Transcript of Julia Baird’s interview with Professor Ron McCallum

Extracted from:

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***Ron McCallum is a passionate and extraordinary Australian. The Dean of the Sydney University Law School, it is a position he has reached against near-overwhelming odds.*** *That’s the sound of him reading, Or rather the sound of Professor Ron McCallum being read to by an electronic voice.

It’s a rate of audio information input most of us can’t begin to comprehend.

And yet it’s how one of Australia’s foremost experts in industrial relations law reads everything.

Professor Ron McCallum is the first totally blind person to have been appointed to a full professorship at any Australian university.

He has been driven to succeed, but also driven by a sense of justice - one that’s been deeply offended by the new industrial conditions introduced as a result of the government’s WorkChoices legislation.

Just this week there have been reports of one employer using the legislation in order to remove its workers rights to penalty payments, bonuses and public holidays in return for a pay increase of just two cents an hour.

Ron McCallum says more like that is around the corner. And he’s worried too about the way in which WorkChoices has been introduced.

The Commonwealth government has purported to grab control of industrial relations from the states using the power to make rules governing corporations given to it in the Australian constitution.

Professor McCallum says there’s something wrong about using a power over corporations in order to control the working conditions of human beings.

Ron McCallum:

I think it’s the most significant case on federal state powers since the high court disallowed the nationalisation of the banks in the Chifley government in 1949. The High Court and the Privy government said the federal government didn’t have power to nationalise the banks, it’s of that level, because if the federal government wins in this case then it seems to me they can establish a whole lot of other laws governing all the things that corporations do and corporations do most of the things that happen in private sector economy.

Julia Baird:

What is it about the things that happen in a private sector economy that particularly disturbs you?

Ron McCallum:

I’m a fairly simply fellow Julia. Corporations power should be for corporations, the labour power, that’s the consolation power should be for settling and preventing labour disputes. By using the corporation’s power to enact our labour laws we’re corporatising labour law. We’re making it a subset of corporations law.

Julia Baird:

And therefore making workers a commodity.

Ron McCallum:

Exactly, I have put this view up by using examples which may seem frivolous but it’s to make a serious point. Supposing we had a power in the constitution called the women’s power and it allowed parliament to make laws about women. Could we use that power to make laws allowing women and men to marry each other and divorce each other and the answer is, yes. But wouldn’t we say that these laws are a bit lopsided and that we gentlemen are but mere appendages? The point I’m trying to make is that if you put labour law as an appendage to corporations law, it’s corporation law that always wins.

Julia Baird:

Look those that have followed your public speaking and commentary and your work on Industrial relations would know that you’re very passionate about it and this might be a stereotype, but we can usually expect expertise from a Dean of Law but not always passion. Can you explain what it is about these laws particularly which invoke such passion in you?

Ron McCallum:

I’ve worked all my life around the world and in Australia to find balances between the rights of employers to operate their businesses and the rights and obligations of employees. These laws are unbalanced. I find it unjust for example that if the majority of workers at an enterprise want to be dealt with collectively, they can’t insist upon that right. I find it unjust that if your employer which is incorporated and has a hundred or less people and you are terminated because arbitrary capricious or unfair behaviour, you have no remedy other than the common law. I live and breathe these laws. I have friends and acquaintances and family working, I’m a worker myself and it’s only really through our passion and commitment that we can really get things done.

Julia Baird:

Let’s talk about some of your life now. You’ve said that this has been something which has preoccupied you ever since you were young and one of the extraordinary things about you is that the area of your expertise, the law requires many long hours of reading and you’ve reached the top of your field despite the fact that you were blind. I understand that when you were born in 1948 you had perfect site but your eyes were damaged while you were being looked after at the hospital as a premature baby. What happened?

Ron McCallum:

I’m what’s called a retrolental fibroplasia child. When I was born ten weeks premature, they put me in a humidicrib and the only way they could keep me alive was by using pure oxygen. It caused blood vessels to grow, which pulled the retinas off the back of my eyes, so I guess I lost my sight a few hours after birth.

Julia Baird:

That must have been a terrible accident for your parents to come to terms with, how did they react to that?

Ron McCallum:

My mother was a very strong woman, she reacted very well, my father, it was his second marriage, it was after World War 11, he had post traumatic stress, the way we would describe it now. I don’t think he handled disability, the fact that I was disabled you know, he just found me as I perceive it now, hard to accept.

Julia Baird:

That must have been very hurtful for you as a child?

Ron McCallum:

I’m not sure that I found it hurtful. He was a strange very ill man when I look back on it now. He used to push my mother around a little and I, you know I’ve got teenaged children who are going to be listening to this, he was a sick man I think it would be fair to say. I don’t know that it was after any event, it was the coming to realization that, I decided at the age of thirteen that I was going to be my own person and that I would not be put down by anybody and that I would say what I think and always be me and maybe that had something to do with the fact that now I speak out on things and I try and be me all the time.

Julia Baird:

You said to a journalist once that your great passion in life was to read…

Ron McCallum:

Absolutely.

Julia Baird:

At what age did you become aware of this and why were you so keen?

Ron McCallum:

About two and a half or something. My Mum was reading to my older brothers and to me, they were looking at pictures on the page and I went up like to try and feel the page and my Mum explained to me I couldn’t see the pictures and that what she was doing was reading print that I couldn’t see and would never be able to read and from that time onwards I would have loved to read. I had to spend all my time when I was a high school student getting people to put things on tape. When I was at university, I could always get students to read criminal law but as to reading conveyancing, no way.

Julia Baird:

Did any of your readers ever kind of fall asleep or nod off while they were going through it?

Ron McCallum:

No, but I did.

Julia Baird:

Did all these huge number of hours, you talked about kind of living on your own, did this affect your social life, the number of hours you would have had to put in to all your study and listening to these tapes?

Ron McCallum:

I think so; I just had much less social life because I was busy working.

Julia Baird:

Were you expecting to marry or have children, did you want to have kids?

Ron McCallum:

Yes, when I was a young teacher at Monash I would spend every Friday morning every couple of weeks at the creche where they asked me to help run the four-year-old program. That was a great outlet to me, I didn’t expect to have children and when I met Mary and we were getting engaged I said, “Well look, this is great getting married but you’d better get the thumbs up from my creche class because…”

Julia Baird:

I gather she got it!

Ron McCallum:

She got it and one of the students came up to me after Mary visited, Jennifer I think it was, who would now be 25 or 26 and she said, “Mr McCallum we’ve been talking and we think you ought to marry her.” I said, “Okay, I’ll do it.”

Julia Baird:

And how did, were there things that she had to come to terms with about the fact that you were blind?

Ron McCallum:

Her father is a world famous ophthalmologist, he was first professor of Ophthalmology in Australia, Gerard Crock. You know he has given sight back around the world to thousands of people and he has a blind son-in-law and a blind father of his grandchildren so it’s quite extraordinary. Which you know I think, there are frustrations. I think most ladies would say there are frustrations living with any man and perhaps vice versa but you know, I can’t drive a car, when I get very tired, I get very confused. I don’t always look this organised. She’s never complained in the sense of my disability which I think is extraordinary, I think if the boot were on the other foot, I’d say, “Oh for God’s sake”, so I think that’s truly amazing.

Julia Baird:

What did falling in love and getting married change for you?

Ron McCallum:

People didn’t perceive me, when I became a husband and a Dad, people seemed to perceive me more in the mainstream. Now I could be misconstruing that but that’s my perceptions, suddenly people looked at me and thought, “Yes, he’s doing all the things we do.”

Julia Baird:

And had you expected to do all the things that everyone else does?

Ron McCallum:

No, at that time technology came along and technology altered my life because they were now inventing synthetic speech which could be used with computers and also scanners where you could scan books and by 1989 I could scan a book, I didn’t have to get someone to read it. I could put a book on a scanner and it would be read out synthetically. It’s liberated me, I can be not only hopefully a good husband and Dad but I can be a government advisor and Dean of a law school.

Julia Baird:

I think you said once, “It was like saying to a paraplegic, ‘you can walk now’.”

Ron McCallum:

Yes. You know people say to me and you can cut this out of the interview if you like, people say to me, “Wouldn’t you like to see your wife and see your children?” And I think in an abstract way, I suppose if you could see it would be good, but I’ve never seen and I know that Mary and I bathed the children when they were born, I know them, I don’t need to see them, doesn’t mean anything to me, but if you’d said to me at the age of ten, “Would you like a machine that would read to you automatically?” I would have said, “Yes.” Look it got so complicated that I had a little bit of counseling, I married Mary in 1986 and we had a child a year later and then technology, the first talking computer, I had sexuality and being a Dad and technology and they all hit at once and suddenly I was liberated and I could read whatever I wanted to read. I could actually put on the scanner pornography in theory!

Julia Baird:

And did you?

Ron McCallum:

No but I wrote my first book from memory on a typewriter and if you’d come into my office I would have said, “Look would you read me the last sentence I wrote, because I can’t remember and I’d keep on typing.”

Julia Baird:

Right.

Ron McCallum:

Someone recently wrote that Ron McCallum’s writing had become crisper and I thought, “Yes, I can now read it back.” But yes, if you’re an academic and you want to read and you want, information is power and now I can do it, it’s extraordinary; I never imagined it could happen. You know I didn’t imagine marrying or having children but I knew people did marry and have children but at that stage I never knew that we would invent this technology. Sometimes in the middle of the night, Mary will reach over and feel my ears, this is nothing to do with amorousness, we’ve been married twenty years, this is, “Are you still plugged in and would you try and get a balanced life!”

Julia Baird:

You described it as when you first made this discovery and I think it was in December 1989, it was orgasmic…

Ron McCallum:

Yes.

Julia Baird:

Can you tell us about that actual moment when you were able to scan material into your computer?

Ron McCallum:

Yes, the scanner had arrived and each week on my desk comes a loose part of the law reports from around the world and you can read cases and the first part that came to me as soon as I got the computer was from England, it was the House of Laws decision on Occupational Health and Safety. Now I teach that law. Normally I would have had to go and find someone to read it, I said, “No, no, no. I’m going to read this myself now.” I walked into the room, I put it on the thing and I read it and I came out and I thought I can do this. The days of asking someone to read me something are over. It’s a bit like you know if I hadn’t learnt to do up my shoes or my buttons, would I have to say to someone everyday, could you please do up my buttons? I can read what I want to read, when I want to read, I can read whatever I like to read whether it’s permissible or impermissible.

Julia Baird:

I think you’ve got your, we might call it a talking machine but its actually called something else.

Ron McCallum:

This is a computer with a synthetic voice.

Julia Baird:

It reads to you from things which are scanned into it right?

Ron McCallum:

Yes will this one, some things are scanned in and other things are taken off the net. What I took off the net was the work choices bill scanned it into that and I can now read it by pressing these buttons here.

Julia Baird:

Can you play it for us?

Ron McCallum:

I will, I’ve put it on the very slow speed.

Julia Baird:

Okay....

It’s like Star Trek.

Ron McCallum:

I can slow it down more…Now if I were going to read it myself, I would read it like this…

Julia Baird:

Oh my goodness.

Ron McCallum:

But I’m trained to do that.

Julia Baird:

But it’s like another language.

Ron McCallum:

Yes but it’s like when you are using your eyes reading, you read far quicker than you could speak, that’s only about 500 words a minute.

Julia Baird:

So you can understand that easily?

Ron McCallum:

Yes. I do get some headaches but my friends get headaches after reading for a long time and I think when I became blind shortly after birth the brain hadn’t developed, in fact quite a lot of my cohort had brain damage, you know I went to school with brain damaged kids at first because they put us all together but often I think there are big spaces in my head, there are big blanks, but I think some of those blanks are used to help me use my hearing and touch and smell senses better. I’m quite amazed about how clever people with vision are, grown ups. When the children were smaller my wife could drive the car, talk to me and where necessary yell at children in their car seats in the back. I just can’ t do all that at once and my nearly 19 year old who can drive me somewhere I think this child whom I held in two hands and he can do those things that I can never even conceive of doing, it’s quite extraordinary.

Julia Baird:

You’re listening to Sunday Profile, my guest is Professor Ron McCallum, the Dean of Law at Sydney University.
Well with all those sounds and that kind of noise going into your earphones and all these words swimming around your mind, what do you do to relax or to still your mind?

Ron McCallum:

I meditate morning and evening. I’ve done that ever since I got stressed in the early 1990’s. I am a Christian meditator, but you can be whatever meditator you like and I say my mantra morning and evening.

Julia Baird:

What’s your mantra?

Ron McCallum:

MA-RA-NA-THA. It means come lord. It’s in the old Aramaic which was the language Jesus spoke. So I mediate morning and evening, get up at quarter to five to meditate. I find relaxing very hard but I find meditation is cheaper than the shrink, you know, it’s not chasing other ladies, it’s not drinking too heavily but seriously I find I need times of absolute quiet and meditation to centre myself. I find my job difficult. Not only am I Chief Executive but I still teach and research, I’m responsible for significant educational institution, a significant part of Sydney University. I need that meditation and calm time to still all the stuff going around.

Julia Baird:

Do you think that meditation means something different to you than it would for a sighted person?

Ron McCallum:

I don’t know, I don’t see things in my dreams, I don’t dream that much. I know that my mind is different and that it has these gaps but I’m still trying to do what you’re doing.

Julia Baird:

You’ve said it was a form of Christian meditation, what does it mean to you in your work to be a Christian?

Ron McCallum:

I’m a believer in Jesus Christ and I believe in the Ten Commandments and his good neighbour philosophy. I try and live that life as best I can. I know I don’t always live up to the Christian ideals and to me there’s a lot of elements of Christianity in labour law. We were a Christian country particularly in 1900. When we developed our system of conciliation and arbitration it was backed by the Catholic church, to a lesser extent by the Protestant churches, it was backed by people concerned with fairness, there are a whole lot of stories in the Bible of Jesus speaking about how masters should treat servants and vice versa. Our law is based upon Judaic Christian principles.

Julia Baird:

So you feel probably that part of your work in IR would be about protecting the vulnerable or seeking a fair deal for workers.

Ron McCallum:

Absolutely.

Julia Baird:

I mean there must be some different views out there on that as well, I mean given that Ian Harper who’s the head of the new fair pay commission is an Anglican as well?

Ron McCallum:

Absolutely, I mean there’s another view that we should reward merit, that we should employ people at all costs, even if that means lowering wages, that there is an ordained order of things, that we will get better productivity for all if we pay the higher skilled workers more. They look at labour law I think in a collective or overall national sense. I came from the other side of the tracks, from the poor side of the tracks. I look at it from the plight of the individual. I think once you move law away from the individual you lose its humanity. We might want to say, “Okay, it’s nice for businesses who have a hundred or less employees not to worry about their unfair behaviour if they dismiss someone unfairly,” what about the individual who’s felt injustice? You know, we can all remember from childhood something that went wrong in our lives when we were unjustly dealt with. We may have been unjustly punished at school or our parents may have misconstrued something. Dickens wrote that every child has an innate sense of justice and I think we have it and we can all remember injustice. If the law means anything, if it’s not going to clang like an empty symbol it has to have justice at the core and justice and must be centred in the individual worth of individual human beings.

Julia Baird:

So there’s also a battle of ideas amongst people of faith in the industrial relations tradition perhaps?

Ron McCallum:

Oh absolutely, you know one person said in the early days of the church, “You could tell Christians from the way they looked at you with their eyes.” I’m not sure that we Christians stand out like that anymore.

Julia Baird:

Recently we have seen the High Court decided in a case about wrongful life. In a situation where parents claimed they would have aborted rather than give birth to severely disabled children had they been told about the rubella which the woman had contracted during her pregnancy. This case is ultimately involved comparing a disabled life with no life, and as you would know, the High Court threw it out, saying, “It would be odious and repugnant to suggest a disabled person would be better off not being born.” As a Christian, a lawyer and a blind person, what were your thoughts on this case?

Ron McCallum:

I would never question someone who wanted to abort because there was evidence of disability, if that was their choice I wouldn’t jump up and down about it. I think we disabled people do have a valuable life. Now it might be easier to say it of me, even those with brain damage have right to live unless someone’s in extreme pain, people have a right to live. On the other hand, I can see why people who are bringing up a disabled child should be allowed to get damages; it’s a bit emotive to call it ‘wrong for life’. The real issue is over damages to help bring up a disabled child which costs a lot of money. So I’m torn, I’d probably in the end side with Justice Michael Kirby that I would have probably allowed the case to go to trial and assess for damages but that would mean my view is that disabled people have a worthless life. I think all of us have a place in the procession, young and old and disabled.

Julia Baird:

Well in this instance the parents were angry with the doctor who was involved, what would you say to parents who are angry with God when their children are born disabled?

Ron McCallum:

I had a father who was angry; I don’t know what God’s plan is. When people say, ‘It’s God’s will’, I don’t know that I want to subscribe to that theory. I think you’re very lucky if you have a child with ten fingers and ten toes. We’re not in a world of designer babies, I wasn’t a designer baby, who would have thought of me in a humidicrib with a post traumatic stressed father that I would have ended up being Dean of a Law school and leading what I hope is a useful life? We don’t know where we’re all going to end up so you know we all have value.

Julia Baird:

Professor Ron McCallum, thanks for joining us on Sunday Profile.

Ron McCallum:

Thank you very much Julia.

Julia Baird:

And that’s Ron McCallum – by any standard an extraordinary and a committed human being.

I’m Julia Baird – thanks for listening.*