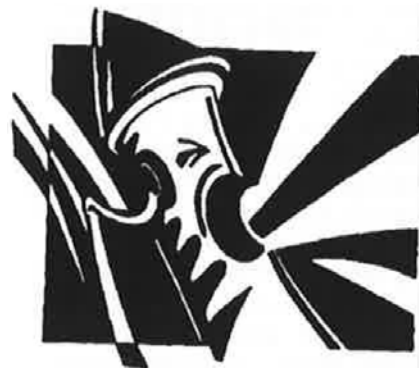


"All that is needed for evil to prosper is for people of good will to do nothing"—Edmund Burke



The Whistle

No. 102, April 2020

Newsletter of Whistleblowers Australia (ISSN 2205-0299)



Li Wenliang

Reviews and articles

BOOK REVIEW

Trouble in the land of giving

A review of William De Maria's book

Reviewed by Maggie Dawkins

WILLIAM DE MARIA co-founded the Brisbane Welfare Rights Centre and then, with others, formed the Queensland Whistleblowers Action Group in 1999. Many readers will be familiar with De Maria's previous book *Deadly Disclosures* (Wakefield Press, 1999) which focused on his research on how blowing the whistle affects whistleblowers.

Trouble in the Land of Giving has as its subtitle *Charities, Fraud and the State*. It examines how successive governments, including this current federal government, have handled welfare in terms of charity and perceived need. De Maria also focuses on fraud in a number of guises. He presents a number of riveting case studies to accentuate examples of stealing from charities.



It is a tightly crafted dense read which challenges assumptions about how and where funds end up. De Maria provides a road map to understand this land of giving. There is a lot to contemplate and, possibly for some readers, to take

issue with. If reading is to stimulate thought and encourage a quest to learn more, I can readily attest to *Trouble in the Land of Giving* as fitting the bill for me.

To digress for a moment to explain my curiosity in the topic: with the summer bushfires it came to my attention that there was an explosion of “pop-up” entities claiming to raise funds and distribute money to those in need. One such new organisation is Equestrian Fire Relief Australia. It was hastily created by a few equestrian people in Britain in collaboration with a few equestrian friends in Australia. It was admirable that people in Britain and Europe wanted to assist horse owners and riders affected by fires in Australia. But, why not use an established charity in the UK? Or create a charity in Britain or Europe to raise funds and then distribute those funds to established entities such as bush fire relief agencies attached to state governments or to animal welfare organisations and stipulate it be used exclusively for horses?

My questions directed to those setting up Equestrian Fire Relief Australia, one of them a Board member of Equestrian Australia, fell on deaf ears. I made enquires and discovered that this organisation would not be permitted under British law. I contacted the Australian Charities and Not-For-Profit Commission (ACNC) and discovered this was an example of De Maria's criticisms of the giving industry. Hence *Trouble in the Land of Giving* was a relevant and timely guide for further investigations.

What is a charity? I would hazard a guess that most will not think of the University of Melbourne, with an annual revenue of over \$2 billion, as a “charity.” Queensland Sugar Ltd is a not-for-profit organisation which to many is a dedicated commercial entity with no charitable programs or donors, yet it is the fifth largest charity in the country.

If the definition of a charity is problematic, then the current notion of what constitutes “charitable purpose” simply beggars belief.

De Maria reveals that 32% of registered charities state their primary purpose is the advancement of religion.

In the current climate I would suggest they aren't very successful at achieving their goal.

“If we do not know what charities do, as opposed to what they say they do, then detecting charity fraud is made that much harder.” (p. 157)

The chapters dealing with the case studies show how corruption is normalised through workplace culture to the point that it is viewed as acceptable. The example of the NSW RSL (Returned and Services League) highlights how a trusted charity was able to avoid public scrutiny and accountability. However, I found the Sharobeem case the most interesting.



Eman Sharobeem

Ms Sharobeem, as CEO, handpicked her Board. The Board members did not possess the necessary skills or experience to question and provide oversight, which was precisely why they were invited onto the Board. The term “zombie board” is an apt descriptor here. Ms Sharobeem created an impressive media personality and used it as a shield to protect her. She intimidated staff and treated them with derision. Two NSW government departments as regulators failed to do their job adequately. It was only a forensic audit that brought Ms Sharobeem undone.

De Maria asserts the purpose of the Australian Charities and Not for Profit Commission (ACNC) is to enable tax advantages for donors, charities and

trusts. The ACNC was established in 2012 as a national charity regulator. The UK Charities Commission was the model, however, the federal parliament did not give the ACNC powers of prosecution, as in the UK.

It is not until the last few pages that the reader becomes acquainted with the author's suggestions for change. It is a shame that this aspect isn't more developed. De Maria believes that there should be a "... shift from the old game of organisations squeezing themselves into one or the other 'charitable purpose' to get the tax deductions to an outcome focussed culture." (168)

De Maria rightly criticises the unfairness of our personal income tax system. However, in criticising the recent tax cuts for high income earners, he ignores the fact that these tax cuts reduce the cost to the government and therefore other taxpayers of providing tax deductibility for philanthropic purposes.

On the very last page De Maria cites Robert Lupton, author of *Toxic Charity: How Churches and Charities Hurt Those They Help (And How to Reverse It)*. For those interested, as I was, it is worth exploring possible improvements. As Lupton states, "The compassion industry is almost universally accepted as a virtuous and constructive enterprise. But what is so surprising is that its outcomes are almost entirely unexamined." (3)

"Betterment does for others. Development maintains the long view and looks to enable others to do for themselves. Betterment improves conditions. Development strengthens capacity. Betterment gives a man a fish. Development teaches a man how to fish." (167)

The suggestion of an external entity such as the Australian Council of Social Service seemed a commendable way forward.

After reading this book, I challenge the reader to disagree with the author that a new offence of charity fraud should be introduced in criminal codes in states and territories.

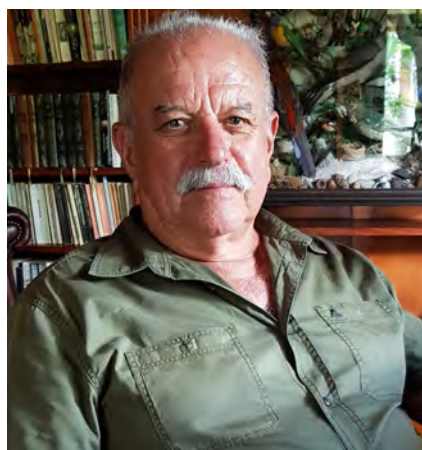
I don't usually direct readers to turn to the last chapter and read it first, but I feel if I had done so, I would have got a much better understanding of where De Maria was coming from and importantly, where he was going. There isn't the usual flow and accumulation of

knowledge from chapter to chapter. It is as if the book is a collection of writings over some years that had been haphazardly bunched together for publication.

What detracts from this otherwise interesting and informative book is the author's insistence on using it as an opportunity to expose his personal grudges and prejudices in regard to the ACNC Commissioner and Prime Ministers Hawke and Keating. It is unnecessary to use this as an opportunity to provide a negative and highly personal character assessment of the ACNC Commissioner. This does not advance his arguments in any way. Similarly, De Maria's undergraduate references to Prime Ministers Hawke and Keating are just plain silly.

If he stuck to the facts that the ACNC is indeed under resourced and over governed, De Maria would have remained on firm ground. It is regulated by 31 pieces of legislation, 15 sets of regulations, 79 policies and standards, 53 ACNC policies and procedures, ATO chief executive instructions and 67 ISOs, plans and frameworks. Surely that should have been the focus.

In spite of these digressions, *Trouble in the Land of Giving* is a welcome addition to the complex landscape of giving and receiving in the 21st century.



William De Maria

William De Maria, *Trouble in the land of giving: Australian charities, fraud and the state* (Melbourne: Palaver Press, 2020).

Maggie Dawkins is a member of Whistleblowers Australia's national committee. See the January 2019 issue of *The Whistle* for her own whistleblowing story.

Disclaimer: Maggie is married to John Dawkins, a Cabinet Minister in the Hawke Governments and Federal Treasurer in the Keating Government. She is the mother of Alice, a senior policy advisor to Andrew Forrest's Mindaroo Foundation. (That said, Maggie insists she has a mind of her own.)

BOOK REVIEW

Learning from Snowden

A review of Edward Snowden's book
Permanent Record

Reviewed by Brian Martin

EDWARD SNOWDEN worked for the US Central Intelligence Agency and the National Security Agency. The CIA and NSA are the two largest and most well known organisations in the US intelligence community (IC). Due to his technical skills, Snowden rose rapidly to high positions in handling the agencies' computer systems. He discovered that the NSA was involved in a massive programme of collecting electronic information about US citizens, in violation of the US Constitution. In 2013, he leaked a vast collection of information about NSA surveillance to journalists. Their stories were front-page news around the world for weeks. After a few days, Snowden went public about his identity. He became a fugitive and ended up in Russia, where he has lived ever since.

Permanent Record is Snowden's autobiography. It is an engaging account, from his description of his upbringing to how he collected information about NSA surveillance. Here I focus on insights especially relevant to whistleblowers.

The US IC seeks to collect every bit of electronic information — telephone calls, emails, bank account transactions, social media comments, and so on — about every person on the planet, and to store it forever. This means your entire life, electronically speaking, could be retrieved and scrutinised. It would be a "permanent record," the title of Snowden's book.

Snowden was a child of the computer age. As a youngster in the 1980s and 1990s, he was obsessed with early computers, so much so that his grades in school suffered. He became highly

adept at computer games and later computer programming and systems analysis.



His life trajectory was dramatically altered by the 9/11 attacks. Snowden was an ardent patriot and decided to join the army, thinking he would contribute to his country's defence. But he suffered a serious injury and could not continue. So then he made a decision to support his country using his computer skills, which actually made a lot of sense. At the time, he felt that he wasn't doing much unless it was difficult for him, and computing for him was a breeze.

9/11 was the greatest failure in the history of US intelligence agencies. They had failed to pick up warnings about the organisation of the operation to hijack passenger planes and fly them into prominent buildings. The IC paid no penalty for this failure aside from being reorganised. Instead, it received a tremendous boost in funding.

It was an ideal time for someone with advanced computer skills. Despite his limited academic background and young age, Snowden was able to take on ever more advanced roles in the CIA and NSA.

For quite a few years, Snowden remained a patriot, completely accepting the role of the IC and its activities. Gradually, though, he became aware of the massive scale of the NSA bulk collection of electronic information, and that it was illegal. For his reference

point, Snowden used the US Constitution. The fourth amendment to the Constitution bars the government from undertaking searches and seizures of people's property without cause and authorisation. Snowden's thinking was that the government shouldn't be searching people's digital record any more than it should be searching their homes. Indeed, pre-Internet, the CIA's method of surveillance was to break into people's homes and install listening devices. Obviously, this was a risky and costly procedure that could be carried out only for high-value targets. Now, the NSA was doing the digital equivalent for everyone.

There are two important points concerning Snowden's gradual awareness and concern about government surveillance. The first is that he developed his concerns without any external prodding. There was no civil libertarian who lived down the street who got him thinking. Nor, according to his book, did he ever attend meetings of any group that might have encouraged him to think critically about his job and the activities of his employers. If he had, he might have come under suspicion. He knew that as a member of the IC that he was under constant surveillance himself.

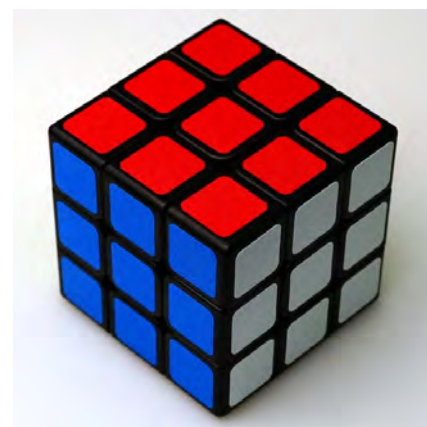
The second point about Snowden's increasing concerns is that he told no one about them. He didn't start discussing matters with his co-workers, much less his bosses. Furthermore, he didn't tell any family members or friends. He didn't even tell his partner Lindsay. Part of the reason is that as part of getting his jobs in the IC, he had to undergo close scrutiny to be given top-secret security clearance, and it was drilled into him that nothing about his job was to be revealed to outsiders, including close family members. As he prepared, over many months, to leak a massive trove of documents, Snowden said nothing about his plans to those close to him. Indeed, he hid his preparations as much as possible.

Snowden's trajectory was thus different from that of many other whistleblowers, who commonly raise concerns at the workplace, showing discontent long before they take action, and who share their concerns and plans with family members. Indeed, whistleblower advisers usually recommend checking with family members before taking

action, because they are affected too. Snowden, because he worked for the IC, was used to keeping secrets about his work, and ironically this made it easier for him to conceal his plans to expose government surveillance.

An implication of Snowden's experience is that if you have a totally clean background — clean in the sense of not being known as a critic or malcontent — and you become aware of serious problems, one option can be to collect information and leak it, without telling colleagues, friends or family beforehand. This is a sort of deep-cover whistleblowing. If you can leak without being identified, this is even better.

Once Snowden decided he had to reveal government snooping, he patiently and carefully collected a vast amount of data supporting his concerns. In *Permanent Record*, he tells about his trepidation as he took data out of the massive spy base in Hawaii, for example by putting a chip inside a square of a Rubik's Cube. To his surprise, no one ever came to arrest him.



It helped that Snowden made every attempt to be friendly with others, including guards handling physical security. If you are seen as an engaging co-worker, you are less likely to be suspected of breaking ranks.

As well as collecting a huge number of documents about government surveillance, Snowden went one step further: he provided primers on how to understand the documents. He knew that outsiders would have a difficult time understanding the acronyms, procedures and systems within the IC, and so he made it as simple as possible for them to get on top of the material. It helped that he had experience teaching: he had given lectures to others in the IC

about computer systems. But explaining things to outsiders was a bit different.

Snowden considered various options for making the information available to the public. One of them was setting up his own website and posting the documents. He decided this wouldn't be effective. There were too many kooky websites and it would be difficult to establish credibility. Eventually he decided to bring in journalists, who would give the information credibility and help decide what was appropriate to reveal.

Not every whistleblower has revelations so explosive that journalists will be interested. Indeed, most don't, and many become frustrated trying to gain media coverage. An alternative is to find an action group — in Snowden's case, this could have been an Internet freedom organisation — that will use the information for campaigning purposes.

Snowden was very careful about how he approached the media, and this provides a model for others. He studied what different media outlets had done when they had access to material similar to his, namely about government electronic surveillance. He knew that the *New York Times*, the most prestigious newspaper in the US, had sat on important revelations in 2004 and was only prodded to publish when the material was about to be exposed independently. Snowden perceived the *New York Times* as too close to the US government and therefore unsuitable for his purposes.

He looked for courageous journalists who had experiences that resonated with his, and found an ideal person in Laura Poitras, a filmmaker. She brought on board journalist Glenn Greenwald, who wrote for the *Guardian*. This was a wise choice because the *Guardian* was based in Britain and thus not as subservient as US mainstream media to the IC.

It wasn't easy for Snowden to recruit them. At the time, he was working in Hawaii and could only contact them by email, using a pseudonym. He had to convince them of the importance of his revelations and to meet him in person. It was hard to get Greenwald to use encrypted email; Snowden wrote a tutorial to help him.

As it turned out, Poitras and Greenwald were excellent choices; Greenwald brought in Ewen MacAskill from the *Guardian* as well. All of them spent days with Snowden in a hotel in Hong Kong as they interviewed him and he explained the documents he was giving them. Their stories were published and their editors and publishers stood up to pressure from the US government.

For the first few days of worldwide headlines based on Snowden's disclosures, he remained anonymous. However, he knew it was a matter of days before US investigators tracked down his identity, so he decided to go public. In this way, he set the agenda. Poitras filmed him in the hotel room where he had been ensconced for many days, and the film clip went worldwide.

In preparation for making his disclosures, Snowden had done an enormous amount of careful planning, in downloading and securing documents, getting them out of the NSA base, choosing journalists and choosing where to meet them. Along the way, there were many possible traps, and Snowden often feared that he would be discovered and arrested, and was surprised when he wasn't. Indeed, he was surprised to be as successful as he was, so much so that he had not planned anything beyond getting the information to the public.

Going public made a huge difference: it saved him from prison or worse. Soon after his name and pictures were on the worldwide media, he received offers of support in Hong Kong. He received legal assistance and he was sheltered by asylum seekers. Sarah Harrison, who worked for WikiLeaks, flew immediately to Hong Kong and pulled strings on his behalf, accompanying him on a flight out, with the ultimate destination being Ecuador.

As is well known, Snowden ended up in Russia, where he lives today. Aside from Ecuador, not a single government in the world would guarantee Snowden the protection against extradition to the US that is enshrined in law but is worthless if governments are so afraid of US pressure that they refuse to enforce it. When the plane carrying Ecuador's president was stopped and searched, in violation of international law, Snowden knew he had no choice but to stay in Russia.

There are many moving parts in *Permanent Record*. Even knowing the outcome, Snowden's account of his struggles and efforts generates tension. His story has been told many times — by others. And there has been quite a bit of disinformation too, as opponents sought to discredit Snowden. Snowden's story from his perspective is illuminating in a different way. It is personal and all too human. He tells about his connections with his parents and especially with his partner Lindsay. He couldn't tell her about his plans, so when he disappeared, having gone to Hong Kong without leaving a trace, just a note saying he was called away for work, she became increasingly worried. *Permanent Record* contains extracts from Lindsay's diary, wonderfully revealing her emotions.

Whistleblowers, especially those seeking to make explosive disclosures, can learn a lot from Snowden's story, in particular the value of keeping a low profile, collecting vast quantities of documents, providing explanations of the meaning and significance of the documents, choosing the best way to reveal the information and planning everything carefully.

Permanent Record provides Snowden's perspective on the massive surveillance carried out by the US IC. Before he went public, he knew that the IC would immediately access the data held about him by the IC, and use it against him. Finally, years later, he wanted to add to the IC's permanent record about him, by adding his own voice, ironically titled *Permanent Record*.



Edward Snowden

Edward Snowden, *Permanent Record* (Macmillan, 2019)

Brian Martin is editor of *The Whistle*.

Coronavirus whistleblower suppressed by Chinese officials

Maraya Best
Whistleblower and Qui Tam Blog
7 February 2020



LI WENLIANG, the courageous coronavirus whistleblower and doctor who tried to warn of a dangerous new virus in China, has passed away.

After seeing the similarities between the first cases of what would become known as the coronavirus and SARs in late December, Dr Li warned fellow doctors to wear protective gear to avoid infection. Four days later, he was reprimanded by police and forced to sign a statement saying that his warning was “illegal behavior” and “making false comments.” Days later, he became hospitalized with the virus. Despite this overt threat of retaliatory action by the government, Dr Li went public with his experiences and gave interviews to help the public better understand the unfolding epidemic.

Yesterday, Dr Li succumbed to the virus and was pronounced dead. His death has sparked national and international outrage and laid bare both the ineffectiveness and consequences of human rights repression and the urgent need for world-wide whistleblower protections.

Dr Li’s case demonstrates why freedom of speech is one of the most fundamental human rights. Without freedom of speech, whistleblowers remain silent with grave consequences: this silencing of a whistleblower allowed the virus to spread more rapidly than it might have if initially treated like SARs as requested by Dr Li.

Moreover, the silencing of Dr Li and countless other whistleblowers like him has allowed for the spread of false information. Rather than embracing

credible whistleblowers, the government has tried to control the dissemination of all non-governmental information. This lock-down has resulted in people believing *any* information that seeps through governmental barriers regardless of its reliability. Rather than refuting false information that might cause public panic and disseminating reliable facts from credible sources such as doctors, authorities in China appeared more focused on silencing criticism, demonstrating how censorship is ineffective in protecting the public.

Lastly, despite government repression, as coronavirus whistleblower Dr Li’s case has made clear, freedom of speech can never be entirely muzzled for long. Dr Li’s death triggered a renewed outpouring of public criticism of the government over whether there had been a cover-up of the outbreak and negligence among government officials in Hubei province. According to the *New York Times*, the hashtag #wewantfreedomofspeech began on the social media site Weibo at 2 a.m. on Friday. It had over two million views, and over 5,500 posts contained the hashtag by 7 a.m. when censors deleted it.

As stated by Amnesty International regional director Nicholas Bequelin: “The case of Li Wenliang is a tragic reminder of how the Chinese authorities’ preoccupation with maintaining ‘stability’ drives it to suppress vital information about matters of public interest.” To prevent further harm to the public, China must recognize the flaws in its free speech laws and initiate legal reform that supports whistleblowers regardless of the sector in which they blow the whistle.

No one should fear for their safety or face sanctions for trying to protect the public from grave consequences and imminent danger. As posted by the Weibo account of Shandong Province’s law enforcement body: “Heroes don’t fall from the sky. They’re just ordinary people who stepped forward.”

Coronavirus whistleblower’s death in China carries a warning for US

Donald Trump’s attack on the
Ukraine whistleblower similar to
communist attacks on the brave
doctor who gave early warning

Bill Sternberg
USA Today, 12 February 2020



Bill Sternberg

DURING A TRIP to China in 2018, we were watching BBC News in our hotel room. When the anchorman started to talk about something going on in the country’s western provinces, the screen went blank. After a minute or so, the picture returned. The newscaster had moved on to the next story.

The next day, we mentioned the interruption to one of our tour guides. “The government wants us to be happy,” the guide said with a wry, tight-lipped smile. “So they try not to show us things that would make us unhappy.”

I recalled that exchange last week when I heard about the fate of Li Wenliang, a Chinese doctor who tried to sound the alarm about the new virus now spreading around the world.

Li was a 34-year-old ophthalmologist in Wuhan, the epicenter of the coronavirus outbreak. On December 30, he took to WeChat to warn fellow doctors that several patients from a local market had come down with an illness resembling SARS (severe acute respiratory syndrome).

Soviets downplayed Chernobyl

Like the Soviet authorities who downplayed the severity of the Chernobyl nuclear accident in 1986, local Chinese officials sought to keep the lid on Li's information. The doctor was accused of rumor-mongering. Security police forced him to sign a letter that accused him of "making false comments" that had "severely disturbed the social order."



Chernobyl nuclear power plant

After returning to work at Wuhan Central Hospital, he contracted the coronavirus from a patient who saw him for glaucoma on January 10. "If the officials had disclosed information about the epidemic earlier, I think it would have been a lot better," he texted *The New York Times* from his hospital bed. "There should be more openness and transparency."

Dr Li died last Friday, one of more than 1,100 victims of the coronavirus so far. He left behind a pregnant wife and child.

Li's tragic story isn't just a faraway tale of the damage that can be done when communist authorities try to suppress bad news, imperiling their own citizens and those of other nations. It's also a warning to Americans about the consequences of discrediting people who attempt to call out wrongdoing or danger.

Think such a thing couldn't happen here in the USA, where laws protect whistleblowers from retribution? Don't be so certain.

US whistleblower under attack

Last summer, after an unidentified National Security Council aide raised alarms through proper channels on President Donald Trump's arms-for-dirt deal with Ukraine, the administration tried to suppress the complaint. Failing that, it assailed the whistleblower.

Never mind that subsequent testimony thoroughly confirmed the whistleblower's allegations. And never mind that Republican members of Congress used to be big champions of whistleblower protections.

Trump attacked the whistleblower on Twitter and retweeted articles that purported to reveal the person's identity. Senator Rand Paul, Republican from Kentucky, tried to expose the identity during the question-and-answer portion of the impeachment trial. Wisely thwarted by Chief Justice John Roberts, Paul went ahead later and publicly disclosed the name anyway. Senate Judiciary Chairman Lindsey Graham, Republican from South Carolina, plans an investigation — not of Paul's actions, but those of the alleged whistleblower.

"If they carry out this threat of state-sponsored retaliation, whistleblowing as we know it may be over," Walter Shaub, a former director of the US Office of Government Ethics, warned in *The Washington Post*. "That would be a disastrous blow to government integrity."

As the sad case of Dr Li shows, it would also be a threat to your health and safety. Contrary to what certain leaders here and abroad might want you to believe, ignorance is not bliss.

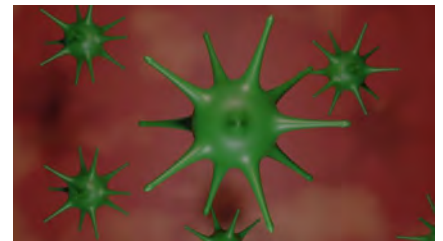
Report: 95% of coronavirus infections could have been prevented

Mary Jane Wilmoth
Front Line Whistleblower News
14 March 2020

A STUDY published this week found that China could have prevented 95 percent of coronavirus infections if its measures to contain the outbreak had begun sooner. The research from the University of Southampton suggests that

Chinese officials should have listened to the coronavirus whistleblower, Dr Li Wenliang, when he tried to sound the alarm on December 30. Instead, the police silenced him and eight others for spreading "rumors." China's Public Security Bureau made Dr Li sign a letter stating that he had made "false comments" and had "severely disturbed the social order." Ignoring these crucial whistleblowers delayed China's response for at least three weeks.

A report by the *New York Times* also accused China of ignoring offers of assistance that came in January, from the US Centers for Disease Control and Prevention and the World Health Organization, for over a month.



The population mapping group WorldPop, School of Geography and Environmental Science, University of Southampton, UK, conducted the study. It looked at the effectiveness of nonpharmaceutical interventions, such as the quarantine of exposed individuals, restricting travel and closing schools, on containing the COVID-19 outbreak. The researchers found "the early detection and isolation of cases was estimated to prevent more infections than travel restrictions and contact reductions."

The study used simulations based on human movement and illness data to demonstrate how combined interventions might affect the spread of the virus. The models indicate that Coronavirus cases could have been reduced by 66 percent if authorities had taken the measures within a week, or by 86 percent if they began two weeks earlier. Delaying action for three weeks caused the spread of the virus to worsen by 95%.

The report concluded that an approach that integrated these measures with nonpharmaceutical interventions would achieve the most substantial and most rapid effect to reduce the spread of COVID-19. The research also suggests that social distancing intervention

should be continued for the next few months in China to prevent case numbers from increasing again.

This study, supported in part by the grants from the Bill & Melinda Gates Foundation, has not yet been peer-reviewed.

The last days of Dr Li

Alex Hannaford
GQ, 17 March 2020



DR LI WENLIANG was one of the first people in China to spread awareness of the coronavirus online, yet his warnings were continually shut down by a controlling, nervous state. Tragically, the virus would take his life. Now, as the virus spreads and global measures become more severe, *GQ Hype* looks back at the last days of the man who tried to warn us about this unprecedented pandemic.

The letter was short — just one page — written in Chinese and stamped with the red seal of the local police force.

“Subject of admonition: Li Wenliang,” it read.

It accused Dr Li, a 33-year-old ophthalmologist at Wuhan Central Hospital in China, of “illegal behaviour” — publishing what it called an “untrue discourse” on the internet which in turn had “severely disrupted social order ... and violated the relevant provisions of the law of the People’s Republic.”

“The law enforcement agency wants you to cooperate, listen to the police

and stop your illegal behaviour. Can you do that?” the transcript said.

“I can,” Li replied in writing.

“If you insist on your views, refuse to repent and continue the illegal activity, you will be punished by the law. Do you understand?”

“I understand,” Li wrote.

What Li had done to incur the wrath of law enforcement was to write in a group text chat with some fellow doctors and medical students that he had examined a patient with symptoms similar to severe acute respiratory syndrome (SARS) — a rare and sometimes fatal respiratory illness caused by a coronavirus.

The date was 30 December 2019. “Seven cases of SARS confirmed,” Li typed into a WeChat group he and his colleagues had called “Wuhan University Clinical 04”.

The response was swift and unequivocal.

Along with seven of his friends, Li was summoned to the local police station and warned against “publishing fictitious discourse related to the confirmation of seven SARS cases at the Huanan fruits and seafood market in the WeChat group”.

According to *China Digital Times*, the day after Li was admonished by authorities, the country’s state broadcaster CCTV said: “Some netizens have posted information on the internet without verification, shared false information and created adverse social impact ... Police are reminding everyone that cyberspace is not beyond the law ... Acts like this will not be tolerated.”

But rather than slink back to Wuhan Central Hospital and keep a low profile, Li published the letter he was given outlining the charges against him on his profile on social media site Weibo.

Meanwhile, this new, mysterious virus that Li had uncovered was starting out on its destructive path.



It would eventually be given the name coronavirus disease 2019, or covid-19, and by 11 March had killed more than 4,500 people worldwide, including Dr Li. As of right now it has spread to every continent except Antarctica.

The virus is transmitted when someone inhales particles that contain it. It has the ability to attach itself to the cell lining of the nose and throat, which is why we’re told to refrain from touching our eyes, mouth or nose with our hands. If we do, and our hands have those droplets on them, they can attach to our mucus membranes.

Current thinking is that many more people may have been exposed to coronavirus than we’re aware of and just have mild symptoms. They don’t know they’re infected. “Look at SARS and MERS [Middle East respiratory syndrome]. People got sick really quickly and they were isolated to keep it from spreading,” Dr Albert Rizzo, chief medical officer of the American Lung Association, tells *GQ*. “But with covid-19 that isn’t happening.”

A small minority — mostly the elderly and those with compromised immune systems — will die. Whether you die from covid-19 depends on how severe the infection is and your body’s response to it.

When the virus enters the body it binds to certain cells, which sets off alarm bells for the immune system, which in turn begins to attack the virus.

Dr Amesh Adalja, a senior scholar at the Johns Hopkins University Center For Health Security who specialises in infectious diseases and pandemics, tells *GQ* most of those cells are in the upper respiratory tract. Symptoms would include a sore throat, runny nose, fever. Most often this is fairly harmless. But sometimes it can progress to cells in the lower respiratory tract — and into the lungs proper. This is what happened to Dr Li.

If that happens it starts to cause coughing, shortness of breath. And when it gets in the lungs, patients have difficulty breathing because their lungs are clogged with inflammation.

People who die from covid-19 actually die from respiratory failure — the body is simply unable to access enough oxygen to survive.

“The lungs fail to extract oxygen from the air to go into blood and tissues,” says Dr Adalja.

In hospital, doctors can make sure the patient gets fluids and keep their fever and blood pressure under control. They can give them supplemental oxygen and even put a tube in the lungs to help ventilate, but this can't do all the work the body needs to survive. It still needs to be able to extract oxygen from the lungs and deliver it to the tissues.



Li Wenliang was born in Beizhen, China, on 12 October 1986. According to weekly peer-reviewed medical journal the *Lancet*, he studied clinical medicine at Wuhan University and before taking a job as an ophthalmologist at Wuhan Central Hospital in 2014 he worked in Xiamen in southeast China.

He was a fairly avid user of Weibo, where he posted about life in Wuhan, pictures of food, of his travels and occasionally about the world of medicine that he inhabited.

Here's the timeline of his final days.

31 January

Li Wenliang takes to Weibo to post an update. "After receiving the patients with new coronavirus pneumonia, I started to have cough symptoms on 10 January, fever on 11 January and hospitalisation on 12 January."

Due to the police report he was made to sign, agreeing to "stop [his] illegal behaviour", he says he wonders how he can write about the illness he now has without saying it was the result of contracting an unknown infection. But, he writes, "I lived in the ICU [intensive care unit]."

"I had a nucleic acid test before, but [it] showed negative, yet I still have difficulty breathing and cannot move. My parents are also in hospital. In the ward, I also saw a lot of netizens' support and encouragement to me and my mood will be easier. Thank you for your support. I would like to clarify in particular that I have not had my licence revoked. Please rest assured that I will

actively cooperate with the treatment and strive to be discharged early!"

After Li posts his update, followers of his Weibo account begin to chime in. One writes, "Now it seems that [he] is a doctor with conscience and professional ethics. At that time, if Wuhan could attach importance to it and actively take preventive measures, it might be a different picture today."

One user calls Li a "real warrior", while another, Wang Quito, says, "Thanks to Dr Li for his kindness ... Get well soon! When the epidemic is over, I will go to Wuhan to meet you."

1 February

Li posts his final message to his Weibo account: "Today the nucleic acid test result is positive, the dust has settled and the diagnosis has finally been confirmed."

He turns his smartphone on himself and snaps a photograph, which he then posts to Weibo. He is pale-faced, lying on a hospital bed and wearing a respirator.



6 February

At 10:14pm the *Global Times*, a state-run newspaper, announces on Twitter that Li has died. It's followed by a post on the *People's Daily* website — the official newspaper of the Communist Party — confirming his death. Dr Li was initially declared dead at 9:30pm local time and the *People's Daily* sent out a tweet saying Dr Li's death had sparked "national grief".

Although the World Health Organization tweets that it is "saddened" by Li's death, it deletes the post sometime later. An hour afterwards, a statement from Wuhan Central Hospital says Li has not died.

The state-run *Global Times*, however, then said he had been given a treatment known as ECMO (extracorporeal membrane oxygenation), a treatment that keeps a person's heart beating and thus their blood oxygenated without the need for it to go through their lungs. For some reason, the *Global Times* was still reporting that Li was in a critical condition, but alive.

Reporters and doctors at the scene, according to the BBC, have said that government officials had intervened, with official media outlets being told to change their reports to say the doctor was still being treated.

7 February

In the early hours of Friday morning, "We want freedom of speech" begins to trend on Weibo, but this is China, where the internet is censored and soon all posts using the hashtag disappear. Weibo users simply create an alternative one.

Just before 4am, the hospital announces that Li is dead. In a statement, it says, "An all-out rescue failed."

Meanwhile, the death toll from the coronavirus in China hits 636. But Li's parents, who had also become infected, have now recovered.

Despite the outpouring of anger online in the wake of Li's death, the Chinese state begins to tighten its censorship of coronavirus and ramp up its propaganda efforts. For the Chinese leadership — as awareness of Li's death spreads, along with the alleged efforts by the state to control information about his work and the virus — this could be a political disaster on an epic scale.

According to the *South China Morning Post* newspaper (SCMP), WeChat began to suspend user accounts in droves for "spreading malicious rumours" — for as little as 24 hours, or permanently. Conversations about Li's death began to disappear too.

The Cyberspace Administration of China acknowledged it had taken punitive action towards both platforms and individual accounts for "independently reporting against regulations".

A week before, Chinese president Xi Jinping had called for a “strengthening [of] management and control of internet media”, According to the *SCMP*.

8 February

Another doctor, Liu Wen, says he was part of the WeChat group with Li back in December and that he too alerted colleagues to the coronavirus outbreak and was questioned by police. Liu says he has no regrets about what he did, but admits that police interrogation affected his work.

The same day, one state-owned newspaper actually questions why Li and his colleagues were detained in the first place — when they were simply sharing information about an outbreak of an unknown virus. Was the tide beginning to turn against government censorship of the internet?

11 February

The *New Yorker* magazine publishes a story about an event in New York’s Central Park to mourn the death of Li. Journalist Han Zhang writes that after a while “a crowd of about 200 had gathered. Most attendees were wearing black. Around half of them wore face masks or pulled up their scarves above their noses ... A man in a blue windbreaker jogged by and looked intrigued. Asked if he knew of Dr Li, he said, ‘Of course. A hero, for all the wrong reasons’.”



Chinese probe finds coronavirus whistleblower doctor was punished “inappropriately”

Straits Times, 19 March 2020

Police in China’s virus epicentre Wuhan acted “inappropriately” by punishing a doctor who blew the

whistle on the outbreak that has now killed more than 9,000 worldwide, a Chinese government investigation found on Thursday (March 19).

Dr Li Wenliang, one of a group of doctors in Wuhan who shared posts on social media warning of a Sars-like virus spreading in the city in December, was reprimanded by police for sharing the information and made to sign a statement agreeing not to commit any more “law-breaking actions.”

His death from the virus in February prompted a national outpouring of grief as well as anger at the government’s handling of the crisis, and bold demands for freedom of speech.

A central government investigation initiated after Dr Li’s death found that Wuhan police “acted inappropriately by issuing a disciplinary letter” and took “irregular law enforcement procedures,” state broadcaster CCTV reported on Thursday.

The investigators also found that Dr Li’s colleagues had repeatedly attempted to resuscitate the 34-year-old before he was declared dead because he was “very young,” CCTV said.

State media said his colleagues told investigators, “as long as there was a bit of hope, we were unwilling to give up, at the time there were no other factors.”

The central government investigators “suggest” that Wuhan authorities “supervise and rectify the matter,” and urged local police to revoke the disciplinary statement issued to Dr Li, according to CCTV.

Beijing has sought to direct criticism over the mishandling of the virus outbreak onto provincial officials, with several of the region’s top Communist Party and health officials sacked.



Dr Li’s death had initially been reported by state media before their reports were quickly deleted. Wuhan Central Hospital confirmed Dr Li’s death only hours later, after saying he was undergoing emergency treatment.

Social media users who immediately took to the Twitter-like Weibo platform in droves to mourn Dr Li — before posts related to his death were scrubbed by censors — had accused hospital authorities of inappropriately attempting to resuscitate him after he had already died.

China reported zero domestic Covid-19 infections for the first time on Thursday, even as nations across the world shut down in a desperate effort to contain the pandemic.

China’s central government has sought to distance itself from the origins of the disease, initially by sacking local officials blamed for allowing the virus to spread, and recently by supporting the conspiracy theory that Covid-19 originated in the United States.

#Drop the Prosecutions

<https://justly.info/drop-the-prosecutions/>

AUSTRALIANS were ashamed and angry when reading reports that our government spied on the East Timorese Prime Minister’s cabinet rooms during critical oil and gas negotiations. The aim was to gain economic advantage illegally over the people of East Timor — our close neighbour, WW2 ally, and the poorest country in South East Asia.

Such immoral activity may well have remained secret but for the courage and integrity of Witness K and his lawyer, Bernard Collaery.

These men acted in good faith at a time when our government failed to do so. They stood up to government wrongdoing.

Now, they are being targeted as criminals, as traitors. They are accused of being threats to “national security” when the matter is really about government commercial espionage and its cover-up. Pursuit of them is political retribution and a warning to others.

The government’s prosecution of Witness K and Bernard Collaery is an attack, not only on them, but on the rights and values of every Australian.

The Attorney-General has the power to discontinue the prosecutions immediately. We invite you and your networks to join us in our summons to the

Attorney-General to discontinue these prosecutions.

Send the Attorney-General an email:
attorney@ag.gov.au

#DropTheProsecutions

Endorsed by:

Alison Broinowski, Bernard Keane, Damien Kingsbury, Hamish McDonald, Gary Stone, Gill Boehringer, John Hewson, Jon Faine, Kirsty Sword Gusmão, Meredith Burgmann, Michael Leach, Michael Stone, Pat Walsh, Paul Cleary, Rae Kingsbury, Richard Broinowski, Richard Ackland, Shirley Shackleton, Steve Bracks, Stuart Russell, Graham Perrett.

Authorised by Sister Susan Connelly
Timor Sea Justice Forum
susan.connelly@sosj.org.au

Indian policewoman describes the hazards of being a whistleblower

As Indian officers are accused of standing by during violent persecution of Muslims, one policewoman describes the hardships of trying to change the force from the inside.

Rupa Shenoy
The World, 3 March 2020

IN LATE FEBRUARY, India saw its worst brutality against Muslims in years. Indian police officers have been accused of standing by while Muslims were beaten and killed. It's difficult to get the police perspective on the violence — or what it's like to be an Indian police officer, in general.

"Though I have my own views, I can't criticize [the] government," said D. Roopa Moudgil, inspector-general of police railways, in Bangalore. "I'm bound by rules."

But Moudgil can talk about her own experiences, especially as one of the few women in the service. Women are estimated to make up 7% of India's 2.4-million-member police force. Moudgil's career has spanned nearly two decades — even though she's seen things she doesn't like, including how cases of assault against women are handled. The government says a

woman reports a rape in India on average every 15 minutes.

"I still haven't come across any woman who said that she boldly went up to [the] police station, and her complaint was taken without any effort," Moudgil said. "Such cases are very, very rare."



D. Roopa Moudgil

But changing things from the inside is difficult. Moudgil found out just how difficult it is in 2017. She blew the whistle on a powerful politician who was serving time in prison for corruption. The lawmaker was receiving special privileges in jail — like access to cooking facilities and the use of five cells for her belongings. Moudgil reported it.

"And when I did that, a lot of eyebrows were raised from the people in the system, my colleagues," she said. "With bated breath, they were waiting to see what will happen to me, what will happen next."

Usually whistleblowers are punished, she said.

"The knee-jerk reaction of governments is to do away with the whistleblower, just transfer that person or hush you up and they try to dig [into] your past and see what skeletons you have in your cupboard so that they can attack you."

That didn't happen to Moudgil, she said, because she went to the media.

"It was national media news for a few days," she said. "And probably that was the reason why I was not punished by the government."

But Moudgil has been transferred 41 times.

"That is why not many people act because the wise ones feel you better be

silent and just close your eyes and just do your job," she said. "But still, life goes on. It's fine."

Agency officials are increasingly retaliating against whistleblowers with impunity, IG says

Lawmakers and advocates say Trump's attacks on the whistleblower that kicked off his impeachment will have long-lasting negative effects.

Eric Katz
Government Executive
28 January 2020

THE WATCHDOG for the federal government's largest agency said on Tuesday that managers are increasingly retaliating against whistleblowers with impunity, while advocates for those employees told lawmakers individuals are now less likely to speak out against waste and wrongdoing due to President Trump's reaction to his impeachment.

Officials at the Defense Department are not taking action when the inspector general validates allegations of whistleblower reprisal, Glenn Fine, who is currently performing the duties of the Pentagon's IG, told a panel of the House Oversight and Reform Committee. He called it critical that management take prompt remedial action and called on Congress to take action when the department fails to do so.

"Recently, we've seen a disturbing trend of the [Defense Department] disagreeing with the results of our investigation or not taking disciplinary action in whistleblower reprisal cases without adequate or persuasive explanations," Fine said. "Failure to take action sends a message to agency managers that reprisal will be tolerated and also to potential whistleblowers [that they] will not be protected."

He added that his office was limited in what steps it could take if management declines to act after substantiated incidents of retaliation.

"We're not judge and jury," Fine explained. "We ought to provide transparency on when this happens, and then people ought to be asked about this."

Hearings are good. Questions are good.”

Lawmakers and other witnesses at the Government Operations Subcommittee hearing expressed concern that Trump’s attacks on the whistleblower who originally sounded the alarm on the president’s call with Ukraine President Volodymyr Zelensky in which Trump requested investigations into former Vice President Joe Biden and his son would have a long-term negative effect on those aware of waste, fraud or abuse. Trump has referred to the Intelligence Community whistleblower and those who provided him or her with information as spies, promised “big consequences” for them, repeatedly referred to the whistleblower as “so-called” and “fake” and posted a tweet that alleged to identify the individual by name.

“You don’t want to attack, and you shouldn’t be attacking, people who come forward,” Justice Department Inspector General Michael Horowitz said when asked about Trump’s comments. “They may not be right, but that’s for us to assess.”



Michael Horowitz

Rep. Gerry Connolly, Democrat from Virginia, the subcommittee’s chairman, said no federal employee should be punished “for doing the right thing.”

Trump’s comments, he predicted, will have a “chilling effect on those who in other administrations would otherwise have come forward to expose wrongdoing.”

A recent *Government Executive* survey found one-in-three federal employees are now less likely to report wrongdoing to the appropriate authorities due to attacks by Trump and congressional Republicans on the whistleblower whose filing kicked off the impeachment proceedings. Another 16% said they are now more likely to blow the whistle.

Connolly and several witnesses said Congress should bolster and clarify whistleblower laws, including to ensure that all feds who speak out about wrongdoing have a statutory right to anonymity. Advocates said lawmakers should ensure whistleblowers can seek compensatory damages if their privacy is breached and enable them to go directly to court to seek protections rather than entities like the Office of Special Counsel and the Merit Systems Protection Board.

“The degradation in the confidentiality and anonymity that we promise whistleblowers is eroding the ability of those federal employees who uncover waste fraud and abuse to transmit those allegations with the candor and forthrightness that we as citizens and you as Congress would want to have,” said Paul Rosenzweig, a resident senior fellow at the R Street Institute.

Elizabeth Hempowicz, director of public policy at the Project on Government Oversight, criticized the president and his supporters in Congress who accused the whistleblower of bias. Motive cannot be used as a means to deny whistleblower protections, she said.

Connolly accused his colleagues of talking out of both sides of their mouths, defending whistleblowers with rhetoric and even votes, but failing to come to their defense in high-profile cases.

If the identity of the whistleblower on Trump’s call is exposed, he said, “We have jeopardized the entire protection of every whistleblower going forward and I find that an unbelievable hypocrisy.” He added, “It’s the hard cases that require the protection, not the easy ones.”

True bravery shown by whistleblowers

Nick McKenzie and Chris Masters
Sydney Morning Herald
18 March 2020, p. 21

No Australian could now credibly deny that a small number of our special forces soldiers committed executions of Afghans, such was the power of a video obtained by *Four Corners* and broadcast on Monday night.

It showed, among other things, footage of an Australian SAS soldier committing an act that most of his colleagues in the regiment would regard as appalling – shooting an apparently unarmed Afghan man at point blank range while he was subdued and lying in a wheat field.

“I’ve seen plenty in Afghanistan but nothing so rotten,” says an SAS soldier who served in Afghanistan and watched the program. Like many, he spoke on the condition of anonymity for fear of retribution. “That behaviour shames us all. That leadership was abysmal. We lost our respect for human life and that means we lost our self respect.”

Much of the story was told through Braden Chapman, a former Special Air Services signaller who spoke out on the record about what he witnessed some of his fellow soldiers do.



An Australian Special Operations Task Group soldier in Afghanistan

The good news is that Chapman isn’t the only person brave enough to come forward. *The Age*, *The Sydney Morning Herald* and *60 Minutes* interviewed SAS medic Dusty Miller last year. It was Miller who first blew the whistle on the alleged execution of an injured Afghan man that was covered in Monday night’s program. He’d hate to be called brave, but Miller fought for his country and subsequently has had the courage to push back against those who snuffed out the lives of Afghan men as if they were hunting game.

A number of still-serving special forces insiders have also spoken confidentially to investigators or journalists. Some have risked jail time by speaking up against alleged war crimes, and for accountability. *The Age* and *Herald* have also reported that other soldiers have started confessing to executing prisoners in an attempt at redemption. More may speak up. Federal parliamentarian Andrew Hastie is another former SAS soldier who has spoken up for what is just and moral.

So what should the public take from this?

For a time allegedly criminal behaviour in Afghanistan was normalised by a small number of soldiers. The chain of command sometimes failed in its duty. These things are increasingly undeniable.



Former War Memorial director Brendan Nelson, now a director of Boeing.
Credit: Dominic Lorrimer

This oversight failure was called out by special forces chief Major General Jeff Sengelman whose leaked report first prompted serious investigations into some of these matters and revealed him as a brave individual. Our defence oversight system, led by Major General Paul Brereton, is working to expose the wrongdoing in Afghanistan and, just as importantly, work out how things went so awry.

These alleged murders cannot be hidden in the fog of war. The victims were defenceless, sometimes with their hands bound. Even so, two years ago, when these stories began to emerge publicly, former defence minister and Australian War Memorial chief Brendan Nelson argued that “war is a messy business” and the exposure of alleged wrongdoing was an attempt to “tear down our heroes.”

As the evidence has mounted, voices such as this have largely fallen silent. Among the political class, which must take responsibility for over-using our special forces in an increasingly hopeless war, the only real visible leadership on this issue has been from Hastie.

The political test now for Defence Minister Linda Reynolds and Prime Minister Scott Morrison occurs in the next few months. According to the military Inspector-General’s recent annual report, Brereton has uncovered dozens of alleged murders. The public deserves to see the bulk of his findings. That will demonstrate that our politicians and defence force are in favour of accountability.

In doing so, they will be following the example set by a number of brave soldiers who were sent to a war which made them whistleblowers, and which has broken many of them.

As Chapman candidly revealed, he lacked the moral courage at the time to stand up and complain. There is probably nothing he could have done to stop it and to his credit he has shown extraordinary courage since to publicly reveal this wrongdoing. The war in Afghanistan produced many heroes. Some of them even received medals. There will be no bravery award for Chapman but the courage that he and others have shown by coming forward may be up there with the deeds of which Australians should be most proud.

The Inspector-General made this same argument in his annual report. He said that those special forces soldiers who have risked so much to fight for justice deserve to be heard. They have earned the nation’s respect more than a few times over.

Whistleblower protection office retaliated against its own whistleblowers, report claims

Richard Sisk
Military.com, 6 March 2020

THE OFFICE set up within the Department of Veterans Affairs to protect whistleblowers has itself engaged in retaliation against its own staff in policy disputes, according to a report by the nonprofit Project on Government Oversight (POGO).

The POGO report alleges that a climate of intimidation exists at the VA’s Office of Accountability and Whistleblower Protection (OAWP), which was created in 2017 at the urging of President Donald Trump to root out corruption and safeguard those who come forward to charge wrongdoing.

Citing 20 anonymous current and former staffers at OAWP, the report alleges that an OAWP supervisor, a former Army colonel, was fired for refusing orders not to cooperate with investigators from the VA’s Office of Inspector General. Another staffer was demoted for the same reason, the report states.

The report also alleges that a toxic work environment exists under Dr Tamara Bonzanto, an assistant VA secretary and head of OAWP since January 2019.

Bonzanto, a former Navy corpsman, allegedly made demands to clear up case backlogs while failing to define procedures to carry out her orders, the report found.

“It is unacceptable that the office created to protect whistleblowers at the Department of Veterans Affairs is retaliating against whistleblowers,” Liz Hempowicz, director of public policy at POGO, said in a statement on the report.



Liz Hempowicz

Daniel Van Schooten, author of the POGO report, said he had reached out several times to the VA for comment but received no answer.

In response to Military.com, a VA spokeswoman issued a statement defending Bonzanto but not directly commenting on the allegations in the report.

Bonzanto “has been actively working to make a number of improvements to OAWP’s investigative processes, including more timely and thorough investigations and better communication with whistleblowers,” according to the statement.

She also “is committed to fostering an open and positive work environment and addressing any concerns employees may have” and has “received positive feedback from many employees on various initiatives to address staff concerns,” it adds.

However, a scathing report issued last October by the VA’s office of Inspector General charged that OAWP

is failing in its mission to protect whistleblowers and hold senior leaders accountable.

The IG's report said that OAWP has dismissed whistleblower complaints without cause and "floundered" in efforts to protect them.

The report also appeared to support charges by VA union officials that OAWP investigations focused on custodial staff and other low-level employees while giving a pass to political appointees and other senior leaders.

Only one senior VA executive has been fired since OAWP was created in 2017, the IG's report states.

"Very little has changed" at OAWP since the IG issued its report last October, Van Shooten said. "Clearly, this office is not holding senior VA officials accountable."

Would "one bad day" cancel the courage of your convictions?

Wendy Addison

ALIGNED WITH THE SONG by Daniel Powter, "Bad Day," most of us can get through one bad day. But how many of us can get through many bad days, many bad weeks, bad months or even bad years? How many of us can get through them *and* retain our belief in a just and fair world, in human decency? When it feels as though the world is playing some kind of sick joke, how many of us can avoid slipping into deep resentment, bitterness and victimhood?



Two contrasting individuals immediately spring to mind. Nelson Mandela and Robert Mugabe. What separated them so that one became a hero and the other a monster? Mandela and Mugabe became two of the most prominent

leaders on the African continent since the African nations began achieving independence a half-century ago. They shaped their countries in dramatically different ways, and yet before coming to power, they had remarkably similar lives.



Nelson Mandela

There was, however, a crucial difference between them. It was *how* they responded to events in their lives.

Whereas Mandela used his prison years to open a dialogue with South Africa's white rulers in order to defeat apartheid, Mugabe emerged from prison bent on revolution and determined to overthrow white society by force, pursuing a number of spiteful agendas. Mandela became a hero. Mugabe became a monster.



Robert Mugabe

What does it take to turn an ordinary person into a monster? To create a mass shooter, a terrorist, a dictator or Joker, Batman's antagonist, from the new Joker movie?

Before we begin to explore that question, I'd like to share how pivotal Mandela was in influencing my own life, tangibly and unknowingly, co-creating "one bad day" in my life that stretched into many bad years.

Receiving death threats and fleeing from South Africa to the UK after blowing the whistle on the LeisureNet Ltd CEOs, which ultimately became

known as "South Africa's Enron," the investigation team established that LeisureNet ought to be liquidated. To liquidate would result in 8000 South African job losses, a significant dent in a struggling South African economy. To avoid this, the investigating team reached out to Mandela, to request his willingness to call on his international network of friends to explore if any one of them would consider purchasing the liquidated LeisureNet.

Some of the lyrics from Daniel Powter's "Bad day"

Where is the moment when we needed the most?
You kick up the leaves, and the magic is lost
They tell me your blue sky's faded to gray
They tell me your passion's gone away
And I don't need no carrying on

Stand in the line just to hit a new low
You're faking a smile with the coffee to go
You tell me your life's been way off line
You're falling to pieces every time
And I don't need no carrying on

'Cause you had a bad day
You're taking one down
You sing a sad song just to turn it around
You say you don't know
You tell me don't lie
You work at a smile, and you go for a ride
You had a bad day
The camera don't lie
You're coming back down, and you really don't mind
You had a bad day
You had a bad day

This was, of course, a very helpful intervention by Mandela, as Richard Branson went on to purchase LeisureNet and rebrand the South African health clubs as Virgin gyms. The problem, and the cascade of outcomes that arose, was due to me having been recruited by UK recruiters, Robert Half, to be employed by Richard Branson to head up the Virgin Group Treasury position in Notting Hill Gate, London. In a bizarre, quantum twist, these two events converged simultaneously. As the South African media reported on toxic negotiations between Branson and the joint CEOs I'd blown the whistle on, I became collateral damage to their

negotiations. I was fired and marched off the Notting Hill gate premises in a Kafkaesque fashion.

Labelled as a whistleblower and having been fired by Richard Branson, I became blacklisted internationally. As a result, I've never worked as a corporate treasurer or accountant again. I've never been employed again. And the result of this was that I was cast out of the human and divine systems of care and protection that sustain life, needing to squat in a house and beg on the streets with my twelve-year-old son to survive.

This was my "one bad day," which stretched on for eighteen long years. In a paradoxically similar fashion to Mandela's own expulsion from society, having to spend twenty-seven years behind bars, I was banished from the playground of life, cast adrift, forced to live a life of abject poverty.

You can imagine what a day as bad as that would do to you. I'm guessing it wouldn't turn you into a super-villain or a serial killer. But it might lead to serious mental health problems. Maybe anxiety. Maybe depression. Maybe worse. For many, a major life tragedy can drive them over the edge.

*How would I respond?
How would you respond?*

Let's return to the new Joker movie and explore what the Joker and Batman have in common with my blog.

Once, Joker was an ordinary man. He was trying to be a good husband, preparing to be a father, and striving to make it as a stand-up comic. But his jokes were bombing and his family was trapped in poverty. He felt like a failure. He was overwhelmed by humiliation and guilt. Then a criminal gang offered him a way out. If he helped them with just one crime, he'd be rich. Desperate to turn his life around, he accepted. Joker had unknowingly stepped onto the descending, slippery slope.

And then, the "one bad day" happened. On the day of a planned heist, his pregnant wife died in a freak accident. He tried to back out of the criminal scheme, but the gang wouldn't let him. Then the heist went bad. Batman showed up. Trying to escape capture, the Joker jumped into a pool of toxic waste. He emerged looking like an insane clown. Then he started acting like one. And he never stopped.

One bad day broke him. One bad day drove him to madness and murder.



This raises important real-life questions. What can we do in the face of tragedy? How can we reduce suffering? How can we prevent evil? How do we avoid being captured by a sense of hopelessness and victim hood?

Suffering leads some to embrace nihilism and resentment. And some have used their nihilism and resentment as excuses for monstrous acts. Suffering leads some to believe that life is a "joke being played on us." This makes them resentful toward society, life, even existence itself. For some, this worldview has motivated "mass murder, often followed by suicide. The Columbine High School massacre of 1999 is such an example. Eric Harris and his killing partner murdered ten fellow students before killing themselves. The day before the massacre, Harris demonstrated his nihilism when he wrote in his journal: "It's interesting, when I'm in my human form, knowing I'm going to die. Everything has a touch of triviality to it."

I recognise this sentiment. Going into the tenth year of attempting to secure justice in my whistleblowing case, when I felt life was rubbing my nose in it, I wanted to give up. Friends and family urged me to stop cooperating with the many agents seeking my support in their legal cases. I visited my tipping point often and always stepped back from the ultimate edge.

My thoughts often turned to Mandela. Did he give up after receiving a life sentence? Did he let go of his passion and fight for a fairer South Africa in the belief that his life behind bars had now become meaningless? Did he surrender to what must have felt like impossible obstacles? Would he use his "one bad day" as a reason to embrace nihilism and wallow in resentment?

Could the answer to these questions motivate me?

Joker exclaimed, "It's all a joke! Everything anybody ever valued or struggled for ... It's all a monstrous, demented gag!" Joker also ranted about "life, and all its random injustice" and "the inescapable fact that human existence is mad, random and pointless." He deliberately chose to go insane, because, "In a world as psychotic as this ... any other response would be crazy!"

I would tell Joker he's wrong. Ordinary people can maintain morality and sanity even in the face of tragedy. Indeed ordinary people do so every day. Everyday heroism is the rule, I believe, rather than the exception. I'm not talking about out of this world characters with superpowers. Ordinary people, like the character Batman, can turn away from the dark path of nihilism and resentment, even in the face of tragedy.

Inspired by my reflection of Mandela, I held firmly to my principles and called, not for vengeance, but for justice and the rule of law by becoming a spirited defender of the truth. I refused to give in to resentment and bitterness and as a result and with humility, I was able to retain my human decency. The creation of my organisation, SpeakOut SpeakUp Ltd arose because I wanted to bring meaning to bear on my own suffering. To find a smarter and better way, in order for others, individuals, organisations and society, to avoid the social injury that so often happens as a result of whistleblowing.



Wendy Addison

Wendy Addison is founder and CEO of SpeakOut SpeakUp Ltd, <http://www.speakout-speakup.org>. This is an abridged version of her blog post of 31 October 2019.

Whistleblowers Australia contacts

Postal address PO Box U129, Wollongong NSW 2500

Website <http://www.whistleblowers.org.au/>

Facebook <https://www.facebook.com/Whistleblowers-Australia-Inc-172621456093012/>

Members of the national committee

http://www.bmartin.cc/dissent/contacts/au_wba/committee.html

Previous issues of *The Whistle*

http://www.bmartin.cc/dissent/contacts/au_wba/

New South Wales contact Cynthia Kardell,

phone 02 9484 6895, ckardell@iprimus.com.au

Wollongong contact Brian Martin, phone 02 4228 7860.

Website <http://www.bmartin.cc/dissent/>

Queensland contact Feliks Perera, phone 0410 260 440,

feliksfrommarcoola@gmail.com

Tasmania Whistleblowers Tasmania contact, Isla

MacGregor, phone 03 6239 1054, opal@intas.net.au

Whistle

Editor: Brian Martin, bmartin@uow.edu.au

Phone 02 4228 7860

Address: PO Box U129, Wollongong NSW 2500

Thanks to Cynthia Kardell and Lynn Simpson for proofreading.

Viruses and whistleblowers

Covid-19 seems to be monopolising conversations, causing some other important issues to be neglected — including whistleblowing. However, there are important connections, including the case of Li Wenliang, featured in this issue. No doubt you can think of other connections. Whistleblowing, alas, remains important whatever problems viruses are or aren't causing.



Whistleblowers Australia membership

Membership of WBA involves an annual fee of \$25, payable to Whistleblowers Australia. Membership includes an annual subscription to *The Whistle*, and members receive discounts to seminars, invitations to briefings/ discussion groups, plus input into policy and submissions.

To subscribe to *The Whistle* but not join WBA, the annual subscription fee is \$25.

The activities of Whistleblowers Australia depend entirely on voluntary work by members and supporters. We value your ideas, time, expertise and involvement. Whistleblowers Australia is funded almost entirely from membership fees, donations and bequests.

Renewing members can make your payment in one of these ways.

1. Pay Whistleblowers Australia Inc by online deposit to NAB Coolum Beach BSB 084 620 Account Number 69841 4626. Reference your surname.

2. Post a cheque made out to Whistleblowers Australia Inc with your name to the Secretary, WBA, PO Box 458 Sydney Markets, Sydney, NSW 2129

3. Pay by credit card using PayPal to account name wba@whistleblowers.org.au. Use your surname/membership as the reference.

New members: http://www.bmartin.cc/dissent/contacts/au_wba/membership.html