

Conscience and Values - Asylum Seekers and a Lack of Political Vision

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Asylum seeking and the quest for safe refuge is a world issue affecting up to 20 million people. Australia plays a small part in terms of the global response but has taken a relatively harsh approach to vulnerable people, with the use of mandatory detention and other policies of deterrence in a consistent and unwavering way. Changes in government have done very little to rethink of our fundamental obligation to respond humanely to the world problem of the dispossessed. The debates in this country about an appropriate response to this world issue and our place in the regional response have largely been framed in terms of cultural anxiety and risk. There has been little chance to have a discussion about values, humanity and our international obligations.

To this day infants and children are detained under restricted conditions of restriction on both the mainland and in offshore processing centres, to the concern of all international refugee agencies. Seemingly, Australia perceives a need to maintain harsh policies and a risk in not doing so, even if this is political risk rather than risk in terms of international response. The asylum seeker question has now become one of the most politicised issues in contemporary social discourse and intrinsically related to issues of Australian history, cultural identity, geography and self-determination. Cultural anxieties around our place in the world, multiculturalism and population and the metaphor of invasion risk are not new, but are presented in a new guise – the risk of the new asylum seeker and their values and potential impact on a self-defined homogeneous population. The legacy of the White Australia policy and attempts to maintain a myth of cultural purity remain.

We have only recently been confronted with images of asylum seekers drowning in the attempt to reach Christmas Island. Images of children floating; a submerged woman, arm outstretched: helpless witnesses speaking of the images that have scarred them—as one person stated repetitively, 'I saw children, I saw children.' The realities of asylum seeking, the dangers, the plight of those with no hope but to take the risk, and their desire to protect their children were brutally highlighted. For some, this raised serious issues about our policy, again focused on the discussion about pull factors and a so-called more lenient approach to asylum seekers, policies of deterrence and the politics of stopping the boats, a simple rallying cry for those made anxious by the small number of arrivals.

Sadly, at the time of the disaster we had just recovered from an election campaign where there was very little to distinguish between the major parties in terms of a broad approach to the 'asylum seeker question', and nothing much offered in strategy other than raising anxiety in a familiar way and then offering further off-shore processing. The fear factor seen previously in the Howard era resurfaced but was this time bipartisan, with no real alternative discussed other than by the Greens. For those of us around during the Howard/Ruddock approach and aware of the impact of this on asylum seekers and children's mental health, this has been deeply disturbing. Sadly we are now again seeing some of the harm resulting from detention and predictable, and therefore preventable, negative effects on psychological health. Factors such as increased processing time, increased rates

of return, limited support and bewildering explanations of the legal process all contribute to anxiety, confusion and ultimately despair.

Self-harming, protest and behavioural breakdown are not at all surprising in these circumstances.

We have also seen lives lost to suicide—five since October 2010 and several ‘near misses’ over a three-month-period—self-harm and protest of various sorts. This situation raises fundamental questions of what is acceptable on a human level even in the face of other objectives. How much damage is tolerable and what price do we pay in tolerating it at all? The Australian ideal of the ‘fair go’ and sense of ourselves as a welcoming nation mean we do not readily accept that we have policies which cause severe psychological damage. This is a significant moral crisis for Australian politics and deserves a good deal more reflective discussion – a rethinking of values and dealing with conscience and collective responsibility.

The issue of the detention of children, over and above all others issues galvanised many community members to question government policy. The message was clear and simple – harming children is unacceptable and morally indefensible. In a positive sense, this opened the way for a broad discussion about the apparent determination of government to maintain the routine practice of child detention, including unaccompanied minors, in remote facilities and with substandard basic provisions needed for child development and well-being. Australia has the dubious honour of being the first developed nation to have a policy of mandatory detention for all ‘unauthorised’ arrivals for an indefinite period of time (Silove, Austin and Steel 2007). Detention of children has highlighted what may be seen as a fundamental tension between the priorities of immigration law and the rights of children to care and protection.

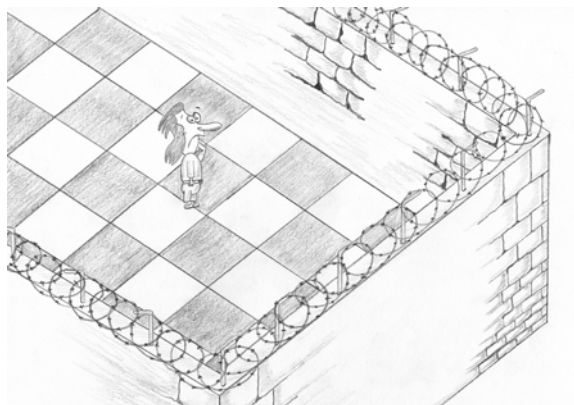
Although Australia is a voluntary signatory to the United Nations Convention on the Rights of the Child, we remain fundamentally in breach of this and related conventions. The use of remote facilities for ‘processing’ asylum seekers in

effect detains all child asylum seekers and does not allow for community detention placements of families with infants and children. Similarly so-called ‘alternative places of detention’ on the mainland are in effect restricted places of detention with very little substantive difference from a named detention facility. In the midst of debates about the appropriate responses to asylum seekers, infants and children have become caught in a system that is unable to provide adequate protection or support for families who have already experienced significant trauma.

The recent High Court decision that ongoing detention of four young Hazaras is acceptable, even in the face of clear evidence of mental harm and deterioration, is remarkable. In and of itself this defines the dangerous place we find ourselves in, where damage to children is acceptable collateral damage and where border protection and control are seen as the higher goals beyond humanitarian values.

Mandatory and arbitrary detention may be challenged legally and constitutionally but needs also to be challenged for the psychological harm and distress they cause. This is the legacy and long-term impact of harsh detention practices. The dilemma facing the detention system now is one of a reform of values, implementing a psychologically supportive approach based on a realistic understanding of the vulnerabilities of asylum seekers, particularly those who have experienced torture and trauma. Not to do so damages individuals and also undermines values, builds a culture of blame and hostility towards the dispossessed, and demeans us all.

4 May 2011.



J, A Refugee's Journey, pencil on paper, 21x29cm



K, Love Song, pencil on paper, 41x29cm