



# HOME

## RACE JOURNAL 2019

SYDNEY UNIVERSITY LAW SOCIETY

### EDITOR-IN-CHIEF

Rameen Malik

### EDITORS

Annie Chen  
Tahmina Rashid  
Shivani Sankaran

### ETHNOCULTURAL

Luckme Vimalarajah *SULS Ethnocultural Officer*

### DESIGN

Christina Zhang *SULS Design Director*

### COVER ART

Ferdous Bahar

### PUBLICATIONS

Jeffrey Khoo *SULS Publications Director*

### SPECIAL THANKS

Ferdous Bahar  
Dr Louise Boon-Kuo

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### ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge and pay respect to the traditional owners of the land on which we meet, the Gadigal people of the Eora Nation. It is upon their ancestral lands that the University of Sydney is built. As we share our own knowledge and learning within this University may we also pay respect to the knowledge embedded forever within the Aboriginal Custodianship of Country.

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# ACADEMIC'S FOREWORD

BY: DR LOUISE BOON-KUO

When Rameen Malik asked me to write the foreword for this journal, and I read that the theme was 'home', I thought, oh, this is complicated. It is one short word composed of four letters, but a word which invokes such powerful associations with experiences, emotions and politics. And of course, the notions of home and belonging are bound up in law. Like some of the contributions to this volume, many of us have had our belonging repeatedly questioned. At the same time as an Australian citizen and non-Indigenous person my 'legal right to belong is sanctioned by the law that enabled dispossession'. [1] I was born into a racialised power structure that is founded on the denial of Aboriginal and Torres Strait Islander peoples' sovereignties, belonging and relationship to country. Scholar Aileen Moreton-Robinson, a Goenpul woman from Minjerribah, Quandamooka First Nation, talks about the nation's legal regime as placing 'Indigenous people in a state of homelessness because our ontological relationship to the land ... is incommensurable with its own exclusive claims of sovereignty'. [2] Discussion of 'home' in Australia thus goes directly to the very foundations of the nation in British colonisation and what this means for us all today.

## TELLING STORIES

This collection is full of stories that might be understood as a means of 'psychic self-preservation', an antidote to demoralisation and self-condemnation. [3] Storytelling 'emboldens the hearer ... Having heard another express them, he or she realizes, I am not alone'. [4]

In critical race theory (CRT), outsider storytelling has been held out as having radical potential. Indeed the struggle for racial justice has been cast as a 'war between stories'. [5] For 'outgroups' stories can be a survival strategy that allows for connection and enables centring of the truth of one's own narrative, rather than, as W.E.B Du Bois writes, 'always looking at one's self through the eyes of others'. [6] And stories, Richard Delgado argues, have the potential to topple the foundational myths of legal neutrality that have institutionalised a reality in which racial hierarchy appears unremarkable. [7]

However, the radical potential for storytelling always confronts the fact that we live in a world of deeply structured inequality. Whether and how stories enter the public domain, and what happens when they do, itself is shaped by relations of power. Kurdish-Iranian journalist Behrouz Boochani, who has been detained on Papua New Guinea's Manus Island for almost six years, painstakingly wrote his book *No Friend but the Mountains* in Farsi on a mobile phone that he kept hidden in his mattress, the book the result of thousands of text messages smuggled from Manus Island which were then translated and reassembled. [8] A literary work, which achieves a truthful account through characters whose identities are fiction as a means of protection, it shares the lives of those subject to the cruel politics in which refugees are made hostage to the Australian state performance of power. This book is markedly different from the refugee narratives that are more commonly found in the public domain - narratives which aim to gain empathy for those who have sought safety through emphasising the economic and cultural value they bring, rather than confront the legitimacy of violent border policing. But to achieve the political and social change that is part of the book's aspiration, it must be read, and moreover, heard.

## LISTENING

As lawyers, future lawyers and staff of legal organisations, we know listening to be a crucial part of our work. Listening across difference and hierarchies, truly opening ourselves hearing the claims, experience and vision for justice as articulated by individuals and communities is both a measure of our skill and an ethical imperative.

In part this involves reading outside case law and legislative materials and being attentive to the many spaces in which justice claims are articulated. Nicole Watson, a Munanjali and Birri Gubba scholar, argues that lawyers should read Indigenous literature as a vital 'source of information in relation to how Indigenous people view justice ... as the steps necessary in order for Indigenous people to begin to recover from the legacies of colonisation'. [9] Because Indigenous literature is intimately tied to Indigenous movements, it can help lawyers move beyond a narrow vision of justice patterned by legal mechanisms such as native title and to see how the impoverished reality of such laws fails to encompass the aspirations and actions of grassroots Indigenous movements. [10]

Recognising one's own cultural subjectivity and limits of comprehension is also a necessary step towards hearing people's justice claims on their own terms. In academic texts this reflexive move can mean situating oneself in our own writing, and this is apparent in the contributions in this journal. Feminist and Indigenous standpoint epistemology starts from the premise that knowledge will always be informed by interests, desires and the world view through which it is presented. Standpoint epistemology contends that is not through a disinterested engagement with the world but through 'struggling to understand one's experience through a critical stance on the social order within which knowledge is produced' that enables a more objective understanding of the world. [11] The contributions in this volume engage in the honest and hard reflexive work that is required to notice the role of law and society in constructing inequality and to meet the challenge of listening and sharing across difference.

Many congratulations to all those who contributed to the pages and worked behind the scenes for this issue to manifest.

# EDITOR-IN-CHIEF FOREWORD

BY: RAMEEN MALIK

*"At the end of the day, it isn't where I came from. Maybe home is somewhere I'm going and never have been before."*  
- Warsan Shire

The Australian identity never was and never will be a monolith. It has evolved through waves of history, from the never forgotten invasion of Aboriginal land to the movement of identities and cultures across seas. Yet, there are still those who will close the same doors that have been opened from them in the past amongst those with open arms.

This year's theme for the Sydney University Law Society Race Journal is 'home', challenging traditional constructs of physical and social identity through the lens of people of colour who have quite often excluded from narrations of Australian history. The word 'home' is loaded -- the year's contributors have defined 'home' as something which is not pinpointed to a particular place, it is overcoming adversity yet at the same time with overarching optimism and hope.

Shom Prasard's piece recounts her experiences of transitioning from growing up in Western Sydney and overcoming the doubt and intimidation that comes with entering an institution such as Sydney Law School as a person of colour. Aishah Ali transitions us into the working world, amongst tailored suits and high heels as she toes the line between her Muslim identity and the legal profession. For her, home will always be in the little comforts and for Kiran Gupta it's in the world of musical theatre. Kiran asks, if those telling stories in musical theatre don't look like me, then does it have a home for me?

Vinuri Gajayanke's deeply reflective writing tells of her struggles grappling between her Sri Lankan identity and seeking approval from the colonial Australian identity. For Vinuri home is the point at which we stop turning away from ourselves and celebrate uniqueness. Annie Chen deconstructs the age old and often uncomfortable question "Is English your second language?". We see her child like innocence morph into a tugging between her Chinese and English tongue and let's home settle amongst her relationships and simply her, Annie.

Al-Shayma Nahya's vivid retelling of arriving to her parent's homeland Jordan, a familiar yet unfamiliar landscape. Every observation and interaction builds on the nervous anticipation of seeing faces that look like yours but not recognising them. We see the metamorphosis of nerves into excitement and child like wonder. On a similar vein, Fatima Ibrahim review the anthology '*Arab, Australian, Other: Stories on Race and Identity*' on the foot of her travels to Lebanon and the ghurbe (nostalgia) to lands so far away. She embraces the power of stories and literature to help enliven the nostalgia and create hope. Sharnay Mkhayber translates home in the most intimate of ways through her poetry, the first through finding home in our bodies, praising every part of its spirit like prayer and secondly through an ode to her jedo (grandpa), his struggles, patience and resilience as he plants roots in new lands.

Sarah Charak reflects on her granparent's jewish identity and migration through her academic scholarship in reconciling and finding the place of jewish identity amongst the white Australia policy. It is clear from Sarah's piece that the Australian identity is no longer defined by whiteness, it is the waves of migration that will always cause it to ebb and flow and the question is, how will history memorialise it?

I would like provide a special thanks to Amani Haydar for her artworks 'grandmas in the park' and 'the weight of justice' and for putting us in contact with Pan Macmillan for the review of '*Arab, Australian, Other: Stories on Race and Identity*'. She has been an enthusiastic ally and supporter of the Race Journal since its beginnings and we thank her for that. Similarly, the conception of the Race Journal itself would not have been possible without Ferdous Bahar's passion and vision, she still continues to leave her mark with this phenomenal cover art. To Dr Louise Boon-Kuo, voices like yours in legal scholarship are so fundamental and important in paving the way for so many emerging voices in the legal profession. Your deeply reflective forward is a testament to your passion for our cause.

I would like to thank my Editors Annie Chen, Shivani Sankaran and Tahmina Rashid for their help on this journey. I would also like to thank Ethnocultural Officer Luckme Vimalarajah for holding my hand through this process. We are grateful to Design Director Christina Zhang and Publications Director Jeffrey Khoo for their assistance in materialising our vision through design and print. Finally, to our readers -- we can only hope we have created a small space for people of colour and allies alike to find familiarity amongst these words and we hope to do so for editions to come.

# MY HOME, SYDNEY LAW SCHOOL

BY: SHOM PRASAD  
*(JD I, USYD)*

We all have different versions of what we call "Home". Our understanding of Home as a concept is greatly informed by our likes, what makes us feel comfortable, who we surround ourselves with and where we feel most at ease.

Throughout our lives, what we consider to be Home changes as we relocate, meet new people, see new places and grow from our experiences. For some of us, Home could consist of more than one place: perhaps two or three places that we feel so connected to that it never waivers our feeling of belonging to it, no matter where we go.

From when I was very young, I affixed the concept of Home to Liverpool – a suburb in South-Western Sydney. The sense of belonging I felt to my town was an unwavering love for the multitude of diverse people, cuisines, cultures and surrounding family and friends. Everything and everyone I knew and understood was within a ten minute commute. To me, it was perfection and my first true understanding of what a Home should feel like.

And in the heart of South-Western Sydney, I attended a public high school where I made the best of friends and had my most memorable experiences. There were over 56 different cultures represented at my school. On Harmony Day each year, we sang and danced to Bollywood songs, moved to the beat of Goblet and Djembe drums, and ate the cuisines of the world to our hearts' content. Something about this diversity felt homelike. Although I could not understand the languages spoken by some of my friends, I knew that our experiences were shared in many more ways than just speech. We were all individual puzzle pieces that came together to create a picturesque landscape: one that we all identified as Home.

During my time at school, my days consisted of walking from Liverpool Station to the school grounds, where we were always told to be careful as we crossed through Bigge Park. Our afternoons would consist of walking to Westfield Liverpool to share an afternoon meal, and then making our way to the station to catch the bus home. Sometimes, we would walk through the bustling lane of Macquarie Street, where you could see elderly men of various cultural backgrounds bonding over intense chess competitions, as the aroma of different cuisines wafted through the street. This was Home.

Before starting my degree at the University of Sydney, I had scarcely ventured into the Sydney CBD.

However, in 2013, when I began my undergraduate degree in Economics at Sydney University, I experienced quite a culture shock. There was a huge underrepresentation of people of colour. Most of the students had attended expensive private or selective schools, and many did not even know where Liverpool was. It was an eye-opening experience. I remember one person mentioning that Newtown was the furthest "west"

she had travelled. Newtown is only a ten-minute walk from the main campus of Sydney University. I wondered if she was joking.

During this time, I remember thinking to myself that I would never be able to feel comfortable in this foreign environment. My experiences were too dissimilar, my background unfamiliar to other people, and even something as basic as the way I conversed with people was different. I feared I would be judged, and I was incredibly unsure of whether my differences would be accepted and appreciated. I was out of my comfort zone and felt like a pariah during this time. I thought that Sydney University could never be a place I could call my Home. In fact, during these years, spending time with my friends at Western Sydney University made me feel more at Home than time spent at my own university. In 2015, I was diagnosed with depression and I felt as if life could not get any worse. All I wanted was to get out of this place.

Upon nearing the end of my Economics degree in 2016, I remember feeling a sense of relief that I would not have to come back to this university ever again. I knew I would graduate, go on to start working and go back to spending more of my time closer to my hometown. But this time, something inside me had changed. I remember feeling a knot in my stomach as I walked to Redfern Station after class one afternoon. As much as I was ready to escape Sydney University, I was not ready to start full-time work. I felt a desire to continue studying, and decided to apply to Sydney Law School. I knew deep down, the Year 12 Legal Studies student in me knew she could do it. I felt like my journey with this institution was incomplete, and there was an innate desire to prove myself and to challenge the previous assumptions I had about Sydney University.

In 2017, I started my Juris Doctor course. For a woman of colour raised in South-Western Sydney who attended a public school in the local area, going to Sydney Law School was a huge step. Nobody I knew had been to Sydney Law School, and I knew that I was embarking upon an unknown path. It was terrifying. Thankfully, I was surrounded by my family and friends, who encouraged me to follow through with what I had started. I made lots of friends at the start of my course, joined Enactus Sydney as a summer intern, and felt a little more comfortable manoeuvring my way through the different aspects of university life.

However, starting law school was another battle within itself. Law school was difficult – it was nothing like I had ever experienced before. The expectations were high, the workload was intense, and time was limited. But more than that, it was the privilege that surrounded me that I could not fathom. As much as I did not want to put it down to something as simple as this, it was true that a difference in background and life experiences impacted my ability to get through law school.

The turning point for me was towards the end of my first year of my Juris Doctor course, when I was vigorously studying for the Public Law final exam. A bunch of students and teachers from my high school had come to my university for a science excursion. Upon seeing me, my teachers rushed over to greet and embrace me. They asked me what I was doing, and I told them that I was studying law. I remember my Year 10 Science teacher pointing to the New Law Building, exclaiming, "You mean, you study law here?" When I nodded in agreement, they congratulated me and wore wide, happy grins. They were proud of me and in that moment, I realised that I too was incredibly proud of myself.

Times are still tough though. The trek to and from university is tedious and balancing work is never easy. During my time at law school, I have worked three jobs and at times have had to manage two jobs whilst undertaking a full-time study load.

And being a woman of colour living with her family presents its own struggles. In my culture, it is the norm for the eldest daughter to take care of her family, which is part of the reason why I have never moved out of home to live closer to campus. While my parents are very understanding, my own sense of familial obligation has always made me feel that it is my duty to remain with them at home.

Yet in spite of these adversities, I have had wonderful moments throughout law school. Perhaps it is these moments that have made me feel that Sydney Law School, and more generally Sydney University, has now become a room in my Home. I have met some of the most talented and hardworking people at this institution, some of whom have gone on to become the closest of friends. I have been taught by professors, who are dedicated not only to their research but also to enhancing our learning experience. And as I walk into the New Law Building every morning, I know that I can rely on the friendly staff at Taste to have my coffee ready for me to start my day.

The decision to study at Sydney Law School is one of the proudest and most defining moments of my life. Sitting in my Advanced Constitutional Law class as one of few women of colour, I am reminded of the journey that I am still on with coming to terms with my identity as a woman of colour who has come from a predominantly multicultural demographic. The world of Sydney Law School is very different from my childhood home – but there is no denying that there is now at least one room in my home that has been visited more regularly than others with experiences that I have had at Sydney University for the past seven years.

Perhaps this is why the Year 12 Legal Studies student in me decided to pursue law. Perhaps she knew that connecting these two paths would in some way lead her to discovering a new aspect of her home; one that she now understands and accepts. The initial decision to step outside my comfort zone

was crucial for me to get to the stage that I am at today – a more confident, self-assured and empathetic version of myself.

For now, Home to me is a combination of many things. There is no denying that most of what I understand my home to be consists of what and whom I was brought up with in my hometown. However, a significant portion of my Home also incorporates all of my experiences at Sydney Law School; both the good, and the bad. It is a place not so foreign anymore and a place where I now find comfort. **No matter where I end up, and no matter how my home changes in the future, Sydney Law School will always hold a special room in my idea of home.** ■



# ONCE UPON A TIME IN MARTIN PLACE

BY: AISHAH ALI

*(BACHELOR OF COMMUNICATIONS (SOCIAL & POLITICAL SCIENCE)/LLB IV, UTS)*

As immigrant kids,  
we have gratitude etched on our ribs  
so we walk into workplaces with servitude  
written on our lips,  
we are glad we are here,  
someone finally let us in

As human beings we adapt quickly, cushion ourselves into new environments and tuck away anxiety with affirmation. We attempt to create home in friends, in that cozy cafe around the bend from uni and in workplaces that aren't exactly celebrated for their inclusiveness.

I have never ever found a space where I wholeheartedly, unconditionally belong.

Yes - that is heartbreaking. But it is a fact that I have never been overwhelmed by, nor do I let it control me. Acceptable is a fleeting feeling. It is never triggered by your comfort level, but everyone else's comfort level around you.

This state of mind probably rings true for a vast majority of second-generation immigrant kids, but for me, it is amplified by being a visibly Muslim woman.

I've had two major jobs in Martin Place. In both jobs, I was unsurprisingly the only Hijabi—which of course never bothered me. I had no expectations of working mid-city and experiencing any sort of diversity.

However, my very existence seemed to be perpetually on trial. Blatant stares and constant up-down inspection were peppered throughout my working hours.

I thought if I wore a  
suit just like them,  
spoke just like them,  
worked just like them,  
they would treat me—just like them.

Throughout this process, it never occurred to me that despite my efforts to cloak my identity, my hijab would always be seen before my intelligence. I knew that to make myself feel at home, I have to prove my worth.

The legal environment, with its endlessly curious participants and ever objective arbitrariness come with a myriad of questions, might I add—at times—ignorant questions. I'm chatty, malleable and palatable, so I've been able to spill into confronting conversation with relative ease.

But, does that mean that I found home in these spaces? Or just built myself to fit their bill? I don't really have a full answer to that yet. All I can say is, in my new workplace, there's a receptionist who bandaged me up after a fall with no second thought, a PA who I have endless chats with about *The Handmaid's Tale* and a barrister who gives me a tonne of work with perfect indifference.

**Maybe home is here, the coffee machine and plush carpeting sure helps. ■**

MUSICAL  
THEATRE IS  
MY HOME, BUT  
IT DOESN'T  
LOVE ME BACK

**BY: KIRAN GUPTA**

*(BA (MEDIA STUDIES)/LLB I, USYD)*

Many people have a unique relationship with musical theatre. For some, it presents an opportunity to lose oneself in the intricacies of song and dance. For others, it offers representation by way of nuanced characters, when they lack such connection in their lives.

It is a "home" for them, a safe space for outsiders to reflect on their place in the world. In keeping with this, it should be a place celebrating equal opportunity. While steps are being taken to ensure this, progress is still very slow in correcting racial discrimination within traditional casting processes. One might assume that there are sufficient legal protections in Australia to combat racial discrimination in musical theatre but this is hardly the case. This means that musical theatre is often not a home for so many of the people who need it to be.

A 1988 article in *The New York Times*, "NONTRADITIONAL CASTING; When Race and Sex Don't Matter", outlines that "Non-traditional casting is actually realistic casting; minorities participate in all aspects of life. The stage is the Actor's workplace."<sup>[1]</sup> Non-traditional casting is simply a fair representation of modern-day society.

Contemporary musical theatre producers are beginning to recognise the need for non-traditional casting that reflects society as it is today. Examples include the casting of George Washington in *Hamilton* as African-American and Eponine as African-American in *Les Misérables* on the West End. Indeed, with the rise of non-traditional musicals such as *Hamilton* and with the rise of non-traditional casting to over 10% in the 2014-15 Broadway season,<sup>[2]</sup> it would seem that society is beginning to see the necessity of non-discriminatory casting in creating a sense of home.

We should also note that inclusivity is becoming increasingly discussed in other employment sectors. *The Racial Discrimination Act 1975* notes that it is unlawful to fail to employ someone by reason of race.<sup>[3]</sup> The Human Rights Commission revealed that 97% of Australia's chief executives have an Anglo-Celtic background and consequently introduced the *Leading for Change* initiative to address this.<sup>[4]</sup>

The Australian theatre scene is vastly different. There is little to no discussion about casting choices in Australia. *The Daily Review* goes as far as to say that racial controversy in Australian theatre is generally met with "silence from the industry."<sup>[5]</sup> This begs the question as to whether a culture of silence really benefits the industry that so many call home or whether it simply alienates people further in a field where so many people are already rendered outsiders in society.

It may seem as though the implications of racial discrimination in musical theatre are fairly localised, however, such a practice can actually have broad consequences. Musical theatre provides an opportunity to reflect society and especially, society as it is now. A lack of representation of minorities in musical theatre can further the "othering" of

these minorities in wider society as they are simply lacking the representation that is required to accurately portray them. Consequently, this can lead to a lack of opportunities in other spheres as well. As discrimination becomes normalised, it emphasises the clear fact that current legal protections are not sufficient as they simply do not have the scope to address what is becoming a systemic issue.

Without sufficient legal protection, there seems to be only one way to address the issue of systemic discrimination in musical theatre. We must create a culture that resists the normalisation of racism and regressive values. When more opportunities are afforded to diverse casting roles, the more we as an audience are accustomed to seeing non-traditional casting as normal. As this becomes normalised, the less any form of debate is seen as an affront. Consequently, the term "playing the victim" won't be thrown around just as much -- A term which in itself is incredibly damaging as it further disempowers the few who have the courage to speak up about this issue.

If inspiration is needed, we can turn to the United States. There, a sense of home is starting to be created in the musical theatre world. #Tonyssowwhite discussed the racial homogeneity of musical theatre awards shows and as such created a conversation about prejudice that sparked some social change. That is the progress that needs to be made in Australia. The question then arises, could the same thing happen in Australia? At this stage, the answer is probably not. This is due to a lack of legal protection and indeed conversation to mean that any form of systemic change is impractical for the foreseeable future. **The point is that the very creation of dialogue can help in building a notion of home for those in musical theatre and to aid in fostering substantive change.** ■

# THE STORIES WE TELL OURSELVES

BY: VINURI GAJANAYAKE

*(D I, USYD)*

Maya Angelou once described home as 'the safe place where we can go as we are and not be questioned'. Like many first-generation immigrants, I could never pinpoint 'home' in this sense, because no matter how well I spoke English or how many friends I had made in Primary School, a part of me always felt like I didn't quite fit. From an evolutionary standpoint, I suppose you could say I was living in constant anxiety because I never felt completely liberated from potential rejection. I never felt completely safe.

My world changed when I visited Sri Lanka for the first time since moving away. What a surreal experience it was for seven-year-old me to walk amongst a sea of brown skin and black hair, and for the first time ever, feel like the norm. That visit was also the first time I felt that now ever-familiar sense of disillusionment with the life of privilege that I led in a first world country. I found myself pondering about what the purpose of my existence was, other than to reap in the luxuries of a world that the people who looked like me, 'my people', would never even be able to fathom. I'd later come to realise that this feeling had a name. It was survivors' guilt, and it would become the core influence of the sense of duty that I felt towards bringing liberty, justice and prosperity to my home country and to my pursuit of the legal profession.

As I returned from that trip with a newfound grasp of my identity and a sense of direction and purpose for my life, my disillusionment and confusion grew beyond guilt as I grew older and explored the Western culture's conception of 'liberty, justice and prosperity' further. In high school I had read Plath and Eliot to learn about the human psyche, but instead of becoming inspired by their words, I had become increasingly obsessed with proving to any and every white person I saw that I was proficient in English, to the point of refusing to call my dad the Sinhalese word for dad, 'appachi', in public. In my teenage years I'd see models and celebrities on social media, and on top of engaging with fad diets and makeup, I would spend hours researching the 'safest' skin bleaching creams. As I discovered Elton John and Queen, I stopped singing Sinhalese songs at our community functions because I became convinced that the songs they asked me to sing "lacked musical complexity and depth". Eventually, as I reached adulthood, my parents and I barely communicated because I'd dismissed all their advice as the product of a 'cultural gap'.

That survivors' guilt was growing into shame, but I was in complete denial of my toxic mentality. That is, until a fateful trip to the beautiful Lion's Rock in Sri Lanka last year. At one point during the day, I needed to go to the toilets. There were two blocks that looked like toilets, and as I started walking towards one of them, I was directed by a cleaner outside to go into the other one. As I entered the toilet, I noted how poorly maintained it was; the muddy floors, the broken taps, and the drenched toilet paper sprawled across each cubicle. Later on, I noticed my mum being directed in the same way, but as I waited outside for her, two Caucasian women walked towards

the same block. I waited for the cleaners to redirect them, but to my surprise, no such direction arose. I mentioned the discrepancy to my mum who then stormed towards the first block, ignoring the cries of the cleaners urging her to go into the other one.

When she returned, a fire burned in her eyes as she said, 'it's absolutely spotless'.

The nonchalant response of the cleaners as she asked them why we were redirected but the Caucasian women weren't still haunts me.

The other toilets are for foreigners. Our people are messier.'

It is safe to say that in that moment, my entire being was consumed by anger. Anger towards these women who thought it was okay to only clean the toilets that 'foreigners' used, towards the colonial notions of 'sub-humanness' that they perpetuated, and towards everyone who complacently allowed this toxic inferiority complex to continue. As I pondered deeper into these feelings however, I came to the much darker realisation about the root of my anger. My internal monologue, this sense of 'cultural cringe', had physically manifested in front of me in the form of these cleaners, and the true abhorrence of my self-criticism was becoming undeniably evident. I was one of these people who had 'complacently allowed this toxic inferiority complex to continue'.

This cultural cringe had begun to overpower the acceptance and inspiration I used to feel amongst 'my people' in Sri Lanka, and eventually I barely felt any connection to the country at all. In contrast, the more I acted 'Australian' the more 'Australian' I felt, although once again I never felt completely liberated from potential rejection because frankly, I looked so blatantly different. How could I be angry at these women for their beliefs when mine, albeit a bit more subtle, were no different? And if this were true, what did that mean for my worldview? As my impulse to bring the benefits of Western society to Sri Lanka, often described as a 'missionary impulse', grew, I was forced to face the perhaps ugly truth of my desires. Was it possible that as my perceptions and interactions with these two societies changed, the deep rooted motivations for my altruism had simultaneously developed?

If I were being honest with myself, I had (and still have) a yearning for acceptance by the 'white man' and the society I live in at the expense of rejecting the one I was born in. On the one hand, I am forever guided by my survivors' guilt and love for Sri Lanka, but on the other, I am continuously intoxicated by the belief that Western influence is the only way forwards and by my desperation to show my peers that I was 'Western' enough. Whilst the rule of law and democratic values are things I wholeheartedly believe in, some aspects of legal tradition, such as personal inviolability and autonomy, directly clash with the Eastern values such as family and duty

upheld in countries like Sri Lanka. To justify the paternalism and intervention that would be required in merging these two worlds, 'cultural cringe' is almost a prerequisite. Without it, one would simply ask, 'why fix something that isn't broken?'. In fact, this has been a key sociological tool used by colonialists to expand their influence. For the empires to prevent revolution, locals needed to be convinced of both the superiority of the imperialist ways of thinking and the inferiority of their own.

I appreciate that at some points it may appear that I am painting all immigrants with humanitarian and altruistic dreams to be purely motivated by shame, and to that I wish to clarify that I am only speaking for one immigrant—myself. After all, we're not a monolith. Similarly, shame is not my primary motivator either, but rather a coping mechanism for one very human desire; to be accepted. My two worlds, my two cultures, my two languages and their methods of maintaining civil society, are so radically different. Shame and rejection were my tools for disassociating myself with one of them so that I could overcompensate for my insecurities within the other.

'Life would be so much easier if they weren't so different', I thought. When I discovered international law and diplomacy, this possibility of amalgamating my two worlds finally came within reach. I thought that once I connected my two societies, perhaps I'd be accepted by both. Perhaps I'd finally have a safe place to go. Perhaps I'd even finally accept myself. Of course, we've all read enough self-help books to know that searching for external validation never ends well.

After coming to these realisations and writing this, these deeply ingrained insecurities didn't magically vanish. I don't think I'll ever feel like there is a 'place where I can go and not be questioned'. What I hope to do, however, is to constantly challenge the dialogue inside my head. **As people of colour, the stories we tell ourselves about our heritage play a huge role in shaping our aspirations, our interactions with others and how we show up in the world.** Maybe by critiquing them and being brutally honest with ourselves in the way that I have attempted to do here, we will see that 'home' is a state of mind rather than a physical place; that is, the point at which we stop rejecting ourselves and the stories of our ancestors to overcompensate for our uniqueness. This gives us power, because then it can never be taken from us ... again. ■

A JOURNEY OF  
A THOUSAND  
STEPS, ONLY  
TO ARRIVE  
WHERE IT ALL  
STARTED...HOME

BY: ANNIE CHEN

(B. COMMERCE/LLB III, USYD)



I was once asked, "Is English your second language?"

So taken aback by this question, I fumbled for words. Did they not think that I spoke English with a fluent tongue? I was born here! In that moment, I felt like I was an alien, and that I did not belong. I felt Australia, a place I call home, slip through my fingers. Growing up, I had a happy childhood filled with joy and never once did I question who I was. I am Annie and that is that. My race, at least in my blissful mind, did not factor into the equation as an addition or deduction to my overall worth. Yet as I've come to enter into adulthood, the question of who I am has seemed to become an obsession of sorts.

The desperate need to find my identity engulfed me during my exchange to China – the birthplace of my parents. Often times as I explored the cities of China with my friends, who were European, taxi drivers would assume that I was a tourist guide. Amusement and curiosity would soon follow suit when I would disclose that I was in fact, an Australian. This happened on multiple occasions and each encounter brought about the question of "who am I?"

Although I can speak mandarin to the standard of a primary school child, I can neither read or write Chinese characters. Perhaps the most comedic memory I have of my time in China is when I was ordering lunch at the campus cafeteria. Wooden planks hanging above the stall were inscribed with the names of the dishes in Chinese characters. Not being able to read them, I asked the serving lady what dishes were being served that day. She simply pointed gestured to the planks.

Embarrassed, I told her I could not read the characters. Her mouth fell ajar as I am sure she wondered, how could a university student not know how to read? To break the somewhat awkward silence, I informed her that I was an overseas exchange student. So sure she had been that I was a local student, that the news of my nationality caused her to break into a joyous laugh. Her initial shock quickly turned into empathy as she kindly read out the dishes on the planks one by one to me.

China was an interesting experience to say the least. Whilst in the bustling city of Beijing I looked like everyone else, I was too "white" to be considered Chinese and yet appeared too "Chinese" to be considered an Australian. Enshrined in a state of limbo, I would wander through the streets in a daze. Disconnected from two cultures at once plunged me into a spiral of nagging thoughts. Stuck in between my nationality and my ethnicity, I felt my being dissipate into the polluted city air.

Yet in spite of the psychological maze I so desperately tried to solve, my time in China gifted me with a moment of profoundness. Sitting in a class one day, my dear German friend turned to me and said, "when I see you, all I see is Annie." To him, the constructs of race and nationality did not matter in the value he placed in me as an individual. All I was to him, was me, and that was more than enough and that was all that mattered. The nostalgia of my childhood assurance in my identity washed through me in waves.

All the questions became infinitesimally miniscule. Now, when I look back upon the question of – is English your second language? I realise that my initial discomfort had stemmed from a place of insecurity. I had equated my worth and how Australian I was by how "white" I appeared to others. I was embarrassed and ashamed at the way my mind had subconsciously categorized my ethnicity of something that was lesser than and whilst the journey to acceptance is one that will be long, I realise that who I am or where I belonged never was my face or a place.

**Home is made up of the people I love and cherish and who see me as Annie and nothing else. ■**

# THE EVERYDAY ANOMALY

BY: AL-SHAYMA NAHYA  
*(BA (ANTHROPOLOGY) /LLB V, MOU)*

It was uncannily cold. The minute my foot touched the floor of the boarding bridge, I began gathering my parka out of the carry on. Apparently I had commented loudly on the weather, a mere huff, but it had drawn the attention of an old lady passing me. She gently laid her hand on my shoulder, smiled up and paused despite the rush of nearby passengers.

"Cover yourself dear it's going to be even colder outside" She ended her unwarranted advice with an *Assalamu Alaykum*. Possibly the only two Arabic words I could pronounce without calling my mother frantically for help.

I made my way to customs. There were masses of people lined in different sections and I just prayed that I would be swept away from here as quickly as possible. Begrudgingly, I looked at the signs directing citizens and non-citizens into their respective places and recalled my mother packing both my passports. I looked about surveying the lines with an almost guilty expression as I made my way to the 'Non-Citizen' area. It was shorter and the security officers greeting this line seemed much happier and attentive than the others. Now at the front I pulled out my real passport, trying to searching for that 'True Blue' pride in the emblem. Its blue base and golden animals spelt familial comfort.

"*Tfadal*." One officer welcomed me to the front of his desk. Almost mechanically I handed it in and like a mass offender on trial I spelt out the details of my reasons for stay.

"Eh, *habeebi* there is no worries here." He returned nothing but smiles. "You are from the English. You sit above our heads, please welcome in." His immediate acceptance of my foreign nature translated so smoothly over his broken words. I couldn't help but feel a vile twist of self-disgust amidst the static relief of being done with this anxiety ridden transit. He reached out. Tapped me on the face, and said *habeebi* one more time.

*Well, people are way too familiar with each other here. I didn't like it.*

Quickly, I collected my things and almost comically sped through to baggage claim. Desperate for a break from the irregular. I couldn't help but announce a sigh of relief once I stepped past the front gate. What I hadn't realised, was that my existential terror wouldn't stop here.

Suddenly I had stepped into an atmosphere where the scent was too foreign and there were noises unintelligible. People spoke to me, confident in their approach. My appearance reeled them in with a promise of familiarity. My dark complexion reminded the fathers of their sons and my brunette curls posed an invitation for the older Aunties to ask for my name and if I was single. However, when I spoke their faces turned from hospitable, to shock and then to slight dismay. I knew it would disappoint them. As I stuttered trying to form one simple sentence in their mother tongue people

started to back away and *Assalamu alaykums* turned into Hellos and Welcomes.

I refocused my attention to my current duties. "Taxi! Taxi!" All the men called from their mismatched yellow cars. No labels and no signature definitive of an actual taxi driver. I gulped my insecurities and requested a cab. Anyways, I had urged my grandparents not to meet me at the airport so I was under the responsibility to summon the courage to get to them.

The ride consisted of small talk that was primarily a fault of mine but I'm sure the driver could've spoken in English if he wanted to. Guess it's that cultural stubbornness my mates back home warned me of.

*Better get used to it now before it confronts you with the herd of Jordanians you'll face during the work project.*

To the best of my capacity in recollecting my memories as a teen, I guided this man to the edge of my grandparent's street. "*Shukran*" I thanked the driver in his native tongue, much to his surprise and felt confident that I'd given this man a story piece to relate to all his labourer friends over their casual shisha spot tonight.

Taking my luggage I trudged the ceramic pathway, making note of all the cracks and neglected rubbish lying around. For the most part, this street reminded me of an early childhood grounded in daily soccer games with the all the neighbours' kids, but I felt a stranger to the old olive trees that grew up with me. Pieces of old memories wafted through my mind and I had hoped they'd resonate on a more emotional wavelength. Yet I felt no warmth and no comfort. Not from the Arabic street signs nor to the scent of falafel in the air. My mother was sure I'd fall in love again but my heart was distant, it's attention already captured by a leaner, blonde figure, with striking blue eyes and an array of native birds that welcomed you into fresh mornings. How could this place compare.

Closing in on my grandparents' house, I would be a liar not to admit that I grew breathless with anticipation. And there it was. My grandfather's old Mercedes sat underneath a weave of vine leaves that intertwined across the patio cover. The scent of their lemon trees blew in with the changing winds and my knees faltered at the grace of its citrus glory reminding me of the many times my Uncle and I cut lemons and dipped them into salt for a hot summer treat. The arched gates of the old ceramic house was set with various herbs and various flowers and from there the nostalgia crept in.

The more steps I took, the more I yearned for early morning breakfasts over hot mint tea and hummus plates. I recalled late nights spent yelling over football matches and cutting up peaches and nectarines straight from the backyard. Things felt real again.

"Ya Mohammad, ya Mohammad." I heard the yell and looked up

to see a small figure shuffling to the gates. "He's here oh all thanks to God he's here!" In her colourful abaya, my grandmother called to me and if I wasn't a grown man I would've ran the last few metres and her in a hug that would forgive me for the 20 years I adamantly refused to return.

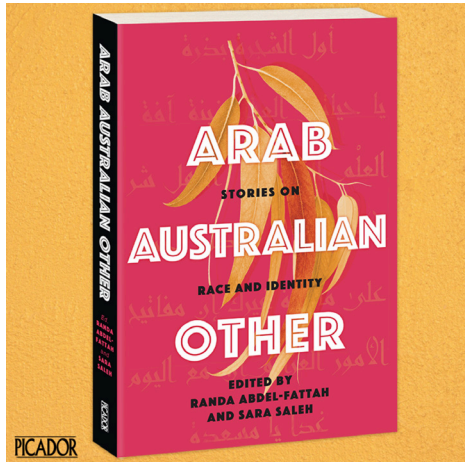
Ashamed I wiped the tears quickly.

No doubt there is much to this place that won't live to my expectation. Yet I was more than eager to grow into the familial feeling over the next few months. Who knows I might even go back home to greet my mother in with an Arabic vernacular that extended past the capacity of a five year old Jordanian. ■

“ARAB,  
AUSTRALIAN,  
OTHER:  
STORIES ON  
RACE AND  
IDENTITY”  
BOOK REVIEW

BY: FATIMA IBRAHIM

*(BA/LLB II, USYD)*



*"Although there are 22 separate Arab nationalities representing an enormous variety of cultural backgrounds and experiences, the portrayal of Arabs in Australia tends to range from homogenising (at best) to racist pop-culture caricatures.*

*Edited by award-winning author and academic Randa Abdel-Fattah, and activist and poet Sara Saleh, and featuring contributors Michael Mohammed Ahmad, Ruby Hamad and Paula Abood, among many others, this collection explores the experience of living as a member of the Arab diaspora in Australia and includes stories of family, ethnicity, history, grief, isolation, belonging and identity.[1]*

I read this anthology after immediately after my arrival from Lebanon. I had not visited for 7 years. My family and I had long contemplated the prospect of holiday getaways; an African safari or a Europe tour, but there seemed to be an invisible force pulling me towards my homeland.

I sat there reminding myself, "you hated it there, the hot water and electricity barely works, we'll spend the trip visiting random relatives." It couldn't be done anyway, my family usually planned trips to Lebanon 3 months in advance because let's face it; buying gifts for 150 or so relatives requires a significant amount of time.

Against all odds, we booked our tickets, packed our bags and successfully passed through customs. Apparently 1 in 10 individuals are randomly checked but unsurprisingly all 4 of us were checked "for explosives". This was much to the officer's embarrassment when he opened our bags, finding fruit baskets, containers and the other random paraphernalia my mother decided to gift relatives.

After a treacherous 30 hour plane journey we finally arrived in Beirut, reunited with my family and of course the wondrous smell of garbage and sewers because local councils seem to always be on strike there.

My family's frantic whispers echoed in the corridors, "Are they Ajeneb, Do they know their culture, Do they still remember their country?" Contrary to my family's fear, I adjusted to life there with ease, almost as if it was in my blood. It was like the spirits of my ancestors beckoned me, welcoming me to my homeland.

The mountains and trees, quivered with every whisper, greeting me with open arms, asking why did you leave us for so long? And I allowed that holy ground to take me as one of its own, and reconnected with my roots I flourished. I think I finally understood what connection to country truly met.

Dispossession is an overwhelming feeling. I felt it when I stepped foot in the Jnoub. The Jnoub is an old land. Its history can be felt by stepping into its soil. The soil has borne witness to countless ancient dynasties and empires.

The mountains in Lebanon speak to the heavens. But they bear the agony and torment of a broken nation. Travelling through these mountains, they will speak to you of the young souls lost to war, they will speak to you of occupation, of dispossession and misunderstanding. And I felt the pain of my nation, in the remnants of torture chambers and concentration camps, in a country surviving despite the threat of war.

You often feel isolated in your experiences but stories bridge the gap. Stories bring together those lurking in the shadows. Every piece in this anthology will strike a chord, particularly for people of colour. From Lawyer and artist Amani Hayders piece, the idea of ghurbe stood out to me. ghurbe refers to homesickness or nostalgia individuals feel when they leave their countries of origin.

Despite being born in Australia, I and other individuals of colour often feel as if they are in the ghurbe. You feel it in the burden of defending your culture and history at school or university. You feel it in the difficulty of staying composed when your nations politics is studied from a colonial lens. You feel it in the taunts, the stares, the labels. You feel it in the pain of living away from your loved ones and you feel it in your schizophrenic identity.

Writers in this anthology such as Miran Hosny and Amani Hayder are lawyers and people of colour. Others like Elias Jahshan, Sara El Sayed and Paula Abood are writers, editors and journalists. It is these experiences that allow us as law students to remember that many have paved the way before us. As time goes on, the barriers which faced past generations will slowly crumble.

**Australia is truly the best country in the world - the opportunities our elders dreamt of are now at our fingertips.** I hope these stories, and these experiences ease the pain for those struggling to reconcile conflicting emotions. Those who are overwhelmed with gratitude for the opportunities they have here, but still feel a sorrowful nostalgia for their homeland. ■



*Grandmas in the park (wip) -- Amani Haydar*

# POETRY COLLECTION

BY: SHARNAY MKHAYBER  
*(B. CRIMINOLOGY/LLB V, WSU)*



## BODY

dear body,  
glory be to the cathedral that houses organs  
you are not mere vessel, you are art  
stained glass windows tell your stories  
you are radiator of warmth  
choirs echo the gospel in heart's chambers  
and this is how I'll praise you.

dear body,  
your tears are divine  
eyes leak zamzam; the Ganges  
continuous baptism; a reincarnation  
each time you cry, it's an ablution  
an adhan, calling us to prayer  
and this is how I'll praise you.

dear body,  
your voice is the union of tabla and Qawwali  
dervishes whirl to the sounds of note leaving throat  
you sing psalms & Quran and don't even realise  
you glitter with the colours of the masjid  
every word a d'ua  
and this is how I'll praise you.

you are worthy of worship  
and it's taken me  
a long time  
to walk into the  
House of God  
but I'm here now  
and this is how I'll praise you.

## JEDO

jedo has farmers skin  
bronzed by sun and struggle  
palms broad and grip strong  
cocooned his family in hands  
spoke dua al safar as they  
crossed several seas  
they came here in  
sab3a wu sab3een  
feet on land foreign  
he never lets go.

jedo has farmers skin  
cedar thick and coloured  
hands callused yet soft  
made exhaustion rethink itself  
ignored stares and smirks  
and slurs like "wog"  
yearned for his motherland  
refused to buy plot  
because it meant  
having to stay  
thousands of days pass  
but he doesn't let go.

jedo has farmers skin  
gentle and giving  
he crafted a temporary home  
watched as his babies  
started to grow  
out of his garden  
tried to learn English  
so they could fit in  
but his mother tongue  
would push all the  
syllables out  
she won't let him go.

jedo has farmers skin  
weathered by air  
thick and melancholic  
changes for new country  
buries his soul in memories  
watches parts of his culture  
go hipster and stays silent  
when his people sell each other out  
knows he is foreign to the land  
but still thanks the soil  
calls them ajnabeyeen  
because they don't  
understand the soil  
knows others connect with it better  
for the soil sings to them  
knows temporary home stays temporary  
knows his soul will be buried  
beneath arzee  
the final resting place  
and there  
he will let go. ■

# THE COLOUR OF JEWS IN A WHITE AUSTRALIA

BY: SARAH CHARAK  
*(BA (HISTORY)/LLB V, USYD)*

## I. ACADEMIA, EMPATHY AND IDENTITY

Serious scholarship, I have always assumed, demands a measured detachment from the subjects of my writing – both for the purposes of achieving an ever-elusive ‘objectivity’, and out of an awareness that ‘the past is a foreign country: they do things differently there.’[1] Feeling the strangeness of the past compared to the world in which I live, I have worked towards an attendant ability to assess that past on its own terms, without importing my own views and commitments. So I was unsettled by the visceral emotion I experienced while conducting archival research for the fuller version of this article – my BA Honours thesis in History.

When I visited the National Archives of Australia, it was temporarily housed in the Museum of Australian Democracy in Old Parliament House. I spent my time in a small exhibition space that served as the reading room, repeatedly interrupted by curious Museum visitors. Receiving my requested files, I was initially horrified by my awareness that in directly handling these materials (without even a pair of gloves!) I was contributing to their inevitable degradation. But this unmediated handling enabled the sense of startling intimacy that followed.

Sifting through a series of Form 40s – applications for the admission of relatives or friends to Australia – I was captivated by the details of these prospective migrants’ lives. Although most of these details were irrelevant to my broader research, I noted down names, ages, places of birth and professions. I found myself worrying about the success of their applications, compelled to locate ship manifests to check whether they had ultimately arrived and managed to start new and free lives. Desperation and hope emanated, in equal parts, directly from the tissue-thin paper I was so worried about tearing. Their last names – Cohen, Lewis, Rappaport, Perlman, Rosenblat – were so familiar, sometimes the surnames of my childhood friends, sometimes only slightly different; just enough to remind me that these people were technically strangers, but not enough to lose that sense that I could see and hear and understand them.

There is a strange paradox inherent in the retention of these sorts of administrative records by archival collections. Seldom seen again by the people who filled them out, they capture particular and very small moments in bureaucratic processes which were largely insignificant in the scheme of those peoples’ real-life concerns, their questions of sustenance, belonging, safety, justice. And yet it is these papers which make their way into our official archives, to be accessed by scholars a century later. In some cases, only this material survives as testament to an entire life.

The story I wanted to tell was, in a sense, much bigger than these individual lives. But I could not shake the uncomfortable feeling that these individual lives were also much bigger than the story I wanted to tell.

I had, of course, chosen a research topic of profound personal significance – the Jewish story, and my own family’s story, being one of repeated displacements and migrations. With every newspaper article or Cabinet minute came the involuntary thoughts: *they’re talking about me; or, even more forcefully, this could have been me.* My great grandparents migrated westwards from Ukraine to Budapest, Vienna, and Brussels in the 1880s, in the same period that some of their peers managed to move further, to the United States, United Kingdom, and Australia; these were the very migrants whose papers I was holding. My grandparents then migrated again in the 1930s and 1940s, arriving in Australia after surviving some of the most horrendous crimes in human history.

I was raised in a home saturated with stories of their trauma and their triumph, making me painfully aware, from a very young age, of some very big things: racism’s murderous endgame; the capacity for law to enable or restrain prejudice and oppression; and the continued precariousness of the Jewish experience in the diaspora. As Todd Endelman has noted, for Jews, as a persecuted minority, ‘the present always seems to be unsettled and crisis-ridden, freighted with memories of the past and fears for the future.’[2] Jordana Silverstein uses the phrase ‘anxious histories’ to describe this overwhelming anxiety that permeates modern Jewish communities about their post-Holocaust place in the world.[3] My grandparents are the reason I care about history, memory, and the law – and, of course, they are the reason that my emotion in the archive was entirely predictable.

Neither did the empathy seem as problematic as I initially thought. For Jewish communities, writing history is therapeutic and empathic. We know from personal experience that organising the details of our collective memory of suffering into a coherent narrative is one way to make sense of the seemingly senseless. Jewish tradition structures this therapy in a very intentional way; our festivals constituted as rituals of storytelling and retelling, of grappling with, and even reliving, the past.[4]

None of these modes sits comfortably alongside traditional academic scholarship, with its goal of objectivity. But I framed the legal, administrative, and political components of my research with the sobering awareness of the real lives affected by these questions. The conviction that this mattered was informed by the potent memory of the affect of the archive. This article is a reflection, I hope, of the objectivity and empathy which, together, make scholarship meaningful and worthwhile.

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The positioning of Jews in Australia’s identity politics has always been complicated. For a start, what makes a Jew Jewish? Is Judaism a religion, understood in liberal democracies as a private identity, as distinct from the supposedly secular/neutral public sphere? What, then, makes non-religious Jews Jewish, and why, indeed, is secular Jewishness

possible at all? Is Jewishness then a cultural identity, an attachment to certain ways of thinking and cultural forms? And if so, what could possibly make Indian Jews, Yemenite Jews, Russian Jews and American Jews – with their distinct languages, food cultures, and even religious practices – *all* Jewish? What about Jewishness as a national identity? As a race? One could go on, but the truth is that historians, sociologists, philosophers and Jewish communities themselves disagree vociferously on this point. The simplest and yet slipperiest answer is that, of course, being Jewish means both all and none of these things, and depends on when and where the definition is for.

This complexity goes some way towards explaining why, since their arrival here, Jews have been ambiguously placed in relation to Australian constructions of whiteness. Anglo-Jews aligned themselves with 'White Australia', arguing that they shared their racial/ethnic identity with their colonial counterparts, their Jewishness being merely a matter of private conscience. But public discourse about Russian Jewish migration indicate a level of ambivalence about the racial desirability and status of Jews. Despite being notionally accepted, the whiteness of Jews was never guaranteed.

Histories of the White Australia policy – focusing mostly on Chinese migration – have little to say about the exclusion of Jews.[5] Yet, as a group notoriously hard to define, Jews are an important part of any analysis of White Australia, challenging existing binaries of 'white' and 'coloured', and forcing us to re-examine the boundaries of Australia's 'imagined community'. This article begins to interrogate how overlapping identifications like white, European, British, Jewish and Australian intersected, and how Jews featured in the delimitation of Australian racial boundaries.

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## II. 'ENGLISHMEN OF THE MOSAIC PERSUASION'

Present from the very beginning of colonisation as convicts and free settlers, and enjoying full civil and political rights, Jews staked a claim as equal partners in the settler-colonial project.[6] Already acculturated to British society, Jews from the British Isles (Anglo-Jews) viewed religion as a matter of private conscience, describing themselves deliberately as 'Englishmen of the Mosaic persuasion'. 'Persuasion' suggested an element of choice, while the 'Mosaic' referred to the attribution of the Bible to Moses, and so drew upon the common Biblical heritage of Jews and Christians, rather than the Talmud, which more obviously defines modern Jewish practice. They self-consciously used the terms 'faith' and 'denomination' to promote the image of Judaism as a branch of Christianity. Rabbis were called 'Reverend' to mimic Anglican ministers, prayer services were Anglicised, and Synagogue buildings looked like Churches.[7] Even the word 'Jew' was conspicuously absent from this assimilated Anglo-Jewish identity: to avoid negative stereotypes, Australian Jews preferred to call themselves 'Hebrews' or 'Israelites'. Congregations were 'Hebrew congregations', communal

organisations included the Hebrew Philanthropic Society and the Hebrew Ladies' Bazaar, and Jewish colonial newspapers were named *The Australian Israelite* and *Hebrew Standard of Australasia*. [8]

It seemed to work. By the second half of the nineteenth century, Jews were represented in all spheres of Australian public life. Most famous was Isaac Isaacs – elected to the Victorian Legislative Assembly in 1892, he then proceeded to federal Parliament, was appointed High Court Justice in 1906, and became the first Australian-born Governor-General in 1931. His career seems to demonstrate the full acceptance of Jews in Australia society. And yet, as immigration controversies arose in the 1890s, Anglo-Jews were forced to confront the inconvenient reality that their position was not as stable as they would have liked.

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## III. 'THE RUSSIAN JEW INVASION'

The period from the mid-nineteenth century to the interwar years was the most intensive period of migration in human history: enabled by new railways and steam transport, an estimated 150 million people – mostly Chinese and Indian – left their homes for new shores.[9] Around two and a half million were Eastern European Jews, fleeing intensifying persecution in the Russian Empire and seeking a better life.[10]

This wave of global migration coincided with heightened state control of trans-border movement. Thanks to new data technologies of generating and organising data (photographs, fingerprints, filing systems), and a growing administrative bureaucracy (censuses, tax rolls, visas and passports), the nation-state established a monopoly over the legitimate means of movement; not only describing and identifying its membership, but also controlling it.[11] And amidst intensive nation-building focused on ethnic and racial unifying concepts, immigrants threatened to collapse the isomorphism between people and citizenry. Immigration laws thus emerged as tools to concretise national identity, entrenching the language and logic of exclusion. So, somewhat paradoxically, this period was one of both high mobility, and increased limitations on mobility.[12]

The Australian version of this story is usually told with reference to Chinese migrants: numerically they were the largest migrant group, and by the 1880s, each colony had passed legislation explicitly designed to restrict Chinese immigration.[13] But the 'threat' of persecuted Russian Jews provoked significant anxiety too when, in 1891, rumours began of a large-scale migration to Australia.

At first, accounts reached Australia of the plans of German Jewish philanthropist Baron Maurice de Hirsch to resettle 500,000 'downtrodden' Russian Jews in Argentina.[14] Soon Sydney's *Daily Telegraph* reported that Hirsch was considering Australia as well.[15] The story itself was quickly refuted.[16] But the rumour persisted, and it is the intense reaction to this

perception of the threat, despite its emptiness, that is so interesting – and that echoes so powerfully public discourse around migration and refugees today.

One pundit, acknowledging the state-sponsored persecution of Jews in Russia, observed that ‘no humane man can fail to sympathise profoundly with’ them – but ironically proceeded to use the dehumanising description of Jewish refugees as ‘huddled together more like salted herrings than human beings’. Sympathy, he said, should be separated from policy: ‘to pity the Russian Jew is one thing, to welcome him to Australia is another’. He was also quick to signal that he had no problem with Jews per se, noting their contributions to government, literature, art and commerce: ‘To the Jew, as a Jew... no Australian would take the slightest exception’. The problem lay only with the Russian ‘paupers and outcasts’ who would ‘fatten the sweater and impoverish the artisan and the laborer’.[17] This picture is a fascinating indication of the intersections and confusions between class, religion and ethnicity in defining Jews in the 1890s. The Jew, as a Jew’ is recognisable as a fellow citizen: proof, perhaps, of the successful positioning of Anglo-Jews as middle-class British Australians. The Russian Jew, however, belongs inevitably to a particular economic class. Politicians drew this same distinction between ‘good Jews’, and ‘bad Jews’: Victorian Premier James Munro noted that although the Jews ‘already here’ had ‘proved themselves to be very desirable citizens’, Russian Jews were ‘entirely different’.[18]

Also persistent was the comparison drawn between Russian Jewish and Chinese immigrants. One MP suggested similar measures to restrict Jewish immigration – just like the Chinese, Russian Jews were a ‘disease’, and ‘prevention was better than cure’.[19] An edition of the *Bulletin* exclaimed that ‘even the Chinaman is cheaper in the end than the Hebrew... the one with the tail is preferable to the one with the Talmud every time’.[20] The question of ‘cheapness’ – a reference to the prohibition of working on Jewish holidays – reflected the substance of the Chinese/Russian Jewish comparison: contradictory perceptions of both groups as lazy, but also desperate enough to work harder than white workers and under worse conditions. This was a particular concern of the Australian labour movement: after the failure of the Sydney tailors’ strike in November that year, the Trades and Labour Council circulated reports that ‘foreign Jews’ had ‘work[ed] in direct opposition to the interests of the union’ and were to blame for the strike’s collapse.[21] Although official investigations found the allegations false and concluded that Jews ‘are, for the most part, respectable workers’, the story strengthened union opposition to Jewish immigration. [22] Particularly during a severe Depression, the importation of a desperate pauper class was seen as threatening. This is the complicated history of Australia’s labour movement: our ‘worker’s paradise’ was predicated on the exclusion of minorities.[23]

More surprising than this public opposition was the hardline

of Australia’s Anglo-Jewish community. Reading these editorials with alarm, they took an anti-immigrant stance in a bid to prove their commitment to a White Australia. The *Jewish Herald* argued that such political pragmatism was more important than any commitment to their fellow Jews overseas.[24] As one prominent leader Walter D. Benjamin put it: ‘We indignantly protest against the harsh treatment meted out to [the Russian Jew]... but we would rather not have him in our midst’. Benjamin’s words were deeply strategic, comparing the Russian Jew to ‘the Chinese cook, the Hindoo hawker, the Kanaka plantation hand, the Tamil servant, or the Lascar sailor’.[25] Understanding that Russian Jews were *already* being racialised as similar to the Chinese and thus as ‘Asiatic’ and not white, Benjamin participated in this racialisation as part of a rhetorical move designed to show, by contrast, the whiteness of Anglo-Australian Jews. Underlying the rant was the implicit fear that Anglo-Jews would also be racialised as ‘Asiatic’; that their acceptance as white, British, equal citizens would be endangered.

This argument was therefore a self-protective move, positioning Anglo-Jews as part of Australia’s ‘imagined community’ of masculine whiteness. The rhetoric was also manifest in political affiliation: the Australian Natives’ Association included several prominent Jews, including Isaac Isaacs. Although himself the son of a Russian immigrant, the successfully assimilated Isaacs was a vocal advocate of the White Australia policy.[26] As a parliamentarian, he argued that it would keep Australia free ‘from the contaminating and degrading influence of inferior races’;[27] these views were later reflected in Isaacs’s judicial decisions.[28]

But continued focus on the threatened ‘invasion’ of Russian Jews throughout the 1890s indicated that Anglo-Jewish attempts to distinguish themselves were not entirely successful.[29] And in discussions about the composition of Australia leading up to Federation, narratives about new migrants – whether Jewish or Chinese – lowering Australian working standards and diluting Australian whiteness remained absolutely central.

These dual impulses in Australian nationalism – labour protectionism and racial purity – resulted in a dual set of legislation: the *Pacific Island Labourers Act 1901* (Cth) regulated labour by enabling the importation and deportation of a class of temporary workers, and the companion *Immigration Restriction Act 1901* (Cth) regulated race through various mechanisms of exclusion; most famously, the dictation test. [30] Passed immediately after Federation, the legislation and the underlying policy which it implemented were the discursive world in which Australia’s Jewish community negotiated its identity.[31] ‘The Jew’ existed as an ‘Other’ in Australian discourse at this time much like the categories ‘Oriental’ or ‘Asiatic’ – indeed, sometimes overlapping with those categories – yet was simultaneously and ambivalently considered to be white, Western and European. Moments of crisis in the 1890s reflected contests over exactly how the

category of 'Jew' should be understood, and suggested that there might be different types of Jews – some white, some not.

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#### IV. 'A MINORITY IS ALWAYS WISER TO BE CAREFUL'

In the 1920s, waves of antisemitic violence in Europe significantly accelerated Jewish emigration. Between 1881 and 1920 7,000 European Jews arrived in Australia; in the next decade, around 3,000 more arrived.[32] Their presence gave new urgency to the question of Jews and whiteness.

Across this period, Australian immigration policy was also hardening. The 1920s saw, simultaneously, increased migration (through the Joint Commonwealth and State Immigration Scheme in 1921, the *Empire Settlement Act 1922*, and a £34 million Commonwealth-State agreement in 1925) and increased control of that migration (through the widening of provisions of the *Immigration Restriction Act*, and a complicated system of visas and permits).[33]

The locus of exclusion also changed. The dictation test had been shown to be 'foolproof'; no one passed the test after 1909, deterring prospective Asian migrants almost completely.[34] In the meantime, WWI fundamentally changed attitudes towards European foreigners who had been enemies during the war – they were now seen as disloyal and thus undesirable. The *Enemy Aliens Act 1920* prohibited the entry of Germans, Austrians, Hungarians, Bulgarians and Turks; an embargo on immigration from Russia was enforced during the Russian Revolution and Civil War.[35] The government also became increasingly anxious to stem the flow of Southern and Eastern Europeans when quotas were instituted in the United States in 1921 and 1924, raising the possibility of large scale influxes to Australia instead.[36] In this context, the White Australia policy, initially designed to exclude Chinese migrants, was expanded to enable the exclusion of a new category of 'undesirables' – 'white aliens' – in which Jews were very much included.

Most interestingly, 'country of origin' rather than 'colour' had become the major criterion in immigrant policy. This focus of national origin of course made it difficult to categorise Jews, who might belong to any number of national groups. It also makes references to Jews as an *identifiable group* in policy files particularly conspicuous: if they were not a national group, what were they?

So while government records indicate that Jews were seen as a threat, it is also clear that administrators were not exactly sure where to place them in the developing scheme of desirable/undesirable white aliens. Policy documents singled out Jews as a particularly undesirable class of European foreigner precisely *because* they eluded national categories, being, of course, not a nationality at all: 'these people who have been so long without a country, have no love of country... patriotism or any public spiritedness'.[37]

Administrative confusion was also evident in the response to a request from Jewish communal advocates in 1921 for the settlement of some 'panic-stricken' refugees in Australia. The High Commissioner in London, the Superintendent of Immigration, and the Department of Home and Territories, while united in opposition to such a proposal, gave multiple and contradictory reasons, including: the general embargo on Russians due to their possibly objectionable politics; high levels of unemployment; the existing scheme of settling British ex-servicemen ('to welcome the Jews would be to exclude the British'); and that 'public opinion will be outraged'.[38]

A similar series of concerns were aired when the 1924 US quotas prompted fears of an influx of Jews to Australia: they were 'undesirable' and 'men of poor physique'; they had a disregard for working conditions; their presence would spark 'antisemitic disturbances'; and there was no way to confirm 'the safety of their political views'.[39] Jewish non-assimilability was of particular concern: they were 'a peculiarly backward class, living as their ancestors lived about 2,000 years ago, and not assimilating with the general community'.[40] Solidifying the government's policy on Eastern European Jews, the Home and Territories Department instructed British Passport Control Officers to 'discreetly' discourage Jewish immigrants, and to grant visas to other migrants of 'superior standing'.[41] Formal quotas were eventually adopted in 1928.[42] Certain characteristics of Eastern European Jews evidently made them 'undesirable', ethnically distinct, and therefore threatening to the homogeneity of 'White Australia'.

Perhaps most astonishing is not the racism of government bureaucracy, but the continuing collusion and cooperation of Anglo-Jewry with it. As violence against Eastern European Jews intensified, Jewish communities in Melbourne, Sydney and Brisbane ran fundraising campaigns but refused to support resettlement in Australia. Rev Francis Lyon Cohen preached anti-immigrant sermons from the pulpit at Sydney's Great Synagogue on a regular basis. In one sermon in 1924, he made explicit the community's anxieties, arguing that their acceptance would be threatened by any association with Eastern European Jews, whose 'strange' social and cultural norms would mark them, and thus their coreligionists, as different. 'It would not be the fault of the other fellow,' he said, 'but of our unwise selves, if we allowed our standing here to be damaged. *A minority is always wiser to be careful...*'[43]

Antisemitism, said Cohen, was not due to the malice of the antisemite, but to the misbehaviour of the Jew. For their own safety and to protect their status, Australian Jews should both assimilate and oppose the migration of other Jews who would/could not do so.

*This* is the insidiousness of racism: it makes minorities participate in their own marginalisation. Not only was Cohen forced by the identity binaries of White Australia to reject any connection with or sympathy for persecuted fellow Jews but,

cruelly, he also felt forced to blame his own community for the discrimination they experienced.

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#### **V. ALMOST, BUT NOT QUITE WHITE**

White Australia is not dead – it lives on in One Nation, Antipodean Resistance, and even in current migration controversies. And while Jewish immigration was numerically a small part of the White Australia story, it is one that might help us to rethink what 'whiteness' meant in the past – and thus the legacies of whiteness today. In particular, it is a story which illustrates the way that one group of people might be both complicit in and victimised by the same system of oppression, and the way that migration law and policy can prompt and direct identity-construction.

W. E. B. Du Bois famously declared that 'The problem of the twentieth century is the problem of the Colour Line.'<sup>[44]</sup> But who, exactly, was on either side of that defining line in Australia?

Indigenous Australians, Chinese immigrants, and other people of colour were unequivocally on the 'wrong' side – dispossessed, oppressed, excluded. But government attention in the early twentieth century was drawn quickly towards a more ambivalent, indeterminate category of 'white alien' – one which was not easily placed on either side of a line. Despite their small number among other white aliens, Jews are a crucial sub-plot in this story, because they are a group whose identity – with overlapping religious, racial, national and cultural components – confounded officials and the Australian public.

Sociologist Zygmunt Bauman posited that in modern society there are friends, enemies and strangers. Friends are 'like us'; enemies threaten us, but a stranger is one who is 'ineradicably ambivalent' – threatening not society itself but its homogeneity, by calling into question the assumptions through which the nation constructs itself.<sup>[45]</sup> Critical theorist Homi K. Bhabha discusses a similar category of ambivalence in the context of British colonisation in India.<sup>[46]</sup> For Bhabha Jews might be 'almost the same but not white'; for Bauman they were 'both white and non-white'. As an ambiguous case within an already ambiguous category, Jews were the 'strangers' who blurred the racial boundary line of Australian nationhood. And it is this which makes the Jewish story such a compelling, complicated, and important part of the history of race in this country.

■

# 'THE WEIGHT OF JUSTICE'

AMANI HAYDAR

ACRYLIC ON CANVAS  
90 CM X 90 CM





#### ACADEMIC'S FORWARD Dr Louise Boon-Kuo

- [1] Aileen Moreton-Robinson, *The White Possessive: Property, Power, and Indigenous sovereignty* (Minnesota: University of Minnesota Press, 2015), 6.
- [2] Moreton-Robinson, *The White Possessive*, 16.
- [3] Richard Delgado, "Storytelling for Oppositionists and Others: A Plea for Narrative," *Michigan Law Review* 87, no.8 (1989): 2437.
- [4] Delgado, "Storytelling," 2437.
- [5] Delgado, "Storytelling," 2418.
- [6] W. E. B. Du Bois, "*The Souls of Black Folk*," in *The Souls of Black Folk*, A Norton Critical Edition, ed. Henry Gates and Terri Oliver (New York: WW Norton, 1999), 11.
- [7] Delgado, "Storytelling," 2412-2413.
- [8] Behrouz Boochani, *No Friend but the Mountains: Writing from Manus Prison*, trans. Omid Tofighian (Sydney: Picador, 2018).
- [9] Nicole Watson, "Justice in Whose Eyes? Why Lawyers Should Read Black Australian Literature," *Griffith Law Review* 23, no. 1 (2014): 46.
- [10] Watson, "Justice in Whose Eyes?" 55-58.
- [11] Gaile Pohlhaus, "Knowing Communities: An investigation of Harding's standpoint epistemology," *Social Epistemology* 16, no. 3 (2002): 285; Martin Nakata, *Disciplining the Savages: Savaging the Disciplines* (Canberra: Aboriginal Studies Press, 2007), 348-49.

#### MUSICAL THEATRE IS MY HOME, BUT IT DOESN'T LOVE ME BACK Kiran Gupta

- [1] "NONTRADITIONAL CASTING: When Race And Sex Don't Matter". 1988. *Nytimes.Com*. <https://www.nytimes.com/1988/10/23/theater/l-nontraditional-casting-when-race-and-sex-don-t-matter-486788.html>.
- [2] "2014-15 NYC Theatre Season Hits Record High In Diversity Per AAPAC's Report". 2019. *Broadwayworld.Com*. <https://www.broadwayworld.com/article/2014-15-NYC-Theatre-Season-Hits-Record-High-in-Diversity-Per-AAPACs-Report-20160502>.
- [3] *Racial Discrimination Act 1975* (Cth), s 15.
- [4] Tan, Su-Lin. 2019. "Corporate Australia Is 97Pc Anglo-Celtic Or European: Report". *Australian Financial Review*. <https://www.afr.com/politics/corporate-australia-is-97pc-angloceltic-or-european-report-20180409-h0v1rp>.
- [5] Neutze, Ben. 2019. "The Problem With Musical Theatre In Australia | Daily Review: Film, Stage And Music Reviews, Interviews And More.". *Daily Review: Film, Stage And Music Reviews, Interviews And More.*. <https://dailyreview.com.au/the-problem-with-musical-theatre-in-australia/32821/>.

#### "ARAB, AUSTRALIAN, OTHER: STORIES ON RACE AND IDENTITY" BOOK REVIEW Fatima Ibrahim

- [1] "Arab, Australian, Other: Stories On Race And Identity - Pan Macmillan AU". 2019. *Pan Macmillan Australia*. <https://www.panmacmillan.com.au/9781760785017/>.

- [1] L. P. Hartley, *The Go-Between* (1953).
- [2] Todd M. Endelman, 'In Defense of Jewish Social History', *Jewish Social Studies* Vol 7 No 3 (2001), p. 52.
- [3] Jordana Silverstein, *Anxious Histories: Narrating the Holocaust in Jewish Communities at the Beginning of the Twenty-First Century* (New York: Berghahn Books, 2017), pp. 3-4.
- [4] The Jewish festival of Pesach (Passover), for example, is designed not only to 'retell' the story of the Biblical exodus of the Israelites from Egypt; but to relive it, through a mixture of texts, rituals and the eating of symbolic foods. In fact there is no Biblical/Rabbinic Hebrew word which literally translates to 'history' (modern Hebrew uses *historia*, taken directly from Greek); objective history is foreign to Jewish tradition. The Biblical word used instead, *zikaron*, more accurately translates to 'memory' or 'memorial'.
- [5] For example: Jews are entirely absent from A. C. Palfreeman, *The Administration of the White Australia Policy* (Carlton: Melbourne University Press, 1967). A single (brilliant) article begins to theorise Jews as a category in the context of White Australia: Jon Stratton, 'The Colour of Jews: Jews, Race and the White Australia Policy', *Journal of Australian Studies* Vol 20 Issue 50-51 (1996), p. 51.
- [6] The First Fleet included Jewish convicts and at least 1,000 Jews were shipped to the colonies before the end of transportation in 1852. Jewish free settlers first arrived in 1816, and numbers increased with the 1850s Gold Rushes: Charles Price, 'Jewish Settlers in Australia', *Australian Jewish Historical Society Journal* Vol. 5, Part 8 (1964), pp. 369-376.
- [7] Hilary L. Rubinstein, *The Jews in Australia: A Thematic History*, Vol. 1 (1788-1945) (Melbourne: Heinemann Australia, 1991) p. 4 and Israel Getzler, *Neither Toleration Nor Favour: The Australian Chapter of Jewish Emancipation* (Melbourne, 1970).
- [8] Suzanne Rutland, *Seventy Five Years: The History of a Jewish Newspaper* (Sydney: Australian Jewish Historical Society, 1970).
- [9] Patrick Manning, *Migration in World History* (New York: Routledge, 2005), p. 149.
- [10] John D. Klier, 'Russian Jewry on the eve of the pogroms', in John D. Klier and Shlomo Lambroza (eds.), *Pogroms: Anti-Jewish Violence in Modern Russian History* (Cambridge: Cambridge University Press, 2004).
- [11] This language draws on the Marxist concept of control over the 'means of production', borrowed by Max Weber who defined the state as a body which successfully expropriated the 'means of violence' from individuals. One important outcome of the process of monopolising the 'means of movement' described by Torpey is that individuals began to depend upon the state for the possession of an 'identity' which then shaped their access to various spaces: John Torpey, *The Invention of the Passport: Surveillance, Citizenship and the State* (Cambridge: Cambridge University Press, 2000), pp. 4-6.
- [12] Adam M. McKeown, *Melancholy Order: Asian Migration and the Globalisation of Borders* (New York: Columbia University Press, 2008), p. 6.
- [13] Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line: White Men's Countries and the Question of Racial Equality* (Carlton: Melbourne University Press, 2008), pp. 19-20, 35-36.
- [14] 'The Jews in Russia: Conflicting Reports of Their Persecutions', *The Herald* (Melbourne), 2 February 1891, p. 4.
- [15] 'Summary', *The Daily Telegraph* (Sydney), 30 April 1891, p. 1.
- [16] 'Anti-Jewish Crusade', *The Telegraph* (Brisbane), 9 May 1891, p. 4; 'Russian Jews', *Tasmanian News* (Hobart), 11 May 1891, p. 3; 'The Jewish Emigration Scheme', *The Brisbane Courier* (Brisbane), 11 May 1891, p. 5; 'The Jews in Russia', *The Australasian* (Melbourne), 16 May 1891, p. 10; 'Foreign Telegrams', *Western Mail* (Perth), 16 May 1891, p. 10.
- [17] 'Russian Jews and the Case Against Them', *The Advertiser* (Adelaide) and *Express and Telegraph* (Adelaide), 4 May 1891, p. 6 and p. 3.
- [18] *Victorian Parliamentary Debates*, Legislative Assembly Vol 66, 5 August 1891, p. 773 (Munro).
- [19] *Victorian Parliamentary Debates*, Legislative Assembly Vol 66, 5 August 1891, p. 773 (Patterson).
- [20] Peter Love, 'The Kingdom of Shylock: A Case-Study of Australian Labour Anti-Semitism', *Journal of the Australia Jewish History Association*, Vol 12 No 1 (1993), pp. 54-62.
- [21] 'The Tailors' Strike', *The Sydney Morning Herald* (Sydney), 4 November 1891, p. 5.
- [22] 'Sydney - From Our own Correspondent', *The Jewish Herald* (Melbourne), 12 February 1892, p. 2.
- [23] Peter Love, *Labour and the Money Power: Australian Labour Populism, 1890-1950* (Melbourne: Melbourne University Press, 1984). See also Raymond Markey, 'Race and Organised Labor in Australia, 1850-1901', *The Historian* Vol 58 No 2 (1996), p. 343.
- [24] 'The Russian Jews', *The Jewish Herald* (Melbourne), 19 June 1891, p. 8.
- [25] Letter, *London Jewish Chronicle*, 19 June 1891.
- [26] Michael Kirby, 'Sir Isaac Isaacs - A Sesquicentenary Reflection', *Melbourne University Law Review* Vol 9 No 3 (2005), pp. 880-904.
- [27] *Commonwealth Parliamentary Debates*, House of Representatives, 12 September 1901, p 4804 (Isaac Isaacs).
- [28] See, for example, the reference to illegal migrants as 'loathsome hotbeds of disease' who conspire to 'defy and injure the entire people of a continent' in *Williamson v Ah On* (1926) 39 CLR 95, p. 104.
- [29] 'Refugee Jews for Australia', *Western Mail* (Perth), 11 February 1893, p. 30. See also 'The Jews and the Gentiles', *Eastern Districts Chronicle* (York, WA), 4 March 1893, p. 5.
- [30] *Immigration Restriction Act 1901* (Cth), s 3a. See also s 3(b)-(g), which list the other grounds for being declared a 'prohibited immigrant'.
- [31] My language draws on Foucauldian discourse analysis, which looks at the way power relationships and dynamics in society are expressed through particular forms of language: Michel Foucault, *The Archaeology of Knowledge* (first published 1969, translated by A. M. Sheridan and reprinted London: Routledge, 2002).
- [32] Price, 'Jewish Settlers in Australia', Appendix II: 'Non-British Jews (Naturalised Males Only): Country of Origin by Years of Arrival'.
- [33] A. C. Palfreeman, *The Administration of the White Australia Policy* (Carlton: Melbourne University Press, 1967).
- [34] A.T. Yarwood, 'The Dictation Test - Historical Survey', *Australian Quarterly* Vol 30 No 2 (1958), p. 25.
- [35] NAA: A1, 1936/13639, Department of Markets and Migration, 'Immigration from Countries other than United Kingdom'.
- [36] *The Emergency Quota Act 1921* limited the number of immigrants annually from any country to 3% of those already in the United States from that country according to the 1910 census. The *Immigration Act 1924* fixed an overall immigration limit for the first time, as well as further limiting quotas to 2% of the population from that country recorded in 1890. Populations which were smaller at that point, including Jews (as well as Italians, Greeks, Poles and Russians), were seriously affected; Jewish immigration was brought almost to a halt.
- [37] NAA: A1, 1936/13639, Department of Markets and Migration, 'Immigration from Countries other than United Kingdom'.
- [38] NAA: A457, H400/5, Prime Minister's Department, 'Immigration. Immigration of Jewish Refugees' and A6006, 1921/12/31, Prime Minister's Department, Correspondence Files, 'Proposed Emigration of Russian Jews to Australia'.
- [39] NAA: A458, N156/2, Prime Minister's Department, 'Immigration Restrictions - Jews'.
- [40] NAA: A434, 1949/3/3196, Department of Immigration, 'Admission of Jews to Australia'.
- [41] NAA: A434, 1949/3/3196, Department of Immigration, 'Admission of Jews to Australia'.
- [42] NAA: A1, 1936/13639, Department of Markets and Migration, 'Immigration from Countries other than United Kingdom'. Requests to make exceptions for Jewish refugees were refused: A434, 1949/3196, Department of Immigration, 'Admission of Jews to Australia' and CP211/2, 53/44, Commonwealth Immigration Office, 'Migration - Jewish Refugees from Eastern Europe'.
- [43] 'Whom to Blame, A Sermon Preached at the Great Synagogue, Sydney, on Sabbath last', *Hebrew Standard of Australasia* (Sydney), 15 August 1924, p. 3 (emphasis added).
- [44] W. E. B. Du Bois, 'Of the Dawn of Freedom' in *The Souls of Black Folk* (New York: New American Library, 1903), p. 19.
- [45] Zygmunt Bauman, *Modernity and Ambivalence* (Cambridge: Polity, 1991), pp. 53-63.
- [46] Homi K. Bhabha, 'Of Mimicry and Man: The Ambivalence of Colonial Discourse', *Discipleship: A Special Issue on Psychoanalysis* Vol 28 (1984), p. 126. Reprinted in Bhabha's *The Location of Culture* (London: Routledge, 1994).

