corporate threats.

Quadrant and the Prime Minister set themselves up as Australia’s foremost

defenders of ‘liberal democracy and genuine tolerance of debate and dissent’.

Prime Ministerial favourites act as enforcers, and there is genuine fear in the eyes of many back-benchers.

In a more honest contribution to the debate the next day, one of Australia’s real dissident voices, Liberal MP Petro Georgiou, spoke of how he and his fellow dissidents had been ‘hounded’ for speaking out in defence of liberal values. He said the dissidents were being attacked and denigrated by people inside the party.

We know that Prime Ministerial favourites Bill Heffernan, Eric Abetz and Tony Abbott act as enforcers, and there is genuine fear in the eyes of many back-benchers. Outside the Parliament one thinks of the vicious attacks on Justice Michael Kirby endorsed by the Prime Minister, and the targeting of individuals and organisations that are critical of the Government.

The Liberal Party under John Howard has become Australia’s Nasty Party.

Defending tolerance of debate and dissent in his speech, the Prime Minister also bewailed the left’s tactic of ‘character assassination’. Yet sitting in the audience was a bevy of right-wing commentators - including Piers Akerman, Christopher Pearson and Miranda Devine - whose stock in trade is vituperation. In truth, the Liberal Party under John Howard has become Australia’s Nasty Party.

Recognition of the fact that Howard is still locked into the political battles of the 60s and 70s explains perhaps the most remarkable feature of the gathering of the right at the *Quadrant* anniversary.

They presented themselves as the *victims*, the outsiders who are courageously battling against the forces of a powerful elite of “progressives”. They patted themselves on the back for their “non-conformity” and talked of their proud tradition of “dissent”.

Yet gathered together at the *Quadrant* anniversary were the Prime Minister of the nation, several of his senior ministers, cardinals, bishops, top-draw jurists, agenda-setting commentators and editors, the cream of the business establishment, heads of influential think tanks, and senior executives of public institutions. All of them, it is suggested, are under siege.

One of the Prime Minister’s right-wing acolytes, Miranda Devine, declared that it was the speech to cement the real John Howard in history. One can only concur. ■

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The changing climate of business

Institute Board member Molly Hariss Olson gives an overview of where business fits into recent developments in the climate change debate.

Scientific and non-government organisations all over the world have been trying to raise public and political awareness on the dangers of climate change for a good two decades.

Finally, over a remarkably short period of time, it seems public and political awareness broke through a barrier in Australia. Even Prime Minister Howard has ceased questioning the scientific evidence for climate change.

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So what are the factors that finally brought about this much-needed shift?

Certainly, there is an uncanny correlation with the release of former US Vice President Al Gore's recent film *An Inconvenient Truth*.

The film presented the sobering scientific history of investigations into climate change framed by Gore's personal story.

To further personalise what could have been a dry documentary, it also included cameo spots for individual stories, including the aftermath of Hurricane Katrina and the plight of baby birds hatched before the caterpillars they evolved to feed upon had matured.

Such cameos served to highlight some of the likely effects of climate change – increases in extreme weather events, and the accelerated fraying of the complex web of life.

The film was followed by the Stern Report, a UK Treasury review released by the British government at the end of October. Conducted by former World Bank chief economist Sir Nicholas Stern, the review concluded that the cost of doing nothing could be 20 times more than the cost of taking appropriate measures now.

At the same time, Australia approached yet another hot summer after yet another dry winter, with a heat wave in October. Many in the rural community began to see a connection between climate change predictions and the worst drought on record.



The Climate Institute noted that at the same time as farmers were being hit hard by the effects of the drought, new analyses showed that they were also being penalised to the tune of \$2.5 billion over five years as result of the Federal Government's policy not to ratify the Kyoto Protocol or introduce a national emissions trading scheme.

Under a national emissions trading scheme, reductions in land clearing combined with new plantations on farm land could provide much needed additional income for farmers.

Then, in mid-November came a complete back flip on long-held Howard Government policy when the Treasurer Peter Costello agreed that 'Australia cannot afford to be left out of any new international agreement on carbon emissions trading'.

Such was the pressure from business and his betrayed rural constituency, the Prime Minister finally announced at the Business Council of Australia that he would establish a working group with business to examine a carbon-trading scheme.

Given Howard's long and now globally infamous record of delaying action on climate change, not just in Australia but in the international negotiations for the Kyoto Protocol, few are convinced by this sudden change of heart.

WA Environment Minister Mark McGowan spoke for many when he said: 'All the Commonwealth has done is throw bricks at that [Kyoto Climate Convention] process, so suddenly they must have read an opinion poll, seen that it's important and are making some statements, showing some sympathy, but they don't mean it'.

Internationally, business has been characteristically cautious on complex climate issues, with most not really understanding well enough to act. A very small number of business leaders in Australia have actively pursued stalling action, and to the detriment of both the global climate and Australia's international reputation, these leaders have had the Prime Minister's ear.

However it is important to acknowledge that some industry leaders have been playing a vital role to accelerate action for nearly a decade.

The Federal Government is being forced to act on climate change.

In 1997, the CEO of BP, Sir John Brown, announced in a speech at Stanford his commitment to becoming an 'active, concerned participant in dealing with the potential problem of global warming'. This was the first time that a major energy company had acknowledged that human activities may be altering the Earth's climate, and it transformed the debate over climate change.

Locally, the Australian Business Roundtable on Climate Change, including the CEOs of BP, IAG, Visy, Orica, Swiss Re, Westpac and the ACF, has recently shown leadership in calling for government action.

Despite its deeply held skepticism, the Federal Government is being forced to act on climate change, or at least to give the appearance of doing so. ■

Dramatic changes to Land Rights law

Sean Brennan, project director at the Gilbert & Tobin Centre of Public Law at UNSW Law School, explains the implications of recent changes to the Northern Territory Land Rights Act.

There are tell tale signs when ideology overrides common sense in making new laws. Government rams changes through quickly, under the radar of public and media scrutiny. The process looks dodgy and even long-term allies cannot conceal their discomfort and unease.

The Northern Territory Land Rights Act was Australia's high water mark in land rights legislation. Whitlam introduced it in 1975 and Fraser ensured it went through the following year.

For a long time it enjoyed bipartisan support and both sides of politics were rightly proud of what the law achieved, including the return of half the Territory to traditional ownership. The Act gave Aboriginal people a strong say over what should happen on their land, through the principle of informed consent.

In August, the Howard Government made some of the most dramatic changes to the Act in its thirty-year life. Some of the amendments reflect the public policy process at its best, but others show a government using parliament like a doormat.

Changes reflect the long-standing view that 'government knows best', an approach that has failed in indigenous affairs almost every time it has been tried.

On the positive side, some changes resulted from extended consultation and negotiation. For example, changes to streamline agreement-making about mining on Aboriginal land enjoyed broad support. The people affected are basically happy, the Government can take the credit



Nicholson of "The Australian" newspaper. www.nicholsoncartoons.com.au

for reform and, with stakeholder support, there is every chance the law will work well and achieve its objectives.

However, other changes reflect the long-standing view that 'government knows best', an approach that has failed in indigenous affairs almost every time it has been tried. The two most radical of these changes are as follows.

New government 'headleases'

With the stated intention of improving housing and economic development in Aboriginal townships, amendments to the Act restrict traditional owners' hard-won right to negotiate benefits from those who seek to use their land, and remove their control over what that land use might be. Instead, an undefined 'government entity' is able to take control of townships through a single 'headlease' for 99 years.

Once the entity has the township land under its control, it is free to sublease blocks to whoever it wants. The only tool traditional owners have to manage the potential risks for the next four generations is the one-off negotiation of a headlease.

The fear is that communities will be pressured financially into accepting a headlease agreement from government on a take-it-or-leave-it

basis. In other words: sign a headlease on the government's terms or risk not getting funds for essential government services. Already claims have emerged that Top End communities are being offered extra money for essential services like education and housing in return for acceptance of a township lease.

Astonishingly, the costs will be met from the Aboriginal Benefits Account (ABA), including the rent paid to traditional owners. As pointed out by Australians for Native Title and Reconciliation (ANTaR): 'The ABA was established for the benefit of Indigenous people, funded from mining activities on their land. It was never intended to be a subsidy to government'. Recirculating ABA money as rent is the opposite of creating fresh economic opportunities for traditional owners.

Changes to Land Councils

At the same time, other amendments to the Act make it easier for the Commonwealth Minister to break up existing Land Councils into smaller, less powerful organisations. This runs counter to the Commonwealth's drive elsewhere for consolidation and economies of scale in native title and Aboriginal legal services.

Traditional owners will have their work cut out preserving their land and culture in this harsh new legal climate.

The mismatch was pointed out by the Minerals Council of Australia. When the miners side with Land Councils against the government, it is a sure sign that government ideology about indigenous affairs is trumping workability and genuine stakeholder

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Happiness: New Australian survey

What makes Australians happy, and what do they think the role of government should be in promoting the happiness of citizens? Clive Hamilton reports the results of a new survey.

In August 2006, Ipsos Mackay conducted a national telephone survey of 1000 people for the Australia Institute. Topics included personal happiness, perceptions of trends in overall quality of life in Australia, government responsibility to promote happiness and means of doing so, and the idea of a 'happiness drug'.

Despite the extraordinary emphasis that public policy, the news media and private behaviour seem to place on higher incomes and material acquisitions, only 6 per cent of people choose 'money and financial situation' as the most important contributor to their happiness (see figure below).

Instead, 59 per cent choose 'partner/spouse and family relationships' as the most important thing, with a further 18 per cent selecting 'health', and another 8 per cent selecting 'community and friends'.

Unsurprisingly, what is most important to people appears to change over the life cycle. Community and friends are more important for younger people (aged between 18 and 29), with 16 per cent selecting it

as most important compared with 7 per cent of those aged 50 and over. In contrast, health is more important for people aged 50 and over, with 26 per cent selecting it as most important compared with only 10 per cent of younger adults.

Despite very favourable economic conditions for over a decade, with high incomes and low employment, four in ten Australians think that overall quality of life in Australia is getting worse, with almost half of these saying it is getting a lot worse. Only 25 per cent say it is getting better, and 34 per cent say it is about the same.

People from poorer households (household income less than \$35,000) are less likely to say that quality of life is getting better than people from wealthier households (household incomes of \$75,000 or more) – 21 per cent compared with 35 per cent. Of particular note, more than a quarter of people with low household income believe that quality of life in Australia is getting a lot worse.

However, the most striking difference is between Labor and Coalition voters. Just over half of Labor voters believe that overall quality of life in Australia

is getting worse, compared to 26 per cent of Coalition voters. However, even among Coalition voters, only 30 per cent believe the overall quality of life in Australia is getting better, with 26 per cent saying it is getting worse.

When asked about the orientation of government policy, a large majority of Australians (77 per cent) believe that government's prime objective should be promoting the greatest happiness of the people rather than the greatest wealth (see figure). Only 16 per cent opt for higher wealth.

Although most Australians believe government's prime objective should be to promote happiness rather than wealth, only 41 per cent agree that schools should put more emphasis on teaching happiness and less on educating students for the world of work. A slight majority, 54 per cent, disagree.

A happiness pill?

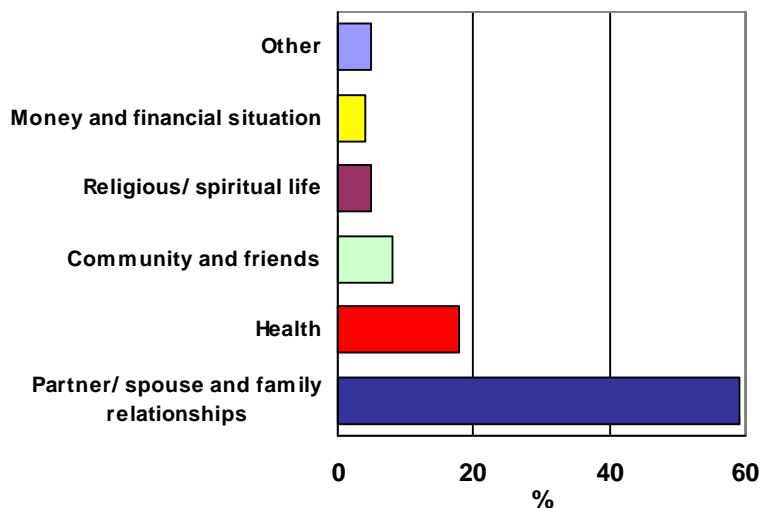
Some of the most intriguing results to emerge from the survey arose from asking Australians whether they would on occasions take a legal drug to make them feel happy.

Taking a happiness pill would be a 'cop-out' and ultimately disappointing.

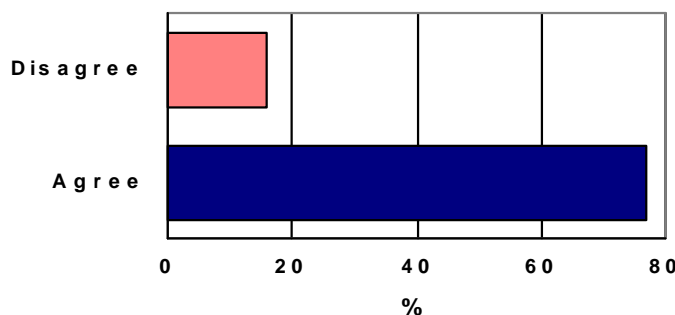
Almost three-quarters of Australians (73 per cent) say they probably or definitely would not take a happiness drug despite the constant promotion of instant gratification and hedonism by advertising.

Why, in an era in which hedonism is strongly and consistently encouraged, does such a large majority reject the idea of taking a happiness pill, particularly in a society already awash with legal and

What is the most important thing for your happiness?



Role of government should be to promote greatest happiness, not greatest wealth



illegal substances that affect our moods?

The question goes to the heart of how people understand their lives, and the responses to it reflect a deep-seated, if rarely articulated, belief that a worthwhile life requires authentic engagement with the world around us including relationships with others.

It seems to be widely understood that real life involves challenges and growth, and that taking a happiness

pill would be a ‘cop-out’ and ultimately disappointing. A happiness drug simply ‘misses the point’, because while happiness is a desirable byproduct of living a fully human life, in itself it is not the aim.

Most people nominate their personal relationships as the most important factor in their wellbeing. Developing mutually sustaining relationships with loved ones requires effort but the difficulties encountered are a

necessary part of forming deep and rewarding relationship.

Questions about the meaning and purpose of human life have occupied philosophers for thousands of years, and it is apparent that, despite the spread of affluence, instant gratification and contingent relationships, Australians today remain very much aware of the complexity and depth involved in a good human life.

As John Stuart Mill once observed, ‘It is better to be a human being dissatisfied than a pig satisfied; better to be Socrates dissatisfied than a fool satisfied’. In other words, a satisfied feeling, such as that which might be experienced by a pig or provided by a happiness drug, is not essential to a good human life, much less central to it.

Full results of the survey are available under ‘Latest Web Papers’ at the Institute website: www.tai.org.au. ■

A new solution to unwanted Christmas presents

Last December, the Institute published a survey revealing that 53 per cent of Australians receive Christmas presents they don’t use or later give away, while 73 per cent of Australians would be happy if somebody made a donation to a charity on their behalf rather than giving them a present for Christmas.

These results were based on a specially commissioned Newspoll survey of 1200 Australians. They confirm that excessive Christmas consumerism wastes resources and that the majority of Australians would like to see more attention to worthy causes at Christmas.

The webpaper attracted the attention of two entrepreneurs, Andy Burnip and Pat Dalton, who went in search of a solution that both reduces waste, by enabling people to buy their own genuinely wanted Christmas present, and at the same time contributes to a worthy cause.



At the beginning of November, the ‘wishes cometruē’ gift card was launched. It is the first Gift Card that can be spent at any retailer accepting EFTPOS in Australia. That is, it functions like a gift voucher, but can be spent at almost any store rather than being limited to the chain that a gift voucher was purchased through.

With every card purchased a \$1.10 contribution is made to Oz Child, a children’s charity that operates

programs including foster care, family services, disability, education and outreach services. Gift Card purchasers are also asked if they want to make a further donation to Ozchild. To find out more about the Gift Card and Oz Child visit the websites: www.cometruē.com.au or www.ozchild.com.au.

If Institute members would prefer to give family or friends a donation on their behalf rather than a present, the webpaper ‘Unwanted Christmas presents’, available from the Institute website, includes an appendix with links to charities that offer specific Christmas programs. These charities usually offer a small package of information about the use of the donation that can be given in place of a traditional present.

TAI members might also like to consider buying friends or family a membership to the Institute as a Christmas present to enjoy all year. ■

New Publications

M. Hamilton and C. Hamilton, *Baby Boomers and Retirement: Dreams, fears and anxieties*, Discussion Paper 89, September 2006

C. Hamilton and E. Rush, *The Attitudes of Australians to Happiness and Social Well-being*, Webpaper, September 2006

E. Rush and A. La Nauze, *Corporate Paedophilia: Sexualisation of children in Australia*, Discussion Paper 90, October 2006

A. Macintosh and C. Downie, *Wind Farms: The facts and the fallacies*, Discussion Paper 91, October 2006

A. Wilkie, *All Quiet in the Ranks: An exploration of dissent in Australia's security agencies*, Discussion Paper 92, November 2006

E. Rush and A. La Nauze, *Letting Children be Children: Stopping the sexualisation of children in Australia*, Discussion Paper 93, December 2006

Forthcoming Publications

C. Downie, *University Capture*

A. Macintosh, *The Siting of Nuclear Power Plants*

Playing Politics with national security. Continued from p. 3

So too the Government's pre-occupation with secondary problems, in particular terrorism, is distracting the security agencies from the more significant security challenges facing Australia, such as the proliferation of nuclear weapons and climate change.

The capacity of the agencies to deal with asymmetric threats like terrorism has been significantly undermined by the Government's manipulation of both the shape and nature of those agencies. The intelligence assessment agencies in particular need the brightest and most lateral thinkers, but such a situation is fundamentally at odds with the Howard Government's strong interest in recasting the agencies as even more conservative and politically reliable.

Neither the public nor the media can reverse the politicisation of the security agencies, in part because the public can only agitate about what it knows – assuming it cares enough to do so – while a not insignificant proportion of the media has proven to be lazy and compliant when it comes to security issues. ■

Have a Merry Christmas

Howard's morality play. Continued from p. 5

Liberal MPs such as Greg Hunt have argued that government schools are anti-religion, thereby providing a justification for the program. But secularism does not equate to atheism – it means leaving the individual to make choices free of state influence within the private sphere. Government schools should be neither for nor against religion; rather they should be respectful of the private choices of students and parents.

The problems with the NSCP are not confined to the fact that it breaches the separation of church and state. It is also an inefficient use of resources.

The evidence indicates that there is a large gap between Australia's highest and lowest performing students, which is lowering average academic outcomes. If this gap could be narrowed by raising the outcomes of the lowest performing students, it would reduce inequality and improve labour productivity.

To narrow the gap, governments need to invest more in disadvantaged schools. Government reports indicate that an additional several billion dollars are required each year to ensure all students at government schools can meet basic learning objectives.

When there is this level of need in government schools, there is no justification for directing scarce resources to fund religious activities, especially when the subsidies are most likely to be taken up by wealthy private religious schools.

If the Government is concerned about pastoral care and student support, it could invest the \$90 million that has been earmarked for the NSCP in a needs-based counselling program. This would ensure that counselling services are available to all students regardless of the school they attend or their religious beliefs, and that the services are provided by trained professionals. ■

Dramatic changes to Land Rights law. Continued from page 9

interest. In fact, the amendments could hinder economic development on Aboriginal land by diminishing the certainty and confidence that miners and others have in bodies representing Indigenous interests.

Traditional owners and their representative organisations in the NT will have their work cut out preserving their land and culture in this harsh new legal climate. Moreover, the parliamentary ambush on the Land Rights Act highlights the need for vigilance about what laws come next. ■