



# DE MINIMIS

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## THE SPILL ISSUE

### THE LSS LEADERSHIP: EQUITY UNCLE SPECULATES

The last eight years of political turmoil have made it abundantly clear that no single leader can hold office for an entire term.

Thus, with this week's LSS elections decided, MLS students are already turning their minds to the bigger question:

*Who shall replace the incoming ruler to be the next, next LSS president?*

The Law School is awash with rumours. Chief among those is talk that current LSS president, Matt Pierri, is amassing his loyal troupe to launch a counter-move once his own overthrow is complete.

When questioned by De Minimis of his intentions, Pierri responded that he would "serve loyally under whomever the student body chose to elect". The familiar rhetoric is made all the more unconvincing by incoming reports that he recently created a dog blog.

Whilst the outgoing President is still polling as favourite, the MLS HR department has shocked the student body by publicly throwing its own support behind Riley, the Juris Dogtor.

The move comes as a surprise despite months of television and billboard advertisements featuring the beloved canine.

The mythical Anesti may still have leadership potential despite having fallen out of favour in recent times due to a lack of updates to online notes. Whispers have been heard in the MLS corridors of the Law School Choir running on a joint ticket, and security guard David's moustache has been trending well on social media.

The De Minimis editors have been approached on numerous occasions and more specifically, calls are growing for Equity Uncle to throw his own fedora into the presidential ring.

Outside the MLS, the usual characters have shown interest in ousting the incoming President. Kevin Rudd has been spotted advocating on CNN, and Malcolm Turnbull has expressed some dissatisfaction with his new position as PM. "As a life-long republican, I have always aspired to presidential glory," he

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declared.

Turnbull has also helpfully drawn a series of crayon pictures to aid female MPs who may be interested.

Unsurprisingly, there was zero uptake, but Tony Abbott was found surreptitiously considering the pieces.

The overwhelming spirit of treachery only a few days after voting finished has caused questions to be asked of the LSS over whether two votes should be held simultaneously – one for the incoming President, and one for his/her backstabbing successor.

"The idea has certainly come up in meetings," stated Pierri. "The important thing is to ensure a strong mandate in both elections, in order to avoid an unwanted third round of voting."

**THIS THURSDAY,  
24 SEPTEMBER:**

THE LSS ANNUAL  
GENERAL MEETING  
1—2:10 P.M., ROOM 102



*A Free Syrian Army (FSA) soldier walks through the ruins of Aleppo, Syria in October 2012.*  
Photo credit: Public domain (Wikipedia).

## Feature

### TREATING THE SYMPTOMS BUT NOT THE CAUSE: The Middle East humanitarian crisis

We are currently facing what has been described as the worst humanitarian disaster since the Second World War.

Regardless of whether it deserves this ignominious crown, the broader conflict spanning much of the Middle-East has seen millions displaced, perhaps 400,000 killed, and the region destabilised.

Recent pictures of drowned refugees have mobilised a response to ameliorate some effects of the humanitarian crisis—yet as tragic as this is, it overshadows the broader issues the international community is failing to grapple with.

The risk faced is that in the absence of the international leadership necessary to address these underlying issues, this crisis will transition to a norm.

*The nature of the war and responses from the international community*

It is inaccurate to portray this as

simply a Syrian conflict; it is a regionalised conflict with several theatres. Syria and western Iraq represent the largest and most violent of these.

Few analysts today are willing to suggest the next five years will see the conflict abate. Two primary reasons drive this assessment.

***‘the risk faced is that in the absence of international leadership...this crisis will transition to a norm’***

First is the nature of the conflict. Catalysts provided by the Arab Spring and preceding Iraq War are well known, but sectarian tensions and the region’s complex twentieth-century history have all contributed to what is now the apocalyptic fulcrum of the Sunni-Shia schism.

Furthermore, this theological dimension is overlaid with pressures from ethnic nationalism, regional ambitions, and the broader strategic interests of the world’s powers.

The second, and more disturbing, reason for pessimistic assessments is the parlous state of the international response.

The Gulf States and Iran have embarked on a strategic war through proxies in Syria, Iraq, Lebanon and Yemen with little regard for its human consequences.

Turkey’s dislike for Assad is exceeded only by its hatred of the Kurds, and its inaction towards Sunni terrorist organisations. Russia, meanwhile, steadfastly supports their ally Assad, and blocks the UN Security Council in the wake of Libya and Ukraine.

The West’s response has been varied. Western political leaders are almost universal in their condemnation of the actions of the Assad regime, Daesh, al-Qaeda-aligned Sunni Islamist groups, and Hezbollah.

*Continued on the next page...*

#### DE MINIMIS IS...

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Yet with some notable exceptions, their actions do not always reflect the same commitment, particularly in the case of the US.

Australia is the second-largest contributor to a predominantly air-based military campaign against Daesh, but although an air campaign alone may contain or shape the group, it is unlikely to end its reign of terror.

Military action against the other actors exacerbating the humanitarian crisis appears unlikely in the short-medium term for complex reasons, and as a result the conflict and its human toll grinds on.

### *Human rights abuses*

Early in the conflict the UN Human Rights Council established the Independent International Commission of Inquiry on the Syrian Arab Republic to investigate allegations of human right abuses.

Four years later we have witnessed genocide, the use of chemical weapons, medieval torture and executions, slavery, and ethnic cleansing with no reprieve in sight.

The commission recommended referral of the conflict to the ICC. However, in May 2014 China and Russia vetoed the draft Security Council resolution.

Subsequently, there has been no referral by a State party, and discussions on an ad hoc tribunal similar

to the International Criminal Tribunal for the former Yugoslavia remain stalled.

This failure must not be understated.

That in the future we may see convictions for breaches of international humanitarian law might be comforting or justice for some.

But it is a damning indictment of the international community that neither a formal mechanism for investigation and prosecutions, nor a coordinated preventative response are in place for these crimes.

That belligerents can act with impunity towards the most grave human rights breaches is one of the fundamental causes of the humanitarian crisis we face, and the response to date has been inadequate.

### *The failure of international leadership*

Western reticence to engage in another Middle-Eastern war is understandable. Syria should not be a Western responsibility, nor should military action be the default response.

However, the willingness of regional States and terrorist organisations to either support or participate in wholesale breaches of international humanitarian law demands intervention across the full political, legal, and if necessary, military

spectrum.

This is particularly the case with Daesh as they reject any compromise and the basic standards of humanity.

Existing mechanisms in international law may deal with such complex situations, even when States use their veto power to paralyse bodies such as the UN.

What is needed to enable a response is courageous and effective international leadership to decisively act against those carrying out or facilitating crimes such genocide.

Unfortunately, that for nearly five years we have had more words than deeds from the world's most powerful leaders is a profound moral failure that will reverberate for decades.

Until we see such leadership emerge, we will remain treating the symptom rather than the all-too-apparent cause.

**Conan Daley** is a second-year JD student.

## Don't like the content? Write your own!

*De Minimis* is written by, and for, the students of Melbourne Law School.

We welcome any and all quality writing that might interest our readers.

If you have insights into the student experience, the legal industry, events on campus, politics, movies, or even fashion, send an email to the editor:

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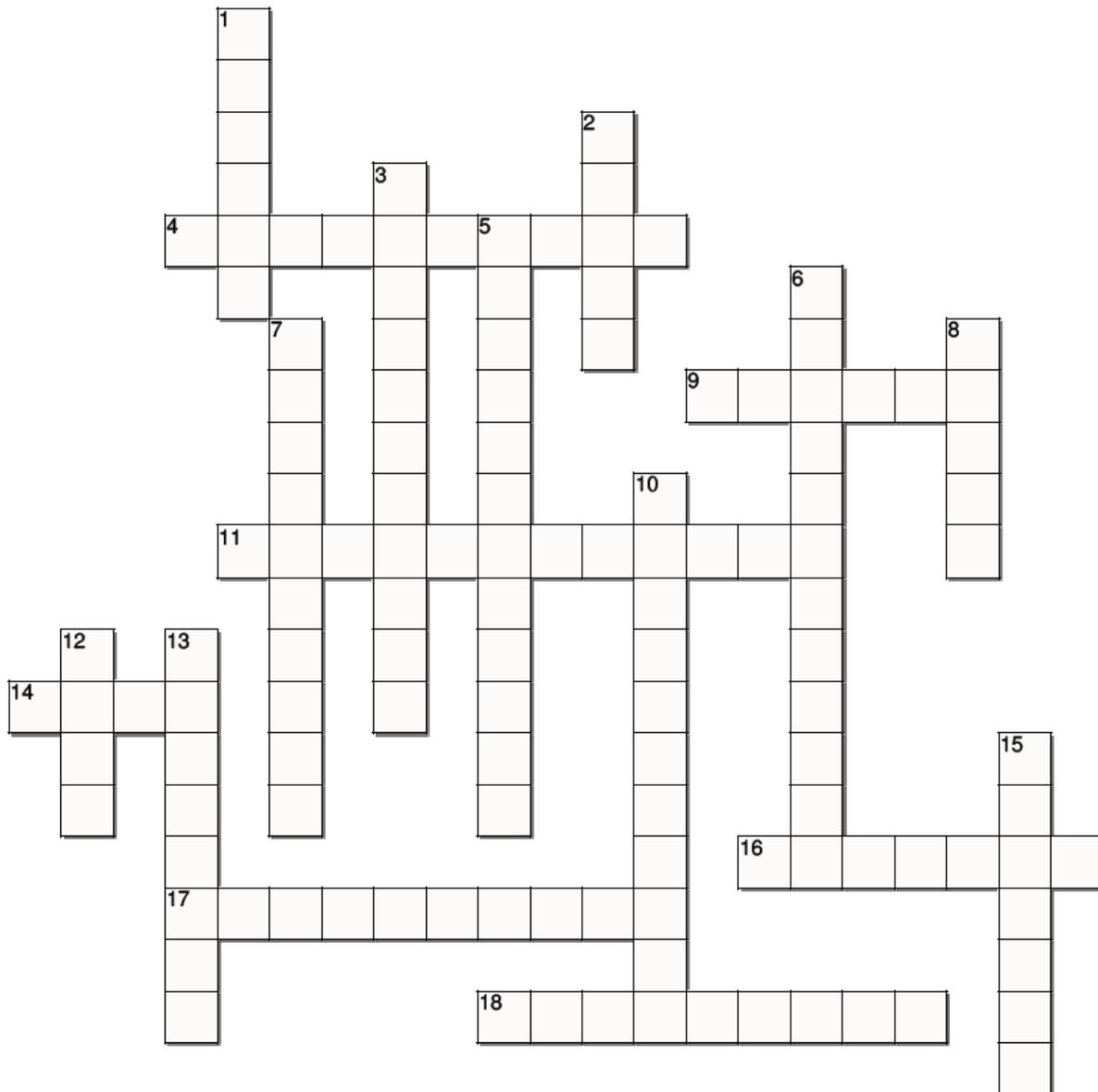
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# In The News

Complete the crossword below



**Across**

- 4. First African-American to win Emmy for Best Actress.
- 9. Which political party recently retained power in Greece?
- 11. Which tall Irishwoman was recently elected as one of the 2016 MJIL editors?
- 14. Turnbull's new cabinet consists of how many women?
- 16. Who won the most recent series of The Bachelor (first name)?
- 17. Which AFL player, who made headlines in recent months, played his last match on Saturday?
- 18. What rapper belatedly designed the clothes for his 2012 song 'new slaves'?

**Down**

- 1. Which nation has reportedly deployed combat personnel to Syria in recent weeks?
- 2. Which Pacific country was recently hit by an 8.3 magnitude earthquake?
- 3. Name of the new Defence Minister
- 5. Name of 14-year-old arrested in Texas for bringing a homemade clock to school.
- 6. Who is the leader of the opposition in the UK?
- 7. MP late of Canning
- 8. What was Tony Abbott seen mounting on his car the day after his defeat?
- 10. Which famous female fighter will be competing in Melbourne in November?
- 12. Which article of Japan's constitution forbids war as a means of settling international disputes?
- 13. Who was recently named the first ever indigenous front bencher?
- 15. Which notorious prize did Colin Raston recently win for unboiling an egg?

Crossword by Tim Matthews Staindl