

De Minimis

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Should Law Students Care About UMSU?

In Conversation with the President and General Secretary

Tim Sarder

“UMSU’s power comes from the fact that we represent all students. In the past, we’ve been more focused on undergraduate students. It wasn’t a deliberate decision, it was just something that happened,” Yan Zhuang assures me, stating “The LSS and the GSA clearly play an active role in representing law students, though I believe in the whole principle that these organisations working together are able to achieve more than if they were completely apart.”

Yan is 2017’s University of Melbourne Student Union President, and she, along with Yasmine Luu, UMSU’s General Secretary, were kind enough to give up their time for an interview with *De Minimis*. They aren’t law students – Yan, finishing her Bachelor of Arts jokes that law is “probably a little too competitive” for her, while Yasmine is completing her Masters of Social Work and is looking forward to working within that field.

Nonetheless, they’re keen to foster links between UMSU and the law school. “UMSU and the GSA do have a relationship; we do talk, though it could be better,” Yasmine admits, “I definitely think that with the relationship we have we can work towards organising something for law students.”

Both of them have kept an ear to the ground about an issue important to many law students – recorded lectures; which has recently had limited implementation in the form of recordings for single-streams of limited selections of only compulsory subjects and only for students who provide grounds for ongoing need.

Yasmine is clear on her position: “UMSU’s stance is that all lectures should be recorded, because students have a whole variety of circumstances which shouldn’t be reduced down to ‘sorry, you can’t learn because you couldn’t attend.’” Yan takes a similar view, pointing out that there are “a number of reasons students sometimes can’t attend lectures. I don’t think the law school



should be exempt from obligations to allow students to get the most out of their degree.”

When I ask them about what their roles entail, Yan says her position as President involves being the spokesperson for UMSU and leading the direction of the student union, while Yasmine tells me the role of General Secretary is to organise the student councils and involves policy-making. But, in the interview, they not only spoke in their personal capacity and in their roles in UMSU but also as representatives of the ticket they ran on, MORE!.

I tell them my understanding is that a key part of MORE!’s success is from links with campus societies, and neither deny this. Yan agrees “the base of MORE! has always been from clubs” with Yasmine concurring that “we have 217 clubs and that was pretty advantageous, it was good for us seeing all of those people excited.”

My experience with the law school has been that LSS elections are far less overtly politicised than the UMSU elections, where the various tickets often have alleged associations with federal/state political parties. I ask Yasmine and Yan about the fact that I’ve heard commentary that MORE! was a Labor-oriented party.

Yan responds, “If you look around Australia the type of people who get involved

in student politics are often members of the Labor party, and I think our association is actually less than other groups. The majority of our office bearers are not members of the Labor party, though of course we have some.” Yasmine agrees that many student unions calling themselves progressive would have members from the Labor party, but also is quick to point out that MORE! has members “from the Greens, the Sex Party, and independents” such as herself.

It’s clear from our conversation that they both have a strong belief in their roles, with Yan stating that she envisages “UMSU to be the heart of student life” at university and Yasmine excitedly talking about the range of support services the student union offers to account for different types of students. But, when I press them on the point of whether law students should care about and vote in elections that happen across Grattan St, Yan suggests “the onus isn’t on law students to connect with UMSU but for us to connect with law students. That’s something we’re pushing to do more of.” Yasmine chimes in with a message – “We’re coming for you!”

Tim Sarder is a Third Year JD Student

Pruning The Root Of All Evil...

Nicholas Parry-Jones

Recently a friend of mine, when discussing his recent non law grad job salary lackadaisically told me, "no one gets into law for the money."

This was news to me, as my own journey to MLS began when I spoke with the head of my Arts discipline school about job prospects. It was not a happy conversation, so I decided to aim for the top. By "top" I meant both intellectually and fiscally. I was, and still am, about getting paid.

Law is still one of, if not the, highest paid profession on average. This is because of a number of factors, one being that we have very stringent definitions on what a profession is. A top tier lawyer here may earn close to 2 million a year. By contrast, a neurosurgeon makes around 600k. However, the stock trader makes near one million at work and can double it leveraging his professional expertise to a private portfolio, which goes beyond what we understand as a profession.

And yet, comparing Melbourne Law

School to its academic peers in the United States and the UK, it would seem we as students, get a raw deal. A top tier lawyer in the US makes 160k as a grad, their equivalent to clerkships pay near 30 thousand for the Summer so why stay here? Ask partners at Aussie firms and they'll tell you the Yanks work you to the bone.

But by that logic, why work in law at all? These same partners have urged me not to do law as it took their lives. Yet they live in ornate houses and never think about money. They are tired, but financially secure. I'm forced to ask myself: don't I want that too?

In actuality, lawyers are three times more depressed than the general population. I don't need to tell you that the work life balance is fucked. A 2008-2009 Gallup survey of over 400,000 Americans found that a salary of \$75,000 a year was where happiness peaked, no extra dollars added to happiness. Transferring this to an Australian context and adjusting for inflation and purchasing power, I calculate this to be about \$110,000 in AUD or Dollarydoos. All those zeroes, it looks like a fairly large number,

certainly out of reach of lot of people, but not necessarily rare in the economy.

There are lots of places that will pay an adequately skilled person this amount of money, including plenty of non corporate law jobs and certainly plenty of smaller firms. With a good deal of work, you can make that at the ATO, which recently rallied against the notion of having to work past 4:51PM. Your lecturer would be earning near that amount, senior lectures certainly do in Undergrad.

I now hear calls of mortgages rising, childcare costs and an all ords that have stagnated over the last few years. Students, barely into the working world are already sweating at the idea that their parents had a house at this age. I can empathise with this view, I certainly feel that myself. But let me offer a counter argument: what good is a house if you spend no time in it? Why send your child to private schools when literature suggests they don't add much value. Going by Maslow's Hierarchy of Needs you can afford food, shelter, a social life and maybe even tuck something away for self actualisation once you hit that \$110,000 dollar mark.

Certainly, you can't expect to get there straight away. Short of being drafted into the NBA, I won't start on six figures. But once you achieve and surpass that pay packet, science suggests you won't necessarily feel happier. There are other avenues to happiness, respect in one's community, or to success. Feel free to pick your poison.

That's not to say corporate law is all bad. If you like finance, if you're interested in being an essential link in the economy, then it may be for you. The stringent entry requirements based largely on grades weighted by institution also lead to a particular type of person getting to those positions.

Disregarding correlations of upbringing, politics, race or gender, one can be assured this person is smart. I for one, like to be around smart people. The point of this article isn't to dissuade you from the corporate grind, but rather to reassure all students not to sweat the small stuff, including, but not limited to, the zeroes in your bank account.

Nicholas Parry-Jones is a Third Year JD Student

Equity Uncle: Typed Exams

Dear Equity Uncle,

The law school has finally decided to catch up to the 21st century and Property Law students can now type their final exams. As a proficient typist and computador, I was tickled pink by the news. My fellow students not so much – there is talk of a harsher bell curve for typists vs handwriters. Why should I suffer because a few people are afraid of the future?

From,

Catch me online, how bout dat

Dear Catch,

Equity hears it already – the chitta-tat-tats and the ratta-di-dats, the bappity-whaps and the clappity-slaps, the.... you get the picture. Equity doesn't care for any 'keyboard' other than the one holding the key to the Courts of Chancery.

But hey, Equity gets it. People don't like rigid rules and status quos, and they certainly don't like harsher bell curves. Flexibility and

discretion are very much Equity's bag. Not to mention Equity itself – Equity really, really delights in Equity.

But was Equity the only one who found the 'SoftTest' title dubiously ironic? Truly...? Couldn't this all be an elaborate ploy from Our Great Dane to weed out the tappers from the tap-nots, the pink-tickled from the blinkered sticklers? Be careful the side you choose, it could be a catch, Catch.

Little more need be said. Some of us are born equitable, some achieve equity, and some have equity thrust upon them. The Dane is none of these.

Yours,

Equity Uncle



YOUTH CRIME:

The Children Of Our Future

Nathan Grech

Older generations always seem to comment on the differences between the youth of today and when they were young. Musical tastes contrasted with artists of a bygone era, cyclical fashion trends that arouse nostalgia, and the classic recklessness and rebellion that each new generation apparently continues to descend into.

On this last point, however, many Victorians of any age would agree that something seriously concerning is happening if our headlines are dominated by Victorian youth who invade homes, assault people and commit crimes with no visible remorse for their actions.

Amidst all the anger, fear and hostility surrounding the compromised safety of the community, lies the complex task of ensuring youth offenders understand the gravity of their actions, and are re-educated and re-enter society as lawful individuals to avoid becoming connected with the criminal justice system for the rest of their adult lives.

But how do we make this a reality? How can we get the message through to the cognitively immature and developing brains of these youth that committing crimes has no benefit on anyone's lives whatsoever? Sure, some young people make mistakes and some may lack the maturity to behave in alliance with lawful societal norms.

But breaking into homes, or stealing cars, or assaulting others? These are situations where disciplinary actions and the onus of taking responsibility for one's actions need to mix with education to achieve any lasting benefits.

Arguably, no one except the offenders themselves know why they behave the way they do. Who knows, some youth might actually just be rebelling from their sheltered cosy upbringing, or seeking attention by adopting an attitude incongruous to their family values. Alternatively, some of these youth might truly be angry at the world for whatever less-than-ideal circumstances they're in, or the dysfunctional, emotionally traumatic upbringing they've had.

Whatever their circumstances, this behaviour is still unlawful, and the state must find a multi-faceted approach to tackle the issue, to prevent future crime levels from increasing. Additionally, it seems evident that current youth offenders need a combination of discipline, behavioural re-education, and reintegration back into society as morally principled and, importantly, valued members

of society. This way they actually have a purpose, can contribute in the community, and are ideally able to go into their future with as minimal interaction with the criminal justice system as possible.

Law-abiding citizens can choose to continue to blame, label, and lambast these youth until they're blue in the face for the divide and problems being caused.

Frankly, plenty of that has already been done. And it's achieved very little.

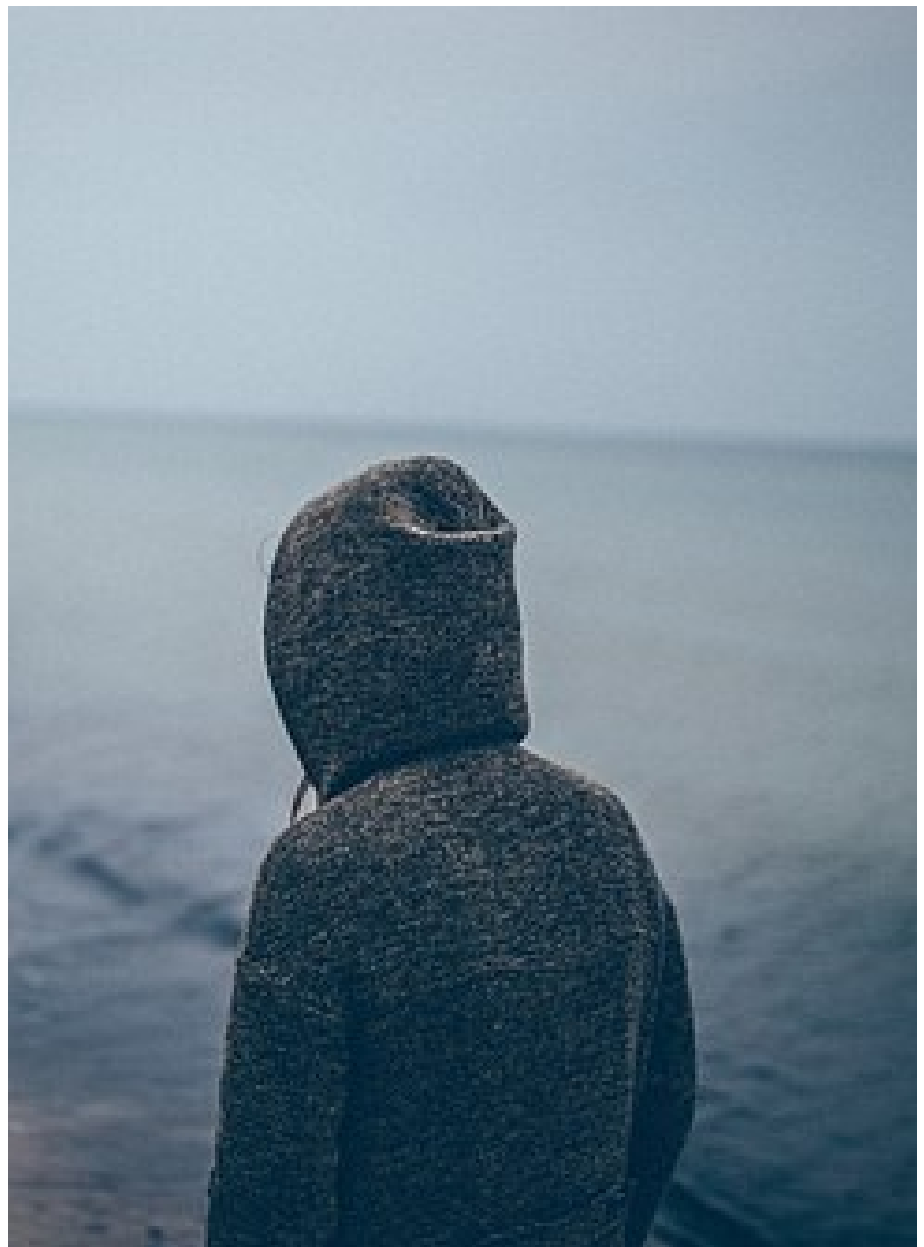
Now, Victorians need law- and policy-makers to find a way to transform the behaviour and attitudes of these youth in a disciplinary, preventative rather than reactive, manner. Otherwise, will we simply have to

wait for that one exemplary case where a victim (or offender for that matter) is stabbed, king-hit or assaulted to death, and have the event capitalised by the media for publicity, before reform occurs? Or will we start implementing preventative measures to halt the crime rates here, in an attempt to reverse the damage done?

Obviously, I'm not suggesting these propositions are guaranteed or are even the most likely ways to resolve the issues with efficiency or certainty. I also acknowledge there may be more cost- or resource-effective options available other than what I have mentioned.

In any case, however, the point outstanding remains: if children – criminals or otherwise – really are our future, the choices our current society makes to deter and guide them towards positive outcomes will affect Victoria's future and safety for years to come.

Nathan Grech is a First Year JD Student.



NOT SO FRESH OFF THE BOAT

Kai Liu

"There's too many of you people here."

That was the ultimate end of a conversation I had, which had been initiated by a white bloke saying to me "Maybe I should learn Mandarin if I want to be Australian in the future".

"Have you heard of this place?" he asked me as he shoved a keychain in my face, a logo of a local primary school on it. "I used to go there. A great school. But now it's filled with people like you." He leaned in, and I could smell alcohol on his breath. "You know why?"

Because more Asian people are living here? I wanted to say, but I just shook my head, because I have no balls.

"Because you fuckers send your kids to revision academies and Sunday revision classes. It's not fair!"

The obvious solution, of sending his own kids to revision classes and giving up their weekends doing classwork, homework and revision had apparently never crossed his mind. It's a well-off suburb, so it's not like they wouldn't be able to afford it. I personally didn't have a proper weekend from age 6 through to age 17.

I stayed silent, not wanting to be hit by a

drunkard until my bus arrived.

This encounter is an extreme example of what I have had to deal with all my life. Toby's excellent article encouraged, inter alia, first and second generation immigrants to Australia to write about their own experiences. I take up that call today.

My family came to Australia in 1994, as economic migrants from Hong Kong. My parents experienced the excesses of Mao's China, growing up during the Great Leap Forward, and weathering the Cultural Revolution during their teenage years. They met at Zhengzhou University, studying English together.

Upon graduation, my father worked for a State Owned Enterprise in the shipping industry, moving my family to Hong Kong before starting his own business.

In the span of two decades, my family went from abject poverty to undreamed of prosperity.

Then the tanks rolled through Tiananmen Square on the 6th of June, 1989. Cognizant of the impending 1997 handover, my family left Hong Kong for Australia, arriving here in 1994. I was a year old at the time, a British Subject, not a citizen, and a little spoiled shit. I became an Australian

Citizen in 1997.

Growing up, I lived in an environment of relative wealth. I went to private schools. We were upper middle class, and I was privy to the privileges that come with that. But even then, there were differences with my classmates. There were 2 Asians in my class growing up, which became 3.5 in year 3. Rather than Ned Kelly, ANZAC Cove or AFL, I grew up with Peng Dehuai, the Long March and Romance of the Three Kingdoms.

My eyes were a common point of taunting. Small penis jokes became common starting from year 7. I was often asked what problem I had against Tibetans. Random white people (and it was always white) would say "ni hao" loudly to me on the street. They still do. Until I was in year 12, I hated my Chinese-ness. I hated being different. I wanted to be "Aussie", which to me meant white.

Asians in the West are the permanent foreigner. Unlike previous waves of immigration from Italy or Greece, our skin colour and 'ethnic' look set us apart. In American universities, Asians suffer from the most severe ethnic bias. In Australia, those with Chinese sounding names fare the worst in job applications. Structural racism still permeates in Australia, no matter what the so called "Model Minority" stereotype says.

In popular media, whitewashing is common. The furore kicked up over *Ghost in the Shell* is, hopefully, a sign that the trend is changing.

All of the above is in no way an attempt to shirk my middle-class privilege. I likely wouldn't be here if my family wasn't as well off as they are, and if I didn't have the opportunities that I've found growing up in the lap of relative luxury. But those job numbers are stark. Those academia numbers are stark. The weekly encounter with the racist white person is real. Popular culture's whiteness remains unchanged.

Do I have a solution to the above? Increased dialogue, a celebration of our differences – and please, for the love of God, the death of the "Model Minority" stereotype.

Kai Liu is a Third Year JD Student



The more things change, the more things remain the same. Australian Anti-Chinese Immigration Cartoon, 1886