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HOMILY FOR THE RED MASS 1998

*Delivered by His Eminence Edward Cardinal Clancy AC, KGCHS
Archbishop of Sydney and Patron of the St Thomas More Society,
on 2 February 1998 at St Mary's Cathedral, Sydney.*

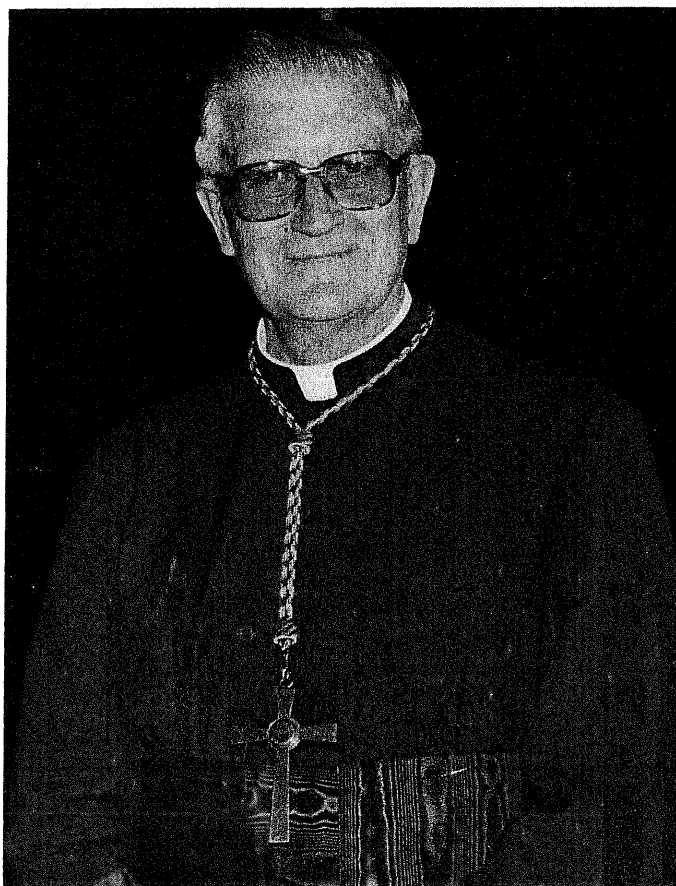
To believe in God is to be committed to what the Sacred Scriptures call "righteousness" - a striving for virtue, for greater personal integrity, an on-going inner conversion. The New Testament Scriptures and the Christian tradition are insistent about this. "You, therefore must be perfect, as your heavenly Father is perfect".

(Mt 5.48): "Blessed are the poor in spirit ... the meek ... those who hunger and thirst for righteousness ... the merciful ... the pure in heart ... the peacemakers". (Mt 5.3ff). St Paul bids us, "Be imitators of me, as I am of Christ". (1 Cor 11,1): "So whether you eat or drink, or whatever you do, do all to the glory of God". (1 Cor 10, 31). And the key to righteousness is love: "Love is patient and kind; love is not jealous or boastful; it is not arrogant or rude. Love does not insist on its own way; it is not irritable or resentful; it does not rejoice at wrong, but rejoices in the right". (1 Cor 13, 4ff). Such are the values to which every Christian - indeed, every God-fearing person - is called.

The greatest weakness in any religion is its tendency to become for those who profess it just an outer shell of ritual and regulation disguising and shielding lives that, at best are lukewarm and uncommitted, and, at worst, are morally corrupt. Practice is at odds with profession. History provides any

number of examples. Long ago the prophet Jeremiah admonished his contemporaries for imagining that they could escape God's wrath by chanting "the Temple of the Lord, the Temple of the Lord, the Temple of the Lord", while at the same time playing fast and loose with his commandments (cf. Jer 7, 1ff).

I recently read a book entitled *The Lawyer's Calling Christian Faith and Legal Practice* by Joseph Allegretti. The author has both practiced and taught law, and has a degree in theology. The book takes its point of departure from the surprising question, "Is it possible for a Christian to be a lawyer? As I read on I found that behind that question lies a black sea of criticism and disillusionment - at least in the United States. The 'author' is an American writing for Americans. He quotes friends and acquaintances in, or formerly in, the legal profession. He refers to the big laughs garnered by would-be comedians at lawyers' expense, and he cites depressing statistics to demonstrate the law morale of the legal profession in the



His Eminence Edward Cardinal Clancy

United States. He quotes Mary Ann Glendon, a Harvard Law Professor, who says, "American lawyers, wealthier and more powerful than their counterparts anywhere else in the world, are in the grip of a great sadness", (p.s): and Anthony Kronman of Yale, according to whom the crisis of the profession is "the product of growing doubts about the capacity of a lawyer's life to offer fulfilment to the person who takes it up. Disguised by the material wellbeing of the lawyers, it is a spiritual crisis that strikes at the heart of their professional pride". (p.4).

Australia is not America, and I do not believe that the situation here is anyway as critical as in the United States. I suspect, however, that there are some disturbing similarities, and that we may have something to learn from Allegratti's reflections. In any case, most things that happen in Australia these days seem to have been dress-rehearsed in America. As one might expect, the book is not harsh and judgmental toward lawyers – on the contrary, it is most sympathetic and constructive.

Allegratti identifies as the lawyer's basic problem conscience and what we might call "the system". Allegratti calls it "the Code". Whatever about its claims, the system, unlike the conscience, is often indifferent to truth, justice, and integrity, and is not really concerned about people – their suffering, their embarrassment, their financial loss, and even ruin. Incidentally, it is not only lawyers who have problems with "the system" – so do medical doctors in some circumstances, so do politicians, so do most professionals.

According to the author, the majority of lawyers meet the problem by, in varying degrees, compartmentalising their lives. Walls are built between what they do at home, and what they do at their chambers; what they do on Sundays, and what they do on the other

days of the week. Different principles apply in each case. Some feel comfortable and self-assured about this dualism in their lives, others are uncertain and ill-at-ease.

At home the lawyer is at least the average person of sensitivity and compassion, and guided by the values of Judaeo-Christian tradition. But at work he is a creature of the system; he is a hired gun "just doing his job according to the law"; he is an amoral technician, partisan in his undivided allegiance to his client, and totally neutral in not letting his personal values or moral scruples interfere with his efforts on behalf of his' client. The adversarial system calls all the shots!

The hired gun mentality is not without its virtues, but these are massively outweighed by its vices and the hurt that it does to people, and ultimately to the lawyer himself. It certainly sits uncomfortably with the Gospel and the Christian calling to love, justice, and discipleship.

The alternative to the hired gun mentality that Allegratti proposes is not the rejection of the code or system, but a reforming and transforming approach of Christ to the world. He encourages lawyers to think of their work, not in terms of "profession", but in terms of "vocation" – of calling by God. This approach immediately begins integrating the lawyer's religious values with his work. "The concept of calling gives the lawyer a kind of moral compass; it constantly reminds him that his ultimate loyalty is not to a client, or to the Code, but to God". (p.34).

The first-fruits of this mentality is the supplanting of the traditional contractual relationship between lawyer and client, involving pronounced client-independence and disadvantage, with a covenant relationship of mutual trust and respect. "No longer does "a case" walk into my office – a tort case or a divorce case or a property case. Instead,

a person enters my life, a person who seeks my help, a person whom I recognise as already in relation to me because I know both of us to be children of God whose common destiny is forged in our encounter with each other" (p.43).

Opportunities barely seen before suddenly manifest themselves with great clarity; a prophetic role providing advocacy and a voice for the poor and the powerless; a ministry as healer and peacemaker, and a new perspective on defending the guilty; a moderating influence in disputes, promoting mediation and compromise in preference to expensive and acrimonious litigation, developing, in addition to an ethic of rights, an ethic of care which of its very nature is contextual and situational and embedded in the complexity of everyday life" (p.106).

If Leon Tolstoy's *Ivan Ilyich* is a notable example of the hired gun mentality. Thomas More of Robert Bolt's *A Man for all Seasons* admirably represents the healing, caring, peacemaking mentality. Allegratti takes the view that, in varying proportions, there is something of Ilyich and More in most lawyers.

He acknowledges that most practising lawyers routinely dismiss his proposals about a healing and reconciling role as flatly unrealistic, this, because of financial implications for the lawyer himself. He would maintain, however, that they are not unrealistic, just difficult, and his challenge stands.

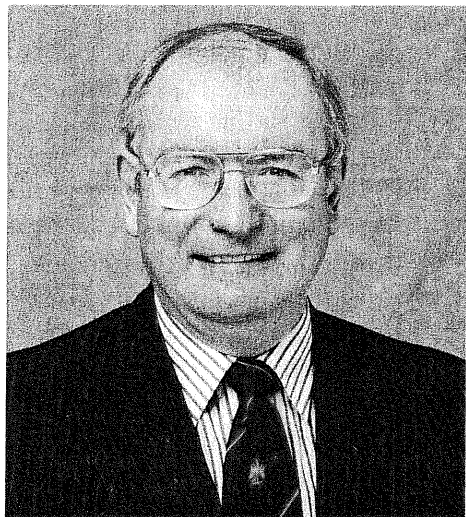
Every notable achievement in the civilisation of the human race has been realised by men and women of courage and commitment who have been prepared to take the risks.

One of the prizes in this case is the added reassurance that it is indeed possible – more than that, eminently desirable – for Christians to become lawyers.

2 February 1998.

A CHRISTIAN PILGRIMAGE IN THE HOLY LAND

*An address given by John McCarthy QC
President of the St Thomas More Society
to the New South Wales Jewish Board of Deputies on 20 May 1997*



John McCarthy QC

President, Members of the Jewish Board of Deputies, Ladies and Gentlemen.

I am deeply honoured to have this opportunity to address you, who know so much about Israel and the Holy Land. It is a unique privilege that a Christian from Sydney is invited to speak to you about his experience of a pilgrimage to the Holy Land in 1997.

That brief pilgrimage was over 14 days in January. It provides no basis for in-depth analysis or observation of Israeli society and I offer none. To do so would be an impertinence as I had not even visited many important places such as Tel-Aviv. What I do offer you is some account of that pilgrimage including my observations and encounters during that eventful time.

I travelled to the Holy Land as a pilgrim with my wife and my mother and four of our children as part of a parish pilgrimage organised by Father Slattery, the Parish Priest of St Michael's, Belfield. This pilgrimage was a spiritual undertaking, the object of which is to seek and hopefully find grace and favour with God, by journeying to a place or places of special religious significance.

For all believers in the God of Abraham, Isaac and Jacob, the Holy Land is the most sacred place on earth and Jerusalem the Holy of Holies. A real pilgrimage is an undertaking hallowed by centuries of tradition; it is not just a tourist holiday or an ordinary secular journey.

A pilgrim makes special preparations in readiness for this journey. A pilgrim also brings spiritual reflection and meditation upon the persons and events central to that pilgrim's faith.

So it was with me, an Australian gentile, practising Catholic, educated and living with that Faith and Creed which flows from the Old and the New Testaments. A Pilgrim anxious especially to visit the places associated with Jesus Christ. A pilgrim for whom the Holy Land was that realm of time and place in which God spoke and acted in human history. Where God had acted and spoken through his chosen people whereby salvation comes from the Jews. I went as a pilgrim to the Holy Land to honour God, to acknowledge what he had wrought there, the light of all the nations. As the Psalmist exults – "God is the Lord and exceedingly to be praised in the City of Our God, in his Holy Mount".

My pilgrimage was primarily to the shrines and places of the New Testament – Bethlehem, Caesaria, Nazareth, Cana, Galilee, Caesaria Phillipi, Jericho, Bethany, Emmaus, Ein-Karam and above all Jerusalem. I would count the Period of the pilgrimage as one of the most intense and enlightening experiences of my whole life. Some things were unexpected – some of it was strange – none of it was alienating. All served to confirm and deepen my faith not corrode or repel.

At all the shrines we visited, the relevant passages of Scripture were read aloud by a member of our group, and one was continuously moved to reflection and prayer. The Scriptures came alive in new

and unexpected ways. I found in them previously undiscovered meaning and resonance.

I found much of our visit to be a tactile experience. One not only wanted to see but to touch the place where the manger stood in Bethlehem, the Wall of the caves in the shepherd's fields nearby, the floor of Holy House in Nazareth, the stones at Caesaria Phillipi, water in the Jordan, the olive trees in the Garden of Gethsemane on the Mount of Olives. Above all, the Holy Sepulchre in Jerusalem. Seen though the eyes of Faith, the Holy Land is truly a sacred place where the presence of the Divine radiates – where it has never faded or been erased.

All these places are recalled in the liturgy of the Church, as one prays and meditates at Mass in the cycle of feasts throughout the year. All has had a deeper more vivid meaning since my return.

To behold Jerusalem for the first time was almost mystical. We were in our pilgrimage bus in the late afternoon going to Bethlehem from Ben Gurion Airport. We were coming up Mount Joy when our guide said, "In a few moments Jerusalem will come into sight." My wife is an accomplished pianist and musician. All our children are musicians and singers. They led our pilgrim group in a beautiful rendition of the "Holy City". They were repeating the chorus when we saw Jerusalem for the first time. The bus pulled over to an observation point. We all filed out in silence and stood to view the lights of Jerusalem. All of us reflected on what it had seen and experienced through the ages and meditated on why it was the most famous and important city in the world.

Later, in the last five days of the pilgrimage, we came to stay in Jerusalem at the Hotel de Notre Dame which is near the New Gate. After we had settled into the hotel, a party of us set out to visit the

Holy Sepulchre. On the way there we went round the wall and entered through the Jaffa Gate – the traditional pilgrims or strangers entrance to Jerusalem. I stood at the portals of the Jaffa Gate, looked out and thought back in time to that day in 1917 when for the first time in seven centuries a Christian army occupied Jerusalem. That day as Lord Allenby stood before the Jaffa Gate, with him were detachments of the Australian Light Horse in which members of my family served. Allenby would not enter Jerusalem as a conqueror and dismounted. An order was given for the Light Horse to dismount. In a precious moment in Australian military history, the Light Horse advanced into Jerusalem on foot. "They come not as a conquerors to the Holy city." God rest them all.

To come to the Holy Sepulchre, to kneel and pray beside Christ's tomb was, for me as for other Christian pilgrims, the sublime early encounter of creed and history. To ascend the stairs to the Altars over Golgotha, the place of crucifixion and to prostrate oneself was an unforgettable moment. An even greater experience, because it lasted a longer time, was to visit the Church of the Gethsemane near the Mount of Olives. With special arrangements, our Parish Priest was able to have our group spend a holy hour at night around the Rock in the Sanctuary there.

After the Holy Sepulchre the next place in Jerusalem we visited was the Western Wall of the Temple. Here I prayed for all my Jewish friends by name. I fervently prayed for Israel as I reflected on the history of the Jewish people and sought God's protection for them. I also reflected while I was at the Wailing Wall, when listening to the chanting of the psalms, that Israel's greatest achievement was the miraculous revival of Hebrew as a living language. It probably is one of the most outstanding cultural achievements in human history. Hebrew was not a vernacular language at the time of Jesus and the Second Temple, in fact it was prior to the Babylonian Exile that Hebrew was a vernacular language. It is also of critical importance for Israel in the present time

and circumstances of the Middle East. Hebrew, the ancient semitic tongue, allows Israel to avoid abuse as being linguistically foreign to the region. With that portentous decision about Hebrew, what the founding leadership seems to have done is make most inhabitants, Israeli and non-Israeli, at least tri-lingual. All appear to speak and read at least Hebrew, Arabic and English. There was never any time nor any place during the pilgrimage in which one could not make oneself understood in English.

An outstanding contemporary phenomenon in Israel which I experienced was the Holocaust Museum – Yad Vashem. This was the most moving and powerful memorial which I have ever visited. My family and I were awe struck by the children's memorial and overwhelmed by viewing the six million bricks laid in memory of the lost. One is simply shaken to the very core of one's being and sensibility in confronting the atrocious consequences of dehumanisation. It is reverse of the light of the Nations - it is the darkness of evil amongst us - to be confronted and overcome by conduct and action based on the inalienable and everlasting fact of human dignity.

As a lawyer from Australia, I was inspired by the new Supreme Court in Jerusalem, a gift to the Israeli people by the Rothschild family. It is probably the greatest court building of the 20th century and takes its place as one of the marvels of the common law world. It is notable that the central courtyard in size and proportion is very similar to the Pool of Remembrance in the War Memorial in Canberra. Any Australian would immediately be struck by the similarity. The Supreme Court is certainly one of the glories of modern Jerusalem.

Let me recount an amusing incident involving the Israeli Army. We were travelling down the Jordan Valley and were about 20 miles from Jericho, our next destination. The bus driver pulled in to the large roadside service centre to refuel and to allow a ten minute stop-over. We all alighted from the bus and headed towards an outdoor kiosk. In the service centre at the same time was an Israeli armoured

company moving north to the Gollan Heights or thereabouts. Their armoured vehicles were on prime-movers. The company's personnel was spread around the service centre having a coffee break. On one of the prime-movers was a very large armoured vehicle without a turret, in fact, it was the largest that I have ever seen. It was about 50 metres away from the kiosk and as I stood looking at it, I also noticed a young sergeant aged about 21 or 22 sitting a few metres away with part of his troop, about 10 in number, both male and female. I turned toward him and said.

"Excuse me Sergeant, that armoured vehicle over there number (and I called out the number) is that an armoured personnel carrier?" He said, "It is." I said, "It's very big."

And he said, "It is the largest type developed in the IDF." He then said, after contemplating me for a moment, "Where are you from?" I said, "Australia".

He stared at me for a moment and then exclaimed, "How can you live in that dangerous country!"

His question startled me as he was standing in front of me in military uniform with a machine gun slung from his shoulder, very obviously on military duties.

"Your country has crocodiles, dangerous snakes, jumping spiders and huge bushfires – how do you live there?"

"Well," I said, "Australia, unlike Israel, is a vast continent and most of us don't live anywhere near these things – for instance, I live in Sydney."

"But I saw on television Sydney burning in a bushfire a couple of years ago," he replied.

"But that was only smoke over Sydney from bushfires many miles away, the city was not threatened."

He looked completely unconvinced and then said to me, "I would like to live in Canada."

I said, "I'm amazed. Do you realise how cold the climate is in Canada? Much of the year there is sleet and snow."

"Yes, but it's not dangerous like Australia."

Just then my two teenage sons aged 17 years and 15 years walked over to me. One son is 6'4" and the other is 6'3". The sergeant looked at my sons and then looked at me, he was about 5'8". He laughed and said, "I know why you live in that dangerous Australia — you are all giants."

The ironies of this exchange are self-evident but it says much about our frontier image in the rest of the world that Australia is seen as dangerous by someone living in contemporary Israel!! My point in that his view of normalcy in his immediate society is significant, when combined with his earnest remark about wanting to go to Canada.

My next notable engagement with the Israeli Army came via the legal profession. Through an Australian legal friend whom I met in Jerusalem, I was invited to a reception at the Israeli Bar Association for the newly appointed President of the Israeli Military Court of Appeal. (Interestingly, we were both graduates in law from the University of Virginia). About 80 to 100 lawyers and judges were in attendance and I met and spoke with a number of them during the course of the evening.

As a member of the Sydney Bar this was a function with which I was thoroughly familiar and although the proceedings were conducted in Hebrew, that is the speeches of introduction and welcome and a reply. Since Israel is a common law country, the body language and gestures of the speakers allowed me to easily surmise what was being said in a general sort of way. While listening to a continuous flow of eloquent Hebrew, I took stock of the individuals present at this gathering. It was not just the occasion that was familiar to me, it suddenly struck me I've met you all before. I said to myself, "Each and every one of you has his opposite number and look-a-like in Sydney." I look round carefully — I could recognise dozens of my Jewish friends and acquaintances in the legal profession in Sydney. The same range of faces, features and attitudes — it was uncanny. I could almost be back in Phillip Street, Sydney. The learned, the clever, the street-smart,

the debonair, the compassionate, the defenders of the down and out were all there as they are in Sydney.

There was only one significant difference which I had soon realised — all these men and women were officers in the IDF and most of them had seen active service. They were practicing lawyers, not a few were reserve generals, but most were reserve colonels and majors, so I was given to understand. With deference rare amongst Israelis, two lawyers in their 30's introduced me to an elderly lawyer who was the commanding officer of the point battalion in the brigade that took East Jerusalem in 1967. He was among the first to reach the Wailing Wall. In bearing and stature he was literally Joshua without a beard, a Prince in Israel. In this gathering, one saw the moral strength and character on which present day Israel is built.

In uniform and demeanour, the IDF officers (including the general officers) are very unpretentious, almost nondescript. The green fatigues, wind jackets and berets as well as their style and deportment emphasises that from the leadership down, that this is not just a ceremonial force. The reputation and strength of the IDF has been the military marvel of the post 1945 world and the renown of the IDF is on a par with the US Marines and the British Brigade of Guards, but without their formalities.

Here are some random observations and reflections made to me during my short period in Israel either by Israelis or keen observers of Israeli society.

It is difficult to argue against the proposition that the most splendid building in Jerusalem is the Dome of the rock (the Mosque of Omar) on the Temple Mount. Its only rival is the Al-Aksaque Mosque. I cannot say the same for the Church of the Holy Sepulchre, although the dome of the cupola has recently been restored. The general condition of the Holy Sepulchre can only be regarded as less than satisfactory and a matter of embarrassment to the Christian churches. Both the Church of the Holy Sepulchre and the Church of the Nativity at Bethlehem, which arouses a similar

sentiment, should be the most splendid of temples in all the Christian world. One can only pray that the proposals for the celebration for the third millennium may serve to bring this about.

An overwhelming impression from observation and discussion with Israelis and non-Israelis was the immense strength of Israel. It was argued to me that the issues in the immediate future for Israel do not include the serious imminent threat of conflict in which the military capacity of Israel could be undermined and the future existence of the state threatened.

It was observed to me several times that the disparity between the resources and prospects of the Palestinian Authority (PA) and Israel suggest that the initiative and detail for any ongoing arrangement is overwhelmingly in Israeli hands. The economic enmeshing of the West Bank and Gaza with the wider Israeli economy is almost irreversible.

The closing of the borders at various times in the last two years was described to us in some detail, in terms of their devastating economic impact for ordinary Palestinian families. These disturbances, while painful and at times tragic, must eventually lead to an adjustment of political goals consonant with the economic integration of the Palestinian population. There seems no likely scenario in which the two communities will not be dealing with each other for the foreseeable future.

I was told several times that the basis of the world's dealing with Israel and the self-understanding of Israelis is that Israel has become a great regional power with world influence. The Jewish and Israeli history this century has been both cataclysmic and tumultuous. It was strongly argued to me that this history may provide the background but not the complete framework in which Israel moves into the new millennium. The issue of direction for Israel (what is Israel) may become an even more central national question over the next three decades.

Most Australians, myself included, find the tone of political debate in Israel unsettlingly sharp but perhaps more is obviously at stake. Disputes and conflicts

over social issues and cultural values are pervasive in the western world. For this phenomenon, Americans have coined the phrase "culture wars". It was suggested to me that the most severe culture war during the next 20 years is likely to be fought out in Israel.

I did not completely comprehend until conversations in Jerusalem and elsewhere with Israelis and interested observers that the Zionist ideal which was at the core of the vision of the founding generation of Israel, is rejected by significant sections of the ultra Orthodox community and no longer has the same appeal for younger generations now growing up in a much more developed Israel.

Secular Israelis are more likely to be disaffected with current society, to be more likely to emigrate especially to the United States because they have a pessimistic view of the future of Israel. The old ideas no longer engender the same levels of hope, and self-sacrifice is not accepted as a personal ideal. With the Orthodox by contrast, there is a greater acceptance of Israel with all its difficulties. They are more likely to have larger families and have a strong vision of the moral and social foundations for Israeli society. In that context, I was simply unprepared for the vehemence and derision with which secular Israelis speak about the Haredim and the Orthodox generally. It is almost as if the common citizenship and nationality did not exist.

Already it seems that the future of Israel will not be sustained in the basic Zionist parameters being a refuge for Jews from other parts of the world, a place where they may live in a "normal society" and "have a normal state". Indeed, secular Jews are attracted to other parts of the world, in particular the United States and Canada. This must have long term significance for Israel's relations with the Diaspora. In the culture wars, Israel seems set to become the spotlight of the nations.

The section of the population in the Holy Land which seems under real threat of disappearance is the Christian community – they face tensions and difficulties with the overwhelming Moslem majority amongst the Arabs as

well as being lost sight of elsewhere within Israel itself. This is an emerging international issue about which there could be considerable world focus in the celebrations leading up to the commencement of the third millennium.

Coming to grips with security issues and personal safety is a wrenching experience for pilgrims and tourists from peaceful Australia. My youngest children (aged 8 and 12) were bewildered by the sight of school children debussing in the Gollan Heights area and in Jerusalem accompanied by teachers carrying machine guns. The subsequent tragic incident with a Jordanian soldier makes understandable why these precautions are necessary, but even for adults the experience of such measures is disconcerting.

The pervasive presence of the military around Jerusalem and elsewhere was also disconcerting but at the same time there was no occasion during which I believe we were in any physical danger from a security point of view. Away from the borders and key checkpoint areas with the PA, the IDF security presence was far less obvious. This was my observation around the Sea of Galilee and at Nazareth and Caesaria. I cannot comment on the situation in Tel-Aviv or its suburbs as we were only briefly on the outskirts of that city when arriving and departing from the airport and travelling along the coast road to Haifa.

Apparently the main threat to life and limb of most Israelis is fellow Israelis behind the wheel of a car. The roads in Israel, while adequate, are probably 10 to 15 years behind Australia in areas outside Tel-Aviv and the approaches to Jerusalem. But there is an enormous car population and the road toll is simply appalling. During the first week we were in Israel, 27 were killed on the roads and not far from the Mount of the Beatitudes in Galilee, we witnessed the aftermath of a most horrific car accident. This was said to me – "Israelis drive with the speed of Italians but without their panache."

I leave you with one other thought to ponder. Frankly, in the months last year when I mentioned to friends and acquaintances of our plans for a

pilgrimage to the Holy Land, virtually the only enthusiastic response was from Jewish friends and Catholic priests. Most people were dumbstuck that I would be thinking of taking my family away to that area. To others it seemed as reasonable to be going 'big game shooting' in Africa or on crocodile expeditions in the tropics.

Since my return I have found simple astonishment that I had come back in one piece, had not lost any children, was prepared to acclaim the pilgrimage as one of the great spiritual privileges of my life and that I would highly recommend it to any believer or anyone else.

I was in Israel in a period of relative calm, the only disappointment was that we did not go to Hebron as we were in Israel the week in which Hebron was handed over to the PA. Our guides thought that it was inadvisable to be in the area during that time. But Israel is not usually or pervasively suffering widespread bouts of violence and social disruption. To those who thought I had been a fool-hardy adventurer, I simply said that they were reacting with thoughtless timidity and harming themselves by not considering what could be the most amazing and fulfilling experience in any form of foreign travel – to the geographical and historical roots of our moral and spiritual lives.

The Holy Land is a panorama of great beauty and contrast in landscape and topography. The Dead Sea and the terrain between Jericho and Jerusalem is unsurpassed for rugged menace. It is a special place, it is a Holy place, it is not to be missed. Thereafter, you may truly say in the words of Psalm 69

"But may all who seek you exult and be glad in you,

And may those who love your salvation say ever, "God be glorified!"

My only reproach to myself is that it should have been the first place I visited when I went overseas. I thought I knew it, but I found I did not. Finally the Holy Land found me. I did not find it. I will soon go again so I conclude with the words of the traditional Jewish refrain – "Next Year in Jerusalem."

Farewell

KEVIN ANDREWS MP

*An address to the St Thomas More Society
given on 8 May 1997*

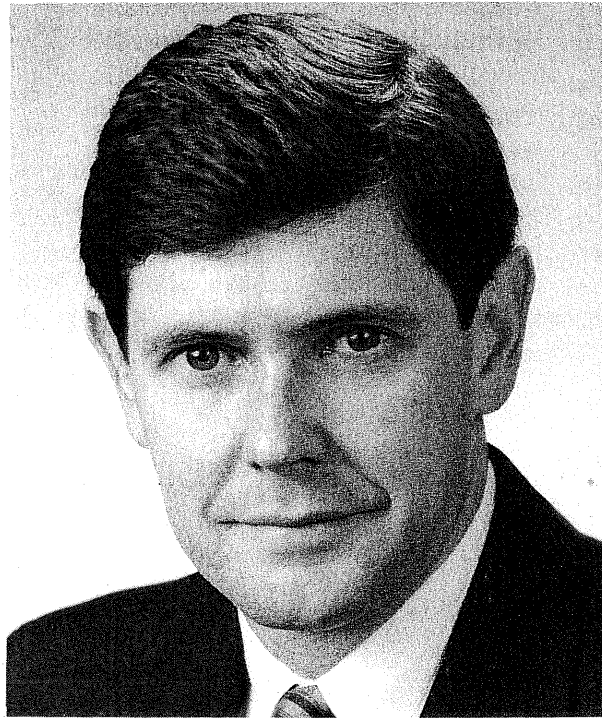
*in recognition of the St Thomas More Award
on the topic of the Euthanasia Bill in the Northern Territory*

A few weeks ago, I walked through Wenceslas Square in Prague. My purpose was to experience something of the place where in the Spring of 1989 thousands of Czecks gathered night after night in peaceful demonstrations that eventually toppled the communist regime. I am not sure what I expected to discover – possibly a small plague on the wall of the building where Alexander Dubcek and Václav Havel had spoken – but I was disappointed too many times in the past to trust history. In any event, they were enjoying the fruits of their success – McDonalds, Coca-Cola and Levi Jeans purchased from shops that once stocked Bohemian glassware in this most beautiful of European cities.

As I walked through the crisp Prague Spring, half the globe away the Australian Senate was beginning a debate about legalising euthanasia. In a sense, my walk had begun two years before when a Canadian Parliamentary colleague sent me a copy of Václav Havel's address upon the acceptance of an honorary doctorate from Harvard University. You may be wondering why I have mentioned this. For me, these events are linked with my presence here tonight, as I would like to explain.

Mr Chairman, it is with considerable humility that I accept this award from the Thomas More Society. To be associated with the name of Thomas More, who five hundred years after his birth is honoured as a statesmen, author, husband and father, and for Christians, a

saint, is a humbling experience. More importantly, I am mindful of the tens of thousands of people throughout Australia, not the least Tony Burke and Jim Dominguez and many others in this room, who have worked together against a culture of hopelessness and despair.



Kevin Andrews MP

With your permission, Ladies and Gentlemen, I would like to explain my reference to Prague.

Almost 50 years ago, after Neville Chamberlain had announced 'peace with honour', Hitler marched into Prague, setting off the conflict that resulted in the division between the east and the west. As we subsequently protested the military occupations of Hungary and Czechoslovakia, recoiled at the horrors of Solzenitsen's gulag, condemned the atrocities of the 'evil

empire' prayed for the success of Solidarity, and cheered the destruction of the Berlin Wall, implicitly and explicitly, we moulded our perception that all change in the west represented true human progress.

Yet our culture was evolving. Increasingly rights – established as a bulwark against totalitarianism, notably the right to life and freedom from oppression – were claimed without consideration of corresponding duties and obligations. A cancer of hedonistic individualism has eaten away at our culture to the point that personal interest and convenience has become the dominant public ethic. But a culture of convenience, exercised unilaterally by one person against another, invariably results in the convenience of the more powerful to the detriment of the vulnerable. Nowhere is this trend more clear than in the case of euthanasia where the so-called right to have someone assist a suicide, once claimed, inevitably leads to the

subjugation of rights of others for convenience. The culture of convenience undermines civilisation itself, reducing all value to nothing, by failing to support the ideal of duty upon which democracy is built. It fails also to recognise the possibility of anything beyond our own intellect.

While political decisions alone do not determine the culture, the actions of politicians can influence the directions of society. Throughout the world today, politicians are held in low esteem. A

common charge is that we are self-seeking, interested in political intrigue rather than the myriad of problems facing ordinary people, and, in some cases, are personally corrupt. Repeatedly, we hear people say: "We want politicians who will act with integrity, who will display the courage of their convictions, who will address the issues and not attack others personally, who will not treat their position as a cover for personal or financial gain or impropriety" – in other words, 'we want you to act morally'. Yet when we do, when we operate as a deliberative assembly in searching conscientiously for the common good for example, we hear the clamour of those who vilify us for infusing politics with a sense of morality!

There is no better illustration of this than in the recent euthanasia debate where those who made a conscience judgement that the best interests of all Australians would have been compromised by legalising lethal injections, have been vilified and scorned, subjected to bigotry, had their motives impugned, and their words twisted.

It is often said that we get the politicians we deserve. But the relationship between members of Parliament and the citizens is two way. It is my conviction that we are elected

not merely to mouth the loudest voices we hear, but to explain, again and again, calmly and patiently, with perseverance and courage, our considered views about the consequences of policies and proposals, while respectfully listening to and engaging others in the discussion. In other words, if we act out of a profound sense of responsibility, with perseverance, courage and humility, we will provide a model to the community that we are elected to lead.

This brings me to Václav Havel. In his address at Harvard, the one-time dissident and now president of the Czech Republic said that the "great task for ... people active in all forms of public life" is to renew our sense of responsibility. He addressed particular remarks to politicians:

The main task of the present generation of politicians is not, I think to ingratiate themselves with the public through the decisions they take or their smiles on television. It is not to go on winning elections and ensuring themselves a place in the sun till the end of their days. Their role is something quiet different: to assume their share of responsibility for the long-range prospects of our world and thus to set an example for the public in whose sight they work. Their responsibility is to think ahead boldly, not to fear the disfavour of the crowd, to imbue their

actions with a spiritual dimension (which of course is not the same thing as ostentatious attendance at religious services), to explain again and again – both to the public and their colleagues – that politics must do far more than reflect the interest of particular groups or lobbies. After all, politics is a matter of serving the community, which means that it is morality in practice...

The coming epoch will be characterised either by belief in nothing beyond convenience, a world in which life is 'solitary, poor and nasty' – or one in which a sense of identity, hope and personal responsibility, and kinship, loyalty and obligation to the community prevail. The choice ultimately lies not in legislation, but in the hearts and actions of each of us.

Ladies and Gentlemen, we can be grateful that your Society continues to recall Thomas More because of the ethic of convenience, whether it be pursued by a King or by the manipulation of public prejudice, is bankrupt; and because personal integrity must always motivate our actions if they are truly to serve the common good.

You find me a most reluctant recipient of your honour as I am very mindful of the many trials and tribulations along the road I have described. With these reservations, I am greatly honoured by your award.

TONY BURKE

*An address to the St Thomas More Society
given on 8 May 1997*

*in recognition of the St Thomas More Award
on the topic of the Euthanasia Bill in the Northern Territory*

Now in that straight matter of fact language which people ultimately are willing to accept, we are talking about the sanctity of life. Nothing less. There is something intrinsically special about being a person and if you are suicidal, sick, healthy, disabled, able bodied – does not matter, you deserve the same

response, you deserve the same level of care. And we talked about those different principles while the language of the pub was there in describing that a couple of politicians in New south Wales thought what they wanted to do as being 'gutless'. What we were saying was take on the responsibility

that is your duty as legislators. And so, I think it is important to realise the principles have always got to be there but the language has got to be something that people are willing to relate to and willing to accept. I know we have all got our own reasons in the campaign but I do not want anything to

think that anything is sold short at any stage. Sure we spoke of some euthanasia — we never sold short any of the issue. And sure we never used the words 'sanctity of life' once but you read the arguments we use and other phrases gave the message in words that people are willing to accept.

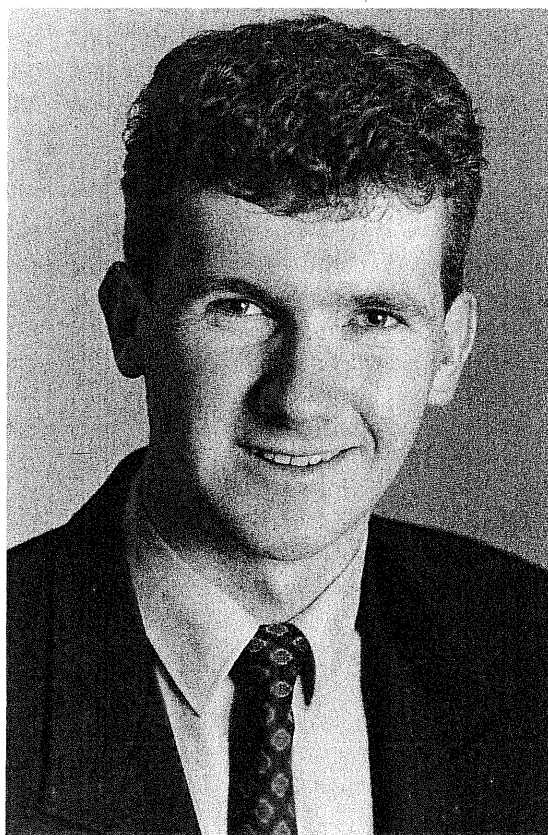
The people who helped us get there really made it happen. Johnno Johnson is not here tonight, he is at another function at which he has shown me the list and he is actually running five raffles this evening at a Mick Young Scholarship Fund and so that is why he is not here. He was the impetus to get it started and understood right from the beginning that if it was to be successful it had to be a cross party effort. He organised the cross party meeting at Parliament House and also organised somebody essentially to be the Chair of Euthanasia No!

And to be an ongoing guide and mentor to me throughout the whole campaign and that is Mr Jim Dominguez. Jim's work during this campaign was extraordinary. His guidance, his counsel and his persistence when something important and if it was not quite getting done on time and his attention to detail, were absolutely second to none and no-one should pretend that we would have got here without Jim's support and I would like to acknowledge that now.

The person who waved the banner and who got the credit but also received the hate mail was Kevin Andrews. You have got to remember while it is easy for people like me to do the backroom stuff and it is wonderful to get the credit for it, because you are in the backroom, you are not in the public eye and you do not have to put up with the personal angst or the venom that pours towards you. Throughout the campaign, Kevin never made a fuss of it, he just put up with it and got on with the job. Kevin to his credit has achieved more already during this time on the backbench than many ministers do in their parliamentary careers. The impact that Kevin has made

is something for the history books and that is no exaggeration. I am pleased to say that during the course of it he has become a great friend and also I am pleased to say that he says 'mate' a lot more often than he did when we first met.

A few people worked fulltime in that office and when I say 'fulltime' I mean every waking hour. During the time that submissions were open for that Senate enquiry and the result was good, close to double the highest number that had ever previously been received by an enquiry



Tony Burke

with over 93% going our way. The people who throughout that campaign worked tirelessly deserve credit. Two of them are here tonight and you might know them but if I could just indicate and they both deserve a real round of applause. First of all to the person who worked there through over a year and organised all the grass roots work in Tasmania, South Australia, Queensland

and a lot of the Victorian work as well, is Matthew Vantempest who is the National Organiser and it would not have happened without Matthew.

As a Society of people involved in the law, it is important to do what we can to make sure that no-one suffers for their involvement in this work. Mary Snell was the legal officer and is somebody who put-off for six months the opportunity to try to — if she had done a College of Law section in Articles or whatever the next section is called — put it off for six months because of a commitment to this campaign, she is someone who, if I can say to those involved in law firms, is now looking to get her Articles through a law firm and somebody who I can say as a worker is absolutely first class and who was responsible for co-ordinating the legal work and the submissions to enquiries throughout the whole of Australia and so thank you very much.

What I would finally like to do is a general recognition to all the members of the Council of the Thomas More Society. They all put up with me being a Council member and basically being interstate, although Cathy put up with me being a husband and being interstate! In the same way but the Thomas More Society was a great strength and in every other State people would say when we were organising the work amongst solicitors and barristers — if only we had an organisation like that and a number of them are trying to get something established as a result of the contact they have had through this campaign. The strength of the Society is in no small measure of credit to the work of John McCarthy and for John this honour on behalf of the Society is to express sincere thanks.

But it's worthwhile reflecting also on who the campaign was all about. Who were the people whose futures were actually at stake.

I'd like in closing to refer to two people from completely different

backgrounds who helped to remind those working on the campaign, just how important this all was.

When we had the run of meetings around NSW, 32 meetings in 33 days or something like that, a man by the name of Mario Bianco turned up to the meeting at Haberfield and ended up becoming the convenor for the Haberfield region. As the campaign went on Mario became one of the most loyal volunteers we had.

As it turned out some years ago Mario had an industrial accident. While he was working on a building site a vehicle fell on him. He was told his prognosis was short. He was told that even if he did unexpectedly recover he would never walk again. In his own words "I wanted euthanasia and wanted it bad." If it had been legal he would now be dead.

He was glad to be alive and was completely committed to doing whatever he could to help with the campaign.

At a lunch last year he thanked all those who were working to help people like himself people who he described as vulnerable. Because the people who had

the most to lose with the passage of laws permitting euthanasia were largely people with little access to the resources required to run a campaign.

The other person who was not sick but statistically has every likelihood of an early death was William Gulwin. I met William at a town called Yarralin. Tennant Creek is half way between Alice Springs and Darwin. If you then go half way between Tennant Creek and Darwin and about 30 km west you are in Yarralin. It is remote to say the least.

I gave William a lift from Yarralin to Timber Creek which was a drive for about three hours north. On our way William explained how the euthanasia law had damaged the trust between the health clinic and the community. He named various people, old and sick, who had been avoiding treatment because of fear. He refused to listen to any talk of safeguards. White promises had been broken too many times before. It was not some irrational fear. It was fear based on experience; based on living memory, based on recent history.

But there was one comment from William Gulwin that encapsulates what

this gathering, what the Thomas More Society and what Thomas More himself is all about.

William said:

"You white fellas make no sense whatsoever. I can't work out this euthanasia law. Where's the source. It doesn't come from traditional law. I doubt whether this one even comes from white fella law. White fella law just doesn't make sense. White fella is always changing the law. Changing the law all the time. Black fella law never changes. That is why it is the law."

No political change is permanent. The battle of ideas and beliefs will continue. That does not make a change inevitable. It does not make what was done this year any less significant. It was a victory to the extent that there ever is a political victory.

Vulnerable people who needed assistance and support were given it. We helped people who needed helping and defended principles that needed defending. No debate on any issue ever really ends.

In various ways, we all shared in the work and co-ordinated effort. In turn we all share in the result.

OFFICE BEARERS OF THE ST THOMAS MORE SOCIETY

Patron His Eminence,
Edward Cardinal Clancy, AC, KGCHS

Spiritual Director Rev Father Brian Byron DD

Executive President	John McCarthy QC	Barrister
Secretary	Phillip Boyd	Solicitor
Treasurer	Anthony Reynolds KHS	Barrister

Councillors	Peter Dwyer	Barrister
	Anthony Monaghan	Barrister
	Dr Warwick Neville	Solicitor
	Andrew O'Sullivan	Barrister
	Gregory Poole	Barrister
	Helen Reed	Solicitor
	Anthony Restuccia	Retired Solicitor
	Bruce Smith	Barrister
	Robert Webb	Barrister

COMING EVENTS

WEDNESDAY, 28 OCTOBER 1998.

The 1998 Annual General Meeting of the St Thomas More Society will be held on Wednesday, 28 October 1998 in the Victoria Room, The Royal Automobile Club of Australia 89 Macquarie Street, Sydney at 6.15 p.m.

This function will be preceded by Mass at St Mary's Cathedral at 5.30 p.m.

Our guest speaker for the evening will be —

Professor Alice Tay AM, FASSA
Challis Professor of Jurisprudence University of Sydney
President of the Human Rights and Equal Opportunities Commission.

A notice of this function will be forwarded to members of the Society at a later date.