

After the tears

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An emotional parliamentary debate failed to come to grips with why people move and why we sometimes worry about it, writes **Klaus Neumann**



Prime Minister Julia Gillard (above, left) speaks to colleagues during the asylum seeker debate in the House of Representatives on 27 June.

Photo: Alan Porritt/ AAP Image

THOSE who could bear to follow last week's torturous debate over Australia's asylum seeker policy would have heard one message loud and clear: the government must respond quickly to an urgent problem; delaying the response – any response – puts lives at risk and jeopardises Australia's border security.

I have never understood how the arrival of a few thousand asylum seekers could amount to a breach of Australia's border security. In recent years most boats heading for Australia have been closely monitored once they reached Australian waters. Those few asylum seekers who managed to reach Australian territory without being detected were detained immediately on their arrival. The only irregular cross-border traffic of any significance happens in Australia's north, between Papua New Guinea and Queensland, because the Torres Strait Islands, whose inhabitants are ethnically closely related to the people of Papua New Guinea, belong to Australia, even though some of them are only a few kilometres from the New Guinea mainland. That traffic involves Papua New Guineans, rather than Hazaras or Tamils. In other words, the argument that the Australian parliament urgently needed to pass new asylum seeker legislation because "border protection to our north has broken down and become dysfunctional," as one Liberal MP claimed last week, is in my view just plain silly.

The other argument put forward last week – that more asylum seekers will drown unless Australia finds a means of stopping them from trying to reach Australia by boat –

makes more sense. It is difficult to arrive at an accurate estimate of the number of people who have perished while trying to reach Australia. Three boats are reported to have sunk this year, resulting in the loss of more than one hundred lives, but there may have been others, setting out from India, Sri Lanka, Malaysia or Indonesia, whose sinking was not reported.

This is by no means a unique problem. People trying to reach the affluent West by irregular means, in inflatable boats or fishing vessels or by clinging to the undercarriages of planes or trains, swimming rivers, walking across mountains or deserts, or stowing away in shipping containers, are risking their lives. Many of them die. Hundreds of people die each year trying to cross the border between Mexico and the United States. An organisation monitoring the deaths of irregular migrants attempting to settle in Europe has counted more than 16,000 such deaths since 1993 – one documented death every ten hours. There are likely to be many more that are never reported.

There is no evidence that the number of people drowning en route to Australia has increased dramatically in the past few weeks. At least 160 asylum seekers drowned when their boat capsized in December last year off the coast of Java. In December 2010 a boat carrying asylum seekers lost engine power, struck rocks just off Christmas Island and crashed in heavy seas against the island's cliff face. At least thirty of the passengers – and perhaps many more – died. There is nothing new about the fact that the asylum seekers' journeys by boat, irrespective of where they depart to reach Australia, are perilous.

The realisation that something needs to be done to stop asylum seekers embarking on such perilous journeys comes very late. Australia's parliamentarians, some of whom wept openly during last week's debate about the Migration Legislation Amendment (The Bali Process) Bill 2012, may have been spurred to act by the prospect of more drownings. That is the kindest possible interpretation of last week's emotional scenes in parliament.

But even if we accepted that Australia's politicians were entirely driven by their concern for the welfare of asylum seekers, last week's debate made little sense. If it seemed to those intent on fleeing intolerable circumstances in, say, Afghanistan that they would not be able to be allowed to resettle in Australia, even in the event they survived the boat trip, then they would simply try other options: via Iran and Turkey to Europe, for example. Or they would take their chances and hope that they would be resettled in Australia after a year or two in the hellhole of Nauru (which, of course, would still require them to attempt to reach Australian territory by boat). Or they would continue risking their lives by staying where they are.

At least on one issue, the opposition and the government now agree: the people smugglers are to blame. They are held responsible for the steadily increasing number of asylum seekers reaching Australia. And they are held responsible for the drownings because they cram too many people onto boats that are ill-equipped for the journey to Australia. So the solutions proffered by both major parties are presented primarily as means to stop the people smuggling trade. Neither the factors that make people leave their homes, nor the circumstances that attract them to come to Australia, are part of the narrative constructed around those profiteers labelled "the vilest form of human life" by Kevin Rudd in 2009. Australia's politicians also seem to care little about the prospect that desperate people who find that Australia is out of reach will turn to people smugglers who offer to facilitate their irregular migration to Europe.

In last week's debate, Malcolm Turnbull said: "There are no measures deployed by governments in the battle against people-smuggling which are particularly palatable. All of them have great difficulties, contradictions and painful choices associated with them." Perhaps such a realisation ought to have prompted our politicians to, first, take a step back and look at the broader picture, and, second, to ask themselves whether a win in the battle against people-smuggling ought to be the ultimate goal. But instead, they beseeched each other to vote for the least unpalatable measure.

In combination, the stalemate reached last week, parliament's winter break and the fact that at least some MPs on both sides of parliament are genuinely anxious to find a solution that respects asylum seekers' rights provides a window of opportunity to consider the broader picture. This picture needs to include Australia's capacity to deal with forced migrants, the situation in the asylum seekers' countries of origins, and the global movement of refugees. It also needs to include the specific configurations of the refugee regime in our region.

IN THE meantime, more people will risk their lives in an attempt to reach Australia by boat. But the sense of urgency that informed last week's debate was misdirected for two reasons. First, there is no conclusive evidence that the proposed legislation, with or without the opposition's amendments, would have led to less suffering overall. In fact, the evidence from Europe and the United States suggests that tougher border security measures result in more deaths. Second, there is no reason why in this instance the suffering of non-citizens outside Australia calls for the government's intervention, while in other cases Australia and its politicians are content to do nothing. If Australia had a moral obligation towards those boarding unseaworthy boats in Southeast or South Asia, why then shouldn't it have a moral obligation also to the same people at the point when they flee their homes? In other words, if Australia were so concerned about asylum seekers' welfare, then why doesn't it address the root causes of displacement? Could it perhaps be more persuasive in its dealings with the Sri Lankan government, for instance, and insist that the human rights of Tamils are respected?

In a discussion of Robert Manne and David Corlett's concept of the "ethics of proximity," Peter Mares once wrote: "Pious promises to help the neediest or to address the root causes of human flight remain comfortably vague and abstract; when asylum seekers and refugees land on our shores, however, we are presented with the direct challenge – some would say opportunity – of providing concrete assistance to a fellow human being." A reference to the root causes of displacement must not act as an excuse for ignoring some of its consequences. But in this case, the urgency of last week's debate was not prompted by the proximity of the Java Sea and of Australia's overcrowded detention centres. It was prompted by concerns for suffering asylum seekers *and* for the Australians affected by their suffering. Christmas Island, Villawood, Darwin and the Java Sea have become uncomfortably close.

It would of course be desirable if the vexed issues of forced migration could be solved. In our less than ideal world, however, that is unlikely to happen any time soon; in the meantime, we prefer that the suffering of forced migrants is played out in Malaysia or on Nauru, or in the Greek-Turkish borderlands, or, better still, in places such as Afghanistan or Iran, rather than in Australia or on its doorstep.

The proximity of the Java Sea or of Christmas Island has little to do with the actual distance that separates us from those places. They appear close at the moment thanks to the attention they are receiving in the media. The level of the media's attention depends on the degree to which the story playing out in such places resonates with

Australian viewers. Last week some members of parliament knew they would be taken seriously if they claimed that the arrival of a few thousand unarmed people poses a threat to Australia's security. The story of human suffering in the Java Sea attracts Australia's attention also because it taps into narratives about White Australia's vulnerability.

Would Australia's politicians exhibit a similar sense of urgency in response to any other tragedy that has cost numerous lives and is taking place close to home? The maternal mortality rate in Papua New Guinea, our closest neighbour and former colony, is the second-highest in Asia and Oceania. Between 1990 and 2008, the rate at which mothers died in childbirth dropped globally by 34 per cent. In PNG, it doubled. Each day, four of that country's women die of a pregnancy-related cause.

This is not to say that the existence of other pressing issues close to home means that there is no need to worry too much about another boat with asylum seekers capsizing on its way to Australia. Rather, the appalling maternal health statistics for Australia's former colony and closest neighbour should make us ask ourselves exactly why the suffering of asylum seekers moved Australia's parliamentarians to tears last week, and why it was deemed so crucial to pass Robert Oakeshott's bill now, rather than to take the time to identify a solution that addresses more than just one isolated aspect of the problem. •

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