

# AQ

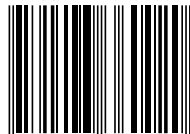
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## Why Australia needs a Magnitsky Law

INCLUDING: GEOFFREY ROBERTSON QC | DAVID RITTER | PROF VEENA SAHAJWALLA & MORE

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**BEAUTIFUL WEATHER:**  
The social politics of  
global warming

**BIG CHALLENGES,  
MICRO SOLUTIONS:**  
Microfactories

**CLEANING OUR  
HANDS OF DIRTY  
FACTORY FARMING**



ARTICLE BY: DAVID RITTER

In one of the park's corners still stand tall chocolate-coloured brick chimneys and domed kilns from the brick works that used to hold sway over this land, now as anachronistic as ancient plinths. The parkland itself is an open place where friends and strangers gather and bump along, remembering out how we do that thing called society, together, in practical terms.

"Would you mind if I sat there?" "Is this your child? She fell over and was calling for you." "Any chance I could borrow your bike pump?" There's the lightest of breezes and the mid-winter sunshine feels glorious on my bare arms. Overhead, there is blue in every direction.

Two early-thirties women walk past, one pushing a stroller, the other laden with basket and bag, which I imagine have been lightened by the eating of the picnic they once contained. I catch a snatch of a familiar phrase, as one says to the other: "we've been really lucky; it's such beautiful weather, for winter."

Yes, such beautiful weather.

As it happens, Sydney's July in 2018 is full of what we would conventionally understand as *beautiful weather*, incredibly fortunate for the time of year. According to the Bureau of Meteorology:

# Beautiful weather:

## The social politics of global warming

It is late one afternoon on a weekend in July and I'm sitting on a bench in Sydney Park. Built on the remains of the heavy industrial site that used to dominate the location, the spread of trees and grasses, carefully designed children's play areas and regenerated waterways over a grand forty acres, is a tactile reminder of what a government acting in the common good can do, when investing in our shared wellbeing.

IMAGE: © Sardaka-Wiki

## The magnificent weather we are enjoying in the park is the forced smile of a planet in pain.

Greater Sydney experienced very warm and dry conditions in July. Most sites across the region set new records for the highest mean daily maximum temperature for July. Rainfall was very much below average, with a few sites recording their lowest July rainfall on record and several their driest in more than 20 years.<sup>1</sup>

If only the sunshine was just a matter of orthodox good luck. Instead, the record heat is just another sign of global warming. It is a bitter-sweet paradox that the wonderful weather can be so

delightful and yet so menacing, another warning sign that global warming is accelerating and that the consequences are now upon us.

The magnificent weather we are enjoying in the park is the forced smile of a planet in pain.

Sydney's unseasonal balminess has felt like another echo of our national exceptionalism; that deeply ingrained notion that bad things happen elsewhere in the world, but not really in Australia.

We don't get world wars, or revolutions, or famines, or global financial crises – not here at least, not in living memory, not the worst of them,

not if you forget about the impact of colonisation on the Indigenous owners of the place.

Fires and droughts are in the bush – 'we've always had them' – and have been accepted as part of the fibre of the nation. We just motor luckily along. Even the crises of our Great Barrier Reef, the death of almost fifty percent of the coral in The Great Bleaching of 2016-17, though a desperate shock, happened offshore – like a tax haven, or a detention centre for people seeking asylum.

Trump is in the US. Brexit is in the UK. And so it is this July, that in the Northern Hemisphere, records are being violently smashed. In Scandinavia, wildfires are wreaking havoc in the Arctic Circle.

In the bush and the regions, things are getting brutal – there are reports that farmers have run out of bullets to shoot emaciated, dying stock – and by early August, 100% of the land mass of New South Wales is officially in drought.<sup>2</sup>

But in Australia's largest city this winter, the impact of climate change is an unusual number of picnics for the time of year.

### A spade by any other name...

Historically there has been a great reticence to describe particular weather events and 'natural' disasters as having



IMAGE: © US Dept of Agriculture

been *caused* by global warming. There are various reasons for this. Scientists have, understandably, been professionally reticent to attribute precise causation to a storm, a hot day or a bushfire.

Activists have often been similarly tentative, for fear of being dubbed scaremongers, ambulance-chasers or careless with facts. In the wake of the death and destruction brought by a killer heatwave or a cyclone or a bushfire, if global warming is suggested as a cause, then the welter of disapproval has been rapid and predictable.

It's a rhetorical manoeuvre mirroring that of the gun lobby in America's endless and murderously futile firearm debates. It is apparently never okay to discuss whether there should be greater gun control when there has been a mass killing. It never seems to be the right time for those people who promote reform.

In Australia we watch with depressed mystification at the United States' inability to break the senseless cycle of literally deadly public policy paralysis – even as our politicians fail so comprehensively to act to reduce emissions or begin a rapid phase out of fossil fuel extraction.

In the course of our own elite policy paralysis, whenever some extreme weather event, consistent with climate change modelling, breaks upon

peoples' homes and lives, it is somehow always just not the appropriate time to be talking about addressing the causes.

For example, in November 2013, when one MP had the temerity to join the dots between global warming and destructive bushfires old and new media was quick to pile on.

**You'd imagine that even the strongest believer in climate change caused by human activity would concede there is a more appropriate time to argue the issue of carbon pricing than when people are fleeing their homes and brave fires do their best to protect them.<sup>3</sup>**

Among the media, weather forecasters and journalists mostly steer away from joining the dots, reporting the event but not the system. A very few, like the *Sydney Morning Herald's* Peter Hannam and the teams at independent media like *Guardian Australia*, *Crikey* and the various Black Inc publications, are the noble exceptions. For the most part though, reporting on weather events being consistent with global warming seems *verboten* in our cultural discourse.

It is an absurd result, as perverse as reporting on casualties without mentioning the existence of a war.

Scientific methods, though, have evolved. In January this year, it was reported in the *Scientific American* that



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now 'extreme event attribution not only is possible, but is one of the most rapidly expanding subfields of climate science'.<sup>4</sup>

It is time to start naming things for what they are. Our earth has been anthropocentrically globally warmed; the climate has been changed; and the process is ongoing and accelerating, driven by human activity, including burning coal, oil and gas, and deforestation.

In this context, there is still some 'normal weather', by which we might mean temperatures and conditions that fall within the historical definitions of ordinary and expected variation across weeks and seasons. But then there is the other stuff, the *global warming weather* and the *global warming weather events* that are increasing in their number and intensity causing *climate damage*.

If public debate is to be pursued

with honesty, global warming weather should be reported for what it is. A weather forecaster might say:

**“...And turning to the synoptic chart, Sydney is expecting more record high temperatures this weekend, which is consistent with scientific predictions of the consequences of global warming. And if we don't rapidly transition away from fossil fuel use, there will be much, much more to come...”**

Language of that kind isn't campaigning or partisan, so much as just stating what is now common scientific knowledge. To use an old fashioned phrase: it would be telling the truth.

Global warming weather events are historically anomalous temperatures and conditions consistent with the

predictions of climate scientists, not necessarily impossible in a world before human-caused climate change, but incredibly unlikely. As Australian climate scientists Andrew King and David Karoly noted: '[w]hile we can't say climate change caused an extreme event, we can estimate how much more or less likely the event has become due to human influences on the climate'.<sup>5</sup>

If something deeply unusual occurs in the weather that is consistent with predictions of the impacts of global warming, it's time to start calling it for what it very likely is.

### A snowball's chance

Things are speeding up. It is not a comfortable thought, but then nothing about future projections of the consequences of global warming from here is comfortable.

In early August, a new scientific paper published in the *Proceedings of the National Academy of Sciences of the United States of America* entitled 'Trajectories of the Earth System in the Anthropocene', warned of the potential for impacts cascading out of control, if global temperatures reach 2°C above pre-industrial temperatures. It's effectively the whole future of the biosphere being decided in a handful of years.

The eminent authors make the following call:

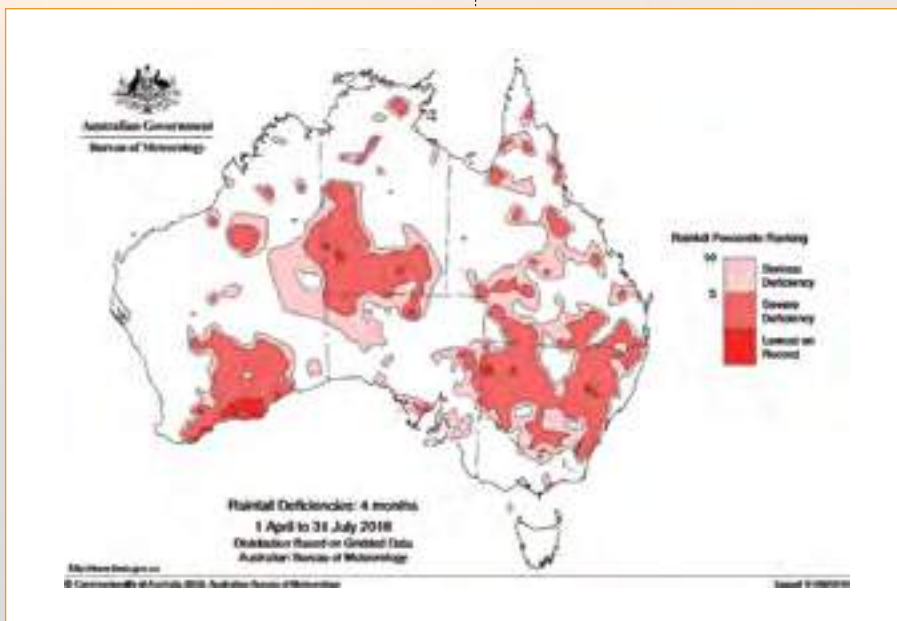
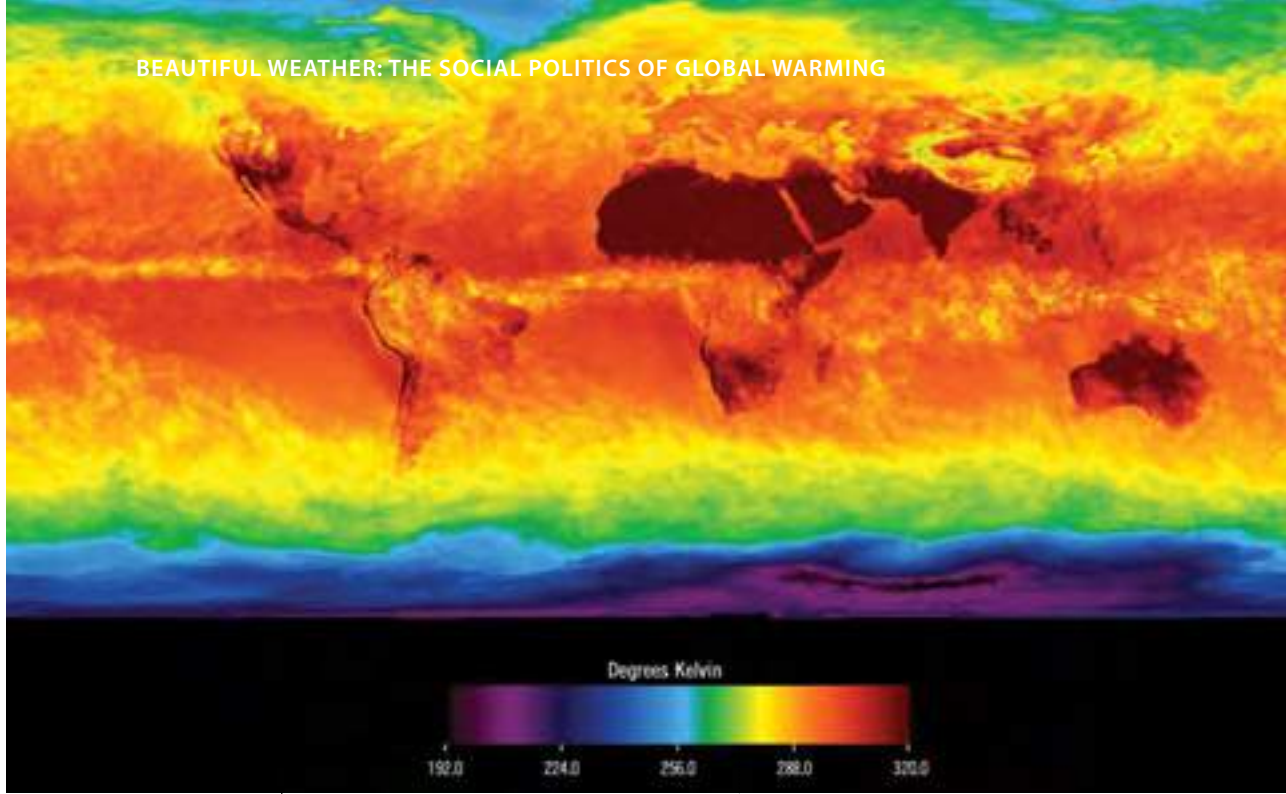


IMAGE: © Bureau of Meteorology



Collective human action is required to steer the Earth System away from a potential threshold and stabilize it in a habitable interglacial-like state. Such action entails stewardship of the entire Earth System—biosphere, climate, and societies—and could include decarbonization of the global economy, enhancement of biosphere carbon sinks, behavioral changes, technological innovations, new governance arrangements, and transformed social values.<sup>6</sup>

None of this is beyond our collective power and creativity as a species, if there is the will. Indeed, reframed, it is an immensely exciting project of the utmost existential meaning, unparalleled in human history, with the potential to leave us vastly better off as a species. Who wouldn't want to be involved?

In the very more immediate future, the Australian summer lies ahead and

the Bureau of Meteorology has declared an increased likelihood of an El Niño summer, which would mean warmer and drier conditions for our continent and surrounding waters.

As the heat closes in, the social politics of everyday global warming in the cities will shift, as unusually nice weather in July metamorphose into the frightening and ugly realities of summer.

Heat waves are statistically the most deadly of all Australia's 'natural' disasters, but they also bring on the multi-valenced menace of slow violence; the micro-aggression of irritation, frustration and lack of sleep, building towards loss of temper and control.

The social politics of global warming heat waves are manifest in the pensioner alone and afraid as her breathing gets harder when her flat heats up; the baby screaming in the car; the single parent losing her wits, because there is no safe way the kids can play outside.

In *The Coal Truth*, published earlier

this year, I wrote about the case of a seventy-one year old woman, Lynne Barnett, who had a pre-existing lung condition and died, alone in her un-airconditioned flat, during Sydney's record heatwave in January 2017. Despite the smell, which was noticed by neighbours, her body wasn't discovered for some weeks and was in a stage of partial mummification.

Although the coroner was unable to make any finding, Ms Barnett more or less precisely fitted the profile of vulnerability to death by heat stroke; a typical human casualty of climate damage in an Australian city. Given the changes in the climate that we are already experiencing, the appalling death of Ms Barnett will not be a singular fate.

It used to be the case that talking about the weather was the ultimate safe conversation. 'Avoid politics, religion, sex and money, dear, just talk about the weather'. The emotional logic was simple enough – as there

IMAGE: © NASA-Flickr

It's effectively the whole future of the biosphere being decided in a **handful of years**.

## After leaving a trail of destruction and wreckage, Tony Abbott has now been downgraded to a rain-bearing depression.

was no human volition over whether it rained, hailed or shone, there could be no controversy. Precipitation might be good for some and bad for others, but there was nothing anyone could do about it.

Today, nothing could be more political than the weather, but the fact escapes us in our day-to-day conversation, so hard-wired are we, to see the drama of the skies as beyond our ken. The social exchange around naming events for what they very likely are is yet to catch up.

The truth now is that every weird weather event is inherently political, in the sense that they are, in all probability, being impacted by decisions made by human beings. Every massive out of season storm, every record-breaking deadly heatwave; the fires and the die-offs that shouldn't be occurring; all of these are to some extent the handiwork of vested interests and political elites who have denied, delayed and betrayed.



### Whose Utopia?

For some years, environmental campaigners have been provocatively suggesting that instead of being randomly allocated human names, storms should be named after fossil fuel companies.

**At the very least it's fun to imagine the newscasters announcing, "Exxon is coming ashore across New Jersey, leaving havoc in her wake", or "Chevron forces evacuation of 375,000".<sup>7</sup>**

Perhaps, though, we should be even more granular, not only nicknaming deadly weather events after fossil fuel companies, but individuals who have fought for inaction on reducing emissions, or propagated denial; politicians like Tony Abbott and Barnaby Joyce, business leaders like Maurice Newman and David Murray, and entities like the Minerals Council that have spent their time and energy fighting against action on global warming could all justly have global warming weather events named after them: *after leaving a trail of destruction and wreckage, Tony Abbott has now been downgraded to a rain-bearing depression.*

The elite leaders who have blocked effective action on global warming bear personal culpability, but they sit atop and are located within a political order, allowing and facilitating dominance

by the vested interests of the fossil fuel companies and other big polluters.

This fossil fuel order is characterised by a set of conditions that it is useful to plainly identify, as a necessary precondition to their dismantling, which include:

- A land tenure system that creates and privileges a set of private rights to extract minerals and energy reserves (known as tenements) ahead of other property rights, including forms of Indigenous title. The same system regards tenement applications in isolation, rather than in terms of cumulative impact and contains no mechanisms for assessing tenement applications against the overall public interest.
- Legal and affordable (or free) access to the necessary land and water to enable the extractive activity.
- Very large-scale public subsidies for businesses engaged in fossil fuel extraction. According to a 2015 global study by the International Monetary Fund, Australia spends US\$10.45 billion annually in post-tax subsidies on coal alone.<sup>8</sup>
- A taxation system that enables large-scale extractive enterprises to avoid or pay low rates of taxation.
- Lax rules of public administration that are enabling of political influence, through donations, client-patronage and 'revolving doors' of staff between the bureaucracy, ministerial offices

IMAGE: © Tim J Keegan-Flickr

and private enterprise.

- Legitimizing discourse that establishes energy extraction as both inevitable and vital to the national interest and seeks to silence competing narratives (including about global warming and environmental protection) and which is often repeated uncritically through mainstream media.

The elite leaders who have blocked effective action on global warming bear personal culpability, but they sit atop and are located within a political order.

- A set of institutions that function to maintain the fossil fuel order, including peak industry bodies, sponsored organisations, and client service providers, like lawyers, accountants and consultants.
- Concentrated private ownership of the means of fossil fuel extraction and power production in certain large companies.
- Access to investment capital on sufficiently favorable terms to enable the extraction and exploitation of fossil fuel reserves.
- Secure embedding within the broader Australian political economy,

such that the interests of other sectors like fishing and tourism that are negatively impacted by the extraction and burning of fossil fuels can be sidelined.

- A political system that includes vote-weighting towards mining constituencies.
- An inadequate legal and administrative framework for assessing, preventing and redressing the environmental and social impacts of fossil fuel energy extraction. This includes the lawful ability of fossil fuel extraction and production

companies to externalise a majority of the public costs of their activities, including carbon pollution, nature loss, health impacts and site rehabilitation.

- Denigration, underfunding and attempts to capture independent countervailing institutions such as investigative and regulatory authorities, scientific and research institutions, public interest broadcasting, environmental protection lawyers and NGOs.<sup>9</sup>
- A very short-term shareholder value approach to corporate governance and strategy.





This is the system of extractivist political economy, the fossil fuel order, which is driving us headlong towards global chaos, oblivious to the suffering of billions of human beings and the future of life on earth.

It is often the habit of advocates for action on global warming to describe the activities of our opponents in terms of what they are blocking (action to reduce greenhouse gas emissions) or disastrous things that they want to build (for example Adani's proposed Carmichael coal mine or Equinor's proposed oil wells in the Great Australian Bight).

It is comparatively rare to ask, what is the overall social and political vision of the climate change deniers? What is their utopia? If, say, Tony Abbott or Matt Canavan or Peter Dutton could have Australia their own way, where would it take us?

Let's have a glimpse at what the

possible consequences of policies supported by the coal lobby might actually look like:

- Australia is taking no action to reduce emissions, having already allied with Donald Trump to wreck the global emissions reduction architecture. In the absence of any action to reduce carbon pollution, global warming is accelerating. The Great Barrier Reef as we know it is gone. Agricultural production is in free-fall. The mainland cities are experiencing 50 degree-days in summer, killing unprecedented numbers of Australians in their own homes. It feels like the country is dying around us.
- A vast complex of makeshift detention centers on Australia's northern periphery hold tens of thousands of refugees from rising seas and other consequences of global warming, as well as conflict and persecution. Australia is paying

a number of Pacific Island nations to act as, in effect, vast holding camps for people with nowhere else to go.

- All 'environmental green tape' has been abolished. Mining companies and others are expected to 'self regulate'.
- The ABC, SBS, CSIRO, BOM and other public institutions have been fully privatised and broken up, as have all remaining social services that have not simply been abolished. All university funding is now tied to 'business impact'.
- Government is free to subject all Australians to unlimited electronic surveillance in order to 'maintain security'; this is augmented by a street level facial recognition system that operates 24/7.
- Charities are banned from engaging in advocacy and peaceful civil disobedience is subject to draconian penalties. The trend of pro-coal political leaders attacking environmental defenders, identified by UN Special Rapporteur on the situation of human rights defenders at the end of his first fact-finding visit to Australia in 2016, has continued to worsen ever since.<sup>10</sup>
- The introduction of even harder neoliberal economic policies in combination with the impacts of global warming have radically accelerated the creation of an underclass of Australians

**It is comparatively rare to ask, what is the overall social and political vision of the climate change deniers? What is their utopia?**

IMAGE: © Toby Hudson-Wiki

**Back to my afternoon in the park** and high on a turfy knoll  
a couple of kids are silhouetted against the sky.



in permanent poverty and disadvantage, all of whom are subject to greater surveillance and discipline than the rest of the population.

And of course, in this appalling vision, Australia's coal, oil and gas industries are continuing to expand.

Fortunately, the fossil fuel lobby's 'utopia' is not inevitable.

### In the eyes of a child

Back to my afternoon in the park and high on a turfy knoll a couple of kids are silhouetted against the sky. I hear them yelling, then with carefree purpose they lie down and begin the mad, joyous business of rolling down the green covered slope.

In their child's eyes, the descent must seem epic. I watch as they make their erratic way to the bottom, ecstatically carefree in their childhoods, which is just how it should be. And all I can think about is the great betrayal of their future that is being carried out in real time by big polluters and politicians who are captive to corporate money and their own venal ambition, and who refuse to take effective action to limit global warming.

It is as if they have conspired to light a fire at the bottom of the hill that these tumbling tykes will not be able to avoid. On today's demographics, the kids on the hill stand a good chance of being alive in 2100. They could see

four degrees of warming – or worse – and all that comes with that; the fires, the unliveable heat waves, the floods, storms, wars and widespread socio-economic breakdown. Unless, that is, we get our act together.


The 'decarbonisation of the global economy, enhancement of biosphere carbon sinks, behavioural changes, technological innovations, new governance arrangements, and transformed social values' that is evoked in such technocratic terms by eminent scientists, can be a shared experience animated by joy, creativity, purpose and national pride.

It is not a nightmare of what we must give up, but a realistic dream of what we can yet build and nourish together; an 'Australia remade' in the spirit of creating the best version of us.<sup>11</sup>

The technical action plans exist: for example, according to one recent study from the Australian National University,

Australia is now able to construct an affordable electricity network, 100% driven by renewable energy with already existing technologies.<sup>12</sup> Other work will be needed in renewable agriculture, transport – and every other sector – all of it rich with the promise of meaningful employment, social creativity and our future flourishing.

The enabling conditions of the fossil fuel order were created by people – and can be dismantled in just the same fashion. Ideas for reclaiming our democracy are already there too, such as Melbourne University law academic Joo-Cheong Tham's ten-point plan for cleaning up the influence of money in national politics in Australia.<sup>13</sup>

All that is needed to animate these instruments is our shared will: the infinitely renewable resource of the power and determination of the Australian people. 

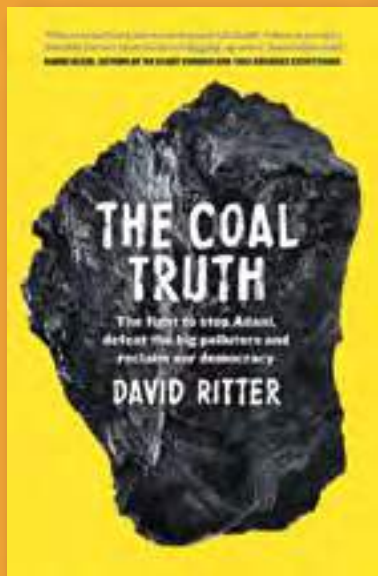


#### AUTHOR:

David Ritter is the Chief Executive Officer of Greenpeace Australia Pacific. He is also an Adjunct Professor in the Sydney Democracy Network at Sydney University, a research affiliate of the Sydney Environment Institute and an honorary fellow of the Law Faculty at UWA. His most recent book is *The Coal Truth: The Fight to Stop Adani, Defeat the Big Polluters and Reclaim our Democracy*. He has two daughters and lives in Sydney.

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# AQ Book Review



## The Coal Truth

BY DAVID RITTER

REVIEW BY: THE EDITOR

**Y**ou can feel the heat coming off the pages. Opening in the steamy locales of a suburban Sydney summer, *The Coal Truth*'s first chapter is familiar and idyllic. Yet, like heat shimmers at the periphery of your vision, and uncomfortable realisation pervades, that the fast lives of humans have now begun to sense the tiny changes in the slow life of the planet.

In this little Sydney microcosm is the story of our age — the erosion of trust; post-truth politics; the assault on civil society; the disconnect between public opinion and parliamentary action; a global threat we can't hear, see, or touch — all neatly embodied in the battle for the Galilee Basin, against mining giant Adani.

The story of Adani in Australia has not yet concluded, yet David Ritter, CEO of Greenpeace, and his fellow authors are right in providing a dissection of the story so far, and the litany of small failures that lead Australia to arrive here.

One of the problems with the Adani mine is the magnitude. So large is the project, so national and international has the opposition been, and for so long has it loomed on our horizon, that the intricacies of the issue are bleeding into one another. The edges of the debate are being lost and it is becoming harder to conceive the fight as a whole.

And when that fine-grain detail is worn away Adani gets one step closer to winning. We lose our perspective on the What, the How and most importantly, the Who will be affected. Down that road lies apathy.

That is why this book is an important act of collective memory; it invites a collection of contributors to break down what has become almost an incomprehensible issue.

The book's first few pages are rightly given over to Adrian Burragubba of the Wangan and Jagalingou First Nations. As a prologue, it is both a welcome to country, and yet also the antithesis of one. It demands that their right of stewardship be more than simply ceremonial and spiritual, and that their ownership of place is greater than that of corporate greed.

Across economics, morality, public health, misinformation and more, Ritter's other co-authors carefully pick apart the Adani complex, tracing the threads to the broader social issues of the government assault on civil society, charities and the right of dissent.

Ultimately, *The Coal Truth* is a diagnosis not only for the planet but also for the emaciation of a government at odds with its people. It is a rebuke of false economics, broken systems and usurped priorities.

It is evocative and even uplifting, and returns the issue to one that everyone can comprehend. A valuable resource for our times. [AQ](#)

*THE COAL TRUTH* IS AVAILABLE IN BOOKSTORES AND THROUGH  
UNIVERSITY OF WESTERN AUSTRALIA PUBLISHING  
[HTTPS://UWAP.UWA.EDU.AU/](https://uwap.uwa.edu.au/)