

MERCY FOR MONSTERS

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Compassion is a civilising virtue. It is more than sympathy or pity for the helpless. Compassion has everything to do with what makes humans beings, social beings. It is the capacity to act in the interests of another because we recognise the right of that other to be treated with dignity and respect, without discrimination or a judgment. Compassion is a generosity, as Dr Samuel Johnson said, that the wretched cannot offer.

In the recent, controversial German movie of Hitler's last days, *The Downfall*, Hitler remarks to his bunker companions, as thousands above him are dying in a last, useless defence of a Berlin that he had ordered destroyed, that he had ruthlessly excised all compassion from his soul in order to achieve his great purpose for the German people.

The movie is controversial because, for the first time, a German movie depicted Hitler as a wretched, sick and complex human being. Elaborately courteous to women; affectionately acknowledging little boys who were soon die playing soldiers against Russian tanks; sick and sometimes tearful: this man decorated Magda Goebbels, "bravest of all German mothers", who was then to poison her six children to save them from a world without National Socialism; he tested his personal cyanide capsule on his beloved Blondi, a dog he would introduce to visitors as a more intelligent companion than most men, and consumed a vegetarian, teetotal meal, before he shot himself on a subterranean sofa. This was a man, an ordinary man like other men—an ordinary *monster*—one of us.

Compassion makes its hardest demand when the other excites our disgust.

Child abusers as monsters

Fifty years ago the British government sent 'orphans' to Australia under the Fairbridge Farm Scheme, where they endured forced labour, physical abuse and neglect, and the emotional anguish of believing themselves unwanted and unloved, and the unluckiest were also sexually abused. About a fifth of sexually victimised boys are now thought to have become child abusers themselves.

A man called Robert Excell was one of these boys. Sent to Western Australia when he was 10, he became one of that state's worst paedophiles. He spent 37 years in its prisons. WA Attorney General Jim McGinty authorised his release in March 2005 on condition that he be immediately deported. Excell was still in a Perth jail as I delivered this paper, because someone mismanaged his immigration documentation and the publicity provoked a new complaint: that he had raped a 19-year-old prisoner thirteen years ago, which had to be investigated. If he were not deported at that time, Excell would have died in prison.

These are the crimes Bob Excell committed. In 1965 he sodomised a 7-year-old boy, was jailed and then paroled in 1973. Then he raped a 9-year-old. Four months after he was paroled again in 1977, he raped a 13-year-old boy. In 1982 he sexually assaulted two 'youths'. In 1998 he was charged with, but not convicted on 14 counts of sexual penetration of a 19-year-old inmate of the jail in which he was participating in a sex-offender treatment program.

The Attorney General was persuaded that Excell was unlikely to re-offend, because he was sick, 66, celibate and was said to have successfully completed intensive, long-term psychotherapy that had refocused his sexual

orientation. The Attorney General was also impressed by Excell's support network: a loyal and supportive wife, her family and a large cohort of petition-signers. He also agreed to release Excell because he could get rid of him, for Excell had never become an Australian citizen. British authorities and victims' groups were appalled at the news and said so, in protests that made worldwide headlines.

Paedophiles are hated and feared, because child sex abuse is a terrible crime that cripples children's emotional, sexual and social development. Loathed by society, "rock spiders" are also despised by prisoners and have fearful prison experiences.

So what, do you say? Who cares about what happens to a monster like Bob Excell? —We should.

One reason is that he was made into a monster by his treatment as a child, by the state acting "in his best interests", on our behalf. Another reason is the faint possibility that Excell *might* be "safe" now. His advocates are not all sentimental spinsters or silly civil libertarians. One is a revered octogenarian nun who has worked with Bob Excell and other outcasts and monsters all her life and is no pushover, and who firmly told me that he had been transformed. Another is the woman who married him 20 years ago, stuck with him when he re-offended and paid for years of private psychotherapy because the prison 'sex offender' treatment was so woeful. Some would dismiss her as just another misguided would-be 'saviour' of a jailed, manipulative monster. This does not explain why her family—one of them a tough journalist, Jim Magnus—also defied Perth public opinion by asserting that Excell is no threat to children now.

Yet another reason, and the reason for my putting his case to you, is the social question he represents. How should society manage the risk that child sex offenders will re-offend? Loss of liberty is meant to be a finite

punishment. We hope that prisoners will rejoin society, though we do not do much to rehabilitate them; but paedophiles do not integrate easily back into the community. Their offences are too horrible, their monstrosity too complete.

Hollywood's view

In 2004, Hollywood made a movie about the paedophile's dilemma: *The Woodsman*— the job description, if you like, of the hero who rescues Little Red Riding Hood from the belly of the Wolf with an axe. The hero of this movie, Walter, played by Kevin Bacon, is a flawed one. He is a “recovering” paedophile, just released from 12 years in jail for molesting little girls. He wants to be “normal”, but struggles terribly. Rejected almost completely by his family; watched by a detective poised to arrest him “when, not if,” he re-offends; whose parole officer dislikes him and whose counsellor seems weak and ineffective, Walter is without friends and at great risk living in the only accommodation he can find, across the road from a primary school, and in daily fear of being noticed.

He reacts the only way he can, by disengaging from society. His past leaks out, and his new work colleagues revile him. His new girlfriend understands, because she has suffered incest. The atmosphere of the movie is foreboding, especially when he befriends a little girl in a park. They talk: he picks up her secret—her father's abuse—and comes fully to understand the harm he has done to little girls like her. He saves her.

Treatment options for paedophilia

Treatment for paedophilia is problematic. A paedophile has an exclusive, repetitive, erotic preoccupation with pre-pubertal children. I have looked for but not found any published research evidence of a treatment program that successfully treats convicted paedophiles. There are reasons for this. Prisons lack treatment facilities, programs are too short or readily discontinued, and few paedophiles seek treatment outside the criminal justice system and, if

they do, most bail out once it becomes confrontational. Some feel so powerless to control their urges that they seek an external “cure”, such as chemical castration. Most convicted paedophiles re-offend quickly once they are released from prison. Successful treatment has to deal with the negative feelings associated with sexual acting out; the disinhibiting effect of the repetition of sexual fantasies, and the paedophiles’ distorted perceptions—of “love” and “normality” in child sex interactions.

The most effective inhibition of further sexual exploitation is empathy—their appreciating their victims’ feelings—and developing a proper sense of guilt, rather than the narcissistic self-pity that is usually offered to a court.

Another is third party supervision: Western Australian researchers Broadhurst and Maller found that increased likelihood of re-offending was linked to reduced intensity of post-release supervision.

Effective treatment needs the paedophile’s co-operation/ courage, and societal engagement. A recovering paedophile needs enduring relationships, which is something society will not give them. Little wonder, then, that they befriend one another, and form “circles” of sympathetic fellows.

Society has the right to protect itself. If we cannot make paedophiles “safe”, can we improve how we protect their victims? We have not acted on what evidence that we have. South Australia’s Professor Freda Briggs’s research with abusers in South Australian and NSW prisons revealed that many paedophiles were “taught” their sexual orientation as boys; that the transition from victim to victimiser is clear and direct and often rapid; that child protection programs need to educate parents much better about how to make their children safe; and that little boys’ vulnerability is grossly under-rated. Her research also found that children accept all early sexual experiences as “normal”, not nasty; and that the paedophile that a victimised child may become therefore, genuinely, sees nothing wrong with what they do.

That is what happened to Bob Excell, we know this from the extracts from his personal therapeutic memoirs unfortunately published by *The West Australian*. They were not helpful to his case. It is not sufficient to know how he became a victimizer, because we still need to protect all little boys from being victimised.

Effective treatment for him, as a paedophile, depends on consistency of treatment under a legal mandate, ongoing support and behavioural supervision for a long, long time. This means stable, long-term relationships—and none of this is available in the UK, whose authorities can only put him on a sex offenders' register. He would have been “safer” released in WA where these things are in place.

What, then, should be done?

We could just accept that we need to put up real defences for children to reduce the likelihood of the risk being realised. We could establish treatment programs for paedophiles who have not been caught or punished *and want to change*—the emphasis is critical. Or we could segregate paedophiles from general society for life: but how inhumane and inadequate to forever lock up men—and women, too—who might be intelligent, insightful, remorseful and willing to make reparation, who want to be normal, but whose forensic condition cannot be “cured”. What does it achieve, to subject them to unending self-disgust and rejection, a pointless regime of petty rules, surveillance and useless occupations? Could we find humane, segregated communities and purposes for those who cannot be part of us?

We must acknowledge what we share with those who we fear, who are not so very different, who challenge our sense of belonging. We carry within us the same propensities as any monster. It is easy to lose sight of our shared humanity in face of national or political exigencies, or when we feel endangered.

That is why we have laws about decent standards of behaviour. That is why we established rules about how, for example, wars may be waged, prisoners should be treated and vulnerable people must be protected. That is why we must not create classes of people and categories of behaviour to which the rules do not apply. But we do, and not only to convicted criminals. The United States, the greatest world power, has threatened it all by arguing that such rules of civilised behaviour do not apply to protect the men and boys it detains without trial in its isolated, off-shore detention centre in Guantanamo Bay, asserting that they and their prison are truly beyond the pale of society.

Compassion requires that we treat even terrorists as human beings, even those accused of monstrous crimes. Compassion underpins the ancient law of the sea, too, which requires that we rescue and take to land anyone whose ship has been wrecked. The captain of the Tampa was compassionately and legally bound to take to safe harbour the men and women illegally bound for Australia, in 2001. It was lack of compassion that enforced the Tampa's stand-off from the beautiful, wild and distant rocky outcrop of Christmas Island, where the captain meant to land them, and which provoked the Australian government hastily to excise Christmas Island from Australia for immigration purposes. The government of New Zealand showed compassion when it accepted some of that wretched human cargo, who has virtually all now become its citizens. Most of the rest have since been accepted as genuine refugees in Australia.

It is the lack of compassion in our constitutional arrangements—no requirement to comply with our international human rights promises and treaties nor way to challenge draconian and destructive laws and practices—that has left them and other asylum-seekers in indefinite immigration detention, including children going mad. But that was only possible because of our own lack of attention to, and compassion for, strangers—Cornelia Rau

had an Australian family who loved her, and so her suffering in Baxter has come to an end: but what of all the others?

It is easy to forget about those condemned as criminals, prisoners, illegals and non-persons, especially if they are cut off from our society. Shouldn't we insist on knowing about their condition? When, as we were recently warned, our federal government is building an 800-bed immigration detention facility on Christmas Island shouldn't we ask, but why?

Christmas Island's Shire President Gordon Thompson recently made himself unpopular with the Australian government by telling journalists that it plans to turn the island into Australia's own Guantanamo Bay. This is what its officials and advisers had told him. Deep in the Indian Ocean, a Christmas Island detention camp would be secure from unwelcome attention—from state child protection officials, meddling professionals and advocates, and journalists too, all those people who have told us about the suffering of children, the punishment practices and lack of health facilities, in immigration detention. From Christmas Island no asylum seeker could apply for a visa or claim refugee status because it is not Australia and the writs do not apply. Thompson believes our government means to detain all future boat people there, wherever they originally landed, in or out of the 'immigration zone.' The government denies such "plans"—no doubt as rock-solid an assurance as Minister Abbot's promise to preserve the Australian health care safety net. Why build the jail, then? ¹

Christmas Island is very far away and its inhabitants readily forgotten. Yet unpopular outsiders particularly need our compassion and we need to be constantly reminded of the need to care what happens to them. It is far too easy to do as Hitler did, putting compassion aside to achieve a great purpose or, even, to protect us from pain. We have to have international human rights

¹ For example, in September 2006, the Australian government transported Burmese asylum-seekers who had arrived by boat in Western Australia to claim asylum, offshore.

treaties because they embody the duty element of compassion, both as a civilising virtue, and as something that the individual requires to constantly renew.

In 1994 in Rwanda, ordinary men and women turned on their neighbours in what became one of the most efficient genocidal slaughters of the 20th century. We, in the civilised West, delayed while more than 800,000 babies and children, women and men, the old and the sick, the young and the pregnant, were slaughtered in weeks, in bloody marshes and rivers and churches of a far-off African nation, whose people were not like us.

But they were. In the April 2005 edition of the US magazine, Harper's, some of the interviews by French journalist, Jean Hatzfeld, conducted with 10 Hutu men jailed for killing Tutsis were published. They did not hate the Tutsis, one said: another, that killing was less tedious work than their ordinary farming occupation with better benefits (the loot and the land). They used their everyday machetes and their technique improved with practice. They chopped to pop music, they didn't listen much to the propaganda. And one said:

Outside the marshes, our lives seemed quite ordinary. We sang on the paths, we downed some beer . . . We chatted about our good fortune, we soaped off our bloodstains in the basin, and our noses enjoyed the aromas of full cooking pots .We were hot at night atop our wives, and we scolded our rowdy children. Although no longer willing to feel pity, we were still greedy for good feelings..

What does this tell us?

What does all of this tell us? That we may not choose the objects of our compassion. That we must deal honestly with the ordinary monster, for he is in everyman. A few years ago the former Czech President, and poet, Vaclav Havel addressed the United States Congress. He told them that:

We are still under the sway of the destructive and vain belief that man is the pinnacle of creation and not just a part of it and that therefore everything is permitted. In other words, we still don't know how to put morality ahead of politics, science and economics. We are still incapable of understanding that the only genuine backbone of all our actions, if they are to be moral, is responsibility. Responsibility to something higher than my family, my country, my company, my success - responsibility to the order of being where all our actions are indelibly recorded and where and only where they will be properly judged..

This is your challenge—to find and express compassion for the ordinary monster, within.²

²This paper had been partially published in two columns by Moira Rayner on www.newmatilda.org.au