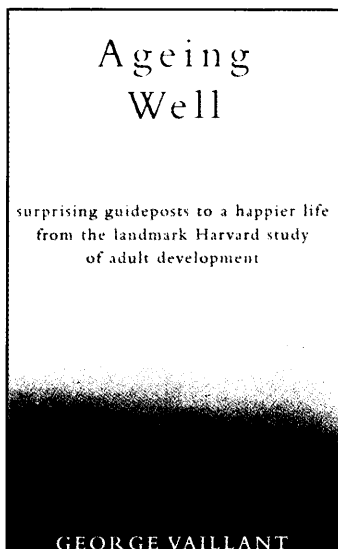


Reviews

***Ageing Well: Surprising Guideposts to a Happier Life from the Landmark Harvard Study of Adult Development* by G E Vaillant, Scribe Publications, Melbourne, 2002; pp373; \$30.00.**



It is highly unusual for *Reform* to publish a review of a self-help book. However, the publication of George Vaillant's *Ageing Well* is such a milestone in the literature on ageing that it merits an exception. This book is dedicated to the task of uncovering how we can age successfully and make the most of the longevity now

granted to many of us by modern hygiene and medicine. As a basis, the book provides an encouraging and detailed account of the Harvard Study of Adult Development – the longest longitudinal study of ageing ever published.

The Study tracks the lives of three cohorts of Americans – 824 people in all – from the 1920s until the present. The first cohort is comprised of socially advantaged male Harvard graduates born around 1920. The second comprises socially disadvantaged men born in the inner city area of Boston around 1930. The third

cohort is a sample of middle-class intellectually gifted women born about 1910.

An unusual feature of the Study is that it investigates the factors that underpin the well-being of its subjects rather than tracking the course of disease or ill-health of a research sample. From youth until old age, most participants completed biennial questionnaires, provided physical examinations every five years, and were subject to detailed interviews by a raft of professionals every fifteen years. The Study is also unusual because it is prospective, that is, it examines events as they occur, not in retrospect. This has the important advantage of avoiding reliance on a subject's recollection of his or her life experience, with all the selective distortions and subjective reconstructions that that often entails.

A critical determinant of successful ageing is the capacity for social maturation. In *As You Like It*, Shakespeare described ageing as a process by which 'from hour to hour we ripe and ripe, And then from hour to hour we rot and rot'. Following the pioneering work of the social scientist Erik Erikson, Vaillant's Study rejects this pessimistic view of old age and explains adult social development as progress, not decline. The key to this maturation is the mastery of three life tasks: *generativity* – the task of broadening one's social circle by caring for the next generation; *becoming a keeper of meaning* – the task of passing on the traditions and values of the past to the next generation, and so preserving the collective products of humanity; and *integrity* – the task of achieving a sense of peace and unity with respect to one's own life and the world.

Supplementing the process of social maturation is that of emotional maturation, through which one's coping mechanisms or defences grow beyond the limited and often maladaptive mechanisms of youth. Building on Freud,

Vaillant explains the useful coping mechanisms of older age as sublimation, humour, altruism and suppression.

Despite the psycho-social jargon, Vaillant's account of this remarkable Study provides an engaging analysis of the process of successful ageing. The book is peppered with the life stories of participants in the Study – participants whose experiences of old age sometimes sound a cautionary tale but are more often simply inspiring. This inspiration comes from the capacity of some individuals to age with grace, dignity and personal fulfilment, despite a poor start and great adversity.

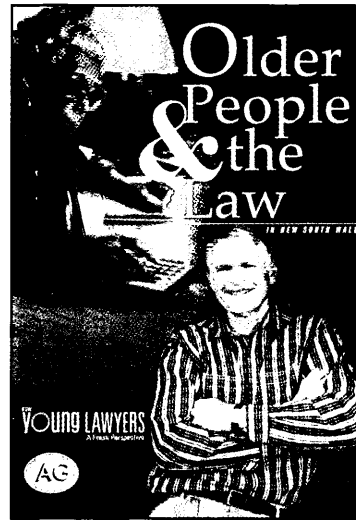
Although I described Ageing Well as a self-help book, it is in fact a scholarly account of ground-breaking social research. For those who want to use the new knowledge as a basis for planning their elder years, Vaillant offers some clear signposts.

- Bad things in life do not doom us to an old age of gloom; rather it is the good people we encounter who facilitate enjoyable old age.
- Healing relationships in old age are facilitated by a capacity for gratitude and forgiveness, and impeded by feelings of entitlement and resentment.
- A good marriage at fifty predicts positive ageing at eighty.
- Alcohol abuse is strongly correlated with unsuccessful ageing not just because of its effects on physical health but because it damages future social supports.
- Learning to play and create after retirement adds much more to life's enjoyment than does retirement income.
- It is all right to be ill in old age – so long as you do not feel sick.

For those who have yet to enter Shakespeare's age of 'second childishness and mere oblivion', the Harvard Study provides a challenging blueprint for an alternative future.

– Brian Opeskin

***Older People and the Law in NSW* by NSW Young Lawyers (3rd ed.), Sydney, 2002; pp93; free.**



Older People and the Law provides access to relevant legal information to enable older people in NSW to determine their options and make decisions about their legal rights. This handbook could also be used by carers of older people and legal professionals

to assist in the provision of advice and referral.

Originally published in 1990, the latest edition is a complete re-work and expansion of the title, reflecting recent developments in the law and utilising a more user-friendly style. *Older People and the Law* does not claim to provide comprehensive advice – it is a decision-making tool. The text outlines issues relevant to older people, allowing the reader to explore and assess options prior to acting. Importantly, the handbook also serves as a referral service, directing the reader where to find further, and more comprehensive, advice on a particular matter.

The 'new look' handbook details practical issues such as how to find a lawyer (including Legal Aid and community legal centres); what to expect from a lawyer (disclosure of costs, billing, money held in trust, confidentiality) and how to make a complaint about a lawyer. Other relevant topics that are covered in the book include Medicare; the Pharmaceutical Benefits Scheme; pensions, benefits and allowances issues; superannuation and taxation.

The new edition also covers legal areas that may typically concern older people and their carers including wills and powers of attorney, finance, housing, anti-discrimination, crime, personal injury and family law. The chapters on 'Taking Control of your Health Care Deci-

sions', 'Taking Control of your Finances' and 'Housing' are informative and empowering. This information will be vital to many older people at a time when their independence may feel threatened by incapacitation, family pressure and economic factors.

The handbook's commentary on general legal issues is relevant and directed at the older reader. The consumer rights chapter is particularly welcome at a time when consumer fraud affects more older Australians than other types of crime. The chapter details the issues surrounding normal product purchases, travel, motor vehicles, repairers and handymen, door-to-door salespersons and credit. The section on disputes with neighbours is practical – setting out common disputes that may arise (fence issues, noise, pets and overhanging branches) and offering legal and non-legal solutions (local community justice centres, government departments, and the court system).

The chapter on wills and powers of attorney outlines matters such as intestacy, the form of a will, what property can be left in a will and the alteration of a will. Importantly, the cost of making a will is also covered, the text providing a number of affordable options such as standard forms from newsagencies, the Public Trustee and services offered by the NSW Law Society. This section is not a comprehensive statement of the operation of the *Wills, Probate and Administration Act 1898*, but rather identifies the main issues involved in will-making and provides contact details of those who can provide further assistance.

The last chapter is a list of government departments, community legal centres, associations and other organisations that can offer further assistance. This directory will prove useful for many older people, their carers and legal professionals. One positive feature is that it acknowledges that an older person's needs will often intersect with other needs associated with their identity, for example, the directory lists contact details for Aboriginal Legal Services and Women's Legal Centres.

Older People and the Law is available free-of-charge and would be a welcome addition to legal offices, libraries, community legal centres, nursing homes, retirement villages and senior citizens clubs across

NSW. It would be valuable to develop similar publications on elder law in all Australian state and territory jurisdictions.

– Jonathan Dobinson

***Getting into Law* by James Miller, Butterworths, Sydney, 2002; pp400; \$50.00.**



In *Getting into Law*, James Miller approaches the inherent difficulties of teaching first year law by blending a number of possible approaches – combining legal history with explanations of legal concepts and structures, the sociology of law and the

mechanics of laws and the legal system.

From the outset, Miller eschews the most obvious approach to teaching introductory law, which generally involves presenting students with dry, indigestible tracts on the hierarchy of the Australian court system and the theory of separation of powers. Instead, he opts for asking the bigger questions of students – what is the law? Where does it come from? Why do we need laws in the first place? Woven into a lively consideration of these questions are case extracts clearly chosen to captivate the reader, including cases about the television program *The Simpsons*, the Derryn Hinch case and the Ivan Milat trial. This, and the gradual introduction of legal concepts, work well to ease new students into an understanding of the basics of the legal system while retaining their interest.

From this point, Miller guides the reader through a history of the legal system. Well-chosen excerpts, ranging from Machiavelli's *The Prince* through Plato's *Republic* to the *Declaration of Independence* and Mill's *On Liberty*, give life and colour to Miller's account, which

traces the origins of law with admirable clarity, vigour and intellect. This history serves to ground students in the events that caused the modern legal system to develop as it did, both in structure and in its philosophical foundations. Miller's history is also to be commended for its thorough and considered treatment of the place of Aboriginal culture and laws in the history of the Australian legal system.

The latter half of the text introduces students to the basic components of the Australian legal system, with clear explanations of both the federal structure of government and the court system, and the reasoning that lies behind them. The text concludes with a thorough coverage of the concept of precedent and methods of legal interpretation, both statutory and common law.

Miller's style is easy to read, relatively spare and intelligent, at once engaging and informative. At times, the text tends to wander off into digressions that are more distracting than useful. For example, Chapter 1's explanation of the roots of the jury system and its general absence from the Continental system is accompanied by a half-page history of the French Revolution and Napoleon's European campaigns. While interesting, this adds little, if anything, to the discussion. That said, in many instances the colour and life that Miller has sought to inject into the text are enhanced by these esoteric asides.

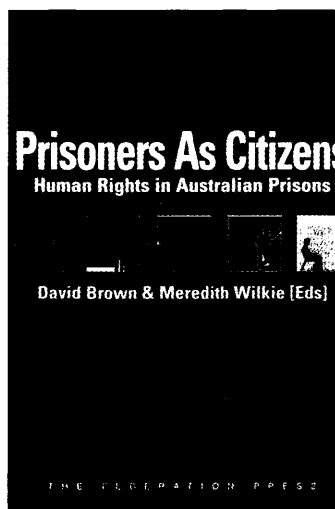
A major quibble, however, is the size of the print, which is small and closely spaced. The book is rather tiring on the eyes as a result, which is a pity when the material itself is so readable. This problem is made up for to some extent by the user-friendly format of the text. Each paragraph is given a title, placed in the margin, in addition to a number. This makes it easy to access information on very specific topics simply by scanning down the margin. Also, further reading materials associated with each paragraph are given at the end of each chapter.

Despite these small problems, James Miller has produced a sound, nicely written and accessible introductory law textbook. The discrete structure of each chapter makes it suitable both as an entire course in itself, and as a text from which relevant chapters may be selected to complement other courses. For more advanced students, the text would also form a useful reference book. *Getting Into Law* achieves what many

introductory textbooks do not – it manages to deliver the necessary basics in a palatable format without sacrificing the quality of the material.

– Imogen Goold

***Prisoners As Citizens: Human Rights in Australian Prisons* edited by David Brown and Meredith Wilkie, The Federation Press, Sydney, 2002; pp368; \$49.50.**



How we judge ourselves as a society must, to a great degree, be measured by the treatment we give to the marginalised, the vulnerable and the disempowered. This holds particular force in relation to our prison population which is disproportionately drawn from persons with dis-

advantaged backgrounds. Human rights and social justice should not be the exclusive domain of certain privileged sections of society; nor should they dissipate at the perimeters of a prison wall.

While imprisonment necessarily entails a loss of liberty, it should not mean that all other human rights are open to abuse with sanction, and all citizenship rights surrendered. If we care about our future as a society and as a democracy we must rigorously question the proper parameters of punitiveness and invoke measures to include the often voiceless and invisible prison population in our public and political discourse.

These are some of the themes that resonate from this outstanding and comprehensive collection of essays on prisoners' rights, which offers historical, international, jurisprudential, empirical and legal perspectives. The collection is written by academics, lawyers, prison administrators, workers in prison support services and

government, a journalist and prisoners themselves. Indeed, the book communicates its messages most powerfully and poignantly when it includes the voices of prisoners directly recounting their experiences.

Written against the background of a burgeoning prison population and the political rhetoric of a tough law and order policy, the editors, David Brown and Meredith Wilkie, state that the aim of the collection was to take a small step in attempting to ignite debate about the need for a more open, informed and responsible penal politics.

The book is divided into three parts. The first part deals with prisons and prisoners. The second part deals with regulating prisons and prisoners' rights and the third part deals with citizenship and rights.

The reader is confronted with the brutal reality of the disturbing and dehumanising conditions in our prisons from the perspectives of a number of cross sections of the disadvantaged imprisoned population. The voices are plural, articulating the particular problems faced by Indigenous prisoners, female prisoners, prisoners with an intellectual disability, those with a mental illness and those from a non-English speaking background.

What emerges from these specific and differential incarceration experiences is a call for a system that at its core respects the human rights of its inmates and, in turn, prepares those inmates for reintegration into society. These human rights include the right at international law for persons deprived of their liberty to be treated with humanity and with respect for the inherent dignity of the human person. The book implores us to strive for a regime that protects prisoners' personal security, is intolerant of violence, gives prisoners access to health care and medication, promotes prisoners' access to family life and education, and eradicates institutional racism. The book calls for abolition of the denial of civil rights to prisoners, such as the right to vote and to sit on juries, as such denial is inconsistent with a modern rehabilitative approach and serves further to alienate prisoners from society.

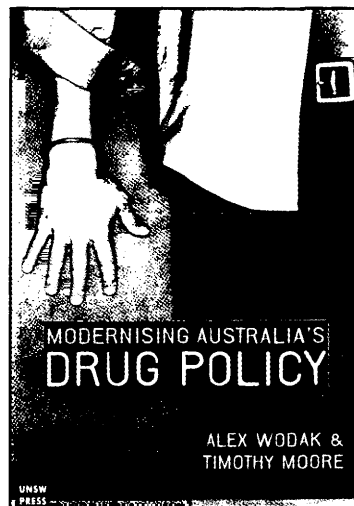
Other critical issues that are raised in the collection include balancing the rights of victims with those of prisoners; the inappropriate use of imprisonment for minor offenders; the questionable efficacy of isolation as a response to a cry for help for suicidal female

inmates or those who have self-harmed; the privatisation of prisons with attendant accountability issues; and the invisibility of prisoners in the media.

This is thoughtful but disturbing reading for those who care about the nature and direction of social justice and democracy, and desire to see both these processes as inclusive rather than exclusive. To ignore the voices in this book and the critical issues that they raise is to ignore our own future. The treatment that we give to prisoners will largely determine their behaviour beyond the prison walls.

– Isabella Cosenza

***Modernising Australia's Drug Policy* by Alex Wodak & Timothy Moore, University of New South Wales Press, Sydney, 2002; pp 103; \$19.95.**



The international drug trade has an estimated annual turnover of \$US 400 billion, accounting for 8 per cent of total international trade. According to Wodak and Moore, 'attempts to defy the inexorable law of supply and demand for illegal drugs have proved as

unsuccessful as attempts by communists to defy economic gravity'.

This short book presents the current state of drugs policy in Australia and its consequences. The central thesis of this book is that a modern drugs policy should be approached as a health and social issue rather than a problem to be solved by law enforcement.

The authors contend that between the extremes of a totally unregulated illegal market and a hypothetical legal free-market, a third way must be found to deal with the demand for currently illicit drugs. This book argues that a regulated market – which realistically

will never completely suppress an illegal element – will be a more effective and sustainable way of responding to the problems associated with illicit drugs in Australia.

Wodak and Moore illustrate this point with statistics. In 1992, the Commonwealth and state governments allocated 84 per cent of drug related expenditure to law enforcement, 10 per cent to prevention and research and only 6 per cent to treatment programs. Yet, drug overdose deaths in Australia have increased from only six in 1964 to 958 in 1999.

The authors claim that even from an economic rationalist perspective prohibition does not add-up. Increased costs in policing, prisons and health care are all cited as possible outcomes, not to mention the loss in tax revenue to government in a market owned and operated tax-free by criminals and corrupt police.

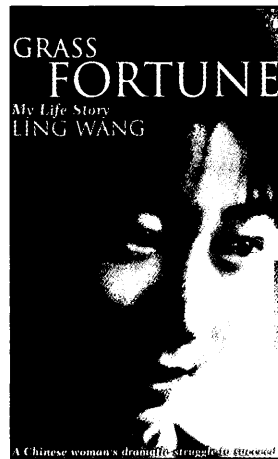
This book does well to chart the history of drug policy in Australia and overseas. It compares outcomes in Switzerland and the Netherlands, often cited as drug law reformers, and Sweden and the United States, which take a zero tolerance position. Wodak and Moore express their preference for drug law reform in Australia that emulates approaches in Switzerland or the Netherlands, where harm reduction and partial prohibition are central to the drug policy.

Setting out their strategies in a ten-point plan, the authors argue that: drug use should primarily be seen as a health and social issue rather than a criminal justice problem; cultivation, production, sale or possession of small quantities of illegal drugs for personal use should not attract criminal or civil sanctions; proposals to tax cannabis, and prevention should be taken seriously; and drug users should be diverted from the criminal justice system to treatment. None of these ideas are novel, and the authors remain open as to how they would translate into public policy.

This book is well written and accessible to a wide audience. What it lacks in legal detail is balanced by its pithy analysis of current drug policy from a social perspective. The issues echoed in this book are not new, however its frank and clear analysis forcefully present what is at stake.

– George Spiteri and Melanie Ries

Grass Fortune: My Life Story
by Ling Wang, Penguin Books, Camberwell, 2002; pp 294; \$23.00



This autobiography focuses on the struggle of one woman in post-revolution China to find a meaningful life within the strictures of a very structured society. It is an account of one woman's search for education, a career and, ultimately, love, set against a background of respect for family values and the restrictions of the Communist state. The title

of the book refers to a traditional Chinese saying that grass is stronger than flowers, even though it is less beautiful.

This book follows Wang Ling's journey from childhood to the bench and ultimately to a new life in another country. Wang Ling's childhood is shaped by both traditional values and the political and cultural revolution in China. The political revolution touches her life early when her father is sent to a labour camp for having 'rightist' views. Wang Ling's schooling is disrupted by the cultural revolution, her textbooks consist of the quotations of Chairman Mao. When Wang Ling finishes high school, university enrolment is only open to workers, peasants and soldiers and she faces going to live in the countryside to undergo peasant's re-education.

A change in government policy allows Wang Ling to stay in the city and, despite some initial setbacks, Wang Ling eventually goes to university to study English. After receiving her Bachelor of Arts degree, Wang Ling is assigned to work in a court. Wang Ling works her way up from court clerk to deputy judge in the Nanchang Railway Transport Court. Court work is very different to that in Western countries, with judges involved in investigating cases and in directing executions. As a judge, Wang Ling struggles to remain 'upright and just' in the face of personal and political corruption. As a woman she faces intense pressure to

marry and follow tradition by retiring from public life to support her husband and raise a family.

The opportunity to undertake a training program for senior judges – a Masters in Commercial Law at Beijing University – is interrupted by the closure of the universities following the student uprising that culminated in the Tiananmen Square massacre. Wang Ling is given the opportunity to continue her studies overseas and she comes to Melbourne where she falls in love. After a brief return to China, Wang Ling settles with her husband in Australia.

The strength of the book is that it gives a human face to Chinese history in the latter part of the twentieth century. Its focus on the everyday highlights the personal struggle of ordinary people living in the midst of extraordinary social and political events. Wang Ling invites you into her world, a world of ordinary people trying to lead small lives well in the face of large external events. It would be easy to be annoyed with Wang Ling for not trying to make more of the big events that shaped her life, but ultimately the book is about 'her life', about the journey of one woman from uneasy adolescence to contented adulthood.

– Lynne Thompson

***Technoculture - From Alphabet to Cybersex* by Lelia Green, Allen & Unwin, Sydney 2002; pp 254; \$35.00**



In some ways this book is itself an illustration of the trends that it describes. The author considers the superficial and fragmented post-modern experience, focussing on the ambiguity and uncertainty of technoculture and the disruption to older, more static ways of life. Technoculture is unsatisfying

and in some respects threatening, even to those who understand and embrace it.

The author describes the phenomena associated with post-modern technoculture, and the malaise and discontent that come with it. New patterns of human communication offer apparent benefits but fail to satisfy some underlying needs of human interaction. Society is fragmented and in some respects re-integrated. But the inhabitants of these new societies are not necessarily settled in these new patterns and seek to re-define the boundaries of their new communities and their places within them. The result is unease. The path ahead and the resolution of these uncertainties is obscure.

So it is with *Technoculture*. The descriptive passages and empirical material are interesting in stating academically contemporary phenomena. The empirical material is necessarily imprecise, but so it must be when measuring recent, mutating and subjective social changes.

But it lacks a clear message about what the future might hold, or a concrete and novel approach to the description of the emerging present that offers something more than the statements of concern and disquiet that are routine messages in current cultural media.

Importantly, Lelia Green does focus on the links between established power structures and the advent of modern technology, especially communications technologies, and the standardisation of expression around the world. The message that these media remain in the hands of existing power brokers – despite what is often seen as the democratisation of communication and public expression through the anarchic internet – states a major threat posed by technoculture, one reinforced by its seductiveness. In this respect, her work offers something significant if not revelatory.

The missing element is some consideration of solutions or alternative futures. Although it is in principle true that the adoption of all or any new technology is not inevitable, the failure or marginalisation of some modern technologies usually only represents the triumph of one variety of the new technology over a variant of the same idea in practice. The basic technology is adopted in any event. It is reality that almost all technologies, however dangerous, will be adopted by someone whose interests are seen to be enhanced by it.

– Ian Davis