

***The politics of representation: A discursive analysis of  
refugee advocacy in the Australian parliament***

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## *Abstract*

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In recent years an extensive body of discursive research has accumulated on race, immigration and asylum seeker debates in western liberal democracies. This work has primarily focussed on oppressive discourses that are employed to exclude and marginalise minority groups. Comparatively, however, there has been significantly less research on anti-racist and pro-asylum seeker accounts in these debates, despite the potential of such work to provide a greater understanding of contemporary race and immigration discourse, and to contribute to the development of anti-racism and refugee advocacy.

The present thesis adds to the further analysis of exclusionary discourse and asylum seeking, and examines this in the as yet unexplored context of the Australian parliament, but its primary focus is on refugee advocates' accounts. Using critical discursive social psychology (Wetherell, 1998), this thesis examines Hansard transcripts of speeches made in the Australian parliament on the new restrictions against asylum seekers introduced in 2001. Analysis focuses on the interpretative repertoires that proscribe and deny responsibility for asylum seekers, and those that are used to construct 'the nation' and 'racism'. These repertoires are explored with a view to tracing their intellectual history, the subject positions for asylum seekers and Australia/ns they make possible, and the rhetorical tools and strategies used in building them.

It was found that those supporting the new legislation positioned asylum seekers as having made a personal choice to come to Australia, and presented the legislation as: a rational, practical response to the emotionally-driven, unreasonable demands of humanitarianism; as the necessary defence of sovereign rights, the

national space and Australian citizens from the incursions of asylum seekers; and as non-racist. These discourses reproduced the liberal valorisation of reasonableness and rationality, the liberal concepts of sovereign and citizens' rights and individualism, and utilised new racist strategies to present their position as 'not racist'.

On the other side of the debate, advocates criticised the legislation as a violation of: the duty of care owed to those who have been persecuted; human rights and the liberal principle to assist those in need; and of Australia's national values. Advocates also worked up some aspects of the new laws and the debate on this issue as racist. These repertoires drew upon the liberal discourses of internationalism, human rights, humanitarianism, multiculturalism, equality and egalitarianism.

Although these advocacy discourses have considerable cultural currency, they were constrained and marginalised by the hegemonic representations of asylum seekers as 'bogus' and 'illegal', of humanitarianism (as refugee advocates understand it) as dangerous, and of the new legislation as an assertion of threatened sovereign rights. In addition, some of these discourses, such as multiculturalism and a construction of racism as 'generated by politicians', functioned to minimise and deny racism.

On the basis of this analysis, I conclude that the study of anti-racist and pro-refugee discourse contributes to a broader understanding of the language of contemporary debates about race, ethnicity and immigration as a dynamic, argumentative dialogue, and to critical evaluations of the discourses used in these contexts. However, I also argue that discourse analysis may not offer the requisite tools for developing, as well as critiquing, anti-racist and refugee advocacy

discourses. I also suggest that there may be sites of resistance other than political discourse where change to refugee policies may be better effected.

## *Declaration*

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This work contains no material which has been accepted for the reward of any other degree or diploma in any other university or other tertiary institution and, to the best of my knowledge, contains no material previously published or written by another person, except where due reference has been made in the text.

I give consent to this copy of my thesis, when deposited in the University Library, being made available for loan and photocopy.

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## *Publications*

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Work in this thesis has been published elsewhere:

### **Book chapters**

Augoustinos, M. and Every, D. (in press). Contemporary racist discourse: Taboos against racism and racist accusations. In Ann Weatherall, Bernadette Watson and Cindy Gallois (Eds.) *Language, Discourse and Social Psychology*. Hampshire: Palgrave Macmillan.

### **Peer reviewed journal articles**

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## *Preface*

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Recent years have seen the accumulation of an extensive body of discursive research on race, immigration and asylum seeker debates in western liberal democracies, including The Netherlands (van Dijk, 1984, 1987, 1991, 1992, 1993, 1997; Verkuyten 1997, 1998, 2001, 2005), Belgium (Blommaert & Verschueren, 1998), Austria (Wodak & Matouschek, 1993), Spain (Rojo, 2000; Rojo & van Dijk, 1997), South Africa (Seidel, 1988), the UK (Billig, 1988; Billig, Condor, Edwards, Gane, Middleton & Radley, 1988; Condor, 1988, 2000; Condor, Abell, Figgou, Gibson & Stevenson, in press; Lynn & Lea, 2003; Reeves, 1983), the US (Mehan, 1997; Santa Ana, 1999; Thiesmeyer, 1995), Greece (Figgou, 2002; Figgou & Condor, forthcoming), New Zealand (Abel, 1996; McCreanor, 1993a, 1993b, 1993c; Nairn & McCreanor, 1990, 1991; Praat, 1998; Tilbury, 1998; Wetherell & Potter, 1992) and Australia (Augoustinos, 2001; Augoustinos, Tuffin & Every, 2005; Augoustinos, Tuffin & Rapley, 1999; Augoustinos, Tuffin & Sale, 1999; Clyne, 1995, 2001; LeCouteur, 2001; LeCouteur & Augoustinos, 2001; LeCouteur, Rapley & Augoustinos, 2001; Rapley, 1998, 2001; O'Doherty, 2001; Saxton, 2003).

Collectively, this research has detailed several pervasive features of contemporary racist discourse, often referred to as 'new' racism. Unlike 'old-fashioned' racism, which was premised on notions of biological difference and racial superiority, new racism in contrast is subtle and covert talk that adopts an ostensibly anti-racist stance whilst articulating views that are exclusionary and oppressive in their effects. Although both new and old-fashioned racism arguably have the same consequences for minorities by justifying and legitimating inequality, new racism discourse employs different discursive resources and strategies to achieve this.

Particularly ubiquitous are strategies to present talk as ‘not racist’. As part of this, speakers frequently use denials (in variations of the common formula ‘I’m not racist but...’) and attenuate, eliminate or substitute racial categories for categories of class, culture and nation, omit and de-emphasise racial explanations and avoid racial evaluations and prescriptions (Reeves, 1983). New racist discourses also formulate racism in diverse, multiple and flexible ways that work to position the speaker as ‘not racist’ (Augoustinos, Tuffin, & Rapley, 1999; Billig, 1991; Verkuyten, 1998). Other significant features of new racism include the use of liberal values such as equality (Wetherell & Potter, 1992) not to criticise racism but to articulate racist views (Billig et al., 1988), and the presentation of the exclusion of minority groups as justifiable, rational and legitimate (Rapley, 2001).

As part of this analytic focus on the way oppression and exclusion are discursively reproduced, a number of researchers have examined talk and texts about asylum seekers. This research focus has developed to examine the increasingly exclusionary stance being taken against asylum seekers in western nations, including Australia, which has in the previous decade introduced more restrictive legislation against people seeking asylum by boat. In the debates in Australia and other countries, asylum seekers are presented as ‘illegals’, ‘criminals’, ‘terrorists’, ‘disease-carriers’ and ‘economic migrants’, and accused of taking advantage of welfare and taking ‘our’ jobs (Hier & Greenberg, 2002; Jones, 2000; Lynn & Lea, 2003; Mehan, 1997; O’Doherty, 2001; Pickering, 2001; Rojo, 2000; Saxton, 2003; van der Valk, 2000). They are constructed as a threat to national borders and sovereignty, to the immigration system, to the physical and economic health of the recipient nation and to moral values (Pickering, 2001). Their arrival is consistently worked up as a violation of national sovereignty and a recipient country’s right to

control immigration and preserve its 'unique culture' (O'Doherty, 2001; Pickering, 2001; Saxton, 2003).

Recent debates on the rights and entitlements of asylum seekers have therefore emerged as a rich source of data for examining contemporary immigration discourses. Many sites of this discourse remain to be explored, particularly that of political discourse in the Australian context. Given this, the present thesis may well have followed in this research tradition, and added to the growing body of research on discourses of exclusion as they pertain to unauthorised arrivals seeking asylum in Australia.

However, there is another aspect to contemporary debates on race, immigration and asylum seekers that has so far received less attention, and that is anti-racist and refugee advocacy discourse. The question of how people challenge the exclusion of minority groups such as asylum seekers is perhaps particularly salient given the swing towards more conservative politics in western liberal democracies, and the increasingly vociferous debates about Indigenous issues, immigration and asylum seeking in these countries.

Of particular interest, given the research on new racism, is how, or indeed whether, anti-racist and advocacy discourses engage with its subtle and slippery strategies. As demonstrated above, there now exists a substantial body of work examining strategies for presenting talk as 'not racist'. However, as Condor, Abell, Figgou, Gibson and Stevenson (2005) note, the success of such strategies depends in part upon their subsequent reception by other parties to the interaction. Despite this, there has been considerably less focus on how speakers make talk and actions accountable, rather than not accountable, as racist.

A focus on anti-racism and refugee advocacy is also warranted in light of concerns that anti-racist discourse has failed to adapt to new racism and is less effective as a result. Researchers such as van Dijk (1992) suggest that new racism is difficult to identify and often goes unremarked, whilst Wetherell and Potter (1992) argue that anti-racist campaigns that rely on an 'old-fashioned' definition of racism as the expression of a belief in biological superiority, or the use of overt and negative racial language, risk becoming obsolete:

Even relatively blatant fascist propaganda and blatant advocates of racism (such as Le Pen in France) have learnt to modify their discourse so that on some occasions racism can occur without biological categorisation and the more familiar paraphernalia of 'advanced' and 'primitive', 'negative' and 'positive', 'superior' and 'inferior' distinctions. Given this flexibility of the enemy, and the way debates move on, it seems sensible not to commit oneself to one exclusive characterisation of racist claims. There is a danger of being silenced when racist discourse continues to oppress but no longer meets the main characteristics of social scientific definitions of racism (Wetherell & Potter, 1992, pp. 71-2).

There is a strong sense here, and, according to Figgou (2002), throughout the literature on new racism, that social actors are not skilled in identifying and challenging this talk as racist, or that they are employing outmoded understandings of racism that fail to make new racism morally accountable. It may be the case, however, that it is the relative absence of research on anti-racist discourses that has led to the assumption that new racism is not readily identified or challenged. In light of these concerns, it would be useful to examine anti-racist talk and texts to have a better understanding of new racism in an argumentative context, examining both how it is expressed and how it is (or is not) challenged.

Analysis of anti-racist discourse is also of interest in light of concerns that 'liberal' discourses commonly employed in anti-racist contexts are potentially complicit with the inequality they purport to challenge. This was raised as an issue in

the research of Henriques (1984), Wetherell and Potter (1993) LeCouteur (2001) and LeCouteur and Augoustinos (2001), which explores the social and political implications of constructing racism as an individual, psychological problem. Collectively, they found that such individualisation reproduces the unequal status quo by focussing on changing the attitudes of a ‘few rotten apples’ (Henriques, 1984) rather than more significant and far-reaching changes to social and institutional practices. The discourse of multiculturalism, which is often worked up as an anti-racist position, has also been the focus of critiques of the effectiveness of ‘liberal’ discourses for anti-racism. According to Hage (1998) and Stratton (1998), this ‘liberal’ discourse reproduces white dominance by constraining diversity to the cultural, rather than political and economic, spheres and by positioning whites in the superior position of the ‘tolerant acceptors’ of the Other.

A further issue for anti-racism and refugee advocacy discourses is the difficulty of mounting successful challenges to the hegemonic representation (the ‘standard story’) of asylum seekers as the enemy Other (Nairn & McCreanor, 1990; McCreanor, 1993c). According to Nairn and McCreanor (1990) arguments countering the standard story are more difficult to work up and risk rejection, often simply by their unfamiliarity. The discourses of individualism and multiculturalism/tolerance, although potentially complicit with the status quo, may be employed in anti-racist and advocacy discourses because they too represent a standard (though more marginalised) story that is familiar to western audiences. This raises the question of whether these discourses, despite their problems, may still be useful for anti-racism and refugee advocacy.

Each of these issues – identifying new racism, complicity, and challenging the standard story – are important for developing anti-racist and refugee advocacy



discourses that are persuasive, yet which also respond to the shifting nature of discourses of exclusion and engage with the potential problems of some 'liberal' discourses. Indeed, in developing ways to combat racism, social exclusion and inequality, analysis of anti-racist talk and text is arguably as important as developing an understanding of how racist practices are justified and legitimated.

As yet, analyses of talk and texts about asylum seekers, including those that have given some attention to repertoires and rhetorical strategies used by refugee advocates, have not examined these issues. What previous work has been done however, raises some further interesting possibilities for research. Of particular interest is work exploring the ways members proscribe or deny a responsibility for asylum seekers: through explanations of asylum seeking; constructions of rights and humanitarianism; and constructions of the nation and the national interest. In each of these areas, there has been some previous work on the ways in which these discourses are developed by those introducing restrictive laws against asylum seekers, with a lesser exploration of their use by advocates. However, the patterns that have emerged in this research warrant further exploration, particularly given that the issues of rights, entitlements and responsibility are central in debates about asylum seekers.

This thesis then, contributes to the further analysis of exclusionary accounts employed in debates about asylum seekers, but its primary focus is on refugee advocates' discourse in the as yet little explored context of the Australian parliament. Using critical discursive social psychology, I analyse speeches debating the immigration legislation introduced in Australia in 2001 for the ways in which they formulate asylum seekers and asylum seeking, their construction of rights and humanitarianism, their formulations of racism and their constructions of 'Australia'

and the national interest. My second aim is to examine these with a view to exploring their ideological implications for challenging the exclusion of asylum seekers.

### **Thesis overview**

The first two chapters provide background to the data and outline the theoretical and methodological basis of the research. Chapter 1 is a review of the history of asylum seeking in Australia and the various political and public responses to this phenomenon. It places the texts and materials analysed in this study in an historical and social context. Chapter 2 outlines the methodology of critical social discursive psychology (Wetherell, 1998) that I use in this thesis, as well as the data collection and data analysis process.

Chapter 3, the first of the analytic chapters, presents an analysis of a central argumentative site in the asylum seeker debates: explanations for why asylum seekers are arriving in Australia. There has been little previous work on the ways in which anti-asylum seeker accounts represent the arrival of asylum seekers, and the ways in which advocates explain these arrivals, and challenge anti-asylum seeker accounts. Explanations for the arrival of boats carrying asylum seekers form the foundation for many pro- and anti-asylum seeker arguments and this chapter represents the first substantial exploration of these discourses.

In Chapter 4, I analyse constructions of rights and humanitarianism in pro- and anti-asylum seeker accounts. There has been some previous research on the deployment of human rights and humanitarian discourses by refugee advocates, however this has treated these concepts as homogeneous and static. A review of these concepts in liberal political theories on immigration, however, reveals that

ways of talking about rights and humanitarianism are not stable or fixed. Rather, liberalism provides a linguistic “kit bag” (Wetherell & Potter, 1992) of argumentative resources. In this chapter I explore the reproduction of these variable and conflicting constructions of rights and humanitarianism in pro- and anti-asylum seeker accounts.

In Chapter 5, I examine how both sides of the debate utilise constructions of ‘Australia’ and the national interest. It represents an exploration of as yet uncharted ground – whilst there have been numerous studies of how constructions of the nation may be used to advance exclusionary arguments, there has as yet been no similar focus on the ways in which they may be mobilised to challenge the exclusion of asylum seekers.

Chapter 6 takes up the issue of new racism but from the opposite perspective to most previous research on this topic. In this chapter I examine the appropriateness (or even existence of) challenges to these strategies in refugee advocates’ speeches. This chapter represents the first exploration of constructions of racism employed by refugee advocates in the Australian parliament, i.e. definitions of racism utilised not to present the new policies and one’s support for them as ‘not racist’, but to make the Government morally accountable for what are, arguably, racist practices and policies. The issue of whether these formulations of racism may be considered to be anti-racist in their effect is a central question for this chapter.

In Chapter 7, I consider the implications of examining anti-racist and pro-refugee discourse for future study on the language of contemporary racism, and for anti-racism and refugee advocacy discourses. I conclude that the study of anti-racist and pro-refugee discourses contributes to a broader understanding of the language of contemporary debates about race, ethnicity and immigration as a dynamic,

argumentative dialogue, and to critical evaluations of the discourses used in these contexts. However, as the main analytic point drawn from this research was that the discourses drawn upon by those in favour of or opposing the asylum seeker legislation did not exist on a level playing field, and that the discursive resources drawn upon by advocates were constrained and marginalised in these debates, I also reflect upon the utility of discourse analysis for making a contribution to refugee advocacy and anti-racism, and suggest that there may be sites of resistance other than political discourse that are more potent sites of change.

## *Chapter 1: The 'Tampa crisis', immigration, refugees and asylum seekers in Australia*

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The re-settlement of refugees and asylum seekers in western nations has a chequered history, marked by periods of relative generosity but also by racism, exclusion and oppression. Arguably, the past ten years, here in Australia and elsewhere, represents a time of increasingly negative attitudes towards asylum seekers and more punitive and exclusionary legislation. Since the arrival in Australia of the first asylum seekers by boat in 1976, both Liberal and Labor governments have introduced restrictions against people seeking asylum by boat. These have included mandatory detention for all asylum seekers, including women and children, mostly in remote desert locations. However, it was the arrival of the MV *Tampa* on 26 August 2001, and the later arrival of other boats carrying asylum seekers, that brought a long-running debate on asylum seekers and refugees to the fore of an election campaign.

The *Tampa*, a Norwegian shipping vessel, had responded to a distress call from another ship coming from Western Indonesia. The *Tampa* subsequently rescued 438 people who were on their way to Australia with the apparent intention of requesting asylum. The *Tampa* then continued its course for an Indonesian port. However, the ship subsequently changed its heading towards Australia at the behest of some of the asylum seekers. The Australian government denied the Norwegian captain entry into Australian waters. Conditions on the seriously overcrowded ship deteriorated as it was forced to remain at anchor just outside of Australian waters. While anchored, the *Tampa* was boarded by Australian SAS troops who took control of the ship. The asylum seekers were then transferred to an Australian naval vessel

and taken to the small, impoverished island of Nauru (rather than Australia), and incarcerated in a hastily established off-shore processing centre as part of the government's new Pacific Solution for the management of unauthorised boat arrivals (Marr & Wilkinson, 2003).

Within days of the arrival of the *Tampa* and the September 11 attacks in the US, Prime Minister John Howard called a national election. The arrival of the boat was seized upon as a central party platform. As part of this, John Howard introduced at his party's campaign launch the soon to be ubiquitous slogan "We decide who comes to this country and the circumstances in which they come" (Prime Minister John Howard, 28 October 2001). The '*Tampa* crisis', as it was coined by the media, marked a significant turning point in Australia's refugee policy and created unprecedented public debate on the rights of asylum seekers. This thesis seeks to analyse the parliamentary debates of 2001, during which time a raft of legislative changes were introduced to the Migration Act in an attempt to stop further boat arrivals.

This first chapter offers an account of immigration policies and race relations in Australia in order to provide a political and historical context for the events of 2001 and for my analysis. It begins with a brief look at the history of immigration and immigration policies in Australia, including the White Australia Policy and its official replacement with a bipartisan policy of multiculturalism. It also briefly reviews the increasing salience of race politics in the last two decades with the emergence of Pauline Hanson and her One Nation Party and the election of the Howard government in 1996. This is followed by a short history of refugee and asylum seeker policies and events prior to 2001, before I move on to a more detailed look at the events of that year – the *Tampa*, the 'children overboard affair' and the

changes to the migration laws during this time. Although in this thesis I draw data from 2001, there have been shifts in policy, albeit not the more extensive changes sought by refugee advocates, but significant nonetheless, and thus a section of this chapter deals with events post-2001. The final section examines the rise of the refugee advocacy movement, which emerged in response to the events of 2001.

Providing a social and historical context for one's research in this way is both necessary and fraught with difficulties. It is necessary, because according to Thompson (1984 cited in Wetherell and Potter, 1992, p. 105) the study of discourse must involve an "interpretation of the position of a story, account or version of events within a field of power relations". An historical and social context provides the resources for doing this by allowing a researcher (and reader) to make links between discursive patterns and social consequences. It is fraught, because social constructionist perspectives on history compel us to question the possibility of providing a neutral, value-free version of history. Thus, the history provided here must be seen as also interpretative, and as part of, rather than separate from, the interpretative process that follows in the analytic chapters of this thesis. Such a perspective follows the suggestions of Wetherell and Potter (1992, p. 105) in relation to this issue:

...if one assumes that discourse and the social context are entirely interpenetrated, then the practical analysis of ideology can never be a tidy procedure. We prefer to see it as a case of multiple resources, where a range of accounts and versions of events are used to make sense of other accounts and versions of events in order to develop an argument and to make a case about some body of material.

This chapter represents the version of events I have used to make sense of the new Australian policies on asylum seekers as oppressive, exclusionary and racist. It parallels that provided by other researchers in the area (Hage, 1998; Jupp, 2002;

Mares, 2002; Marr & Wilkinson, 2003; McIntyre & Clark, 2003; McMaster, 2001; Neumann, 2004) although it is a highly contested, and generally marginalised, version of this history. Reflexively, it serves the purpose of making my assumptions about Australia's history explicit. As this chapter will make clear, I view the Australian Government's policies against the most recent arrival of asylum seekers as part of an ongoing, and recently re-energised, agenda to exclude and oppress ethnic and Indigenous minorities.

The final section of this chapter provides another type of historical and social context – an overview of discursive research into the ways in which asylum seekers have been portrayed, how their marginalisation and exclusion has been legitimated and justified, and how issues of humanitarianism and responsibility have been managed and sidelined. This provides an important context for the analyses that follow, as it outlines the 'rhetorical other' which advocates' accounts attempt to challenge and undermine.

### **Immigration in Australia: White Australia, multiculturalism, Hanson and Howard**

From its colonial beginnings, Anglo-Australia has been both an immigrant society, and a society that carefully controlled this immigration to maintain a British hegemony (Jupp, 2002). This control was formalised as the *Immigration Restriction Act 1901*, more commonly known as the White Australia Policy (Jupp, 2002).

Whilst this Act did not mention race, it allowed for the control of non-white immigration in numerous indirect ways. For example, the Act required that all prospective immigrants pass a dictation test. However, it was commonly understood, though nowhere explicitly stated, that the test would be in a language unknown to



prospective undesirables. The effect of this and other 'tests' was that, after its implementation, fewer non-white people applied to migrate to Australia (Jupp, 2002).

As well as this desire for racial homogeneity, Australia's immigration program has also been shaped by the perceived need to increase the white population in order to preserve the continent for the colonisers (Jupp, 2002). The pervasive and long-standing fear of invasion 'from the North' (i.e. Asia) gained potency in a white colony isolated from Britain and attempting to take over a continent already held by Indigenous people (McMaster, 2001). Prior to the 1970s, the necessity to 'populate or perish' fuelled a generally high level of immigration that was originally primarily focussed on white settlers (Jupp, 2002).

However, the desired number of immigrants could not be met by British or white European migration alone and eventually necessitated changes to Australia's racially restrictive migration policies. The Whitlam Labor Government officially abolished the White Australia Policy when it came to power in 1972 and declared that race, colour or creed would no longer be the official basis for immigration decisions. Instead, it gave its support to a policy of 'multiculturalism', which was later built upon by the succeeding Liberal Fraser Government (Jupp, 2002).

This was not, however, endorsed by John Howard's Liberal Coalition Government, who came to power in 1996. Although it is certainly the case that despite Whitlam's and Fraser's official endorsement of multiculturalism, race-based inequality and discrimination had continued to exist in Australia, it is also commonly acknowledged that the Howard Government represents a more explicit anti-immigration and anti-Indigenous public policy agenda (Markus, 2001). According to Markus (2001, p. 39): "[t]he election of the Howard government in March 1996

marked the end of a long period of consensus by the major parties on aspects of immigration, settlement and Aboriginal issues.”

The popularity of a new ultra-conservative candidate Pauline Hanson and her One Nation Party, who campaigned on an anti-immigration, anti-Aboriginal platform in the 1996 and 2001 elections, also exemplifies this shift. Hanson claimed that Australia was in danger of being ‘swamped by Asians’, that Anglo culture was being destroyed by immigration, and that Indigenous Australians were receiving unfair benefits through welfare and land rights (Rapley, 2001). Whilst support for the party fluctuated, in 1998 One Nation was the third most popular party, winning several state seats and a federal senate seat (Jupp, 2002).

Although One Nation eventually collapsed, these voluble attacks against migrants and Indigenous Australians, made both by Hansonites and the Liberal-National coalition under Howard, encouraged a shift in public debate, and a shift in the political and social climate that remains entrenched in Australia today. It is this shift that also informed an increasingly hard line against asylum seekers.

### **Refugees and asylum seekers: pre-2001**

Until the end of the Second World War and the signing of the 1951 *United Nations Convention Relating to the Status of Refugees*, Australia did not have a clearly defined policy towards refugees. In general, they were considered as part of the wider immigration program, and were permitted entry under the same criteria as other migrants. Under the White Australia Policy these criteria were race, skills, economic status, and ability to pay the migration fees (Neumann, 2004).

Australia’s refugee intake was increased as part of the Chifley and Menzies ‘populate or perish’ policy established in order to offset declining British

immigration. In the first fifteen years after the war Australia re-settled 200,000 refugees (Neumann, 2004). However, non-Europeans such as the Chinese, Algerian or Rwandan refugees were not accepted. Neither were Europeans who were old, disabled, chronically ill or single mothers (Neumann, 2004). Admittances were still guided by the criteria of a refugee's ability to provide skills, labour and economic resources to Australia, as well as their race, rather than humanitarian concerns of their individual needs (Neumann, 2004).

This was also the case with refugees who crossed Australian borders seeking asylum, either with authorisation (i.e. initially as a tourist or student) or without authorisation. Although there were provisions for these people to be deported as prohibited immigrants, most of those who met the criteria of the White Australia Policy were allowed to stay (Neumann, 2004). It was in the 1970s, around the time that Australia ratified the 1967 Protocol that extended the convention's application from Europeans affected by the Second World War to all refugees, and when asylum seekers in boats first began to arrive in Australia, that asylum seeker and refugee policy was at least partially uncoupled from the broader immigration policy to become a special category of immigration based on humanitarian obligations (Neumann, 2004).

The first asylum seekers to arrive by boat came in 1976. These refugees were Vietnamese people fleeing the conflict in Indochina. They were not detained, although there was a detention clause in Australia's immigration policy at the time, and were recognised as refugees (Mares, 2002). Between 1976 and 1989, several thousand people arrived by boat, mostly from Vietnam and Timor (Mares, 2002). As boat arrivals generally correspond in make-up and numbers to upheavals in particular parts of the world, in 1997 the number of asylum seekers from the Middle East and

central Asia began to rise, reaching 3,800 by the year 2000 (Mares, 2002). These asylum seekers were fleeing the Taliban and Hussein regimes, the impact of UN sanctions against Iraq and the decreasing capacity and willingness of Pakistan and Iran to provide temporary settlement. From November 1989 to November 2001, 254 boats arrived in Australia carrying 13,484 people seeking asylum (Mares 2002).

Until 1991, asylum seekers arriving by boat were processed in Australia and lodged in hostels originally provided for assisted immigrants. In 1992, the incumbent Labor Party introduced mandatory detention for asylum seekers. Mandatory detention provides that anyone arriving in Australia without a visa will be detained and deported unless they claim asylum. Those who do so will then be detained until all assessment procedures, including court appeals, are concluded (Jupp, 2002).

Further restrictive measures were taken in 1999, when the Howard Government introduced a new class of visas that accorded asylum seekers only three years of protection. Since this legislation was passed, refugees who arrived in Australia as asylum seekers have only been granted temporary protection visas for three years, with permanent residence only available to those who did not spend seven or more days in another country prior to entering Australia (Crock & Saul, 2002). These Temporary Protection Visas (TPVs) require asylum seekers to re-apply for refugee status every three years, and can be deported to their home country should it be decreed that it is now 'safe' for them to do so. People on TPVs have no access to settlement services such as English classes and employment and housing assistance (Jupp, 2002). They are also unable to apply for their families to migrate to Australia, resulting in families being separated for an indefinite number of years

(Jupp, 2002). These restrictions on family reunion have been linked to the increase of women and children attempting to travel to Australia by boat (Mares, 2002).

### **Refugees and asylum seekers: 2001**

By 2001, mandatory detention had been operating for ten years, and temporary protection visas for two. In the interim, much of the political and media focus had been on the increasing number of disturbances, protests and incidents of self-harm in the centres. In 2001 there were eight major protests (Mares, 2002). The first major detention centre protest occurred at Woomera, in August 2000, following a mass break out and protest in June, in which 500 asylum seekers marched into town and several officers and asylum seekers were reported injured (Mares, 2002). The protest in August was reported to involve approximately eighty asylum seekers who set six buildings on fire, and were put down with water cannon and tear gas (Mares, 2002).

Reported incidents of self-harm, including self-cutting, drinking shampoo, suicide attempts and actual suicides, were frequent, with 121 reported between 1999 and 2000 and 264 between March and October 2001 (Mares, 2002). Many of the asylum seekers protested through hunger strikes. As part of this, some sewed their lips together. Subsequent to these protests, in April 2001 a new bill was introduced to increase the prison sentence for escapees, making it an offence to manufacture or possess weapons, and creating additional search powers for detention guards to remove clothing and perform searches on children. This bill was presented as a necessary protection for the guards and a solution to the increasing violence in the centres (MP Philip Ruddock, Liberal Party, House Hansard, 5 April, 2001).

Then, in August 2001, the *Tampa* arrived carrying its load of 438 rescued asylum seekers. In response, on 26 and 27 September 2001, six bills relating to asylum seekers were passed with the support of the Labor opposition, who, along with the Government, voted in favour of this new legislation. These amendments to the *Migration Act 1958* remove the right to appeal asylum decisions in the Federal Court; allow the immigration minister to draw adverse inferences about asylum seekers who do not have identity documents; excise islands from Australia's migration zone preventing people landing there from claiming asylum in Australia; allow Australian authorities to board vessels, tow them back out to sea, detain the passengers and remove them to another country; and redefine 'persecution' and 'serious harm' more narrowly.

The Government's campaign against asylum seekers continued, when Government officials and ministers accused a second boat of asylum seekers arriving on 6 October 2001, close to the election on 9 November 2001, of throwing their children overboard. The Australian Navy had intercepted the *Olong*, carrying 223 asylum seekers, on its way to Christmas Island, as part of Operation Relex (a project to turn around boats carrying asylum seekers). The Navy fired across the bows of the ship then boarded it (Marr & Wilkinson, 2003). They began to escort the boat back to Indonesia, however, the ship lost engine power and began to sink, forcing the Navy to rescue those on board. Philip Ruddock, then the Minister for Immigration and Indigenous Affairs, claimed that those on board had thrown their children overboard in an attempt to blackmail the Australian government into granting them asylum (Marr & Wilkinson, 2003). Both John Howard and Peter Reith, the Defence Minister at the time, followed up this story, producing photographs and video of children who had been thrown into the water. These were later demonstrated by a

Senate inquiry to have been photographs of asylum seekers in the sea after their boat had sunk but before they were rescued (Marr & Wilkinson, 2003).

However, the proven falsity of these documents did not de-stabilise the Government's campaign and public antipathy to the asylum seekers remained high (Marr & Wilkinson, 2003). The Government's campaign on asylum seekers, together with the events of 9/11, was a political windfall that many have argued (e.g. Marr & Wilkinson, 2003; Warhurst & Simms, 2002) was instrumental in their re-election on 9 November 2001.

### **Refugees and asylum seekers: post-2001**

In 2005, there were some changes made to asylum seeker and refugee policies that, to some extent, have softened the regime. These have mainly been prompted by two widely publicised cases – one of the unlawful detention of a mentally ill Australian citizen, Cornelia Rau, and the other the unlawful deportation of a mentally ill Australian citizen, Vivian Alvarez/Solon. Further pressure for change came from the Palmer Inquiry into the Immigration Department that reported that detention was not being carried out justly or with sufficient care for detainees (Palmer, 2005).

On 17 June 2005, John Howard announced changes to mandatory detention and temporary protection visas after four members of his own party indicated they were prepared to introduce a private members bill seeking amendments to the migration system. The changes limit the amount of time people can be detained, particularly children, appointed an Ombudsman responsible for reviewing the cases of all long-term detainees and opened a path to permanent protection for many of those on temporary protection visas (Greco, 2005).

Just prior to this, the government also introduced a new visa class for stateless people<sup>1</sup>, who, under previous laws, could otherwise be detained indefinitely. This allowed a small number of detainees, some of whom had been in detention for over seven years, into the community, though there is no sign that indefinite detention itself will be abolished (A Just Australia, 2005). Whilst these are significant changes that will improve the possibilities for protection for many asylum seekers, the central commitment to mandatory detention, border protection (including the excision of islands from the migration zone), the Pacific Solution and returning asylum seekers' boats to Indonesia remains (Greco, 2005).

### **The refugee advocacy movement**

As well as generating public antipathy and oppressive policy changes, the events of 2001 also galvanised the refugee advocacy movement. Many people not previously active became involved, resulting in a re-energised, larger and more vocal social movement (Gosden, 2005). Prior to 2001, a small number of church groups, individuals, non-government organisations and politicians campaigned against mandatory detention and temporary protection visas and also provided assistance to individual asylum seekers (Gosden, 2005). Post-*Tampa*, a number of localised groups, bound by the common goal of assisting asylum seekers and refugees, emerged and have become a force for change in the lives of individual asylum seekers and at the level of public awareness, education and policy (Gosden, 2005).

The refugee advocacy movement aims to both ameliorate the effects of mandatory detention and temporary protection visas on asylum seekers and to change

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<sup>1</sup> Stateless people are people who have not been recognised as a refugee but who are also not recognised by any other country as a citizen, and who therefore cannot be legally deported.



these policies (Gosden, 2005). Ameliorating actions include the provision of social, emotional, practical, lobbying, medical and legal support. Many advocates visit detainees, provide accommodation and financial support for those released on temporary protection visas, assist in court cases and with access to health and education services (Gosden, 2005). Social action aimed at challenging and changing policies includes political activism, lobbying, community education and the development of alternative policies (Gosden, 2005). A large part of this has been penetrating the ban on media access to asylum seekers in detention in order to increase public awareness of the human effects of Australia's policies (Gosden, 2005).

Although advocates remain a minority, there are indications that public attitudes towards asylum seekers are softening. Gosden (2005, p. 5) gives the following evidence of this change:

Dodson (2005) reports of the Australian Election Study 2004 that 54.4% of those polled strongly agreed or agreed with the government policy of turning back all boats carrying asylum seekers, while 28% strongly disagreed or disagreed with this policy. This can be contrasted to polling on a similar question in ACNielsen polls in 2001 (31 August-2 Sept. and 9-10 October) indicating a 77% strong agreement or agreement with the government's policy of preventing boats carrying asylum seekers from entering Australian waters and a 18-20% strong disagreement or disagreement with the policy.

This softening is also indicated by the post-2001 changes to the asylum seeker policy noted previously, some of which were instigated by Government MPs.

Despite this, there are many changes still to be made, and the refugee advocacy movement remains a strong and necessary one. This thesis is an analysis of one aspect of that movement, focusing specifically on the discourses of resistance mobilised by refugee advocates in the Australian parliament.

### **Discursive research on asylum seekers**

These discourses of resistance seek to undermine the 'rhetorical other' – the discourses employed by the Government and others supporting greater restrictions against asylum seekers. This 'rhetorical other' has been mapped by discursive research on asylum seekers which has focussed on how asylum seekers and Australia/ns are portrayed in order to justify and legitimate the new legislation against the boat arrivals. A number of similar strategies across countries and across different sites of talk/text (media, politics, interviews and focus groups) have been observed. These can be loosely grouped as:

1. Constituting self, party and nation as compassionate, humanitarian and generous
2. Constituting asylum seekers as "illegal"
3. Constituting asylum seekers as deviant
4. Contrasting good asylum seekers and bad (bogus) asylum seekers

#### *Self, party and nation as compassionate, humanitarian and generous*

Those who argue for stricter and harsher asylum laws often preface their views and policies with a categorisation of self, party or nation as generous, compassionate and humane. For example, Sedlak (2000) found that Austrian conservative party members drew on a cultural common place of the 'Austrian golden heart' to portray Austria as generous, open and hospitable. This presented a positive self-image with which to contrast the negative categorisations of immigrants and refugees as 'taking advantage' and abusing Austria's generous migration policies. It also implied, by emphasising the number of refugees taken in and the

amount of money given, that Austrians had given and received to their limit.

Tightening refugee criteria was presented as justifiable in view of Austria's now limited funds and space.

Related to this positive self-presentation is the orientation of politicians in particular to persuade the populace that their actions and policies are acceptable and legitimate, i.e. that they are in accordance with the law and with prevailing social norms. Rojo and van Dijk (1997) examined how the Spanish Major Oreja constituted his government's forcible return of undocumented workers to Africa as legitimate and acceptable. The Major focussed on establishing the expulsion as legal and as correctly and carefully executed by the appropriate agencies. He also presented the undocumented workers as a special case requiring a special response because they presented a threat to public order. He expended much effort to present himself and his conservative party not as a reactionary, racist party, or a group which ignores human rights, but as democrats who respect the law and who scrupulously attend to the decent principles of government and political action.

Rojo and van Dijk (1997) argue that this positive presentation of the Major's party contributes to the management and reproduction of power by monopolising social and political legitimacy as a particular property of the conservative government. It also creates a division between legitimate and illegitimate actors, as this strategy of positive self-presentation invariably appears in concert with a strategy of negative presentations of refugees and asylum seekers, who become, in this discourse, illegitimate, unlawful and without the right to speak. It is to research on this negative categorisation of asylum seekers as "illegals", and as morally deviant, that I now turn.

*Asylum seekers as illegal*

The constitution of asylum seekers as illegal is pervasive throughout western debates on this issue including: the US (Mehan, 1997), Spain (Rojo, 2000), the Netherlands (van der Valk, 2000), the UK (Jones, 2000; Lynn & Lea, 2003) and Australia (O'Doherty, 2001; Pickering, 2001; Saxton, 2003). This construction serves several functions. Firstly, it obscures a focus on peoples' motivation for entering a country – i.e. to seek asylum from persecution. While terms such as refugee and asylum seeker portray these groups as people seeking refuge from threat, 'illegal immigrants' only allows for negative inferences about the asylum seekers' criminality and morality.

This ties in with the second function of categorising asylum seekers as illegal – it constructs them as a threat, rather than escaping from threat. For example, it was common for the Australian media to employ a war metaphor to present Australia as under attack and defending itself against an enemy – the illegal immigrants (O'Doherty, 2001; Saxton, 2003). Invoking war as the context for dealing with asylum seekers serves to justify actions generally considered unacceptable in peacetime, such as the use of the navy to turn around asylum seekers' boats. Of course, this also preserves a positive identity for the government, as legitimately responding to threat, rather than attacking vulnerable asylum seekers.

Finally, this category of illegal also serves as part of a discourse of an alien Other who does not respect 'our' laws and is therefore not culturally or socially compatible with 'our' values. Through this categorisation asylum seekers are positioned as socially undesirable, again allowing their exclusion to stand as reasonable and justified.

*Asylum seekers as deviant*

As well as constructing asylum seekers as deviant through categorising them as illegal, asylum seekers are also portrayed as racially deviant – 'not like us'. This is often done covertly through ethnic marking, i.e. identifying asylum seekers as 'Afghans' or 'Iraqis'. Given the commonplace that people from the Middle East are Muslims, ethnic marking of asylum seekers is used to position them within a dominant western discourse of people from the Middle East and Muslims as fundamentalist, violent, unstable, uncivilised, cunning and lustful (Karim, 1997). Ethnic marking serves as an efficient way to constitute asylum seekers as part of this already established enemy Other.

Asylum seekers can also be worked up as deviant through discourses about health and disease. In the Australian media, this was achieved in three ways: firstly, by the reiterated 'fact' that asylum seekers must be held for health checks, without the nature of these checks ever being elucidated; secondly, by more explicit categorisations of asylum seekers and their boats as "disease ridden" and "health hazards", a categorisation often included in discourses surrounding agriculture as well as human health; and thirdly, by claims that asylum seekers were coming to Australia to 'rip off' our health system (Pickering, 2001).

In Australia, asylum seekers are also constituted as morally deviant. The most obvious example is the allegations that asylum seekers threw their children overboard to blackmail the Government into giving them visas (Corlett, 2002a, 2002b; Pickering, 2001). Dominant cultural understandings of moral behaviour and psychological health were used to construct asylum seekers as deviating from norms of 'parental behaviour' and 'humane behaviour'. Such discursive abnormalisation

constructs asylum seekers as the deviant, immoral and mad Other against whom Australian society must protect itself (Corlett, 2002a, 2002b; Pickering, 2001).

*'Genuine' and 'bogus'/'good' and 'bad' asylum seekers*

Lynn & Lea (2003) observed, in letters to the editor in UK newspapers, three ways in which asylum seekers were differentiated as 'good' and 'bad': by constructing 'bogus' and 'genuine' asylum seekers; presenting asylum seekers as taking the benefits of disadvantaged British; and, constructing asylum seekers (and their supporters) as an 'enemy in our midst'.

The concept of 'bogusness', first appearing in the mid-1980s in the form of 'economic refugee', has, Lynn and Lea (2003) argue, become naturalised in the UK, evidenced by its seamless integration into accounts of asylum seekers without explanation or qualification. This strategy of categorisation differentiates between those asylum seekers who have a genuine case and are entitled to various benefits, and those who are bogus and not so entitled. One letter writer claimed that it was bogus asylum seekers gaining 'unfair' benefits (in the form of housing) that led to racism. Through this categorisation as 'bogus' asylum seekers are both stripped of benefits and rights, and are positioned as the cause of racism, shifting the blame for a 'bad feeling' against asylum seekers on to them. By attributing anti-refugee sentiment to the 'bogus' asylum seekers, they also avoid being positioned as racist – the speaker is not against asylum seekers per se, but against 'bogus' asylum seekers, a term which carries the expectation of dislike and mistrust.

In a related strategy, letter writers also claimed they were angered on behalf of groups such as the handicapped and the homeless, who, it was alleged, were being stripped of their benefits by a policy that favoured refugees. The basis of such

arguments is in the differentiation of the rights and entitlements of such groups – writers emphasised the tragic circumstances of blind people, for example, before claiming that asylum seekers were willingly taking benefits from these groups. In this scenario, asylum seekers are positioned in a social hierarchy in which they are allegedly better off, and therefore have a duty not to disadvantage those lower down the social scale. This kind of argument relies on a 'common knowledge' assumption that in order to provide for asylum seekers, benefits are taken from disadvantaged groups, and that asylum seekers are complicit in this policy. By highlighting the plight of marginalised groups, the letter writers sought to work up the social impact of asylum seekers in the UK as unacceptable and unfair. This strategy also serves to disclaim an uncaring and selfish identity for the writer whilst simultaneously enabling the construction of asylum seekers as 'out for all they can get'.

A third discourse, 'the enemy in our midst' widened the scope of who might qualify as 'bogus', presenting asylum seekers as the enemy of all Britons through claims that asylum seekers rights were being foregrounded and the rights of Britons ignored. This carries a familiar 'common sense' loading by drawing on the commonplace that nobody should be discriminated against, and presented this unfairness and inequality as the motivating factor for excluding and expelling asylum seekers. Again, the source of this anger is carefully placed onto a 'justifiable' cause, rather than racist sentiments, preserving both a personal (and national) presentation as just and non-discriminatory.

As 'genuine' refugees are entitled to specific treatment according to international laws, whilst a 'non-genuine' refugee is not, presenting a policy as affecting 'non-genuine' asylum seekers allows it to stand as justifiable and right.

People constituted in this way can be dismissed as liars and cheats, and harsh policies against them justified. This strategy is also an effective tool of wedge politics, in which 'good' immigrants i.e. those that are already here, who were invited or who arrived 'legally', are set in opposition to 'bad' immigrants (Lynn & Lea, 2003).

### **Summary**

As this chapter outlines, immigration has been at the centre of public debates since Australia's inception. In recent years, the issue of asylum seeking has been a particular focus of discussion and of increasingly punitive policy changes. This issue came to a head with the arrival of *Tampa* in 2001, and the subsequent amendments to the Migration Act which sought to prevent asylum seekers from coming to Australia. I have chosen to examine the parliamentary debates from this time, as these represent a time of intense public and political engagement with these issues, an escalation in both pro- and anti-asylum seeker sentiment, and a turning point in the Australian approach to asylum seekers. In the next chapter, I outline the methodology I adopt to analyse these debates, and review the data collection and analytic process.



## *Chapter 2: Method and Data*

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In the previous chapter I briefly outlined the history of humanitarian immigration in Australia as a background for an analysis of the recent asylum seeker debates in the Australian parliament. In this chapter, I am concerned with detailing the methodology that I employ to do this analysis.

There are a number of approaches to the discursive analysis of talk and texts about race, immigration and asylum seekers (see for example van den Berg, Wetherell & Houtkoop-Steenstra, 2003). This reflects the diversity of methods encompassed by the field of discourse analysis itself (Tischer, Meyer, Wodak & Vetter, 2000; Taylor, 2001; Wetherell, 2001a, 2001b) which encompasses “work on psychological topics and issues influenced by conversation analysis and ethnomethodology, by the Bakhtin/Volosinov writings, by Wittgenstein’s language philosophy, and by Foucault’s notions of discourse, power and subjectivity” (Wetherell, 2003, pp. 11-12).

This diversity of methods has engendered debates about key aspects of analysis: should the focus be etic or emic<sup>2</sup>; should analysts be restricted to the categories used by participants or draw upon theoretical categories to understand discourse (such as racism, colonisation, and inequality between majority and minority groups); and whether discourse analysts should take a critical stance, i.e. should analysts study the world as it has been interpreted in the talk/texts they are examining or should they critique the discourses being reproduced in that talk/text (Wetherell, 2003).

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<sup>2</sup> Another way of framing this issue is whether discourse analysis should be concerned with the structure of talk/texts, i.e. discursive devices, linguistic forms and the sequential organisation of talk/texts or the content, i.e. cultural meanings used to define and justify specific representations (Verkuyten, 2003).

These issues have been extensively debated in recent years (Billig, 1999a and b; Schegloff 1992, 1997, 1998, 1999a and b; Weatherall, 2000; Wetherell, 1998, 2001b). On one side, the conversation analyst Schegloff (1992, 1997, 1998, 1999a and b), along with researchers who adopt a conversation-analytic style of discursive psychology such as Edwards (1997) and Edwards and Potter (1992), argue that analysis should only be concerned with the activities found in the interaction itself, and that only the information the participants orient to and make relevant in their talk should be used by the researcher as an explanatory resource. Any references to ‘context’ that are not made relevant by the participants themselves, such as gender, ethnicity, or differences in age and role (e.g. adult and child, teacher and student) cannot be used to explain the interaction. From this perspective, research examining discourses of race, immigration and asylum seeking which use as an explanatory foundation a version of society as racially unequal, i.e. as containing powerful majority groups and oppressed minorities, are considered to be imposing their own frame of reference on the data. Descriptions of discourse as racist, for example, are criticised as drawing upon social phenomena outside of the local context of talk, and positioning the analyst as ‘knowing better than the participants’. For Schegloff, evaluating and critiquing discourse is a form of ‘analytic imperialism’ that privileges the interpretations of the analyst above those of the participants.

In response to this, researchers such as Billig (1999 a and b), Edley (2001), Verkuyten (2003), and Wetherell (1998, 2001b, 2003), argue that the productive and constructive processes of discourses extend beyond the boundaries of the activities in an immediate conversation or text. Rather, Wetherell (2003, p. 24) argues that “The constructive process emerges historically. Past and current collective negotiations organise the spaces (physical, institutional and symbolic) in which conversations take

place, for example, as well as the ways in which people and events can be represented within them.” Similarly, Edley (2001, p. 190) argues that “when people talk, they do so using a lexicon or repertoire of terms which has been provided for them by history.” Analysis that considers only the immediate context cannot illuminate the nature and origin of the resources which people draw upon in localised talk/texts, nor can it show how talk is linked to its historical and social context (Verkuyten, 2003). In examining talk within these contexts, researchers draw upon concepts such as inequality and prejudice, and examine talk for the ways in which it functions to legitimate and maintain, or challenge and undermine, the privileged position of powerful majority groups in western societies (Wetherell & Potter, 1992). Rather than a position in which the researcher ‘knows better’, Wetherell (2003, p. 25) argues that “analysts know different things”. From this perspective, the political and social critique that researchers undertake can be a useful and powerful way of examining and challenging exclusion and racism.

Based on these debates, discourse analytic research on discourses of race, immigration and asylum seeking conducted by influential researchers in the field such as Augoustinos and colleagues (1999, 2001, 2005) LeCouteur and colleagues (2001), Nairn and McCreanor (1990, 1991), McCreanor (1993a, b, and c), Rapley (1999, 2001), Verkuyten (1997, 1998, 2001, 2003, 2005), and Wetherell and Potter (1992) have adopted a methodological approach which focuses on immediate talk/texts as the site in which cultural resources for talk are mobilised and instantiated, with a view to identifying and explaining these resources. It combines an etic and an emic focus, allowing the researcher to analyse and explain local talk/texts with recourse to the wider social context, and is also concerned with identifying power relationships, allowing the researcher to take a critical stand on the

talk/texts being examined. The analytic focus is on how the discourse of powerful majority groups sustains and legitimates the social inequalities originating from colonialism and from the unequal spread of wealth and resources between western and non-western countries.

Following these researchers, in this thesis I adopt a synthetic approach of critical discursive social psychology (CDSP). This synthetic approach of CDSP was developed by Wetherell and Potter (1992) and later by Edley (2001), and Wetherell (1998, 2003) in order to address the strengths and weaknesses of the two main approaches to analysis in social psychology: discursive psychology/conversation analysis and post-structuralist styles. As these authors have argued, post-structuralism enables analysts to make claims as to the political and ideological consequences of specific frameworks of accounting (Wetherell, 1998). This facilitates a focus upon the relationship between meaning-making and social action. However, the post-structural concern with identifying discourses divorced from the context in which they are used is problematic. This does not do justice to the multiple and variable ways in which these wider discourses may be understood and used in everyday language and thus risks homogenising and reifying these concepts as static entities (Wetherell, 1998). I would argue, along with others in this debate, for example Wetherell (1998), that discourses are reproduced, maintained, challenged, transformed and rejected within localised interactions.

Discursive psychology (DP) and conversation analytic (CA) perspectives do allow for a focus upon the local context (Edwards & Potter, 1992). This perspective attends to how accounts are constructed and produced for a specific interaction, examining conversations, interviews and speeches as highly specific social productions, however, arguably the resources used in these contexts also draw upon

highly consensual cultural resources, which are not acknowledged or examined in these more fine-detailed analyses.

Based on the arguments for and against both a CA/DP and post-structuralist approach, and the extensive previous research in this field, I would argue that a synthetic approach to analysis is the most useful for exploring talk/texts about race, ethnicity and immigration. Billig (1991, pp. 219-220) also advocates such an approach:

[t]he traditional topics of social psychology are to be studied in terms of discursive utterances and language games. However, the analysis does not stop there. Discourses are not merely to be investigated in terms of their particular uses and immediate contexts. The ideological history of the discourses is to be sketched, in order to see how this history shapes and is continued by the local practices. In examining ideology – and the history of ideology – the analyst is decoding what is being taken for granted as common-sense, for ideology embraces the common-sense of each social period.

Wetherell (1998) and Edley (2001) also argue that the approaches of DP and post-structuralism are complementary, rather than contradictory, and that a synthetic approach offers a more complete answer to the question ‘why this utterance here’.

According to Edley (2001, p. 124) a synthetic approach is:

1. capable of analysing conversations or dialogue, where truths are constructed and negotiated;
2. sensitive to the cultural history of ‘reality’; and
3. sensitive to the operation of power, whose interests are served by prevailing constructions, and how these are maintained, resisted and transformed.

The importance of examining both the localised text and the broader discourses running through it can be demonstrated by an example from this thesis. In

Chapter 4, I examine the construction of humanitarianism in the Australian parliament. A discourse of humanitarianism positions Australians as benefactors, and entails that we give generously, provide financial aid and remain non-judgemental (Burr, 1995). However, in the local context of the Prime Minister's speech in which this discourse is employed, this positioning is troubled: he constitutes generosity as weakness, and limits the obligations attendant on being a benefactor to efforts that do not include accepting asylum seekers for re-settlement. Thus, whilst there is a wider humanitarian discourse that implicitly positions Australia as benefactors, in the local context this is not taken up unproblematically, but re-defined in order to avoid many of the obligations that might be attendant on such a subject position.

On this basis, I consider a synthetic, eclectic methodology the most suitable for the present analysis. Such an approach is offered by CDSP, which Wetherell (1998, p. 405) defines as:

that discipline which focuses on the situated flow of discourse, which looks at the formation and negotiation of psychological states, identities and interactional and intersubjective events. It is concerned with members' methods and the logic of accountability while describing also the collective and social patterning of background normative conceptions (their forms of articulation and the social and psychological consequences). It is a discipline concerned with practices which produce persons, notably discursive practices, but seeks to put these in a genealogical context.

CDSP considers that talk is always concerned with both the "local pragmatics of (the) particular conversational context" as well as the "global patterns in collective sense-making and understanding" (Wetherell & Edley, 1998, p. 399). This approach analyses how talk and texts are socially organised to achieve local actions, such as identity management, as well as ideological effects that rationalise and legitimate oppression. It examines both the broad patterns and themes within talk (interpretative repertoires or discourses), as well as the techniques and linguistic tools through

which accounts are imbued with the status of fact and truth. It also examines how accounts are organised argumentatively, i.e. how they are designed to compete with alternative versions of social reality.

The next two sections take a closer look at these two analytic foci of the local and global.

### **Examining the local pragmatics of the conversational context**

This aspect of analysis is concerned with “the local interactional business that is performed in and through the production of descriptions or accounts” (Edley, 2001, p. 190). Talk and text is examined for the local action-orientation of the account – what are the speakers *doing* with their talk? This may include examining the ways in which an account achieves actions such as discrediting, blaming, justifying and excusing.

A major focus of this kind of analysis is epistemology (i.e. veracity or factual status) as an issue for participants. Analysis from this perspective asks “how events are described and explained, how factual reports are constructed [and] how cognitive states are attributed” (Edwards & Potter, 1992, p. 2) by participants in talk/text in order to make a version appear credible and difficult to undermine. This perspective on factuality and truth is particularly useful in examining conflicting accounts of asylum seekers. For example, it is useful to analyse how the Government’s descriptions of asylum seekers are presented as ‘facts’ in order to examine the related question of how these assertions are undermined by advocates.

Based on Edwards and Potter (1992), Hepburn (2003, p. 181) has developed a ‘reality production kit’: a set of rhetorical resources by which people work up their accounts as ‘real’ and manage issues of accountability, as well as achieving local

actions such as blaming. I refer to these throughout my analysis and so have set them out here, along with a brief description of their function:

1. *Category entitlement*: Constructing talk as coming from a category that is credible or knowledgeable in a way that is relevant to the claim.
2. *Stake inoculation*: Constructing talk as unaffected by a particular interest e.g. constructing talk as coming from someone whose stake in that talk is counter to what you would expect when making the claim.
3. *Corroboration and consensus*: Constructing a description as corroborated by others (preferably from an appropriate category) and/or something that everyone agrees on.
4. *Active voicing*: Use quotations and reports of thoughts to present the views and impressions of others as corroborating an account.
5. *Footing shifts*: Using quotes or presenting views as a report of another's views.
6. *Vivid description*: Invokes a powerful category of witness.
7. *Systematic vagueness*: Useful to avoid drawing attention to questionable aspects of a description or to stake/interest.

This 'reality production kit' provides a useful reference in analysing how refugee advocates (and their opponents) draw on rhetorical techniques such as stake inoculation, consensus warranting and footing to make their accounts more persuasive and robust.

### **Examining global patterns in collective sense-making and understanding**

Examining global patterns in collective sense-making and understanding shifts the analytic focus from the micro to the macro. From this perspective, all talk



is embedded in an historical context, i.e. when people talk they do so using discursive resources that have been provided for them by history (Edley, 2001). This approach attends to the ways in which certain accounts are endorsed or legitimated, the interests served by these accounts, and the function of these in enabling (or constraining) specific social actions.

Wetherell (2003, p. 13) explains this type of analysis as proceeding through “two related movements. One is the identification and analysis of pattern (cultural resources), while the other is theorising and explaining this pattern”. Wetherell (2003, p. 14) equates this with the study of ideology and the history of ideas, although in this context ideology is not seen as a set of specific ideas but “a reading of the practical effects of the mobilisation of discourse”. (I discuss this in more detail in the section below on ideology). This type of analysis makes claims about the power of talk and its effects.

In this thesis I am interested not only in how identities or objects are produced on and for particular occasions, but also how history and culture provide resources for these constructions, as well as the wider social implications of these (Edley, 2001). For example, in Chapter 4, I examine the reproduction of liberal political theories of rights and humanitarianism in the Australian parliament, and in Chapter 6, I focus on the social implications of constructions of racism employed by refugee advocates for achieving significant social change.

This section has outlined how I approach the analysis of refugee advocates’ accounts in the Australian parliament. The next section outlines what I examine in these speeches: interpretative repertoires, subject positions, rhetoric and argument, ideology and structure.

## **Interpretative repertoires, subject positions, rhetoric and argument, ideology and structure**

### *Interpretative repertoires*

The varying ways of talking about asylum seekers and Australia's responsibility for their re-settlement are treated in this thesis as interpretative repertoires: "culturally familiar and habitual lines of argument comprised of recognisable themes, common places and tropes" (Wetherell, 1998, p. 400). Interpretative repertoires are part of members' methods for making sense, serving as a discursive resource for local accounts in actual interaction. Edley (2001, p. 198) explains interpretative repertoires as:

... the building blocks of conversation, a range of linguistic resources that can be drawn upon and utilised in the course of everyday social interaction. Interpretative repertoires are part and parcel of any community's common sense, providing a basis for shared social understanding. They can usefully be thought of as books on the shelves of a public library, permanently available for borrowing.

In reading the parliamentary debates on asylum seekers, there comes a time, as Edley (2001, pp. 198-199) suggests, when

...one begins to feel as though you've heard it all before. People seem to be taking similar lines or making the same kinds of arguments as others previously interviewed. ... Gradually one comes to recognise patterns across different people's talk, particular images, metaphors and figures of speech.

These are the interpretative repertoires of asylum seeker talk.

Wetherell and Potter (1992) differentiate the identification and interpretation of interpretative repertoires – patterns of talk employed in their local setting – from the identification and interpretation of 'discourses' extrapolated from a set of materials and then analysed in the abstract to determine how different discourses work together and against each other. As noted earlier, this type of abstract, a-

contextual analysis of language outside of its local context can lead to a reification of these discourses, and does not allow for the localised nuances of meaning and function these concepts acquire *in situ*.

In this thesis I identify patterns of speech organising key sites of argument within the refugee debates: Australia's rights and responsibilities for asylum seekers and constructions of what counts as racist. I examine these patterns for the ways in which they function to refute or support the asylum seekers' claims. For example, in Chapter 3 I examine the different ways in which both the Government and advocates explain the arrival of asylum seekers, in Chapter 4 I explore repertoires of rights and humanitarianism, and in Chapters 5 and 6 I examine the different versions of 'Australia/ns' and 'racism' used in pro- and anti-asylum seeker arguments.

### *Subject positions*

Government and advocates' accounts that construct the speaker, asylum seekers and 'Australians' also offer various identities or *subject positions*. The concept of subject positions links broad sense-making patterns (e.g., interpretative repertoires) to the social construction of selves. Edley (2001, p. 210) defines subject positions as "'locations' within a conversation", where individuals are reconstituted as subjects in relation to relevant ways of speaking and writing about the world.

Subject positions, as they are understood in CDSP and this thesis, are both the product of socio-historic discursive resources and highly occasioned productions in response to surrounding conversational activities (Wetherell, 1998). People are both produced by and are the producers of subject positions (Edley, 2001). Thus, although subject positions are understood to constitute individuals within a structure of rights

and obligations (Burr, 1995), this process is nonetheless held to be an occasioned social practice (Wetherell, 1998).

Researchers taking up CDSP analyse both these processes, examining how subject positions are made troubled or left untroubled in the local interactional context, in which they may be offered, accepted, claimed or resisted, re-defined, modified and re-conceptualised, and the wider discourses that these subject positions draw upon (Wetherell, 1998). A primary focus in this thesis is the examination of parliamentary speeches for the ways in which asylum seekers and Australia/ns are positioned, the rights and obligations attendant on these positions, and the responses to asylum seekers these positions naturalise and legitimate.

### *Rhetoric and argument*

Another analytic focus of CDSP and integral to this thesis is the analysis of talk and text in its rhetorical, i.e. dialogic and argumentative, context. According to Billig (1991) one of the features of accounts worked up in argumentative contexts such as the asylum seeker debates is that there are typically contrasting versions. That is, accounts are organised to undermine or reject an alternative account that may be either explicit or implicit. According to this approach to research, talk and text can best be understood if it is placed in its argumentative context and considered in opposition to the accounts it is designed to criticise, i.e. its ‘rhetorical other’.

Analysing refugee advocate’s accounts in their rhetorical context is particularly important for this thesis, which aims to outline some of the ways in which refugee advocates’ discourses are articulated and the ways in which they challenge dominant representations of asylum seekers. Drawing on Billig’s work, I examine the ways in which the speeches of refugee advocates in the parliament are

designed to respond to, counter and challenge other positions, claims and arguments. For example, the construction of asylum seeking as a forced escape from persecution analysed in Chapter 3, may be seen as not merely an argument to justify advocates' claims that Australia has a duty of care towards asylum seekers, but also a counter-claim designed to undermine rival constructions of asylum seeking as a personal choice.

### *Ideology*

One of the central concerns for analysts from a CDSP perspective is to examine the broader social organisation of discourse. One of the explanatory resources relied upon to explain this organisation is that of 'ideology'. Ideology as it is used in CDSP is defined as "practical discursive action linked to power" (Wetherell, 2003, p. 14) that is identified through a reading of "the practical effects of the mobilisation of discourse" (Wetherell, 2003, p. 14). In this sense, ideology is not a static set of particular ideas with a particular content, nor is it a 'false belief' (Wetherell & Potter, 1992; Wetherell, 2003).

Neither is ideology in this sense a set of ideas that determines passive, non-agentive individuals. Rather, Billig (1982) argues ideology is "lived" and "dilemmatic". Billig (1982) argues that talk/texts are built using 'commonsense' or 'commonplace' arguments, i.e. discursive resources, such as equality, individualism, rationality and progress, provided by the intellectual and philosophical traditions in Western thought that have become normative and naturalised. In this perspective, commonsense is not a fixed set of homogenous prescriptions, but is characterised by contradictory and dilemmatic themes which provide the resources for thinking and arguing in ordinary life.

These commonplaces are also highly flexible and can be drawn upon to perform a variety of situated actions. For example, the notion of ‘equality’ has been drawn upon by refugee advocates to criticise the new legislation as discriminatory (see Chapter 6), and as a violation of human rights (see Chapter 4). However, this same notion of ‘equality’ has also been employed by politicians such as Pauline Hanson, who opposed affirmative action programs on the basis that they favoured indigenous people and are promoting ‘inequality’ (Rapley, 2001).

Ideological analysis involves an evaluation of discourse, not of the individual speaker, but of the political and social climate and the discursive resources available to a society’s members (Wetherell, 2003). These evaluations are an analysis of the consequences of the discursive strategies people employ. Critical discursive work on discourses of race, immigration and asylum seeking are evaluated in terms of how discursive devices and specific constructions are used to reify, legitimate, and dissimulate patterns of social power and racial dominance. For example, Wetherell and Potter (1992) critiqued the mobilisation of a repertoire of ‘culture as natural difference’ for its function in maintaining the colonial inequality in New Zealand between whites and Maoris, despite its ostensible employment by their interviewees as ‘not racist’.

In this thesis I examine both advocates’ and anti-asylum seeker speeches for the historical resources they draw upon to make their arguments. I also examine the consequences of these resources. For example, in Chapter 3 I examine advocates’ employment of a discourse of internationalism in their speeches, and the ways in which this discourse distributes the rights and responsibilities of asylum seekers and Australia/ns. In Chapter 4, I explore the mobilisation of the liberal concepts of rights and humanitarianism in the Australian parliamentary debates, and examine the

implications of advocates' construction of asylum seeking as a moral issue. In Chapter 5 I examine the history of the various national identities available for use in the present parliamentary debates; and in Chapter 6 I explore the historical resources available to advocates in challenging the Government as racist and the consequences of constructing racism as an underlying propensity spread by 'some irresponsible' politicians and members of the media.

*The structure of the text – discursive devices, linguistic strategies and organisation*

As I noted earlier when outlining the 'local pragmatics of the conversational context', an interesting aspect of any talk is its structural organisation, strategies and devices. According to Tilbury (1998) "rhetorical devices can be conceptualised as tools to construct arguments comprehensible to an audience. The audience may not share the views being expressed using these devices, but they can 'hear' the speaker because they share knowledge of the tools".

There are a number of rhetorical devices that are relied upon in the Australian parliamentary speeches that are used to present accounts as 'the truth', to persuade, and to manage the speakers identity (e.g. as 'not racist', or as 'practical'). I outlined a number of resources for presenting a version as 'the truth' earlier. However, there are also a number of other devices available to speakers in debates about race, immigration and asylum seekers which can be used for a variety of purposes.

According to Tilbury (1998, pp. 297-298) these devices can include:

1. Emphasising the similarity between the speaker and the audience (i.e. appealing to the listener as a sharer of the experience)
2. Disclaimers, tentativeness and hedging

3. Using personal experience as proof for one's view
4. Revealing the thought processes which led to one's arrival at a particular conclusion
5. Emotional displays
6. Exemplification
7. Appeal to the 'facts'
8. Presenting one's position as the reasonable middle ground
9. Claiming special knowledge
10. Credentialising
11. Dichotomising
12. Inversion (e.g. I'm white and male – basically picked on)
13. Deflections (e.g. well we didn't have it easy either)
14. Direct criticism of another position or of an individual
15. Naming tactics
16. Overstatement, repetition, emphasis
17. Rhetorical questions
18. Proverbs, clichés
19. Couching one's view as the majority opinion
20. Concede a general principle in order to deny a specific instance (a principle/practical or concession/criticism style of argument)

According to Tilbury (1998), these rhetorical devices were employed both to maintain and legitimate the status quo (in the case of Tilbury's research, this was the inequality between whites and Maoris in New Zealand), and also by those attempting to challenge this inequality. She suggests, along with researchers such as Praat (1998) and Nairn and McCreanor (1990, 1991), that, rather than needing 'new' tools to challenge inequality and oppression, discourses of resistance can use the same tools to "dismantle [the house] and to build a new house" (Tilbury, 1998, p. 294).

In this thesis I examine the specific rhetorical devices and strategies used in both pro- and anti-asylum seeker speeches for the ways in which these are utilised to



present a version as ‘the truth’, to build a persuasive account, and to manage speakers’ identities. For example, in Chapter 3 I examine the ways in which advocates work up ‘persecution’ using vivid detail as part of the repertoire of asylum-seeking-as-compelled-by-persecution, or draw upon consensus warrants and construct a similarity between themselves and the audience to present the belief in human rights as a universally held belief in Chapter 4.

## **The data**

### *Data collection*

The data analysed in this thesis is from the Australian Hansard, a written record of speeches in the Australian parliament in both the Senate (upper house) and the House of Representatives (lower house). I downloaded copies of the speeches from the e-version of Hansard, available at [www.aph.gov.au](http://www.aph.gov.au). Initially I downloaded all speeches, questions on notice and without notice, and transcripts of committee discussions about asylum seekers during 2001. However, in my analysis I only focus on speeches and committee discussions. Questions on and without notice tend to be too short and lack the argumentative structure of speeches and committee discussions.

An advantage of using public records such as parliamentary speeches is the almost complete absence of the researcher’s influence on the data (Potter & Wetherell, 1987). It is thus a source of ‘naturalistic’ data – talk that would have occurred even if it had not been recorded – as opposed to non-naturalistic data, such as interviews (Taylor, 2001). According to Potter (2004), there are three advantages in using naturalistic data. Firstly, it provides a direct record of the object of study.

Secondly, it captures the action-oriented and situated nature of talk and texts better than interviews, which are directed by the agenda of the interviewer, and thus also avoids any influence from the interviewer's expectations. Finally, naturalistic data supports a focus on practices rather than persons.

A second advantage of Hansard records is that they also come ready transcribed. This saves the researcher considerable work, although the detail of an interaction (e.g. pauses, inhalations and exhalations, repairs) is lost. However, according to Taylor (2001), the amount of detail required in analytic materials should depend on the type of analysis being conducted and the questions being asked (Taylor, 2001). In this thesis, as I am concerned with identifying patterns of talk, their historical and social antecedents, and their consequences, rather than with a micro-analysis of conversation, the level of detail found in the Hansard transcripts is appropriate for this task. Further, the transcribed records available in Hansard are the form in which political speeches are most readily available for public consumption. Although the Australian Broadcasting Commission televises parliamentary question time, and parliament is broadcast on radio, parliamentary speeches are available to the public at any time (as opposed to the temporally constrained nature of the broadcasts) in their written format.

An advantage of examining political talk is that politicians are part of what van Dijk (2000) term 'the elites': those who occupy positions of socio-economic advantage, influence and power. Van Dijk (2000) argues that elites are highly influential in issues such as immigration, being responsible for drafting and administering immigration policies and laws, and through their greater access to the media. According to van Dijk (2000, p. 3-4):

If...elite groups...engage in discrimination against immigrants or minorities, the consequences are considerable: the 'Other' will not be allowed into the country in the first place, or they will not get a job, or they will not be promoted in their job, will not get decent housing, or the mass media or textbooks will spread negative stereotypes about them...the role of leading politicians, journalists, corporate managers, teachers, scholars, judges, police officers and bureaucrats, among others, is crucial for the (un)equal access to material or symbolic resources in society.

Conversely, when elites mobilise against intolerance, discrimination, prejudice and racism and use their position to influence public opinion in this way, it is possible that popular resentment against groups such as asylum seekers may well be lessened (van Dijk, 2000). Analysing politicians' talk allows the researcher to examine the discursive resources employed in a highly influential context for the ways in which these elites disseminate, reinforce and challenge popular views about asylum seekers.

Finally, a focus on political speeches is warranted by the general focus on media texts in much of the research on asylum seekers. It is important to analyse the debates on asylum seekers at a number of sites to gain a broader understanding of the discourses being employed. This thesis, in examining political speeches, seeks to complement and extend this previous work on media accounts.

*An issue of terminology: 'pro'- and 'anti'-asylum seeker accounts*

As the issues raised in the Preface on the potentially oppressive effects of many 'liberal' discourses make clear, defining talk as pro- or anti-asylum seeker is not straightforward. I have used the terminology of pro- and anti-asylum seeker as a way to distinguish between accounts of asylum seekers that reproduce similar patterns to that found in most other research on talk and text about asylum seekers, such as categorising asylum seekers as illegals, and those that I describe as alternative or counter arguments, which on the whole adopt different themes and

repertoires. Although I have used these terms throughout the text, they are not to be read as an *a priori* claim that the talk is pro- or anti-asylum seeker. Whether the social effects of such talk support asylum seekers' claims for protection, to receive permanent visas and be released from detention, or whether they legitimate these practices of detention and exclusion, is taken up in the analysis.

### *Data analysis*

This project's approach to the analysis is based on Potter and Wetherell's (1987) and Taylor's (2001) guidelines for conducting content-based discourse analysis. Following Potter and Wetherell (1987, p. 167) the first step in the analytic procedure is to turn an "unwieldy body of discourse into manageable chunks." I thus began my initial analysis by collecting the speeches on asylum seekers, and noted features of interest, particularly recurring words, phrases and arguments and the 'rhetorical other' to which these may be oriented (i.e. what claims and arguments they might be opposing).

Reading the speeches and these notes became part of an interweaving process of identifying key themes. As Taylor (2001, p. 38) notes "the nature of [discourse] analysis is ...relatively open-ended, and also circular, or iterative." My initial notes were gradually organised under particular headings as consistent re-readings revealed commonalities between speeches. Also, at the same time I was reading widely on racism, nationalism, the history of asylum seeking in Australia and work on discourse theory, which fed into and influenced this initial analysis and interpretation. Out of this relatively broad research and an initial rough identification of common features, I narrowed my focus, and read and re-read the speeches for the following:

1. How are asylum seekers and Australia/ns being constructed?
2. What social actions do these constructions achieve – both interpersonal and global? What are the implications for asylum seekers, Australia, the Government and refugee advocates?
3. What alternative constructions are they designed to undermine or challenge?
4. What rhetorical techniques or resources are being used?

Out of this reading, using these broad questions and previous literature in the field as a guide, I developed four ‘topics’ that each became the subject of an analytic chapter: explanations for asylum seekers’ arrival, humanitarianism and human rights, constructions of the nation and the national interest, and accusations of racism.

These are not an exhaustive list of themes in asylum seeker discourse in the Australian parliament – those that I chose to focus on were a product of my reading and my interest in extending and complementing previous research on racism and asylum seekers, and reflect some of the main sites of contention that I identified in these debates. Further analysis in each of these topics proceeded with specific questions and coding within these areas. The process for each chapter is outlined below.

Chapter 3 examines accounts of asylum seekers arriving in Australia. This focus emerged from my initial notes in which, in a number of instances, I noted two broad ways of explaining asylum seeking. The first focussed on Australia as a favourable destination and the second focussed on the conditions in asylum seekers’ home country. This division into accounts of asylum seeking as a choice or as compelled was quite a broad distinction, however, and I made a number of iterative

attempts at interpretation, moving between analysis and coding, which changed as my analytic focus became more detailed. This process was similar to that noted by Potter and Wetherell (1987), who find that coding may be straightforward in some instances, but in others it can be more cyclical, as for this chapter. My eventual coding for this chapter included references to ‘their’ wealth and ‘our’ vulnerability (including references to economic migrants), persecution, the definition of refugee and asylum seeker and descriptions of the journey that asylum seekers take to Australia.

The focus on constructions of our obligations to asylum seekers and the intellectual origins of these constructions, which I explore in Chapter 4, emerged from my reading of political theory and philosophy on immigration in which I observed that the academic literature and the parliamentary speeches both based their arguments on ‘rights’, ‘sovereignty’ and ‘humanitarianism’. I coded the speeches for rights and sovereignty, however my coding for humanitarianism included terms such as compassion, humanity and generosity in order to be as inclusive as possible, as recommended by Potter and Wetherell (1987). This also allowed me to extend previous research on this question, which had included terms such as ‘humanity’, ‘humane’ and ‘generosity’ in their identification of thematic patterns. I looked at the ways in which these concepts were constructed, and also looked for parallels with political theory and philosophy on rights, sovereignty and humanitarianism.

Chapter 5, on constructions of the nation and the national interest, had its beginnings in my reading of discursive research on the use of ‘nation’ in political rhetoric. After reading Reicher and Hopkins (2002) *Self and Nation*, as well as Billig’s (1995) *Banal Nationalism*, I extracted talk about Australia, this country and the use of pronouns indicating ownership such as ‘ours’. I read these extracts for the

ways in which Australia was constructed and the implications these constructions had for asylum seekers and Australians. Later, I included a focus on white nationalism and multiculturalism after reading critiques of ‘inclusive’ nationalism in Australia.

The topic of racism and accusations of racism, which is the basis of Chapter 6, emerged out of my initial notes and my reading of discursive research on new racism. I focussed on speeches that referred, either directly or indirectly, to race and racism. My coding for this was broad and included: race, racism, racist, bigot, xenophobia, demonisation, hate, fear, dog-whistling and Pauline Hanson<sup>3</sup>. I was particularly interested in what refugee advocates constituted as racist, and the parallels between their constructions and those found in other research and in social psychological texts on racism. The writings on new racism and critiques of ‘liberal’ concepts such as prejudice shaped a focus on the way these constructions mobilised by refugee advocates challenge new racism, and reproduce or challenge constructions of racism considered to be problematic by authors such as Henriques (1984).

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<sup>3</sup> “Dog whistling” is a figurative device referring to talk that cannot be heard or understood by everyone. It has been used to indicate racist talk pitched so that it is unidentifiable as racism to most members of an audience (Double-Tongued Word Wrester Dictionary, 2005). Pauline Hanson, an Australian politician, has come to symbolise the increasing racialisation of politics in Australia. Hanson won a seat in the 1996 Australian general election as an Independent, after being dropped from the conservative Liberal/National Party for ‘racist’ comments. Her election, achieved with a large swing in the vote in her favour, was accompanied by a media furore in which the race debate came to be identified with her. She was named in many media reports as the ‘spark’ that ignited this debate (Rapley, 1998). She was widely vilified in the general press as anti-Aboriginal, anti-Asian and against multiculturalism. Her party campaigned for asylum seeker’s arriving by boat to be turned away.

**Summary**

This chapter outlined the methodology of critical discursive social psychology, my data collection and an overview of the analytic process. I turn now from background and theory to application. The next four chapters examine the linguistic resources and arguments used to uphold and undermine the claims of asylum seekers on Australia.



### *Chapter 3: Accounting for the arrival of on-shore asylum seekers*

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This first analytic chapter is concerned with the explanations politicians give for the arrival of asylum seekers in Australia. These accounts are used to present asylum seekers as ‘genuine’ or ‘bogus’ refugees, and establish the rights of, and Australia’s responsibilities for, asylum seekers. They thus represent a key argumentative site in the asylum seeker debates. The different versions offered by politicians on both sides of the debate are the cornerstone on which other accounts, particularly those working up rights and responsibilities for asylum seekers (examined further in Chapter 4) and constructions of ‘us’ and ‘them’ (examined in Chapters 5 and 6), are built.

Previous research has identified two repertoires of asylum seeking used in arguments for increasing restrictions against asylum seekers: as an attraction to soft laws (Jones, 2000; Saxton, 2003), and as an economic or personal choice (van Dijk, 1997; Lynn & Lea, 2003; Verkuyten, 2005). Previous research has also identified two repertoires of asylum seeking used in pro-asylum seeker accounts: as compelled by persecution (Jones, 2000; Verkuyten, 2005) and compelled by the policies of the recipient country (Jones, 2000). This chapter builds upon and extends this previous research by examining repertoires of asylum seeking in the Australian parliamentary debates of 2001.

#### **Asylum seeking as an attraction to soft laws and as a personal choice**

##### *Previous research*

According to Jones (2000), the repertoire of asylum-seeking-as-an-attraction-to-soft-laws was employed in the 1996 UK parliamentary debates on a new bill to

prevent asylum seekers obtaining work. She gives the following example from a UK politician:

Other western European countries have strengthened their legislation since Parliament last enacted an Asylum Bill in 1993. It would be very unwise for us to allow this country to be seen as a soft target. Asylum claims have been falling across Europe for the past two years but rising sharply in this country. We now receive the highest number of asylum claims of any country in Western Europe, apart from Germany (Jones, 2000, p. 287).

In this account, “strengthened” legislation (a less accountable, more positive description than alternatives such as ‘restrictive’) has resulted in fewer asylum claims, whilst “soft” laws are responsible for a increase in claims (“rising sharply”, “We now receive the highest number”), which, by the use of extremitisations such as “sharply” and “highest” the speaker presents as a matter of concern and anxiety. By linking an increase in asylum seekers with ‘soft’ laws, asylum seekers are implicitly positioned as not genuine refugees. This presents the new legislation under discussion as part of the solution to the problem of an increase in ‘bogus’ claimants.

A similar account of asylum seeking was used in some of the Australian print media on asylum seekers during 2001. Saxton (2003) gives the following example of this:

The Prime Minister yesterday declared war on illegal immigrants, saying Australia must ‘redouble our efforts’ to make it less attractive for them to come here. Mr Howard said fresh measures were needed to ‘tighten the rules and make it less beckoning to come in the first place.’ The Government this week announced it would try to push through legislation before the election to toughen disincentives for asylum seekers and lessen their chances of being accepted as refugees (Saxton, 2003, p. 113).

As in the political speech cited by Jones (2000) above, this account is organised by the premise that asylum seekers are coming to Australia because of our attractive immigration rules. The article constitutes Australia’s laws as “attractive”, and

“beckoning” and thereby presents the arrival of asylum seekers as a response to soft laws, rather than as a flight from persecution. It is strongly implied that asylum seekers arriving by boat are not ‘genuine’ refugees, an impression achieved by not offering persecution as an explanation of their arrival, together with the repeated claim that toughening the laws will result in less asylum seekers coming to Australia.

According to Jones (2000) and Saxton (2003), this version of asylum seeking as an attraction to soft laws is useful because, by constructing ‘soft laws’ as the problem, the solution being presented (a law to prevent asylum seekers obtaining work, or to prevent asylum seekers from entering Australia) appears logical and right. Further, positioning asylum seekers as ‘bogus’ is to present them as without the rights and entitlements that are normatively incumbent on this category. This is a useful strategy for anti-asylum seeker campaigns. A formulation of the new legislation as disincentives against bogus asylum seekers distances the speaker from criticism that they are rejecting refugees in contravention of their legal and moral obligations (Saxton, 2003).

Jones (2000) also argued that this account of soft laws was successful in garnering support for the bill because it appeals to nationalistic pride. Jones (2000) does not explain what she means by this, and I take up the issue of why the version of asylum seeking as an attraction to soft laws is effective in my own analysis.

I noted earlier in Chapter 1, that the differentiation of ‘genuine’ asylum seekers, who are compelled to leave their country of origin to seek protection from persecution, and ‘bogus’ asylum seekers, portrayed as fortune seekers, economic migrants and profiteers, appears to be a common strategy in western debates about refugees and asylum seekers (Lynn & Lea, 2003; Verkuyten, 2005). As well as the instances in the UK and Australia outlined above, van Dijk (1997) found that the

construct of economic migrants became commonly used in parliamentary debates in Britain, the Netherlands and the U.S., during 1985 when large numbers of Tamils fled from civil war in Sri Lanka and came to various European countries seeking asylum. Similarly, Lynn and Lea (2003) found that letters to the editor in a UK newspaper worked up two groups of ‘genuine’ and ‘bogus’ asylum seekers to present the new asylum laws and legitimate and justified defence against bogus asylum seekers.

The constitution of asylum seekers as economic migrants was used in the Australian media coverage of the *Tampa*. Saxton (2003) gives this example from a letter to the editor:

How on earth could the 400-plus illegal passengers on board the *Tampa* be classed as asylum seekers? The Afghan government pleaded with our government to take them in because they would do better for themselves in Australia. That hardly sounds like a government that’s intent on any kind of retribution. No danger awaits if returned. But did anyone really think otherwise? (Saxton, 2003, p. 114)

In this extract, the claim that the Afghanistan government perceives that “they would do better for themselves in Australia”, and the categorisation of asylum seekers as “illegal passengers” – passengers are free to choose to undertake a journey, where they are going and how they get there – represents asylum seeking as a decision to pursue economic and lifestyle benefits. This construction of asylum seekers as migrants of choice is supported by the claim that the Afghani government is not “intent on any kind of retribution”, i.e. the asylum seekers are not escaping persecution. As in the other accounts, asylum seekers are presented here as ‘bogus’.

As ‘genuine’ refugees are entitled to specific treatment according to international laws, whilst a ‘non-genuine’ refugee is not, presenting a policy as affecting ‘non-genuine’ asylum seekers allows it to stand as justifiable and right.

People constituted in this way can be dismissed as liars and cheats, and harsh policies against them justified.

Verkuyten (2005) argues that these differentiations between genuine asylum seekers escaping persecution and bogus ones taking advantage of soft laws draw upon repertoires of ‘choice’, which can be used flexibly to either proscribe or deny that the host country is responsible for assisting asylum seekers. According to Verkuyten (2005):

Self determination implies a personal responsibility for one’s situation and position. When people make a decision, they themselves are responsible for the consequences. [However] [r]esponsibilities are defined differently when people have little choice and their actions are predominantly determined by others or unforeseen circumstances (Verkuyten, 2005, p. 226).

He found in his analysis of interviews on immigration with native Dutch participants that a formulation of migration as a ‘choice’ was used to argue that migrants have to take responsibility for themselves and assimilate into the host culture (i.e. having ‘chose’ to come here, they have no ‘right’ to retain their cultural identity).

Alternatively, a formulation of migration in terms of ‘no choice’ was used in arguments in favour of cultural diversity and multiculturalism, and in arguments that the host country is responsible for providing protection to refugees and asylum seekers.

The research of Jones, Saxton, van Dijk and Verkuyten reviewed here suggests that accounting for asylum seeking in terms of soft laws in the host country and as a personal or economic choice plays three important roles: to present amendments to refugee law as the only logical solution to the arrival of asylum seekers; to discredit asylum seekers as ‘bogus’, thereby absolving recipient countries of any responsibility for them; and to present policies as a legitimate crack down against people abusing the system. In the next section, I explore both these

repertoires within the Australian parliament, with a view to examining their the resources they draw upon to support the new legislation and also to highlight differences between the accounts in the Australian parliament and those found in the previous research. These differences are interesting in and of themselves, and also have implications for advocates' counter discourses.

*The Australian parliamentary debates*

As in the UK parliament and Australian media, politicians in the Australian parliament supporting the new anti-asylum seeker laws also claimed that Australia's soft policies are responsible for the arrival of asylum seekers, as these three extracts illustrate.

*Extract 1: Soft touch*

1. As the Minister for Immigration and Multicultural Affairs has pointed out on many occasions, the reality is that the procedures that have thus far applied in Australia have resulted in an infinitely greater number of people being adjudged as entitled to refugee status than is the situation when the principles applied by the UNHCR are adopted.
2. We seek to have a fair and balanced process whereby all of those who are entitled to be considered for the refugee places made available by Australia are judged according to the same standard and not judged according to a softer standard if you can get to Australia illegally but judged by a different standard if you have to go through the UNHCR.

(PM John Howard, Liberal Party, House Hansard, 19/9/01, p. 30993)

*Extract 2: Soft touch*

1. They are concerned—as I am and as I am sure all Australians are who genuinely have the best interests of genuine refugees at heart—about Australia being seen by some as a soft touch, being seen by criminal elements to our north and west as being incredibly vulnerable because of our good nature, and therefore able to be exploited.

(MP Gary Hardgrave, Liberal Party, House Hansard, 20/9/01, p. 31105)

*Extract 3: Soft touch*

1. This bill will signal to the world, and especially to people smugglers, that Australia is no longer a soft touch.
2. This bill contains measures that will address attempts to misuse onshore protection processes.
3. The bill ensures that the refugee convention provides appropriate protection for refugees, consistent with the international obligations that Australia assumed when becoming a party to the convention.
4. It also minimises the misuse of Australia's protection process.

(MP Alexander Somlyay, Liberal Party, House Hansard, 20/9/01, p. 31163)

In each of these extracts, it is implied that Australia's soft immigration process has allowed non-genuine refugees to receive refugee status. A second theme is that these soft standards disadvantage genuine refugees and privilege illegal immigrants.

As in the UK parliamentary debates and in some UK and Australian print media, the repertoire of asylum seeking as a response to soft laws works to portray these new laws as the logical solution to the asylum seeker 'problem'. It also implicitly presents asylum seekers arriving by boat as 'bogus'. This strategy of categorisation differentiates between those asylum seekers who have a genuine case and are entitled to refugee status, and those who are bogus and not so entitled. The strategy of claiming that the new restrictive laws are actually of benefit to 'genuine' refugees serves to disclaim an uncaring and uncompassionate identity for the speaker – the speaker is not against refugees, but against 'bogus' asylum seekers, a group without rights and entitlements.

This repertoire of 'soft touch' is also effective because it relies upon the liberal valorisation of reason and moderation. Throughout these debates, as within liberalism itself (Arblaster, 1984), reason and moderation are preferred whilst

emotion and extremism are denigrated. This gives “soft touch” its rhetorical power. It is hearable as too generous, as irrational and impractical. A ‘soft touch’ is someone who is generous and compassionate, both potentially valuable qualities, but the implication is that they are ‘too generous’, and in circumstances where generosity might not be warranted, i.e. that a ‘soft touch’ does not make rational decisions, but emotional ones.

We can see how this can be used to present the opposition as irrational and emotional in Extract 4 from Philip Ruddock’s speech on an amendment allowing the Government to bypass privacy laws and access personal information about people entering Australia. This extract is part of Ruddock’s response to accusations from the opposition Labor Party that his Government’s policies were responsible for an increase in the number of asylum seekers coming to Australia. At the time of this speech, Philip Ruddock was the Government’s Minister for Immigration and Indigenous Affairs. In this extract, Ruddock accuses the Labor Opposition of being ‘soft’, and uses this to position himself and his Government as generous, but in a practical and rational way.

*Extract 4: Australia is a soft touch*

1. The provision of benefits—and we have had this argument on benefits—with state Labor governments bending over backwards to provide additional support has been one of the signals going to people abroad indicating that Australia is a soft touch in relation to these matters.

(MP Philip Ruddock, Liberal Party, House Hansard, 20/9/01, p. 31188)

In this account, Ruddock describes the State Labor Governments as overly generous towards asylum seekers (“bending over backwards” to provide “additional



support” (my emphasis)). He does so in order to present the Federal Government, (who’s policies he is defending in this speech) by contrast, as not less than generous (and thereby potentially accountable). Rather, he uses this to present these policies as a necessary and sensible adjustment to the unwarranted and excessive benefits Labor has given to asylum seekers; i.e. as merely removing benefits to which asylum seekers are not entitled, rather than that to which they have a legitimate entitlement. By an implicit contrast, Ruddock and the Government are presented as generous, but in a pragmatic, moderate and balanced way. By constructing existing asylum seeker policies as unrealistic and extreme, Ruddock does not reject the ideal of assisting refugees, but undermines the form in which Labor (and refugee advocates) constitutes this assistance. The broad function of this is to undermine existing refugee policies, as they are understood by Labor and refugee advocates, whilst allowing Ruddock and the Government to present themselves positively.

Ruddock also claims that Labor’s excessive generosity acts as a “signal” to “people abroad” thereby constituting Labor’s actions here in Australia as a causative factor in the arrival of the boat people. A further implication of the category “people abroad” (my emphasis) is that this signal is not being received by ‘genuine asylum seekers’ but by “people”, a category with no claim to refugee entitlements, thus constituting Labor’s actions as a causative factor in the arrival of bogus asylum seekers. Being a “soft touch” is also worked up here as being vulnerable to abuse, and in danger of being ‘taken advantage of’.

The use of “soft” in this extract plays an important role. As noted, it has connotations of weakness, and also of femininity, particularly through its

associations with emotion<sup>4</sup>. It also alludes to irrationality and poor thinking.

Elsewhere, Government members called Labor “soft-headed and soft-hearted” (MP Cadman, House Hansard, 20/9/01, p. 31126) suggesting that soft is also being used here to indicate a lack of intelligence or common sense. This is not an uncommon use of ‘soft’, which can be used to indicate someone who is not ‘right in the head’.

By an implicit comparison, the Government is ‘tough’. The deployment of “soft” rather than, say, ‘weak’ may function here as part of a normative pair – ‘weak’ for example, may be more likely to be contrasted with ‘harsh’ than ‘tough’. (This proleptic strategy is not always successful. Refugee advocates routinely constitute the Government and its policies as ‘harsh’, and I examine this in a later section.) Soft also relates normatively as a pair to ‘hard’ (another complimentary masculine comparison).

Finally, by constituting the State Labor Governments and soft laws as the problem, Ruddock also manages his own accountability as Minister for Immigration, and his Government’s accountability as the incumbent for the previous four years, for the arrival of the asylum seekers. This neatly fends off any accusations that it is the Federal Liberal/National Coalition Government that is to blame for attracting asylum seekers.

Whilst ‘soft’ is used in Ruddock’s speech to denigrate Labor as impractical, in other speeches, synonymous but more complimentary terms such as ‘easy going’ and ‘generous’ are used to describe Australia’s immigration laws. For example, in Extract 2 earlier, MP Hardgrave claimed that it was Australia’s generous nature that

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<sup>4</sup> The gendering of rationality as masculine and irrationality/emotion as feminine, and the subsequent valorisation of the rational/masculine and denigration of the emotional/feminine has a long history in western thought and discourse (Walkerdine, 1994), and lends an impression of commonsense rightness to Ruddock’s, and others, presentation of ‘soft touch’ as negative and practicality as ‘positive’.

has made Australia vulnerable to people smugglers. In that instance, Australia's immigration policies are still being constructed as a factor in the arrival of asylum seekers, but they are also presented in such a way that this is not an accountable matter, but rather a compliment. In this type of account, Australia/ns are positioned positively, but in order to present asylum seekers as having 'taken advantage' of this generosity, and thereby making them accountable for the changes to these laws i.e. we need to be less generous, not because we want to, but because we are being forced to by asylum seekers. There is a more explicit shift towards blaming asylum seekers for these changes, whilst maintaining a highly positive presentation of the Government. The following extract illustrates this.

*Extract 5: Australia's easygoing nature*

1. Some detainees, rather than trying to uphold the easygoing nature of Australia, which is part of the attraction of Australia to them, instead take advantage of our obliging process and attempt to frustrate it and abuse it.

(MP Danna Vale, Liberal Party, House Hansard, 23/8/01, p. 30113)

In this account, asylum seekers ("detainees") are presented as attracted by Australia's "easygoing nature" and "obliging process". There is no criticism of Australia's immigration laws and policies as there is in the construction of Australia's existing policies as 'soft'. Rather, Australia's immigration process is presented positively, as 'naturally' easygoing and obliging, whilst the asylum seekers are comparatively positioned as not only lacking these qualities, but also actively trying to "take advantage". In this type of account, and also less explicitly in the account of Australia as 'soft', it is the nature of asylum seekers as callous

manipulators of a kindly nation that ‘really’ accounts for why they are arriving in Australia.

The mobilisation of this repertoire of asylum seeking as an attraction to soft laws in the UK parliamentary debates, the Australian media, and, as demonstrated above, in the Australian parliamentary debates, attests that this is a particularly useful and persuasive discursive tool for those introducing restrictions against asylum seekers. As other researchers have also noted, it performs a number of important functions in these speeches: legitimating the new laws as necessary, justifying them as benefiting ‘genuine’ refugees, and presenting the incoming asylum seekers as ‘bogus’ and therefore as being legitimately excluded. The flexible deployment of “soft” and related, but less ambiguously positive, synonyms such as “generous” and “easy going”, suggest that this formulation is also useful because it can be used to both criticise either the current policies or the opposition, and also as a way of maintaining a positive presentation of Australia as generous, whilst simultaneously positioning the asylum seekers as ‘taking advantage’. Its effectiveness lies in its reproduction of rationality and practicality as a self-evident good and excessiveness and over-generosity as emotional and subjective, allowing the argument that ‘we need tougher laws’ to stand as normal, obvious and right.

What is also notable in this and the other accounts extracted here is that it is Australia’s immigration policies in relation to refugees that are constructed as the attractant that draws asylum seekers. This is the case throughout most of the speeches supporting the new policies against asylum seekers. The particular usefulness of this formulation is highlighted by an exception to this in these parliamentary debates. In the following account, Senator Harris constitutes Australia as an attractive destination because of its prosperity. As will become clear, however,

this particular construction, compared with an account of Australia's laws as attractive, creates a problem for Harris's self presentation.

*Extract 6: A high standard of living*

1. This country is noted for its high standard of living, which is not only desirable for our own citizens but also highly attractive to overseas residents.
2. I and the majority of Australians—that is, loyal Australians—have no objection to anyone desiring to better their circumstances and standard of living, but I believe that Australia has taken great exception to the abusive influx of the illegals that we are absorbing and the financial costs created for this country.
3. Obviously the liberality of our immigration laws is of great benefit to—and open to monumental abuse by—not only those with criminal intent but also the criminal instigators of this abominable industry.

(Senator Len Harris, One Nation Party, Senate Hansard, 6/8/01, p. 25594)

In the first sentence, Harris claims that asylum seekers are attracted by Australia's prosperity ("high standard of living" (1)). This differs from the general claim that asylum seekers are attracted to Australia's soft immigration laws. The formulation of attractiveness in terms of economic prosperity poses a problem for any politician using this repertoire because it makes relevant a comparison between disadvantaged asylum seekers and wealthy Australians. Acknowledging this disparity leaves a speaker open to the accusation that their support for the legislation is motivated by a desire to protect their own (excessive) good fortune whilst denying others a chance at the same. Harris himself orients to this when he amends his position to portray himself as someone who doesn't object to "anyone desiring to better their circumstances and standard of living" (2). After this, in the third line, he attributes Australia's 'attractiveness' to liberal laws, reverting to the more common, and less problematic, usage of this term.

‘Attractive laws’, rather than an ‘attractive standard of living’, allows politicians to downplay disparities in wealth and lifestyle between asylum seekers and Australians. It works to suppress even the slightest association of need, desperation, or poverty with asylum seekers, and therefore any obligations arising either from their status as refugees, or their status as ‘in need’ by virtue of their destitution. If they were constituted otherwise, this may undermine the Government’s presentation of itself and of Australia/ns as generous and compassionate. (Later in this and the following chapters I examine how refugee advocates do just this.)

In keeping with the problematic status of an ‘attractive standard of living’, is the almost total absence of the term ‘economic migrants’ from these debates, which has however been used in the British media and parliament (van Dijk, 1992; Lynn & Lea, 2003) and in the Australian media (Saxton, 2003) to construct asylum seeking as a search for opportunities for work, money and ‘lifestyle’. I would argue that this represents a shift in the ways in which asylum seeking may be effectively denigrated and recipient country’s responsibilities dismissed. It is likely that this shift has occurred in response to refugee advocates’ representations of asylum seekers as poverty-stricken and destitute, thereby establishing a responsibility to asylum seekers by virtue of the disparity between their standard of living and ours. The proliferation of such representations renders the claim that asylum seekers are attracted by Australia’s high standard of living potentially hearable as unfair and inhumane.

As well as an account of asylum seeking as a response to soft laws, in the review of previous research I noted a construction of asylum seeking as a personal choice (Verkuyten, 2005). According to Verkuyten (2005) presenting asylum seeking as a ‘choice’ is an effective way for the recipient country to deny responsibility for assisting asylum seekers. Certainly, this is also part of the success

of the claim that asylum seeking is a response to Australia's soft immigration laws, which presents asylum seeking not as an escape from persecution (i.e. as an action in which asylum seekers have no choice) but as a 'choice' to travel to a country with 'soft' immigration laws. The claim that asylum seekers had a choice to come here also appears in these debates more explicitly, without reference to soft laws, as the next extract from MP Hardgrave demonstrates.

*Extract 7: They are occasional tourists*

1. It is offensive of those opposite to talk about the MV *Tampa* and bandy about the terminology of refugees.
2. The people on board MV *Tampa* are not refugees; they are occasional tourists who have embarked upon – (speech interrupted by interjections)

(MP Gary Hardgrave, Liberal Party, House Hansard, 30/8/01, p. 30703)

In this account, Hardgrave rejects the description of the people on the *Tampa* as "refugees" (and all the rights and obligations such a description entails), by claiming that they are not refugees but "occasional tourists" (2). This extract makes very clear the links that are being made in these debates between 'choice' and 'genuineness'. A person who chooses to travel (i.e. a "tourist") cannot be a refugee because 'logically' they could not also be escaping from persecution, an essential criteria for obtaining refugee status. "Occasional tourists" have no claim to be refugees, and no immigration rights whatsoever.

MP Billson, in the next extract, also relies upon a repertoire of asylum seeking as a personal choice.

*Extract 8: They are free to make those choices*

1. They are free enough to leave at a time of their own choosing, free enough to realise their assets and sell everything they own, to notify family that they are leaving, to get on an aircraft of their choice—whether it is business or economy class I do not know, but they can choose an airline of their choice—and fly to Malaysia or somewhere else in our region.
2. They are so persecuted that they can do that any time they choose.
3. They are so persecuted that they are able to accumulate wealth.
4. They are so persecuted that they are able to organise their affairs, get their family together, and pursue illegal immigration channels.
5. They are so persecuted that they arrive in a transit country and meet up with people smugglers.
6. They are so persecuted that they then travel to a destination where they meet up with somebody else.
7. They are free to move, free to make those choices, free to exercise the pursuit of what they think is a better life.
8. They are so persecuted that they are able to do all of that.
9. They are so persecuted that they can get on a boat and try to land here illegally.
10. That is how persecuted they are.
11. They can do all those things of their own free will, unimpeded, and pay for it.

(MP Billson, Liberal Party, House Hansard, 19/9/01, p. 30964)

Billson uses repetition and the ironic pairing of ‘they are so persecuted’ with contrasts which imply freedom, choice and agency, to work up the asylum seekers as choosing to come, and therefore as not persecuted. Also notable is line 7, which is one of the few examples in this data set of the construction of asylum seeking as a search for a “better life”, which I noted previously rarely occurs. However, note how he does not construct Australia as “better”. What he does is claim that asylum seekers “think [this] is a better life” (7), thereby avoiding contrasting Australia’s and the asylum seekers relative wealth; in Billson’s account Australia’s wealth is merely ‘in their heads’.



This analysis of versions of asylum seeking as a response to soft laws and as a personal choice, as well as outlining the way these repertoires are constructed and used, also provides an outline of the ‘rhetorical other’ to which refugee advocates’ speeches are oriented. The next section examines the ways in which advocates undermine and challenge these accounts.

### **Advocates’ accounts of asylum seeking: Analysis and discussion**

In contrast to the Government and its supporters, advocates construct a version of asylum seeking as compelled by persecution in their home country and/or by Australia’s immigration and foreign policies. These accounts are used to present asylum seekers as genuine refugees, and to establish Australia as responsible for their protection.

There is some previous research on these pro-asylum seeker accounts. In interviews on immigration and multiculturalism in the Netherlands, one of Verkuyten’s (2005) participants countered widespread anti-refugee public sentiment by constructing asylum seeking in terms of a ‘lack of choice’:

It’s bad enough being a refugee and no way did those lads choose to come here. But they did end up here and it wasn’t out of their own free will. They have no choice, it’s that or die. See, in cases like that you’ve got a moral obligation to, well, when people are having a rough time or are being persecuted in their own country, to offer them shelter and a space where they can be themselves (Verkuyten, 2005, p. 230).

Although this account is deployed specifically within an argument about multiculturalism and the rights of the Other to preserve their own culture, it also gives some insight into the ways in which this repertoire of ‘lack of choice’ may be used to establish other types of responsibilities towards refugees, in particular to “offer them shelter”. As noted earlier, Verkuyten (2005) argues that the construction

of asylum seeking in terms of ‘no choice’ establishes a responsibility for asylum seekers, whereas accounts of asylum seeking as a ‘personal choice’ are used to deny these responsibilities. These repertoires are common throughout western liberal thought and are used to good effect in these asylum seeker debates.

A second participant in Verkuyten’s (2005) study argued to similar effect that migration to The Netherlands was not by choice, but by invitation:

I mean, er, when it comes down to it, we brought them over here ourselves in the first place, shanghaiing them really, and, er, that wasn’t a clever move I reckon, but hey. A lot of Dutch people were not willing to do any dirty or hard work themselves so that’s why they brought loads of Moroccan and Turkish people over here and of course later on, once they’d been here for a couple of years, they had their family move here. So we’ve got ourselves to blame (Verkuyten, 2005, p. 230).

Although this particular construction of migration as a response to an ‘invitation’ is not utilised in relation to asylum seekers, it demonstrates the potential of this repertoire of ‘lack of choice’ to establish particular rights and responsibilities towards the Other, in this case to ‘allow’ them to retain their cultural identity. This particular extract manages to bring off both an endorsement of cultural identity as a ‘right’, and a criticism of immigration as problematic. However, I have included this extract here as an illustration of a repertoire of ‘invitation’ that, as will be noted in my analysis below, can be utilised to bring off an argument in favour of providing protection for asylum seekers in Australia.

A similar repertoire to that of the ‘invitation’ was employed in the UK parliamentary debates on a bill to prohibit asylum seekers from obtaining work. Jones (2000) gives this example from a Labour MP:

What is the underlying cause of the employment of illegal immigrants? Do we imagine that employers employ illegal immigrants because they are humanitarians or internationalists? The underlying cause is the search for cheap labour. It ill behoves a Conservative Government whose Conservative

predecessors, during the 1980s, did more to force down wages than any Government since the war, to weep crocodile tears about illegal workers...The source of the market for the labour of illegal immigrants is the labour market policies of the Government (Jones, 2000, p. 292).

This politician claims that asylum seekers do not come the UK because they choose to, but are brought in to meet unacknowledged labour demands created as a consequence of the Government's policies. Similar to the repertoire of asylum seekers are invited, this places the responsibility for the arrival of asylum seekers onto the UK, and thereby establishes asylum seekers as having the same rights to work as everyone else.

In the Australian parliament, refugee advocates employ all of these alternative constructions of asylum seeking. As well, there is also a pattern in which asylum seeking is formulated as 'an international problem' which challenges Government versions of asylum seeking and establishes a responsibility towards asylum seekers, not through the discursive resources provided by 'choice', but through a discourse of internationalism, which proscribes a duty to protect asylum seekers arising out of Australia's responsibilities as a member of the international community. The ideal of an international community that works cooperatively towards the welfare of all people has its origins in the Enlightenment values of reason, individual rights and freedoms, and social progress (Holbraad, 2003). These have been used since World War II to argue that there is an international responsibility to provide collective aid (Holbraad, 2003), and to provide assistance for refugees (Goodwin-Gill, 1989). The concept of an international community, tied by bonds of responsibility, is a pervasive one in western liberal thought. For example, the ideal that all people are connected, regardless of their nationality, also finds expression in liberal open market economics and in environmental movements

(Holbraad, 2003). It is used in the present context to proscribe a duty to protect asylum seekers borne by Australia as a member of the international community. In this discourse of internationalism, 'we' are held accountable for actions that are isolationist and self-serving rather than cooperative and other-oriented. Using this discourse of internationalism, advocates work up an obligation to be part of an international solution to providing aid and re-settlement options for asylum seekers, rather than a domestic one of introducing prohibitive asylum laws. The construction of an international community with shared responsibilities is a common one throughout these debates, though, as will become clear in the next chapter, it may also be used to constrain responsibilities towards asylum seekers.

In the following sections, I examine each of these three ways of constructing asylum seeking in turn: asylum seeking as compelled by persecution; as compelled by Australia's laws and policies; and asylum seeking as an international issue. I outline the particular constructions and arguments being used, with attention to how these arguments are built. I focus on the subject positions these constructions make possible and the functions of these for refugee advocacy.

#### *Asylum seeking as compelled by persecution*

The association of persecution and refugees is common knowledge. It is a criteria for refugee status in Australia's domestic migration laws, and also in the *1951 Convention Relating to the Status of Refugees* which considers a refugee as a person who:

owing to a well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country (Mares, 2001, p. 5).

Given the centrality of persecution to establishing a person as a refugee, there is much at stake in claiming or denying that the asylum seekers arriving by boat are escaping from persecution.

As the analysis in the previous section demonstrates, the Government and its supporters claim that these asylum seekers arriving by boat are not genuine refugees, as they have not suffered persecution. Advocates, by accounting for the arrival of asylum seekers as an escape from persecution, attempt to undermine the bogus/genuine distinction worked up in Government accounts and re-present the asylum seekers as genuine refugees, i.e. as people who are escaping persecution.

This extract from MP Theophanous' speech is a typical example of this repertoire.

*Extract 9: These people are coming here because they are persecuted*

1. The whole concept of 'refugee' is misunderstood by those who think that the people who come here are doing so because somehow they have decided, 'Let's go on a nice trip.'
2. These people are coming here because they are being persecuted and they are in real trouble.
3. Even the Minister for Immigration and Multicultural Affairs has admitted that there are 20 million or more refugees around the world.
4. There are refugees because there are persecution, violence and abuse of human rights.
5. That is why there are refugees.

(MP Andrew Theophanous, Australian Labor Party (ALP), House Hansard, 30/8/01, pp. 30689-90)

Theophanous' account is designed to undermine the opposing version of asylum seeking as a 'choice', and also the constitution of asylum seekers as 'occasional tourists' (in Extract 7). Theophanous presents these versions of asylum seeking in line 1 in order to undermine them. In the second line he offers an

alternative construction of asylum seeking as an escape from persecution, which his account establishes as the more plausible explanation. As I noted in Chapter 2, there are a number of rhetorical devices and strategies available for presenting one's argument as plausible and persuasive. Theophanous uses a stake inoculation in line 3 as a way of presenting his version of asylum seeking as the more plausible one. As noted previously, a stake inoculation is talk that is strategically constructed to appear unaffected by a particular vested interest. The claim in line 2 that "people are coming here because they are being persecuted" might be potentially challenged as 'Theophanous' opinion' and as 'interested' (in the form of 'well, he would say that, wouldn't he?'). However, by attributing a supporting claim about the number of refugees to Philip Ruddock, who, as the chief architect of the bills against asylum seekers, would not be expected to say such a thing, the claim can be presented as unaffected by Theophanous' vested interests, and therefore as the truth.

By constituting asylum seeking as a forced escape from persecution, Theophanous establishes a moral responsibility toward asylum seekers, as did participants in Verkuyten's (2005) study. This repertoire also challenges the commonplace assumption that Australia's laws are the problem and therefore the site of the solution. The narrative structure of this account presents changing Australia's immigration laws as not the most 'logical' solution to asylum seeking because asylum seekers are responding to persecution, rather than to signals that Australia is soft.

This next extract, from a speech by Senator Brown, also explains asylum seeking as a forced escape from persecution. As I noted previously, in these debates the equation of refugees and persecution is common knowledge, though marginalised as an explanation for the arrival of asylum seekers. Because of this, an appeal to

‘persecution’ as an explanation for asylum seeking is in danger of losing its persuasiveness. Seidel (1988) noted a similar phenomenon in her analysis of the European parliamentary debate over imposing sanctions on apartheid South Africa. She found that there was no occurrence of the term ‘human rights’ in the speeches of the pro-sanctions, anti-racist lobby, whilst the anti-sanctions lobby used it frequently. Instead, the pro-sanctions lobby re-lexicalised the term by substituting noun phrases such as ‘repression’, ‘exploitation’, ‘suffering’ and ‘regression’, words that, by their visceral associations, avoided the bureaucratisation, euphemism and neutrality of the anti-sanctions lobby. It appears that there is a similar issue for advocates in relation to ‘persecution’. As the term has become increasingly taken over by a conservative agenda and sanitised, marginalised and neutralised, other terminology that has not been so taken over is utilised instead. Senator Brown’s account of Afghanistan, the country of origin for many of the asylum seekers in 2001, is an example of this.

*Extract 10: Who of you wants to live under a regime like that?*

1. In Afghanistan, a country of some 20-plus million people, war has ravaged their homeland for decades – no period worse than the last decade when the religious fanatics of the Taliban took over the country, funded at first in no small degree by the United States of America.
2. They are there now; they are in full power and they are causing huge misery.
3. You know the story: no education allowed for women; no music; no children playing; execution for the most minor things, the latest one being using a satellite phone; Hindu people being required to wear patches to identify them – I wonder where we have heard that before – and the blowing up in Bamiyan of ancient Buddhist monuments of world value.
4. More than three million people have fled that country.
5. I ask the members of this chamber: who of you would not have joined them?
6. Who of you wants to live under a regime like that?

(Senator Bob Brown, Australian Greens, Senate Hansard, 24/9/01, p. 27723)

Of particular interest in this vivid re-lexicalisation of persecution is the construction of Afghanistan as a country taken over by “the religious fanatics of the Taliban” (3). This single reference, made in the historical and social context of the ongoing civil war in Afghanistan and the September 11 attacks, both of which have been extensively publicised in the Australian print and television media, evokes a plethora of associations which succinctly yet vividly depict the conditions under which asylum seekers have lived. Listing particular conditions under the Taliban is also of strategic benefit in providing a concise yet powerful depiction of the asylum seekers’ situation. The examples of people being punished for using telephones, listening to music or for playing, contrast Taliban-ruled Afghanistan with liberal-individual values, thereby positioning it as undemocratic and illiberal. Linking Taliban-ruled Afghanistan with Nazi Germany is also useful in depicting the conditions asylum seekers are escaping (3). The reference to Hindu people being forced to wear patches constitutes the racial violence and vilification, systematic torture and large-scale murder of Jews in Nazi Germany as a feature of life for many groups in Taliban-ruled Afghanistan as well.

As well as functioning as part of a re-lexicalisation of persecution, the equation of Taliban-ruled Afghanistan with Nazi Germany also establishes a moral responsibility towards asylum seekers. According to O’Tuathail (1996), who examined media constructions of Bosnia during the massacres there, equating a current political situation with Nazi Germany locates that country, and the people fleeing from it, in the same script of open-ended moral responsibility that arose after the Holocaust and the Second World War towards the victims of fascism and



genocide. In the current extract, it is used to present Australia as similarly, and undeniably, obligated to asylum seekers as they were to Jewish refugees.

By constituting Taliban-ruled Afghanistan as totalitarian and fundamentalist, those who leave Afghanistan are, by implication, non-totalitarian and liberal.

Importantly, the explanation of asylum seeking as a forced escape from persecution distinguishes asylum seekers, many of who are Muslims, from the Taliban.

Muslims, the Taliban and asylum seekers are generally conflated in the Australian media and parliament to present all Muslims and asylum seekers as fundamentalist and violent (Poynting, Noble, Taylor & Collins, 2004). However, in Brown's version of 'us and them', 'they' are the Taliban whilst 'we' are Australians and asylum seekers who are opposed to the Taliban. Rather than a threatening Other, the boat arrivals are presented as one of 'us', as allies in the fight against the totalitarianism and religious fundamentalism of the Taliban.

The final example of this repertoire of asylum seeking as a forced escape from persecution is from Senator Bartlett's speech opposing an increase in the powers of the detention centre guards. As noted above, the association of refugees and persecution is common knowledge, though the consensual view is that these asylum seekers coming by boat have not suffered persecution. In the previous extract, Brown oriented to this by eschewing an assertion of 'persecution' in favour of vivid details of conditions in Afghanistan. In this example, Bartlett approaches this problem in a different way, by dismissing the account of asylum seeking as an attraction to soft laws as 'illogical', with the concomitant presentation of asylum seeking as a forced escape from persecution as logical and right.

*Extract 11: We are not a soft touch*

1. They have made efforts to limit access to the courts, which would make it the only area of administrative law with such limitations, despite the fact that it is the only area of law where an incorrect decision can cost people's lives.
2. I do not think we should forget that basic fact.
3. They have made unilateral efforts to limit obligations under the refugee convention, and more legislation was introduced just yesterday in relation to that.
4. They have refused to cooperate with the UN human rights monitoring bodies, and they have made a range of changes to visa conditions for refugees, which are deliberately aimed at making their lives as unpleasant as possible.
5. All of these harsh actions are part of trying to send the message that we are not a soft touch.
6. We are not a soft touch, and we are clearly a harder touch than plenty of other countries.
7. But people are still arriving here, and that is because of what they are fleeing.
8. That is the reality, and that is what I think we need to continue to remind ourselves of.

(Senator Andrew Bartlett, Australian Democrats, 29/8/2001, Senate Hansard, p. 26846)

In order to undermine the opposing version of asylum seeking as a response to soft laws as illogical and implausible, Bartlett firstly works up a version of these laws as harsh, rather than soft. To do this, he uses a four-part list of Government actions taken against asylum seekers. Lists are often deployed as a persuasive device to convey generality and comprehensiveness (Jefferson, 1990). The use of a four-part list here by Bartlett enhances the plausibility and comprehensiveness of his account.

After re-working these laws as harsh, Bartlett uses this to challenge the purported link between Australia's immigration laws and the arrival of asylum seekers using the logic of the rhetoric of argumentation: if and only if  $p$  then  $q$ , not  $p$  then therefore not  $q$  (Edwards & Potter, 1992). In this rhetoric of argumentation,  $p$  is the cessation of asylum seeking following changes to the immigration laws and  $q$  is a

causal link between Australia's laws and asylum seeking. Bartlett establishes the policy as harsh, as demonstrated above. This is followed by "but" and the second part of the argument: "people are still arriving here" (7). The logical prediction that the arrival of asylum seekers would cease with the introduction of harsh laws has not occurred, therefore their arrival cannot be explained in terms of these laws. The strategic benefit of using this device is that this conclusion is warranted by the operation of logic rather than the motivated inferences of the speaker (Edwards & Potter, 1992).

The other notable aspect of this account is the construction of the refugee policy as intentionally harsh, thereby working up an effective criticism of the Government, and placing the responsibility for these policies, and their effects, firmly with the Government, despite the Government attempting to place this responsibility with the ALP (as in Extract 4) or on soft laws (as in Extracts 1, 2, 3 and 4). As does 'soft' in Government accounts, 'harsh' performs some subtle rhetorical work. Whereas other possible terms such as 'tough' encompass such desirable traits as strength, masculinity and assertiveness, 'harsh' is unambiguously negative. It connotes the less worthy traits of coercion, aggression, and punitiveness.

Bartlett works up the Government as accountable for these harsh laws through the strategic deployment of terms that establish a causal link between its actions and the negative consequences for asylum seekers. These include "efforts" (1), "unilateral efforts" (3), "introduced" (3), "refused to cooperate" (4), "made a range of changes" (my emphasis) (4) and "deliberately aimed" (4). This works up an account in which the negative consequences for asylum seekers are not accidental by-products of a well-intentioned, necessary policy but are the intended consequences of a punitive, oppressive policy.

By re-presenting Australia's asylum policies as 'harsh' rather than 'soft', Bartlett undermines the Government's explanation of asylum seeking as an attraction to soft laws. Having dismissed this as an explanation, he can introduce an alternative explanation of asylum seeking as a forced escape from persecution, which positions the Government as responsible for these asylum seekers, and accountable for not only denying this responsibility, but for actively making the lives of asylum seekers more difficult.

The constitution of asylum seeking as a forced escape from persecution by MP Theophanous and Senators Brown and Bartlett counters the construction of asylum seeking as an attraction to soft laws and as a personal choice. This repertoire establishes asylum seekers as having a moral and legal claim on Australia's responsibilities to provide refuge. Another way of establishing this responsibility was to constitute policies such as the Temporary Protection Visas and international aid as factors that force asylum seekers to come to Australia, and to account for asylum seeking as a response to an 'invitation'. I analyse these in the next section.

*Asylum seeking as compelled by Australia's laws and policies*

In refugee advocates' accounts, Australia's role in the arrival of asylum seekers is not through its attractive laws, but through its policies that separate family members, and its inadequate overseas aid. These are not constituted as soft laws that attract asylum seekers, but harsh and inhumane policies that exacerbate the conditions that compel asylum seekers to leave their countries of origin. As noted, placing the blame for the arrival of asylum seekers onto the host country was also a strategy in the UK parliamentary debates on asylum seekers, where an advocate for asylum seekers attributed their arrival to the UK's economic and labour practices

(Jones, 2000). In these accounts, as well as owing a duty of care to victims of circumstance, the Government is also held responsible for asylum seekers as a contributor to these circumstances.

Part of the persuasiveness of these accounts relies on repositioning the subjects of asylum seekers and the Government in an already familiar argumentative framework. Praat (1998) concluded that alternative arguments in her interviews with New Zealanders on Maori/Pakeha relations were not generally radical in content or form, but, as is often the case with successful rhetoric, incorporated different ideas into a tried and true argumentative form (Billig, 1987). Thus advocates' accounts acknowledge that Australia's laws play a role in asylum seeking, but present these as harsh, rather than soft, and asylum seekers as compelled by these laws, rather than attracted.

The repertoire of asylum seeking as an outcome of Australia's laws and policies is used in this next extract to counter claims that male asylum seekers were bringing women and children into Australia by boat as a way to blackmail the Government into granting them visas (Mares, 2002). In this extract MP Theophanous argues that it was the Government's introduction of Temporary Protection Visas (TPVs) and restrictions on family reunion that forced women and children to come to Australia by boat in order to join the husbands and fathers with whom they could no longer legally reunite<sup>5</sup>.

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<sup>5</sup> A TPV holder (as opposed to someone granted permanent residency) is not able to apply to have their family migrate to Australia. As the TPV is a three-year visa, and requires people to re-apply at the end of that time for the visa to be extended, families can be separated for many years (Mares, 2002).

*Extract 12: Whole families are coming now because of this law*

1. Why are there so many women and children on this boat?
2. I will tell you why.
3. In 1999 the government introduced legislation on the temporary protection visa which, instead of giving genuine refugees permanent residence, gave them only three years, and it also prohibited them from bringing their wives and children to Australia.
4. As a result of that, there is only one course left to these people once they have been given genuine refugee status—that is, to get their children and their wives onto boats.  
[...]
5. There is a second consequence of the 1999 decision.
6. The message has gone back that, if you come only by yourself and you do not bring your wife and children, they will never be able to join you.
7. So what is happening?
8. Whole families are coming now because of this law.
9. So much for the deterrence principle of the minister.
10. Instead of it being a deterrent, it is actually leading to a humanitarian situation in which women and children are on these boats and in danger.

(MP Andrew Theophanous, ALP, House Hansard, 29/8/01, p. 30574)

To present the arrival of women and children as an effect of the introduction of temporary protection visas, Theophanous uses terms such as “introduced” (3), “as a result” (4), “consequence” (5), “the message has gone back” (6), and “because of this law” (8) to establish a cause and effect relationship between this policy and the arrival of asylum seekers. Given that his version is competing against the commonly accepted version of the asylum seekers as ‘blackmailers’ (which was successful in part because it articulated with other constructions of asylum seekers as bogus), Theophanous takes care to work up his alternative explanation for the arrival of women and children as the obvious and correct one. To accomplish this, he relies on commonsense ideas about family to present the arrival of women and children on the boats not as an attempt at blackmail, but an attempt to keep their families together. This is readily understood as a legitimate and highly plausible motivation given the

commonplace that families are an essential, inviolable unit characterised by close physical and emotional bonds.

Not only are the actions of the asylum seekers positioned as understandable, natural and legitimate through this discourse, they are also re-presented as moral and those of the Government as immoral. The decision of women and children to come to Australia to join their husbands and fathers, or to travel with them, is presented as entirely understandable – saving and re-uniting one's family can be commonly heard as carrying a higher moral imperative than obeying an unjust law that violates these family ties. The Government, on the other hand, is clearly established as responsible for these unjust policies, and for forcing families to endanger themselves to seek asylum. This is often done quite subtly. For example, notice that Theophanous presents the Government's policy as temporary protection for "genuine refugees", although permanent residency, and family reunion, is widely established as a legitimate entitlement of this category. Note too that 'genuine refugees' would have no need to blackmail the Government for visas, as they are already entitled to a protection visa, thereby undermining again the Government's claim that these men are using women and children as moral blackmail.

The Government here is presented as responsible for the arrival of women and children, and therefore responsible for assisting them, firstly on the basis of personal responsibility for the consequences of one's actions (in this case, the TPV restrictions) (Verkuyten, 2005). This is a neat reversal of the claim, examined earlier, that it is asylum seekers, as migrants of choice, who are responsible for any consequences of their actions. Secondly, asylum seekers are presented as having 'no choice' – as noted there is a high moral and emotional imperative attached to preserving one's family that is considered a compelling reason for acting as they

have done. To reinforce this, Theophanous also uses phrases such as “there is only one course left to these people” (4). Finally, this account also works up a responsibility arising out of the Government’s complicity in the factors that are forcing women and children to come to Australia. As noted earlier in relation to accounts blaming the Government for the arrival of refugees, this responsibility relies upon the commonsense assumption that people bear responsibility for others when they have had a hand in their misfortune.

The next extract also blames the Government for the arrival of asylum seekers, but in this account it is argued that Australia’s overseas aid policy is inadequate and has contributed to the circumstances that force people to seek asylum. The extract is from Senator Brown’s speech on the *Migration Legislation Amendment (Immigration Detainees) Bill (No. 2) 2001*.

*Extract 13: Its meanness of spirit...is part of the problem*

1. There are, as we comfortably sit or stand here tonight, 1.2 million Afghani refugees – our mind is concentrated on some 400 at the moment but there are 1.2 million of them – in refugee camps in Pakistan in deplorable conditions that none of us would want to see our families in.
2. If we were able to alleviate their suffering, then the diaspora that is coming from that huge body of people might not be occurring.
3. But in a country which is rich by any standards less than \$1 million has gone from this government to help those 1.2 million people suffering in despicable circumstances in the last year.
4. In that same time, \$120 million has been spent in detention centres very little different from jails here in Australia for people like them who have managed to make it to our shores without appropriate papers.
5. Instead of going and trying to turn the tap off, the government – and the opposition – is putting a finger on the nozzle at the other end.
6. It has got its priorities wrong.
7. Its meanness of spirit in denying its obligation to help people like those Afghani refugees in despicable circumstances is part of the problem.

(Senator Bob Brown, Australian Greens, Senate Hansard, 28/8/01, p. 26822)



In the first and second lines, Brown explains the arrival of asylum seekers as a natural response to the conditions in the camps. He presents asylum seeking as scripted, and therefore normal, behaviour – it is the same behaviour we would expect of our self and our families, should we have to live in such deplorable conditions. He can thereby present his claim in line 2 that alleviating this suffering would stem the flow of asylum seekers as the logical solution to this issue. He again presents providing assistance to those in the camps as the commonsense solution in line 5, where he likens the flow of asylum seekers to the flow of water from a tap. The analogy's effectiveness lies in its reliance on commonsense knowledge – the source of flow is a body of water (or a body of refugees), not the tap.

In attributing the arrival of asylum seekers to the Australian Government's failure to provide sufficient aid, Brown also works up a criticism of the Government's policies, which are presented as both ineffective (in failing to address the 'real' issue of the suffering of people in the camps) and 'mean'. From the first line, Brown works up a comparison between the comfortable living conditions enjoyed by Australians, including Government politicians, and the conditions of the refugees and asylum seekers. He continues this comparison in line 3, when he presents Australia as a "country rich by any standards". He later constitutes the Government as displaying "meanness of spirit" (7). The Government is presented here as failing to honour the commonplace obligation of the rich to the poor. This moral obligation to give to others less fortunate has its intellectual roots in Enlightenment philosophy and in religious teachings (which I examine in Chapter 4). This kind of obligation of the rich to the poor underlies social practices such as humanitarianism, philanthropy and overseas aid. It has a powerful moral resonance tied up with ideals of fairness, equality and generosity. It is drawn upon here to

present the Government as not only complicit in the arrival of asylum seekers, but also morally accountable for their failure to provide aid.

The final extract in this section also explains the arrival of asylum seekers in terms of Australia's laws, however it differs somewhat from the two examples above. As I noted in the introduction to this analysis, one of Verkuyten's (2005) interviewees in The Netherlands claimed that the presence of migrants was the outcome of an 'invitation' issued by the Dutch government, and that as their migration was not their 'choice' but instigated by the Government, the migrants had a right to maintain their cultural identity. I noted also that this particular construction of the issue of 'choice' was used in an account in relation to migration, rather than asylum seekers as such, and that it was used as part of an ambiguous endorsement of multiculturalism. I included this piece of research because it is useful background for this instance in the Australian parliamentary debates in which the arrival of asylum seekers is formulated as a response to specific laws that 'invite' asylum seeking. In this account from Senator Schacht's speech, the repertoire of asylum-seeking-as-invited is used to oppose an increase in the powers of the detention centre guards.

*Extract 14: We cannot then criticise people who use our law*

1. The Geneva convention and the protocol to that convention have been brought into domestic law by this parliament.
2. That is something we have created.
3. In my view, we cannot then criticise people who use our law, who come here on the basis that we have a particular set of laws.
4. We cannot, decently in any event, have a legal system, a rule of law, and then not only criticise people for using it but punish people for using it.
5. I think that is an absurd and an unfair position to reach.

(Senator Chris Schacht, ALP, Senate Hansard, 29/8/01, p. 26843)

As noted by Verkuyten (2005), the discursive resource of ‘choice’ is a strategic way of establishing rights and responsibilities. In this account, Schacht constructs the laws allowing people to make onshore asylum applications in Australia as laws that ‘we’ and the ‘parliament’ have chosen to make (1 & 2). Because these laws are “something we have created” ‘we’ are positioned as responsible for the consequences of these laws, which is the arrival of asylum seekers. In line 4, Schacht allows for the possibility that we conceivably could criticise people for using our laws, but condemns those that do so as indecent, “absurd and unfair” (5). “Decently” and “unfair” suggests that Schacht does not only consider that we are legally bound to accept asylum seekers, but that we are also morally bound to do so, whilst “absurd” suggests that he also considers we are ‘rationally’ bound to do so. Further, by presenting Australia’s laws as the domestic implementation of the Geneva Convention and Protocol on refugees Schacht constitutes them as reasonable and appropriate, undermining the Government’s presentation of them as soft.

Accounting for asylum seeking as a response to an ‘invitation’, and constituting Temporary Protection Visas and inadequate aid as factors in the arrival of asylum seekers counters the construction of asylum seeking as a personal choice to take advantage of soft laws. This repertoire, together with the repertoire of asylum seeking as compelled, establishes asylum seekers as having a moral and legal claim on Australia’s responsibilities to provide refuge. Both of these repertoires counter the constitution of asylum seeking as a ‘choice’ with an alternative representation of asylum seekers as having ‘no choice’.

However, as I noted in the introduction, there was another way of accounting for asylum seeking that did not revolve around the issue of ‘choice’. Accounting for

asylum seeking as an international issue was also drawn upon in these debates to challenge the Government's versions of asylum seeking. I examine this repertoire in the next section.

*Asylum seeking as an international issue*

So far I have examined two repertoires drawn upon by refugee advocates to undermine the explanation of asylum seeking as an attraction to soft laws, both of which counter this with an alternative account of asylum seeking as a forced response to circumstances (either in their own country, or those created by recipient countries such as Australia) beyond their individual control. This third repertoire of asylum seeking as an international issue constructs asylum seeking as an inevitable outcome of the existence of large numbers of refugees. It functions to undermine the logical assumptions of the claim that asylum seekers are attracted to Australia by demonstrating that asylum seekers are arriving 'everywhere else' as well and in greater numbers. As I noted previously, by drawing upon a discourse of internationalism, Australia is also presented as bearing a shared responsibility for asylum seekers. This example in Extract 15 is a further extract from Senator Bartlett's speech on the migration legislation amendment to increase the powers of detention centre guards.

*Extract 15: An international problem*

1. We must recognise that the problem of asylum seekers, the problem of displaced people – which we are seeing in graphic detail at the moment with the situation off Christmas Island – is an international problem.
2. It is not specific to Australia.
3. We are not getting bigger waves of people than anywhere else; indeed, in proportion to many other countries, our numbers are relatively small.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 29/8/01, p. 26844)

To work up asylum seeking as an international problem Bartlett firstly expands the possible readings of the *Tampa* crisis from an immediate and local situation to one instance of a broader problem through his construction of this as an “international problem” (1), as “not specific to Australia” (2), and by describing the arrival of the *Tampa* as a facet or part (“detail”) of this wider problem. The construction of asylum seeking as a global phenomenon is also achieved by the specific lexical deployment of “displaced persons”. O’Doherty (2001) has noted that the category “asylum seeker” is associated with movement. “Displaced persons”, however, eclipses, and renders less important, the issue of movement and arrival. What is foregrounded is the existence of a larger group of people, of whom asylum seekers are a part. This group has not arrived on Australian shores, yet they too face hardship and difficulty – they are without home or state. Thus the problem faced is not only a local one of asylum seekers arriving in Australia, but the existence of this larger group of displaced persons.

To counter the commonplace that the arrival of asylum seekers in Australia is unique and different from that in other countries, Bartlett uses a contrast structure to re-position Australia as merely one country among others, through comparing the number of arrivals here with that of other countries: “We are not getting bigger

waves of people than anywhere else; indeed, in proportion to many other countries, our numbers are relatively small” (3). Bartlett uses the informal quantification of “proportion” and “relatively”, which are relational and comparative statistical terms rather than discrete measures (such as the number of arrivals in Australia) to make this point.

This explanation of asylum seeking as an international problem undermines the predominant construction of asylum seeking as a search for favourable claim outcomes. If the movement of asylum seekers occurs globally, then it cannot be attributed to Australia’s attractiveness as a country of destination. Bartlett again (as in Extract 12) relies on an unspoken logic – that for the ‘soft laws’ version of asylum seeking to be correct, there would have to be a greater number of asylum seekers arriving in Australia than in other countries.

I argued in my analysis of Extracts 1, 2, 3 and 4 that the construction of the ‘problem’ in terms of soft and attractive refugee decisions gerrymanders the terrain in order to set up: a) a simple problem with a simple, straightforward solution, and b) to present the Government as practical, decisive and in control. From a potential complexity of differing factors, which may or may not be in Australia’s control, these accounts pared down the issue to one factor – Australia’s attractive laws – and one localised, readily achievable solution – changing those laws to make them less attractive. Implicit in this of course is that it is the Government who are in control of the situation and have implemented this solution. We can see how this contrasting construction of asylum-seeking-as-an-international-issue attempts to undermine this view. Bartlett’s choice of “we must recognise” (my emphasis) presents the failure to see asylum seeking in global terms as problematic – this view is not only imperative (“must”), it is also presented as ‘reality’ through the cognitive term “recognise”.

Whereas the Government presents itself as practical and decisive, the construction of asylum seeking as an international problem positions their assessment of the situation as unrealistic and incorrect. The ‘logic’ of amending Australia’s laws, so prevalent in anti-refugee accounts, is undermined here.

This next extract, from MP Tanya Plibersek’s speech on the detention of asylum seekers, also constructs asylum seeking as an international problem in order to work up an argument for developing internationally cooperative solutions to asylum seeking and to undermine the claim that the domestic migration legislation amendments are acting as a deterrent to asylum seekers.

*Extract 16: We need to act on the international stage*

1. When discussing this issue, we must remember the international context of our asylum seeker problem.
2. There are an estimated 21 million refugees worldwide.
3. It is worth saying that Australia needs to continue to do its fair share.
4. Twelve thousand a year is a drop in the bucket in terms of our total immigration intake of 85,000.
5. When you think about poor countries like Iran and Pakistan, which each deal with two million refugees, that shows that what is required of Australia is really pretty modest.
6. We need to act on the international stage to ensure that the underlying problems of the refugee crisis are dealt with.
7. We spend about \$120 million a year on detention, but we spend only \$14 million a year on helping the UNHCR in its international refugee resettlement effort.
8. It is worth remembering that \$14 million is much less than this government spends each month on publicly paid political advertising.
9. While \$14 million sounds like a lot of money to the average Australian, when we think about the sort of money that this government wastes on political advertising, it is a tiny amount of money.  
[...]<sup>6</sup>
10. We need to play a role in addressing the international issues which have created refugees.
11. In the past, Australia played a very positive role in countries such as Cambodia in helping to bring peace to that country, and in rebuilding East

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<sup>6</sup> I have not included two paragraphs here which address the issue of queue-jumping and the difficulties of returning failed asylum seekers to their country of origin which were not relevant for this analysis.

- Timor.
12. We are doing an excellent job in helping East Timor re-establish itself.
  13. We also need to talk to other international organisations about debt forgiveness.
  14. Those are the sorts of things that will keep people in place and stop them having to leave their countries.

(MP Tanya Plibersek, ALP, House Hansard, 23/8/01, pp. 30103-4)

As did Bartlett, Plibersek introduces the idea that asylum seeking is a global, rather than local, issue. And, as did Bartlett, in the first line Plibersek works up this version of asylum seeking as the more plausible account through her use of the term “remember” (1), a cognitive process that implies that the international nature of asylum seeking is self-evident and readily observable. Her use of “must” also echoes Bartlett’s imperative, lending a sense of urgency to the consideration of asylum seeking as an international issue.

The second line is both an illustration of the global proportions of asylum seeking, presented here as one part of a larger problem of ‘refugees’ which emphasises the urgent and widespread nature of the issue, and a precursor to establishing Australia’s obligation to asylum seekers as part of an international, cooperative community. For it is in line 3 that Plibersek introduces the idea that Australia’s role in this issue does not end with its humanitarian program intake, or changes to the migration legislation, both of which she problematises in this account as insufficient and inappropriate. She constitutes Australia’s obligation as a “fair share”, invoking the idea of multiple national partners accepting reasonable and equitable numbers of refugees and asylum seekers. In the next two lines, she goes on to constitute the current intake of 12,000 as not a fair share. First she compares the number of refugees (12,000) with the number of migrants overall (85,000), and then



compares this figure of 12,000 with the two million asylum seekers in Iran and Pakistan. This comparison allows the inference that what Australia currently considers to be its “fair share” is actually not all that fair, (despite Government claims to the contrary, see Chapter 4, Extract 9, for an example of this) and presents the Government as negligent in its duties as a member of the international community. It should also be noted that there is a commonplace assumption that this community of nations expected to assist with refugees is specifically wealthy, Western, industrialised nations, not “poor” countries like Iran and Pakistan, who, by the far greater numbers of asylum seekers arriving there, are presented as taking on more than could reasonably be expected of them (and the comparison effectively presents Australia’s policies in a particularly bad light). As does Brown in Extract 14, Plibersek here reproduces the commonsense assumption that wealth entails a responsibility to the less fortunate.

However, in constituting 12,000 as ‘unfair’, Plibersek, and other refugee advocates who also take this up, risk being marginalised should they be seen to be advocating for increased migration intakes, which are historically highly unpopular in Australia, and particularly so during 2001 and since. Lest she be seen to be proposing this, and so leave herself open to criticism, Plibersek offers an alternative solution to increasing the refugee intake – an international action dealing with the “underlying” causes of asylum seeking and the existence of refugees. This implicitly draws upon the understanding of refugees and asylum seekers as the outcome of persecution and torture in their home countries, with the implication here, as elsewhere in these advocate accounts (see for example Brown in Extract 14), that these are the root or ‘real’ causes of asylum seeking, which must be dealt with in order to address the issue.

To pre-empt any challenge that this is something Australia is already doing, Plibersek compares the amount Australia expends on domestic solutions to asylum seeking (which she has already problematised as not the ‘real’ solution to this issue) with that spent on international (the ‘real’) solutions. And further, in case \$14 million is challenged as a suitable amount to give to the UNHCR, Plibersek compares this with the amount spent on political advertising. This is a comparison of ‘worthy’ expenditure with what is commonly regarded as ‘unworthy’ (a difference which she signifies by the term “wastes” in reference to expenditure on advertising).

In line 10, Plibersek reiterates her argument that the solution to asylum seeking must be international, as this is the only way to address the ‘real’ causes of displacement and asylum seeking. Plibersek works this up as a practical and reasonable solution, using the example of Australia’s previous role in Cambodia and East Timor. Both these historical references have a particular resonance for an Australian audience, particularly that of East Timor. Firstly, they are commonly understood to be within the purview of Australia’s particular responsibilities to assist neighbouring nations in the region<sup>7</sup>. Secondly, the independence of East Timor from Indonesia (which required Australia’s diplomatic and military involvement), and the subsequent re-building of the country since this time, is offered here in its generally understood form as an Australian success story<sup>8</sup>. These commonplaces work up international intervention in the asylum seekers’ country of origin as both Australia’s particular responsibility and as a practical, reasonable solution to the issue of asylum seeking. It also offers an extension of the positive self-presentation of Australia as benefactor and mentor, common in talk about East Timor, to this new setting.

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<sup>7</sup> This is not only a view of the ‘Left’, but is commonly also promoted by Government ministers as well, and might be argued to have entered into the Australian ‘common sense’.

<sup>8</sup> This is of course, only one version of Australia’s intervention in East Timor’s independence movement and subsequent efforts to establish political and economic infrastructure.

## Conclusion

In this chapter, I examined accounts that explained the arrival of asylum seekers as an attraction to soft migration laws. In contrast, parliamentary refugee advocates constituted asylum seekers as people fleeing persecution. They also constructed a relationship between Australia and the arrival of asylum seekers, however rather than soft laws attracting asylum seekers, they argued that Australia's harsh immigration laws and inadequate foreign policy are complicit in the arrival of the boats. A similar construction of Australia's laws as an 'invitation' legitimated and justified asylum seekers using these laws to come to Australia and seek protection. Refugee advocates also challenged the account of asylum seeking as a response to soft laws by arguing that asylum seeking is occurring globally, rather than only in Australia, thereby undermining the implicit logic in the Government's accounts that asylum seeking is a response to Australia's laws.

Government members and its supporters relied upon the liberal privileging of rationality and moderation to present existing refugee policies, and those who supported those policies (and implicitly those opposing the new policies) as excessive and unreasonable (soft) whilst presenting the new laws as a practical and necessary adjustment to these soft laws. In doing so, they were also able to maintain a presentation of self/Government as generous, but in a practical, moderate way. They also presented asylum seeking as a 'choice', thereby dismissing asylum seekers as 'bogus' refugees.

Advocates also reproduced several liberal discourses and commonplaces in their challenges to the Government's versions of asylum seeking. They too relied on repertoires of choice, but to present Australia as responsible for asylum seekers who

have no choice but to seek protection in Australia. Advocates also drew upon commonplaces that ‘we should help people where we have contributed to their situation’ and ‘families should stay together’. In establishing Australia as responsible for asylum seekers, advocates also drew upon a discourse of asylum seeking as an international issue and Australia as bearing a shared international responsibility for alleviating their suffering.

The question of Australia’s obligations to asylum seekers is a central one in these debates and both sides draw upon a number of discursive resources as part of their arguments on this issue, but, as I noted in the Preface, this remains an area in which limited research has been carried out. In the next chapter I continue to fill in this ‘gap in the research’ by maintaining a focus on arguments about Australia’s obligations to asylum seekers, but this time through an analysis of the ways in which the discursive resources of liberal philosophy and political theories of rights and humanitarianism are drawn upon by advocates and those supporting the new legislation.

#### *Chapter 4: Rights and humanitarianism in the asylum seeker debates*

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As noted in Chapter 3, the question of Australia's responsibilities towards asylum seekers is central to these debates, and both sides utilise a number of discursive resources to either refute or proscribe a responsibility for asylum seekers. In Chapter 3, I examined how different explanations for the arrival of asylum seekers were used to present Australia as responsible or not responsible for providing asylum. In this chapter, I continue this focus on responsibility by exploring another important resource deployed in both pro- and anti-asylum seeker political discourse – the liberal concepts of rights and humanitarianism.

Most previous discursive research on talk about asylum seekers and the deployment of rights and humanitarianism in that talk has generally assumed that these 'rights' and 'humanitarianism' are homogenous, unproblematic and self-evident concepts. However, although on the face of it rights and humanitarianism may be seen as central to a 'liberal' political repertoire and 'naturally' consonant with refugee advocacy, an exploration of liberal political philosophy reveals that there are multiple and contradictory constructions of rights and humanitarianism that support very different arguments about responsibility for refugees, depending on how these concepts are defined. This historical legacy of an inherently dilemmatic liberalism (Billig et. al, 1988) permeates everyday talk, and provides various discursive resources for building arguments for and against the new migration policies.

In this chapter, I examine the reproduction of the various constructions of rights and humanitarianism offered by liberalism in both pro- and anti-asylum seeker discourse and the role these play in proscribing or limiting Australia's

responsibilities towards asylum seekers. The first section considers previous research on rights and humanitarianism, illustrating the need for further analysis of these discourses. I then outline constructions of rights and humanitarianism in liberal political theory to demonstrate the numerous argumentative positions available for talk about asylum seekers, before examining the ways these are taken up by Australian politicians.

### **Previous research on rights and humanitarianism discourses**

As noted, there is little previous research on rights and humanitarianism in either pro- or anti-asylum seeker contexts and, in general, this research has assumed that rights and humanitarianism are homogeneous, unproblematic and self-evident discourses, although an exploration of liberal philosophy reveals that these concepts may be variously and flexibly defined. An exception to this is the work of Dauvergne (2000) on the construction of rights in judicial decision-making on asylum seekers, which I review here. Following this, I also review Sedlak's (2000) analysis of humanitarianism in anti-asylum seeker political discourse, as well as Mehan's (1997), Pickering (2001), Gale's (2002) and Saxton's (2003) analyses of humanitarianism in pro-asylum seeker discourse in the media.

#### *Rights discourses in judicial decisions*

According to Dauvergne (2000), the rights of refugees, human rights, citizens' rights and sovereign rights do not exist in a level playing field, but within a pre-existing hierarchy in which sovereign rights act as trump rights against which the rights of refugees are relatively powerless. She examines the deployment of rights

discourses within High Court judgements on refugees for evidence of the operation of this hierarchy, and its implications for refugee advocates. Her work raises power as an important issue for research on rights discourses in the refugee debates, an issue that has not been previously considered elsewhere in discursive research on rights in the asylum seeker debates.

Dauvergne found that, in general, any references to human rights in judicial decisions were contained in discussions about asylum seekers' experiences in their country of origin. In deliberations over the legal definition of 'refugee', the majority of judges considered that breaches of human rights were fundamental in establishing refugee status. In these court decisions, refugees were constructed as rights holders, but only in relation to their own States. Human rights discourses in this context were focussed outside of Australia, and were not drawn upon as part of a reflection on 'our' behaviour or 'our' obligations.

A dissenting opinion by Justice Michael Kirby, the only one of its kind, offered an alternative argument. He claimed that the definition of 'refugee' was not about the protection of fundamental human rights, but the enforcement of Australia's domestic law (similar to the repertoire of Australia's laws as an invitation examined in Chapter 3). In this account, asylum seeker's claims were not constructed as a 'human right' but as a specific rights claim against Australia. According to Dauvergne (2000), whilst the universality of human rights limits their power, constructing asylum seekers' rights as a substantive one against the Australian state carries substantially more weight.

In general, however, the High Court judges did not take up legal arguments mounted on the Refugee Convention and the International Covenant on Civil and Political Rights, which construct asylum seekers as rights holders. Instead, practices

such as mandatory detention were constructed as a national ‘right’ to control the entry of ‘aliens’. In their judgements, the ‘community’ was contrasted with ‘aliens’, establishing an us-them distinction that legitimated a reduction in asylum seekers’ rights because of their ‘alien’ status. Decisions such as these, according to Dauvergne (2000), confirm the hegemonic position of sovereign and citizens’ rights in these debates and the marginalisation of rights-based claims for refugees.

*Humanitarianism and anti-asylum seeker discourse*

Sedlak (2000) observed that in the Austrian parliamentary debates about new asylum seeker policies that Conservative politicians portrayed themselves, their government and their country positively using terms such as ‘tolerant’, ‘humane’ and ‘most generous’. They worked up Austrians as “willing to help, open-minded and generous” and as demonstrating “great generosity” (Sedlak, 2000, p. 119). According to Sedlak (2000) presenting Austria as ‘humanitarian’ attends to the normative status of humanitarianism as the appropriate response to refugees, whilst working to justify anti-asylum seeker legislation by acting as a prolepsis against criticisms that these policies are inhumane or racist.

It is of interest how the discourse of humanitarianism is utilised here as way to justify, rather than criticise, restrictive asylum seeker policies. However, what is also of potential interest is that although Sedlak (2000) argues that the construction of a ‘humanitarian’ Austria is an orientation to the norm of humanitarianism, she takes the definition of this normative humanitarianism for granted.

‘Humanitarianism’ appears as self-evident and uncontradictory, despite it being used here to support anti-asylum seeker legislation.



*Human rights, humanitarianism and pro-asylum seeker discourse*

Four studies have examined rights and humanitarianism in pro-asylum seeker discourse: Mehan (1997), Gale (2002), Pickering (2001) and Saxton (2003). Mehan (1997) analysed what he calls a 'human rights discourse' in Californian debates over legislation that restricted undocumented workers' access to health and education. He found that opponents of this bill condemned it as a violation of universal human rights to health and education. Opponents of the bill used tropes such as: 'we are all the same in the eyes of God', 'all people have human rights' and 'we're all in this together'.

Previous studies of the Australian media have identified a similar discursive theme variously entitled 'human face and human rights' (Gale, 2002), 'fellow humans in need' (Pickering, 2001) and 'compassionate intent' (Saxton, 2003). According to Gale (2002), articles employing the 'human face and human rights' theme naturalised compassion as the human response to asylum seekers' suffering. Typically in these accounts the personal stories of asylum seekers were foregrounded. Terms such as 'plight' and 'human misery' were commonly deployed. Asylum seekers were also identified as 'fellow humans', thereby including them in the shared category of 'humanity'. Also in these accounts, protection was constructed as a legal obligation arising from Australia's status as a signatory to human rights charters and agreements. Australia's actions were thereby constructed as a breach of human rights.

Pickering (2001) also demonstrates how constructions of asylum seekers as 'fellow humans in need' were used to discredit the government's policies. In her examination of the media she found (as did Gale) that alternative views of asylum

seekers were mostly in the form of ‘human interest’ stories that focussed on particular cases that personalised the issue of asylum seeking. This ‘fellow human’ focus challenged the government’s position and mainstream views of asylum seekers by offering a way to question common assumptions that asylum seekers are criminals and cheats (Pickering, 2001).

Saxton (2003) also found that asylum seekers were constructed as fellow humans in need. According to her analysis, making the category of ‘human’ most relevant challenges the discursive hegemonic status granted to ‘citizen’ or ‘Australian’. She found that the treatment of asylum seekers was criticised both for its violation of the entitlements accruing to the superordinate category of humanity and the responsibilities this entails towards others, and also for its negative impact on the national image. In this discourse, humanity superseded national identities by crossing arbitrary borders whilst our response to other humans defined us as a nation.

Although this research is interesting in terms of the ways in which refugee advocates use human rights and humanitarianism to criticise the Government, there are also several problematic aspects in this work. Firstly, it does not consider human rights and humanitarianism as separate discourses. This is important, as these offer quite different subject positions for asylum seekers and recipient countries: whilst a rights discourse is sourced in notions of equality (i.e. all people have equal rights), humanitarianism is based on the fundamental inequality between a benefactor and a beneficiary that arises when someone is ‘in need’. As will be seen in the following sections, these offer very different ways of presenting Australia’s responsibilities for asylum seekers, and also for establishing or challenging inequality, and it may be more fruitful to consider them separately. Secondly, this research does not examine the ways in which rights and humanitarianism may be variously worked up and

deployed in anti- as well as pro-refugee talk. Finally, as I observe throughout this thesis, these analyses involve examining one or two extracts within a predominant focus on hegemonic presentations of asylum seekers, and thus warrant further investigation.

### **Constructions of rights and humanitarianism in liberal philosophy**

As the review of previous research demonstrates, rights and humanitarianism have been assumed to be self-evident, homogeneous discourses. However, an exploration of rights and humanitarianism in liberal political philosophy reveals these constructs are multiple and contradictory and are used to support very different positions regarding a recipient country's responsibility for refugees.

These various positions reflect the liberal dilemmas between universality and communality, and between a duty to others and a duty to the self. In relation to the former, the competing claims of universality and community (nationalism) are the basis of opposing constructions of rights as belonging equally to all people, and as belonging only to those who are members of the nation.

The principle of universal equal rights – that all persons have an equal moral worth – is a central commitment of liberalism (Cole, 2000). It underlies the principle of impartiality: that all people must be treated without reference to arbitrary characteristics (Arblaster, 1984). Liberal theory constitutes rights as 'owned' by or inherent in all individuals (Arblaster, 1984). A commitment to individual rights is embodied in international instruments such as the *1951 Convention Relating to the Status of Refugees* as amended by the *1967 Protocol Relating to the Status of Refugees*, parts of which are incorporated into Australian law in the *Migration Act 1958*. It is on this basis that political theorists such as Carens (2000) argue that we

are obliged to take in asylum seekers because not to do so privileges Australians and excludes asylum seekers on the basis of an arbitrary characteristic – their place of birth – thereby violating the principle of moral equality.

However, the principle of universal moral equality is, in practice, inseparable from the closed community of the nation state within which the institutions that support individual rights are established and maintained (e.g. the migration laws that legislate in relation to refugees). Thus, it has been argued that the success of the liberal democratic project of equality depends on closed political communities, which demonstrate the necessary cohesiveness and commitment amongst their members for these values to survive (Cole, 2000). On this basis, threats to the nation (in the form of immigration) may be justifiably excluded on the basis that they are threatening the liberal institutions that the nation state makes possible (Cole, 2000).

Thus, whilst the liberal principle of universal moral equality distributes equal rights to all people, regardless of citizenship or place of birth, a communitarian perspective claims Australia's obligations to its citizens are greater than any obligation to asylum seekers, who may be justifiably excluded on the basis of the national interest. Local concerns are given priority over the global principle of equality and justified by an appeal to the special relations between members of a nation being stronger than those pertaining to non-members (Cole, 2000). From this perspective, rights are not universal, but accrue only to members of a community (Taylor, 2000).

Hobbesian absolute sovereignty is a more extreme and inflexible version of communitarianism. This political theory constructs liberal nation-states as rare, vulnerable and under constant danger from external, illiberal threats, particularly immigration. The presentation of immigration as a threat is warranted on the grounds

that it decreases the availability of goods and services (which should, by ‘rights’, be distributed among citizens) and increases racial tensions (Cole, 2000).

Proponents argue that there is no obligation to maintain coherence between internal principles (i.e. liberal values that govern actions within the state) and external principles (i.e. how to treat others). In Hobbesian theory, states have the right to police their borders in any way they believe best protects their interests, and this can include the imposition of illiberal principles and practices against non-members (Cole, 2000). In the Australian context, absolute sovereignty would not require Australia to observe any duties in relation to asylum seekers, only to ‘Australians’.

Other liberal philosophers, in attempting to establish the extent of our obligations towards asylum seekers, draw on a discourse of humanitarianism. However, this discourse is also marked by the competing claims of a duty to others and to the self. The obligation to help another human being arises from the liberal ideal of a shared humanity (Plaut, 1995). From this perspective: “there are certain kinds of treatment which are simply incompatible with the idea that one is dealing with a human being who, as such, is entitled to respect for his or her humanity and dignity” (Taylor, 2000, p. 84). Many examples of this position are found in religious teachings. Jewish, Christian, Islamic, Hindu and Buddhist faiths require that the Other be treated with respect and hospitality, and given protection when needed (such as the sanctuary movement during the American slaving era), on the basis that all people are one before God (Plaut, 1995). Such a definition of humanitarianism creates a strong moral obligation towards asylum seekers as fellow human beings.

However, within liberalism, the value of individualism is also an important principle. Generally, humanitarianism as it is defined in liberal philosophy

acknowledges the principle that there is a moral duty of the fortunate to assist the less fortunate, but combines this with an individualist position – that the cost to one’s self (or state) should be minimal. For example, Shacknove (1988, p. 134) claims that:

When persons or associations can improve the conditions of the destitute at little cost to themselves, they bear a heavy moral obligation to do so. By the same token, as the burden increases, the obligation to assist the destitute diminishes. These are the dictates of good samaritanism, known more formally as the principle of “mutual aid”.

Dauvergne (1999) translates this as a ‘minimal moral duty’: a duty to assist others only when the cost to one’s self is small. This means that Australia bears an obligation to asylum seekers only if that obligation does not unduly impact on Australians themselves. It is easy to see how this allows a very wide scope for arguing that asylum seekers create any number of problems that make the cost for ‘us’ too high.

This brief review of the formulations of rights and humanitarianism within liberal philosophy highlight the various, and conflicting, positions made available by liberalism for debates about immigration and asylum seekers. However, these are not only resources for liberal philosophers, but for the media, politics and everyday conversations. Liberalism is a hegemonic discourse in the west that provides the “building blocks of conversation” (Edley, 2001) through its achieved status as commonsense (Billig, et al., 1988; Wetherell & Potter, 1992). This review has highlighted a number of potential ‘building blocks’ for political discourse on asylum seekers that were not identified in previous research on this topic. I now take up politician’s speeches on asylum seekers in the Australian parliament with a view to examining the constructions of rights and humanitarianism in this debate.

**Universal moral equality, communitarianism and absolute sovereignty in the Australian parliament: Analysis and discussion**

*“Human rights are universal”: Universal moral equality*

As noted, some liberal political theorists, pro-asylum seeker accounts in the Australian media (Gale, 2000; Saxton, 2003) and advocates for undocumented workers in the US (Mehan, 1997) constitute rights as universal, i.e. as belonging to all human beings. This was also the case in the Australian parliament. Advocates, such as Senator Bourne in Extract 1, formulated rights as universal and asylum seekers as having a rights-based claim, and criticised the Government for not upholding this claim.

*Extract 1: We are telling the world that we do not believe in the universality of human rights*

1. By telling the world that we are prepared to deny the right of asylum seekers to seek refuge in our country, we are telling the world that we do not believe in the universality of human rights, and of course we do.
2. There are a lot of countries out there that would rather that human rights were not universal – but it is basic: of course they are.
3. We do believe in that.
4. I do not know why we are doing this.
5. We are telling the world that principles of international law have no place here and that Fortress Australia is more important to us than responding compassionately to genuine human need.
6. That is what it looks like from both outside and inside.
7. I honestly cannot understand it.
8. At this time more than ever our future lies in accepting our part in the international community.
9. A little compassion is a very small price to pay to go towards a safer world for everyone.
10. Denying the rights of asylum seekers just cannot be justified in any terms.

(Senator Vicki Bourne, Australian Democrats, Senate Hansard, 24/9/01, p. 27712)

In the first sentence of this extract, seeking refuge is constituted as a “right” and refusing people asylum a denial of that right. As Dauvergne (2000, p. 56) notes “assertions of right are the strongest tools of the law. Rights command respect; will be protected by the courts; and are more than mere privileges.” To constitute asylum seekers’ requests for refuge as an assertion of their rights is to legitimate their claim legally and morally.

Also in the first sentence, Senator Bourne widens the potential grounds on which asylum seekers may be established as ‘rights holders’, and on which “we” may be held accountable. Bourne argues that by denying this particular right to seek refuge, Australia/ns are also denying universal human rights. One possible explanation for Bourne introducing universal human rights here is that the right to seek asylum is less compelling, and more open to challenge, than the less specific, but more emotionally loaded, human rights (Dauvergne, 2000). Although Article 33 of the *1951 Convention Relating to the Status of Refugees* prevents nations from returning asylum seekers to persecution, which has been translated as a ‘right to remain’, there is no express right in international law to enter a country not one’s own (Dauvergne, 2000). Further, as noted previously, whilst rights claims are claims to power, they are also situated within pre-existing power arrangements. In this rights hierarchy, an asylum seeker’s claim carries less weight than an appeal to human rights, which has a moral and political resonance in many societies, including Australia:

Fundamental human rights...derive immense power from their basic relationship with dignity and humanity. There is a moral strength and unity in this discourse which grounds legally powerful and strongly emotive decisions... (Dauvergne, 2000, p. 62).



However, as Dauvergne (2000) goes on to argue, whilst human rights have an emotional value, these rights in turn do not have the same weight as other rights in a domestic legal system. As will become clear in the section below on absolute sovereignty, a hierarchy of rights with ‘national sovereignty’ as the absolute and ultimate right was firmly established in the Australian debates. Advocates seeking to counter the hegemony of ‘national sovereignty’ with appeals to human rights had to attend to working up these rights as more compelling and indisputable than national sovereignty.

Bourne does this using a number of rhetorical strategies. She constitutes human rights as universal, and this universality as “basic” (2). The phrases “[O]f course we do” (1) and “of course they are” (2) emphasise the fundamental nature of universal human rights, and also act as consensus warrants. Further to presenting universal human rights as incontrovertible facts, Bourne also constitutes universal human rights as a fundamental part of Australia’s national beliefs (1-3). Again, this acts as a consensus warrant – a belief in universal human rights is not Senator Vicki Bourne’s personal belief, but one held by all Australians. Bourne’s disbelief, in lines 4 and 7, presents the universality of human rights as so obvious, so well known, that any deviation from them is inexplicable.

This account is also organised to counter the common argument that limiting the entry of asylum seekers is a protective measure against terrorism, and therefore legitimate grounds for denying asylum seekers’ rights. As the extracts in the following sections will demonstrate, it was common in these debates to present asylum seekers as a threat, which echoes the Hobbesian formulation of immigration as a threat to the liberal state. Given that the 9/11 attacks occurred shortly after the arrival of the *Tampa*, it was relatively easy for a formulation of Australia (and other

western nations) as liberal nations under threat from external illiberal forces to take hold. The Hobbesian claim that when under threat it is every state for themselves was widely popularised.

Bourne's representation of universal human rights as, conversely, a guarantee of safety and as of "small" (9) cost to the national self, rather than a source of national threat and vulnerability, challenges this rhetorical other. It is reminiscent of the way in which the discourse of universalism was used in the US debates examined by Mehan (1997), in which isolationist behaviour was presented as the threat, rather than the undocumented workers or asylum seekers. It is also another example in which 'internationalism', examined in the previous chapter, provides a sense of rightness and logic to Bourne's call for unity.

*"These people are not citizens": Conditional rights*

Whilst refugee advocates constructed rights as universal, those supporting the exclusion of asylum seekers constituted rights as conditional. As noted previously, the political philosophy of communitarianism claims that rights should be accorded to community members (i.e. citizens) over any obligations to those outside of the community. In the Australian parliamentary debates, those arguing that our obligations to asylum seekers are limited or non-existent did so on the grounds that rights are not inherent but conditional. Rights are possessed by citizens, or, as in Extract 3 below, are 'earned' by those who 'wait in line'.

In Extract 2, Senator Harris of the One Nation Party constructs rights as conditional upon Australian citizenship, as part of his support for a bill restricting asylum seekers' access to the court process.

*Extract 2: These people are not citizens*

1. Senator Brown made a reference to citizens and their right to take their issues to the High Court.
2. There is a fundamental flaw with that process in that the people of whom we have been speaking are not citizens of this country.
3. I uphold fiercely the right of any citizen of Australia to approach any court of jurisdiction within Australia but, clearly, these people are not citizens.

(Senator Len Harris, One Nation Party, Senate Hansard, 29/8/01, p. 27001)

Harris, in the same vein as communitarian political theorists, constructs the right to access the courts as an entitlement of citizenship: “I uphold fiercely the right of any citizen of Australia to approach any court” (3). In this framework of conditional rights, those who are not citizens do not hold any right to have their claims heard in court (2 & 3). Making rights conditional upon citizenship specifically excludes asylum seekers (and also leaves open the possibility that other non-citizens should be denied access to the courts).

The assumptions of communitarianism lend a ‘logic’ and ‘rightness’ to Harris’s claims – it seems self-evident that ‘non-citizens’ should not have access to the same rights as ‘citizens’. This acts as a prolepsis against criticisms that the restrictions on court access are exclusionary or inhumane. However, if we replace the term “citizens” with ‘members’ and access to “any court of jurisdiction within Australia” with access to ‘justice’, the meaning shifts and we can see more clearly the rhetorical work being performed here by the specific lexical deployment of these terms. Whilst ‘citizens’ implies a legal, and therefore unambiguous status, ‘member’ makes visible the arbitrariness of boundaries between members and non-members – there is neither a sense of clear demarcation between these two groups, nor of entitlement. ‘Citizens’ also plays an important support role for the rest of the speech.

As a term implying a legal status, it also seems logical and right that citizenship is a prerequisite for other legal entitlements, such as accessing the High Court. Note that Harris repeatedly emphasises that this is an ‘Australian’ court – it is ‘ours’, it belongs to ‘us’, it has a limited jurisdiction and applicability to ‘Australians’. However if the Australian High Court were to be constituted as part of a system of ‘justice’, then the logic and rightness of excluding anyone from access to this commonsensically universal right is less compelling, and more likely to be heard as partial and unfair.

In this next extract, Alan Cadman, a Government MP, also constructs rights as conditional rather than inherent, but in this account rights are conditional upon certain behaviour.

*Extract 3: Those who go through the proper channels will be rewarded*

1. The Migration Amendment (Excision from Migration Zone) (Consequential Provisions) Bill 2001 removes the right of permanent residency from boat people.
2. It introduces a new hierarchy of rights, a visa regime in which those who go through the proper channels will be rewarded, while those who arrive illegally will be eligible for only restricted temporary visas.  
[...]
3. People think they can get into any leaky old boat, pay some boatmen an exorbitant price to get here and then have the same rights as somebody sitting in a camp in Sudan or Pakistan.

(MP Alan Cadman, Liberal Party, House Hansard, 20/9/01, p. 31128)

Cadman constitutes the “right of permanent residency” as conditional upon ‘waiting in the queue’: “[going] through the proper channels” (2), “sitting in a camp in Sudan or Pakistan” (3). As in Harris’ speech, rights are not constituted as universal, or as inherent in individuals. However, unlike Harris, Cadman does not draw upon communitarianism as the basis for this construction of conditional rights. Rather, he appears to be drawing upon the liberal principle of equality to construct

rights as a privilege, rather than a given. Organising this account is the assumption that equal rights lead to inequality between the deserving refugees and the non-deserving asylum seekers, whilst ‘conditional’ rights are about restoring equality by ‘rewarding’ only those refugees who deserve to be here. Once again, this account also has the appearance of ‘logic’ and ‘rightness’. Those who arrive by boat are denigrated as ‘illegal’ and bogus (being allegedly wealthy based on the claim that they have paid “exorbitant sums” (3)) with the result that it seems self-evident that they should not be rewarded by being treated as having an equal status with other ‘genuine’ asylum seekers, but rather punished and refused any rights.

In contrast with the construction of rights as universal, the construction of rights as conditional accords no inalienable rights to asylum seekers, only those rights that might be bestowed or taken away by the nation state, Australia. Both these accounts analysed here refute any rights-based responsibility for asylum seekers.

*“We have the right to decide who comes here”: Hobbesian absolute sovereignty*

As well as constituting rights as conditional on citizenship and certain behaviours, Government politicians and their supporters, such as MP Prosser in Extract 4, also constructed asylum seekers as a threat, and the new asylum policies as the justifiable assertion of sovereign rights in the face of this threat. These rights, echoing the Hobbesian philosophy of absolute sovereignty, were defined as absolute, non-negotiable, bottom-line rights to protect Australian borders and citizens.

*Extract 4: Australia's sovereign right*<sup>9</sup>

1. When the UNHCR processes Afghans in Indonesia, 14 per cent are approved.
2. In Australia, the same case load has an approval rate of 84 per cent.
3. This has proven to be a people-smuggling gang's dream.
4. We hear a lot about rights in the illegals debate.
5. Here is one more: it is Australia's sovereign right to ensure that the United Nations convention is implemented, as the minister said, both responsibly and consistently.  
[...]
6. There are currently 11 people in immigration detention centres who have failed to clear the security test or who have been screened out because there are concerns about their previous activities in relation to crimes against humanity.
7. Should they appeal, it is possible that their heinous crimes have been determined as political in motivation, and it is very possible that we would have no choice but to accept them into our community.
8. I again state that we have a sovereign right as a nation to interpret the convention to protect our borders and, importantly, to protect Australian citizens.

(MP Geoffrey Prosser, Liberal Party, House Hansard, 20/9/01, pp. 31119-31120)

There's quite a lot going on in this extract, but firstly I want to focus on the ways in which Prosser constructs Australia as under threat. Initially, Prosser, as do other politicians, constitutes our soft laws as a threat (see also Chapter 3): Australia's approval rates are presented as "too generous" (1-2), a 'fact' Prosser causally links by the pseudo-scientific term "proven" to being a vulnerable target for people smuggling gangs (3). Notably contributing to this construction of a threat is the particularly negative loading of Prosser's choice of "gangs", a term often used to strike fear into the heart of white middle-class Australia through its evocation of secrecy, plots and conspiracies, violence, organised crime and general lawlessness (Poynting et al., 2004).

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<sup>9</sup> Lines one to five, and six to eight, are from the same speech, but appear five paragraphs apart. The intervening paragraphs discuss the definition of a refugee and the definition of a 'political crime', and are thus not included here.

Having established people-smugglers and Australia's soft laws as a threat, Prosser develops another source of threat: asylum seekers who have committed "heinous crimes" against "humanity" (6 & 7). In doing so, he strategically moves the threat from the border, which might ostensibly be taken as a legitimate but not necessarily immediate or overwhelming concern, and brings it into the 'community' (which, in contrast to "gangs" is a term with a high positive loading), constructing asylum seekers as a direct threat to personal safety and morality. This heightens and extends the threat posed by asylum seekers being worked up here. Again, Prosser relies on already established fears about personal safety and crime in working up asylum seekers as violent criminals.

The subtext of this account is that 'they' have been accorded too many rights at Australia's expense. Prosser constitutes 'us' as not only having a sovereign right, but also implies that, up until now, that right has been either ignored, or taken away. His claim that "we hear a lot about rights in this illegals debate" (4) implies that, so far, the only rights that have been acknowledged are those of "illegals", who, self-evidently, should not have any rights. Later he claims that "we would have no choice but to accept them" (7), again implying that Australians have been forced to act contrary to their 'own' interests in favour of the asylum seekers. The international bodies and covenants for refugees are held responsible for the imbalance between Australia's rights and those of asylum seekers, and thus are constituted as another source of threat. In both the fifth and eighth sentence, Prosser alludes to the need to interpret these conventions in a way consonant with 'Australian interests'. As I noted previously, the Hobbesian theory of sovereignty argues that states have the right to act as they see fit without interference from outsiders. Prosser reproduces this view of international politics in his account, and justifies it by

constructing international bodies and covenants as part of the threat to Australia's interests.

As is common in these debates, Prosser also constitutes this right as "sovereign". According to Dauvergne (2000) sovereign rights act as trump rights, not only in legal terms, but also rhetorically – appeals to the nation to protect itself from threat are powerful in law and have a strong emotional resonance. In constituting their policies as the assertion of 'sovereign rights', Government MPs and their supporters draw on this common place to quash other rights-based claims. By including these rights claims, together with the construction of Australian borders and citizens as under threat, the expulsion, punishment and exclusion of asylum seekers is constructed as natural and essential. As many researchers have noted (e.g. O'Doherty, 2001; Saxton, 2003; van Dijk, 2000), invoking a context of threat constitutes the Other as the aggressor, and legitimates 'defensive' actions taken against them.

In Government accounts, asylum seekers are not constituted as rights-holders. Rather, as in this next speech from Prime Minister John Howard, Australia is presented as having an absolute sovereign right, whilst refugees are people to whom we have "humanitarian obligations" (this is also discussed further in the section on humanitarian discourse). In this speech, Howard acknowledges the two contradictory common sense norms of humanitarianism and sovereignty, but these are not treated as equally valid for the case at hand. He orients to the normative value of humanitarianism (and international cooperation) by mentioning it while using the assumption of sovereignty as a justification for his Government's policies (Potter & Litton, 1985).



*Extract 5: The undoubted right of this country to decide who comes here*

1. From the very beginning Australia has sought on all occasions to balance against the undoubted right of this country to decide who comes here and in what circumstances, a right that any other sovereign nation has, our humanitarian obligations as a warm-hearted decent international citizen.

(Prime Minister John Howard, Liberal Party, House Hansard, 27/8/01, p. 30235)

As in the previous extract from Prosser, sovereignty is constructed as an absolute, all-encompassing right in relation to the Australian borders. Howard presents this right as unchallengeable by affirming it as both “undoubted” and through a consensus warrant: “a right that any other sovereign nation has”. In contrast, Howard makes no reference to asylum seekers bearing rights or entitlements. Rather, he works up a relationship in which Australia retains the power to define what asylum seekers will receive and when, dependent on how we define the vague notions of “balance”, “humanitarian obligations”, “warm-hearted” and “decent”. Howard thereby works up asylum seekers’ claims as less compelling than Australia’s (“undoubted”) sovereign rights. In attributing rights to the nation but not to asylum seekers, the debate about asylum seekers is framed as one in which only Australia possesses rights, and therefore only Australia and Australians are entitled to have their claims heard.

John Howard pursued a similar strategy in relation to category membership entitlements in his Address to the Nation in which he introduced his Wik Ten-Point Plan. In their examination of this speech, LeCouteur et al. (2001) demonstrate how the categories of Indigenous Australians and farmers were constructed in order to dismiss Indigenous Australian’s claims to land rights. The category of farmers was represented as the symbolic expression of Australian-ness, as positive, productive

and socially beneficial. They were described as important to the future of our country in terms of their generation of wealth, which was tagged as the source of assistance for the less fortunate (implicitly, in this speech, the indigenous communities). Their claims on the land and on the government were positioned as indisputable and compelling. By contrast, ‘Aboriginals’ were constructed as passive, inactive and unproductive. Their relationship with the land was represented as a ‘special affinity’ that did not contribute to wealth production. Their claims to a place in the negotiation over land could thus be dismissed as less compelling and indisputable than the entitlements of the farmers. By prefacing his policy of the severe restriction of indigenous land rights with the above categories, Howard paved the way for these changes to be seen as normal, obvious and right, whilst preserving a positive presentation of his government, and effectively removing the claims of Indigenous Australians from serious consideration in the debate.

Howard achieves the same goal in relation to asylum seekers through his presentation of asylum seekers’ claims as a less compelling and indisputable “humanitarian obligation”, an obligation he presents in emotional, rather than legal, terms, unlike Australia’s “undoubted” sovereign rights. As an “obligation” rather than a right, this is clearly a less pressing concern, and, as noted, one that is defined by Australia, and which is eminently flexible, unlike legally established rights claims.

### *Challenging absolute sovereignty*

In the extracts above, sovereign rights are defined as a broad and absolute right to: “protect our borders and...protect Australian citizens” and “decide who comes here and in what circumstances”. In the debates on asylum seekers, the

assertion of this right to protect borders and citizens was used as a catch-all phrase to justify and legitimate acts such as mandatory detention, engaging the navy to tow vessels entering Australian waters back out to sea and excising numerous islands from the migration zone (Mares, 2002). As noted, this is a Hobbesian view of sovereignty as all encompassing, with no compelling moral limits on its treatment of those who are not members of the nation-state.

The constitution of sovereign rights as absolute is not, however, taken up as unproblematic. Refugee advocates re-defined sovereign rights, challenging both their extent and applicability. In Extract 6 below, Senator Greig defines sovereignty as a right to regulate the entry of migrants, but not asylum seekers, because they are not migrants.

*Extract 6: Refugees...are not migrants*

1. The bills arise from the expressed desire of the government to control migration.
2. Controlling migration is not problematic: it is well established in international law that sovereign states have the right to regulate entry into and residence of non-nationals into their own territory.
3. Refugees, however, are not migrants.

(Senator Brian Greig, Australian Democrats, Senate Hansard, 24/9/01, p. 27721)

Greig represents Australia as having a “right to regulate entry into and residence of non-nationals into their own territory” (2). He, too, is acknowledging the commonplace of sovereign rights. However, Greig goes on to limit the sovereign right to control migration to non-refugees (3). In this argument, he uses the commonplace, current since World War II, that refugees are owed a special duty of care – they are not merely people seeking entry into Australia, but who need to be re-

settled for their protection and survival. Thus sovereign rights in this account are presented as legitimately constrained by this responsibility for people in need.

The differentiation of refugees and migrants challenges the conflation of these categories elsewhere in this debate. For example, this conflation is implicit in Extract 5 where PM Howard claims that Australia has the “right...to decide who comes here”, without differentiating between those who come here as immigrants, and those who come here as refugees or by boat as asylum seekers. The conflation of these groups makes ‘immigration control’ appear as a self-evident good. Conversely, differentiating these groups allows Greig to argue that asylum seekers are a distinct category of people with different entitlements under the law. This is an example of the ‘politics of categorisation’ at work in these debates.

In this next extract, MP Tanya Plibersek also places limits on sovereign rights by re-defining them as a more modest right to carry out health and security checks before allowing asylum seekers to enter the community.

*Extract 7: We need to process people as quickly as possible*

1. Australia has, as every other country has, an absolute right to make sure that people who are coming into the country are no threat to the community: that they pose no health risks and that their character is good.
2. But once these things have been established we need to process people as quickly as possible and have them living in the community where they can start to be productive members of the Australian community.

(MP Tanya Plibersek, ALP, House Hansard, 23/8/01, p. 30101)

In this account, Australia’s “absolute right” is constituted as a right to protect citizens from potential threat. However, the threat asylum seekers pose in this account is not the same as the threat worked up in Prosser’s account earlier.

Plibersek concedes that checking for health and character risks is necessary, however she does not devote a large part of her account to establishing that asylum seekers, are, by their very nature, threatening. Rather, asylum seekers are constructed as potential contributors to the community, not national threats. As potential community members, it is natural and right that they be detained only briefly in order to undergo health and security checks before being released into the community.

This is also a counter to the claim, made by politicians such as Senator Harris (Extract 2) that asylum seekers have no rights as they are not citizens. In Plibersek's account, asylum seekers have rights based on their potential citizenship. As Dauvergne (1999; 2000) notes, citizens' rights are the most extensive and compelling under the law. As I noted in my review of Dauvergne's work on judicial decision-making, judges categorised asylum seekers as 'aliens' to justify the erosion of their rights by conceptually distancing them from this category of 'citizen' (Dauvergne, 2000). Advocates such as Plibersek challenge this discursive removal of asylum seekers' humanity and rights by re-categorising them in ways that close this gap between 'aliens' and 'citizens', thus arguing for asylum seekers to receive the same entitlements accorded to citizens.

### *Summary*

In the Australian parliament, refugee advocates constituted asylum seekers' claim on Australia as one based on rights – both a particular right to seek protection and universal human rights. The Government was criticised for violating these rights. The Government and its supporters also drew upon a rights discourse, however, they constituted rights as conditional upon citizenship and 'waiting in the

queue'. The most common assertion of rights was as 'sovereign rights', constituted as an absolute right to protect Australia from the threat posed by asylum seekers.

Although sovereign rights act as a 'trump' card, advocates did not allow the constitution of these rights as absolute to stand as unproblematic. They acknowledged sovereign rights, whilst limiting these to migrants and to conducting brief health and security checks.

Both Bourne and Howard, in the extracts above, also drew upon a discourse of humanitarianism. The next section examines the various constructions of humanitarianism in these debates, and the ways in which these constructions were mobilised to either establish or deny an obligation towards asylum seekers.

### **Humanitarianism in the Australian parliament: Analysis and discussion**

As discussed previously, in liberal political philosophy there are two competing liberal claims that are drawn upon in constructing the obligations and limits of humanitarianism. The first, which is emphasised in religious teachings, is a moral imperative to assist others by virtue of their shared humanity. The second is the principle of individualism that limits the duty to assist others to situations where the cost to one's self is small.

It seems that accounts of humanitarianism either emphasise the liberal principle of individualism (minimal cost to the self) or the contrasting principle of a duty to assist others. On this basis, they might be considered to be either 'self-centred' or 'other-centred'. In analysing the accounts of humanitarianism in the Australian parliamentary debates on asylum seekers, I differentiate between the construction of a self-centred humanitarianism (a 'reasonable' and 'bureaucratic' humanitarianism) that is focussed primarily on the costs to the self/nation and an

other-centred humanitarianism that is primarily focussed on the needs of asylum seekers. In the following sections I examine these constructions of humanitarianism and their implications for asylum seekers.

*A 'reasonable' humanitarianism*

Extract 8 is from one of Prime Minister Howard's speeches on his Government's response to the *Tampa* (part of which was extracted earlier, see Extract 5). Several interdependent threads converging around humanitarianism appear in this extract: a version of self/Government as humanitarian; the problematisation of an other-centred humanitarianism as impractical and dangerous; and the construction of a 'reasonable' humanitarianism with the consequent version of self and Government as both humanitarian and practical. Although these threads are mutually supportive and interwoven, for clarity I consider each separately below.

*Extract 8: Our humanitarian obligations as a warm-hearted, decent international citizen*<sup>10</sup>

1. We have indicated to the ship's captain—and we have also indicated this to the Norwegian authorities and to the Indonesian government—that Australia stands ready to provide any humanitarian assistance that may be required on the vessel, including the landing of food and medical supplies and the provision of a doctor or doctors or paramedics, if that is necessary. [...]
2. This is a very difficult and sad situation.
3. From the very beginning, Australia has sought on all occasions...to balance against the undoubted right of this country to decide who comes here and in what circumstances, a right that any other sovereign nation has, our humanitarian obligations as a warm-hearted, decent international citizen.
4. Australia has a record in relation to caring for refugees of which every member of this House should be proud.
5. No nation in the last 50 years has been more generous or more decent in

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<sup>10</sup> I have removed several sentences from this extract which were not relevant for this analysis, i.e. where Howard discusses issues that do not pertain directly to his representation of humanitarianism.

relation to refugees than has Australia.

[...]

6. But that does not mean that we are abandoning in any way our right to decide who comes here; nor shall we ever abandon our right to refuse to allow people to be landed in this country in circumstances where that would not represent the best so far as Australia's national interest is concerned.  
[...]
7. I hope that, amongst other things, it sends a message to people smugglers and others around the world that, whilst this is a humanitarian, decent country, we are not a soft touch and we are not a nation whose sovereign rights in relation to who comes here are going to be trampled on.

(Prime Minister John Howard, Liberal Party, House Hansard, 27/8/01, p. 30235)

Firstly, I'll examine how Howard does a version of self/Government as humanitarian. In the first sentence, Howard presents himself and his Government as the initiators of, rather than responding to a request for, humanitarian assistance ("We have indicated ... that Australia stands ready to provide any humanitarian assistance...."). This allows for the implication that they are willing, thoughtful and actively engaged in finding solutions to this situation (more so than the Norwegians or Indonesians who have not initiated this assistance). His reference to Norway and Indonesia does some subtle work in constituting himself and his Government as humanitarians: Howard maintained throughout this debate that the asylum seekers were the responsibility of Norway (the *Tampa* was a Norwegian vessel) and Indonesia, where the *Tampa* was originally headed before turning back to Australia (Marr & Wilkinson, 2003). In such a context, to offer assistance constructs him and the Government as especially generous – even though this ship is not his responsibility, Howard has nevertheless offered to help.

In line 2, Howard continues to build a version of himself and his Government as humanitarians. By prefacing his defence of the decision to keep the *Tampa* from landing in Australia with "This is a very difficult and sad situation", Howard presents



himself as concerned and caring, and his decision as one which has taken into account all perspectives (“difficult”). As Tilbury (1998) notes, displaying the thought process behind one’s decision presents that decision as rational and reasonable, both valued subject positions in Western liberalism. “Sad” characterises the situation as one that evokes an emotional response, and characterises Howard as a man in whom it evokes an emotional response. His use of an emotion category here displays an orientation towards empathy as a normative response to refugees and asylum seekers.

In the next line he does a version of self and Government in which they respond to this sad situation. His claim that “From the very beginning, Australia has sought on all occasions...” (3) once again positions himself and his Government (and the Australian nation) as ‘more than sympathetic’ – they have responded from the very beginning, and have done so on all occasions. It is implied through these extreme case formulations that we have done more than could reasonably be expected of us, again, constituting Howard and his Government as ‘more than generous’.

His following formulation of ‘rights’ and ‘obligations’, weighted heavily in favour of the compelling nature of sovereign rights, also works to position his and his Government’s actions as more than generous – they have sought to balance what in effect are unequal claims, which again presents them as going above and beyond the call of duty. He continues in this vein in the next lines by constituting Australia’s record as the ‘most generous’, again implying that we are humanitarian because we have done more than could be expected of us.

However, humanitarianism, in the form of allowing the asylum seekers into Australia, is also problematised in this account, by presenting it as having a

significant, and detrimental, impact on the nation. Howard does this in two ways. Firstly, a further implication of “sad” is that humanitarianism, by virtue of its inherent emotionality, places obligations on Australia/ns that are not limited by ‘rational’ concerns (a similar argument to that pursued by the repertoire “soft touch” explored in Chapter 3). Secondly, Howard presents humanitarianism (in the form of allowing the asylum seekers into Australia) as against the national interest, implying that the dictates of humanitarianism are being used against ‘us’ to constrain ‘our’ rights. As in Extract 4 from MP Prosser’s speech, Howard draws upon a common theme in these debates that Australia has been forced to help others to its own detriment, thereby becoming a “soft target” for people smugglers who ‘trample on’ our rights. By working up the entry of the asylum seekers into Australia as a violation of Australia’s rights, and as creating an opportunity for people smuggling, Howard frames ‘letting them in’ as a violation of the liberal principle of individualism, which holds that there is a duty to others, but only where the cost to one’s self is small.

This problematisation of an humanitarianism which would ‘let them in’ is used to develop two types of humanitarianism – one that is unreasonable, impractical and threatening, and one, worked up by Howard, that is ‘balanced and reasonable’. In the first line, Howard gives a clear indication of what may be considered ‘reasonable’ humanitarianism – the provision of food and medical supplies to the *Tampa*. Allowing the asylum seekers into Australia to make their case for refugee status is explicitly excluded as a humanitarian duty and positioned as ‘unreasonable’ humanitarianism. Howard’s version of an ‘unreasonable’ and ‘reasonable’ humanitarianism allows him to ‘do’ a version of self as humanitarian whilst in

practice he denies those on board the *Tampa* the opportunity to have their claims for protection processed in Australia.

*A 'bureaucratic' humanitarianism*

Those supporting the new asylum seeker laws, such as Senator Hill in Extract 9, also formulated a 'bureaucratic' humanitarianism. This presents humanitarianism as 'accepting a fair share' of the international refugee population. Once again, an other-centred humanitarianism focussed on the needs of refugees is positioned as unreasonable and impractical.

*Extract 9: A fair share of the burden*

1. Australia has a generous and orderly humanitarian program.
2. We allow some 12,000 individuals to enter Australia every year on humanitarian grounds.
3. We do it because we are sensitive to the needs of those who are suffering from state-based persecution and we are prepared to play our part within the international community to provide refuge to a reasonable number of such people.
4. We all know across the globe there are millions of such people who fit these categories today.
5. What can be expected of Australia is that it accepts a fair share of the burden, and we believe that about 12,000 individuals per year is a fair share.

(Senator Robert Hill, Liberal Party, Senate Hansard, 29/8/01, p. 26974)

This extract is part of a longer speech in which Hill defends the bill before the Senate – the *Border Protection Bill 2001* – which sought to retrospectively legalise the SAS's boarding of the *Tampa* and the subsequent removal of the asylum seekers

to Nauru<sup>11</sup>. As part of this, Hill, as do so many others in this debate (and in similar debates overseas, see Sedlak (2000) as an example), presents Australia as “generous” towards refugees and asylum seekers (1-2). This acts as a prolepsis against claims that these new laws are not generous, or humanitarian.

The defence of Australia as a humanitarian nation is continued in the third line in which Hill attributes Australia’s migration program to our sensitivity to the needs of refugees (whom he categorises as “those who are suffering from state-based persecution”, an issue I take up later). However, a refugee program that aims to meet the needs of refugees leaves Hill open to the criticism that Australia’s program does not meet those needs, evidenced by the arrival of people seeking on-shore asylum. To avoid this, Hill introduces another motive for having a refugee program – the need to “play our part” in the international community. This allows him to make the needs of refugees only one consideration in humanitarian assistance, and to put forward an alternative formulation of humanitarianism as a “fair share of the burden” between countries in the international community – in other words, humanitarianism is the distribution of a burden, not in order that all in need receive places, but so that all countries take roughly equal numbers.

As I noted in the previous chapter, the liberal ideal of an international community working cooperatively may also be used to deny, rather than proscribe, a responsibility towards asylum seekers. Hill’s extract is a good example of this. He formulates this responsibility not as open-ended duty to alleviate suffering, but as a

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<sup>11</sup> Nauru is an independent, but impoverished, island nation in the Pacific Ocean. The Howard Government agreed to increase its aid to Nauru in return for detaining the asylum seekers on the island whilst they were processed by the UNHCR. The ambiguous legality of the SAS boarding and the removal of the asylum seekers to an island that was not part of Australia’s national territory (not to mention the ethical ambiguity of the ‘aid’ deal, and the obvious comparisons between Australia’s and Nauru’s comparative wealth, stability and capacity) prompted the Government to attempt to ‘legalise’ these past actions and pave the way for similar actions in the future (Marr & Wilkinson, 2003).

‘practical’ and ‘fair’ burden-sharing exercise. Appeals to ‘practicality’, which characterise both the repertoires of ‘reasonable’ and ‘bureaucratic’ humanitarianism, draw upon a commonplace in Western liberal thought, and in debates about race, immigration and asylum seeking, that ‘you have to be practical’. Wetherell and Potter (1992) examine the use of this argument in white New Zealanders talk about Maoris, and its usefulness for positioning Maori claims as unreasonable and excessive. It is used here in the same way, to given an air of logic and rightness to the claim that Australia’s new laws are practical and necessary, rather than restrictive and oppressive.

Hill continues to present Australia’s quota of 12,000 refugees per year as fair and generous in line 4. Although in the previous line he has implied that need and ‘fair share of the burden’ are equal considerations in a refugee program, in this line he works up the needs of refugees to be an unreasonable measure of generosity – no one could expect that Australia could re-house “millions”. As did Howard, Hill relies here on the liberal principle of individualism, representing the cost of helping refugees as ‘too high’ and therefore not justifiable.

What is striking about this account of Australia’s humanitarian obligations is its focus on numbers. Hill quantifies humanitarianism as “some 12,000 individuals” (2) and “about 12,000 individuals” (5). He constitutes this 12,000 as “reasonable” (3) and “fair” (5). Hill does not use terms such as ‘refugees’ or ‘asylum seekers’. He categorises refugees (without ever referring to them as such) as those “suffering from state-based persecution” (3), and later as “such people who fit these categories” (4). There is a marked lack of personalisation or humanisation in this account that complements Hill’s constitution of humanitarianism as a burden-sharing exercise,

rather than a response to human need. Hyndman (2002) has called this kind of quantification ‘semio-violence’. She finds that:

Despite occasional alarming images of displaced people in states of extreme starvation or desperation, these groups are often dematerialised into refugee statistics or homogenized and silenced under the rubric of voiceless refugees (Hyndman, 2002, p. xxii).

By referring to the asylum seekers in bureaucratic and dehumanised terms the Government is able to conceal the moral significance of the detention and exclusion of asylum seekers. De-humanising removes asylum seekers as potential subjects of moral demands, removes any claims to a cause, or a just grievance, in fact removes any claims to subjectivity whatsoever. Corlett (2002a) sees this as the negative potential for modernity, the dark side of bureaucratisation. He also sees it as a highly effective way to promote social indifference, particularly in hiding asylum seekers from public eyes and thus preventing others from feeling empathy and connection by removing them from the ambit of moral obligation. Without this indifference, the plight of the asylum seekers might more readily have been subject to moral evaluation and a morally motivated response. This formulation of bureaucratised humanitarianism is an effective strategy for marginalising alternative formulations of refugees as people in need, and of humanitarianism as a duty to respond to this need.

#### *Humanitarianism and the ‘greatest need’*

As noted previously, there is a commonplace within liberalism that there is an obligation to help those who are in need. In the previous two sections, I examined how Government politicians managed this obligation by dismissing ‘need’ as a reasonable basis for Australia’s refugee program. As well as this, Government ministers and their supporters also managed this issue by differentiating ‘asylum

seekers' from 'refugees in the camps'. They constructed the former as 'not in need', whilst the latter were represented as having the 'real' need and therefore as the legitimate beneficiaries of humanitarian aid. This need was most often defined in socio-economic terms: asylum seekers were constructed as wealthy (on the basis that they had paid people smugglers) whilst those in the camps were contrastingly constructed as poor (on the basis that they could not afford to pay people smugglers). This differentiation of 'wealthy asylum seekers' and 'poor refugees in the camps' allowed the Government and its supporters to justify the new asylum seeking laws as cracking down on undeserving 'wealthy asylum seekers' (and thereby acting as a prolepsis against advocates' claims these bills were inhumane), whilst preserving a positive image as 'humanitarian' by presenting themselves as concerned for the 'poor refugees in camps'. It also conversely positions the refugee advocates as non-humanitarian because they support the less deserving boat people.

An example of this is the extract below from MP Causley's speech on the migration legislation amendments.

*Extract 10: Compassion for the people who are missing out*

1. The opposition talk about having compassion.
2. Let us talk about compassion for the people who are missing out: the people who are in dreadful refugee camps with no money and with no possibility of getting through the process for entry for this country.
3. Yet we allow people to come in on boats as refugees.

(MP Ian Causley, Liberal Party, House Hansard, 19/9/01, p. 30976)

In this account, Causley undermines advocates' calls for the Government to display compassion towards the asylum seekers arriving by boat, not by dismissing this as unreasonable and impractical, but by presenting their compassion as

misguided and misplaced. Thus, Causley does not dispute that compassion towards others is important, but disputes who should rightfully be the target of this compassion. He thereby positions himself as compassionate, and then goes on to present his compassion as more legitimate than that of the advocates (“the opposition”).

To do this, Causley constructs two contrasting groups. The first, the people in the camps, is vividly described in terms presenting them as highly disadvantaged using a persuasive three part list: they are “missing out”, they are “in dreadful refugee camps with no money” and they have “no possibility” of entering Australia through its migration program (2). In this account, it is these people in the camps who are presented as indisputably requiring help.

People arriving by boat are not worked up in vivid detail, but, by an implicit contrast with the previous line 2, are able to be presented as ‘not in need’. Causley can allow this minimal description in line 3 to do a lot of work in this extract without detailing the differences between the two groups, because of the commonplace in these debates that those arriving by boat are bogus criminals or terrorists using their substantial wealth to cheat their way into Australia.

The comparison of unworthy onshore asylum seekers and worthy refugees overseas was a common strategy in these debates. As Corlett (2002b) notes, Philip Ruddock repeatedly claimed that the boat arrivals were ‘stealing’ the places of the ‘the most vulnerable refugees’. Ruddock, along with Causley above, claimed that Australia wasn’t obliged to assist those people who had resources to come to Australia because there were others who did not have similar resources who were more deserving.



This of course obscures another possible comparison between ‘refugees’ and ‘Australians’, a juxtaposition by which all refugees, those arriving by boat and those in the camps, are deserving by virtue of their comparative poverty and quality of life. Carens (2000, p. 642) points out that one of ways in which those in power maintain their privileges is by generating a focus on “the potential tradeoffs between those who are badly off and those who are worse off, thereby treating their own privileges as a background that cannot be challenged”.

In another common pattern, Causley also shifts the responsibility for the suffering of those ‘in the camps’ to the asylum seekers arriving by boat, and to the advocates urging the Government to allow them into Australia. Causley claims the people in the camps are missing out is because “we allow” these bogus refugees, who aren’t in need, to take up all our places and our humanitarian resources, leaving nothing left for the truly deserving beneficiaries. According to Corlett (2002b, p. 314) this argument obscures the fact that the most vulnerable refugees are in the camps not because they lack the resources to pay people smugglers, but because “of a variety of factors, some of which are within the powers of the world’s wealthiest countries to change, but all of which are beyond the control of onshore refugee applicants”. These types of accounts, of which Causley’s is representative, effectively gerrymander the debate to manage Australia/ns accountability for the circumstances of the refugees, and any responsibility arising from this.

#### *An other-centred humanitarianism*

In contrast to the reasonable, bureaucratic accounts of humanitarianism, which focussed on working up the costs to the self/nation of accepting refugees, advocates have an ‘other-centred’ focus, emphasising the liberal duty to help those in

need. As I noted earlier, particularly in relation to the extract from Senator Hill, the Government's portrayal of this issue in bureaucratic terms was an effective way of removing asylum seekers from the ambit of moral responsibility. Advocates responded to the portrayal of the asylum seeker issue as a 'practical' and 'bureaucratic' problem, by representing the issue as a moral and emotional one.

To do this, advocates drew upon three types of discursive resource. The first was Christianity. As noted, the value placed on helping others is not only present in liberal philosophy and thought, but is also a central component of the West's Judaeo-Christian heritage. Some advocates drew upon Christianity as a way of re-framing the response to asylum seekers as a moral issue, as in this example.

*Extract 11: The Christian reaction*

1. Certainly, the Democrats, along with everybody else, hope that a solution can be found to this situation as immediately as possible, but I think a lot of the damage has already been done by the actions of the Australian government.
2. Let us look at many of the people who have been criticising the government for their response, including just recently the Archbishop of Adelaide, Archbishop Philip Wilson, who has pointed out that this is a human problem and that the Christian reaction to this situation would be to care for and assist these people in need.
3. Let us recognise that it is not just a legalistic argument; this is an issue of humanity.
4. As Andrew Clennell said in the Sydney Morning Herald today, it may or may not be legal what the government has done, but it certainly is very dubious morality that is involved here.
5. I think it is that principle that we should be putting high on the agenda.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 28/8/01, p. 26784)

In this extract, Christianity is drawn on to work up a criticism of the Government's response to the *Tampa* as un-Christian (2), and thereby accountable. Christianity is also drawn upon here to undermine the Government's claim that this

issue is about laws, as ‘too narrow’ and ‘missing the point’: “Let us recognise that it is not just a legalistic argument; this is an issue of humanity” (my emphasis).

Although the Government present their position as legal, and therefore justified and legitimate, Bartlett introduces morality as another criteria for evaluating their actions, a criteria which he presents as equally if not more important than legal concerns. To do this he uses two consensus warrants of people of high standing, particularly the Archbishop, who’s standing as an ‘expert authority’ gives the argument about the importance of Christian values in responding to refugees its legitimacy and robustness.

The second discursive resource relied upon by advocates to portray the issue of asylum seeking as a moral one and to undermine the Government’s emphasis on individualism and costs to the self/nation, was to present a concern with individual wellbeing as ‘easy’ in comparison with the ‘hard’ moral path of overcoming selfishness. An example of this is Extract 12 below from Senator Cooney.

*Extract 12: It would have been easy but she had decency and compassion*

1. We are hitting these people hard because we do not like them and because they are a threat to our lifestyle, a threat to the sort of country we like to think we are in.
2. I am very happy with the way things are, and I do not want things to change, but I hope I have some sort of regard for others.  
[...]<sup>12</sup>
3. Swaggies or tramps or whatever you want to call them would come and knock on the door and people used to say, ‘You should not give them these things, Mrs Cooney, because they might be thieves or have criminal records or all sorts of things.’
4. I remember that she used to say, ‘Look, they might be all those things, but they might also be returned soldiers from the First World War’—and many of them were—‘but in any event they are all human beings.’
5. Just because they were down on their luck, just because the dust was blowing in their faces and they had nowhere to go to hide from it, just

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<sup>12</sup> I have removed a paragraph in which Cooney digresses to talk about his childhood.

- because they did not have enough food and their clothes were worn and they did not have money, they were, nevertheless, human beings.
6. A lot of them went on to become soldiers in the Second World War.
  7. All I am saying is that it is very easy to judge people and to turn away.
  8. It would have been very easy for my mother to slam the flywire screen, to shut the door in their faces and say, 'We have got rid of that undesirable.'
  9. That would have been easy enough but she had decency and compassion, and an understanding of what human nature ought to be about and of what we ought to do, and she did it.
  10. She had every justification to turn them away.
  11. Others turned them away, but she did not.
  12. That left a big impression on me.

(Senator Barney Cooney, ALP, Senate Hansard, 24/9/01, p. 27709)

In the first sentence, Cooney paraphrases the Government's claim that asylum seekers "are a threat to our lifestyle" and "country" in order to undermine it. His concession/criticism ("I am happy with the way things are but I hope I have some sort of regard for others" (2)) is the opposite of those made by Government ministers. Cooney concedes that the 'cost to one's self' (changes to the 'ways things are') is an important consideration. However, he also presents this concern for preserving "the ways things are" as leading to harsh actions towards asylum seekers ("we are hitting these people hard" (1)) and as based in less legitimate feelings of dislike and fear ("we do not like them because they are a threat" (1)). Cooney's choice of "lifestyle" in the first line, rather than the 'national interest' used in Howard's account earlier, is significant. Whilst 'national interest' presents the costs of 'letting them in' as nationally significant (see Chapter 5 for an analysis of national discourses), Cooney downgrades the costs to those which might affect our 'lifestyle', which allows for the inference that the costs are lower and of less consequence than the Government claims.

Rather than being concerned with the cost to one's self, Cooney emphasises the liberal principle that people owe a duty of care to others. In lines 3 to 6 he goes

on to develop this idea of regard for others, what it means and where it comes from, through a description of his mother's charitable acts towards swaggies. However, this account performs a lot more work than a description of his mother's compassion for swaggies during the Depression. It functions as an analogy for the situation of the asylum seekers – there are obvious parallels being made here between people refusing to give food to swaggies because they were “thieves” and the present rejection of asylum seekers. This extract is designed to undermine opposing claims in the debate about asylum seekers that Australia is justified in excluding them because they may be criminals.

In the third line is another concession/criticism. Cooney, through the active voicing of his mother, concedes “they might be” thieves and criminals, but they might also be returned soldiers. This works up an alternative categorisation of these tramps as soldiers-down-on-their-luck, a category that has an unambiguous entitlement to care and assistance. These entitlements are not only incumbent upon their status as returned servicemen. Cooney also presents their situation as not of their own making, but as a result of the Depression. As I noted in Chapter 3, constructing a person's situation as the result of factors beyond their control excuses them from any personal responsibility for their actions and establishes others as responsible for assisting them.

However, the claim that Australia/ns bear a responsibility towards tramps/asylum seekers based on a re-categorisation of them as soldiers-down-on-their-luck may present problems for Cooney's argument, as it constrains a compassionate response to certain groups and not others, in the same way that those who want to justify not giving food to tramps divide them into deserving and non-deserving criminals and thieves. This account on its own leaves room for a counter-

claim that some tramps/asylum seekers are ‘not deserving’, thereby once again undermining any responsibility towards them. Orienting to this, Cooney (again through the active voicing of his mother) offers another source of obligation towards the swaggies – “they are all human beings” (4). Unlike his construction of some swaggies as potential ex-servicemen, this categorisation includes all the men seeking assistance, leaving much less room for potential challenges. The entitlements to compassion and care attached to this category of ‘human being’ draws upon the commonplace understanding of humanitarianism as a duty to other people by virtue of our shared humanity.

Having worked up the true identity of the swaggies/asylum seekers, and thereby presenting compassion and care as the appropriate response to them, Cooney then undermines the Government’s presentation of a concern for the self/nation as practical and reasonable and their presentation of a concern for others (in the terms in which refugee advocates understand this) as threatening and unreasonable. In Cooney’s account, these subject positions are re-cast. A concern for the self/nation is constructed here as: easy (7 & 8); a judgement based on external appearances (5 & 7); following the crowd rather than making an individual decision (3 & 11); and as fallacious (3-6). Given the high value placed on rigorous, rational thought in western liberal democracies, and the concomitant de-valuing of group-thinking and stereotyping as irrational and unreasonable (Wetherell & Potter, 1992) these particular representations are useful in undermining the justifications for excluding swaggies/asylum seekers employed by the Government.

In contrast, Cooney also works up assisting others, rather than being concerned with the self, as the ‘better’ or ‘higher’ alternative. In comparison to those taking the easy path of following the crowd and judging people on their external

appearance, is Cooney's mother, who does the opposite. She doesn't follow the crowd, she looks beyond the swaggies external appearance of poverty and destitution to see the humanity underneath. She is described as having "decency and compassion" as well as an appreciation of morality, of "what we ought to do". The other-centred humanitarian in this account also displays strength of character – Cooney's mother not only knew what to do, she acted upon these principles, and acted on them despite the majority opinion against assisting them.

Refugee advocates also undermined the Government's claims that an other-centred humanitarianism is irrational, subjective and potentially dangerous by representing emotion as the most appropriate response to asylum seekers. As noted earlier, John Howard oriented to this in his description of the situation of those on board the *Tampa* as "sad", then went on to problematise emotion as a basis for 'letting them in'. Similarly, Senator Hill problematised 'need' as an appropriate basis for a refugee program by presenting this 'need' as overwhelming and unlimited. Advocates on the other hand problematise responses that are not emotional in the context of an humanitarian discourse that positions emotions as the most appropriate response towards asylum seekers. Two examples of this are in Extracts 13 and 14 below.

*Extract 13: Who will have the heart that this government does not have*

1. Has the government got any measurement of the damage being done to Australia's international reputation by this stand-off in which Australia washes its hands of responsibility for these poor people aboard that ship while insisting that other countries such as Indonesia and Norway determine who will have the heart that this government does not have and take them?

(Senator Brown, Australian Greens, Senate Hansard, 28/8/01, p. 26771)

*Extract 14: A race to the bottom to see who can be the most hard-hearted*

1. It generates great concern on the part of the Democrats and many other people in the Australian community who believe that there is not just an obligation but indeed a real necessity to ensure that public policy measures are informed by morality and humanity and that we do not adopt the policy approach, the political approach, that involves a race to the bottom with other countries around the globe to see who can be the most hard-hearted, who can treat asylum seekers the harshest, as some sort of suggested way to stop them from arriving here.

(Senator Bartlett, Australian Democrats, Senate Hansard, 28/8/01, p. 26785)

In refugee advocates' accounts such as these, an emotional response to asylum seekers (having a "heart") is not presented as irrational, as it was in the accounts of those supporting these bills extracted earlier, but as appropriate, normal and necessary. The failure to respond with "heart" is conversely positioned in negative terms, for example, in Bartlett's comparison of "measures informed by morality and humanity" and "the political approach that involves a race to the bottom". As in the extract from Cooney earlier, an other-centred humanitarianism is presented positively, whilst the Government's approach to asylum seekers is presented as immoral and lacking compassion.

However, advocates face a difficult challenge to present an other-centred humanitarianism as the most morally appropriate response to asylum seekers. As demonstrated earlier, the moral standards humanitarianism requires are shaped by the competing values of individualism and universalism. Government ministers and their supporters, by working up humanitarianism (in the form of allowing asylum seekers into Australia, allowing them access to the courts or to permanent visas) as impractical, unreasonable and against the national interest, managed to limit the requirements of humanitarianism to providing food and medical supplies to the



people on the *Tampa*, to the refugee intake of 12,000 each year and to ‘those in the camps’, rather than the asylum seekers.

The success of arguments emphasising the costs to the nation of ‘letting them in’ is in part due to the prevalence of the fear that there are millions of individuals wanting to become members of wealthier societies like Australia. There is a common conception of humanitarianism as placing limitless obligations upon people in wealthy nations, given the extent of the unequal distribution of health and wealth across the world (Goodwin-Gill, 1989). In this political climate, it is relatively easy to present the breaking point of the host country as imminent, and even the current levels of immigration as threateningly high, in order to invoke the spectre of gross incursions on individuals’ quality of life. Arguments reproducing the liberal/Christian value of a ‘duty to assist others’ can be easily dismissed as impractical and excessive in this political context.

## **Conclusion**

In this chapter, I examined the multiple constructions of rights and humanitarianism in liberal political theory and the reproduction of these in the Australian parliamentary debates. Advocates reproduced an understanding of rights as universal, and used this to construct asylum seekers as having a rights-based claim on Australia and to hold the Government accountable for not upholding these rights. Government politicians and their supporters, however, drew upon liberal theories of communitarianism and Hobbesian absolute sovereignty to construct rights as conditional upon citizenship and ‘waiting in the queue’, and sovereign rights as absolute bottom-line rights to protect citizens from the threat posed by asylum seekers.

Advocates and the Government also produced different versions of humanitarianism, emphasising either the liberal principle to assist others in need, or the opposing principle that assistance is only justifiable when the cost to one's self is small. Advocates presented assisting asylum seekers and responding to them with emotion as morally appropriate and natural, and criticised the Government for failing to show the requisite 'heart', whilst the Government constructed a 'reasonable' and 'bureaucratic' humanitarianism that worked up re-settlement as an unreasonable claim and the current program of 12,000 admissions as 'a fair share of the burden'.

These two discourses do not operate on a level playing field. As noted, sovereign rights and human rights, and the competing principles of individualism and a duty to assist those in need, were not equally available discourses in these debates. Advocates arguments based on human rights and on an other-centred humanitarianism were trumped by sovereign rights and the presentation of 'letting them in' as costly and against the national interest.

In the next chapter, I continue to focus on the ways in which advocates and the Government proscribe or deny a responsibility towards asylum seekers, this time through constructions of the nation and the national interest.

## *Chapter 5: Constructing the nation and the national interest*

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In the previous chapter, I considered how politicians on both sides of the debate worked up Australia's responsibilities towards asylum seekers through constructions of rights and humanitarianism. As part of that, I examined constructions of sovereign rights, which generally included a representation of Australia as 'under threat'. This was exemplified in the extract from MP Prosser's speech, in which he worked up Australia as vulnerable to "gangs" of people smugglers and asylum seekers who had allegedly committed "heinous crimes against humanity". This construction of the nation as under threat was a recurring theme in the speeches of Government ministers and their supporters. This is not unusual: framing the issue of asylum seekers as a national crisis, or as a national invasion, has been a central feature of elections and public debate in other countries such as the UK (Lynn & Lea, 2003) and Canada (Hier & Greenberg, 2002).

The ubiquitous use of national discourses in debates about asylum seekers reflects the considerable power of this rhetoric of nation-hood. As Anderson (1983/1991, p. 12) has noted, "nation-ness is the most universally legitimate value in the political life of our time". The normative status of this discourse is demonstrated by Billig's (1995) analysis of the speeches of U.S. President Bush during the lead up to the first Gulf War and the public's response to his declaration of war. Billig found that Bush constructed the war as the necessary and legitimate defence of both another nation (Kuwait) and America's national values (Billig, 1995). He also found that this discourse was highly effective: Bush's poll ratings soared, as did public support for the war and sales of patriotic memorabilia, demonstrating, as Billig (1995, p. 2) says:

“...the speed with which Western publics can be mobilised for flag-waving warfare in the name of nationhood.”

Similarly, Reicher and Hopkins (2001), in their examination of the debate over whether Scotland should devolve from Britain, found that politicians on both sides rooted their appeals in the national interest. Their work demonstrated that the use of national categories was not confined to those who claimed themselves to be nationalists, nor was it absent from the speeches of those who claimed to be anti-nationalists. They also found that appeals to nation-hood, to ‘Scottish-ness’ or ‘British-ness’, was drawn upon both by those seeking union with Britain and those seeking devolution.

How has nation-hood come to play such a role? Billig (1995) argues that ideas of the nation have entered commonsense, becoming a constant presence in our daily lives. As just one example, Billig (1995) asks us to consider the structure of newspapers, which are laid out so that local news is foregrounded and then followed by world news. He also argues that ideas of nation also organise everyday talk; implicit assumptions of the nation can be found in pronouns such as ‘we’ and ‘our’, as in ‘our’ Kylie, ‘our’ Prime Minister, ‘our’ sovereignty. According to Billig (1995), we are reminded of nation-hood everyday.

This everyday “banal” (Billig, 1995, p. 6) nationalism has become normalised and hence invisible in western liberal democracies. And according to Billig, (1995) it is on these everyday ideological foundations that the legitimating power of invoking the nation in situations such as the Gulf War depends:

The popular reaction of support for the Gulf War in the United States cannot be understood by what happened during the moments of crisis. A banal, but far from benign, preparation must have been routinely accomplished to make such readiness possible (Billig, 1995, p. 7).

Thanks to the proliferation of banal forms of nationalism, there is no need to explain to people why it is ‘right’ to go to war to protect a nation – the importance of nations, the idea that everyone is a member of a nation, that a nation is inviolate and sovereign, have entered commonsense, and the population is primed to respond.

As well as their naturalised, normalised status, according to Reicher and Hopkins (2001), national categories, as opposed to other potential categories, are also the most useful for mobilising people as an inclusive, collective group. They argue that, in an era of universal suffrage, a politician’s success, and the success of their political project, depends upon winning over the largest possible sector of the electorate. In view of this, appeals to only one section of a society are unlikely to be a highly successful strategy. On the other hand, general categories that appeal to shared interests, the most obvious of which is nationhood, potentially interpellate all those in the national space.

Further, as well as being naturalised, legitimate and of wide appeal, national categories may also be used proscriptively – versions of the national image can be used to work up a particular action as the ‘right’ thing to do i.e. as consonant or discordant with the national identity and national interest, and to differentiate who belongs and who is an ‘outsider’. Definitions of a national identity thus play an important role in managing responses to the Other. Reicher and Hopkins (2001) argue that there are two ways this is done. In the first, speakers work up how the Other impacts on the nation:

...one can manage orientation to the other by defining their impact upon one’s collective interest. If say, they enhance the national interest, they are to be embraced; if they threaten the national interest they are to be rejected (Reicher & Hopkins, 2001, p. 77).

Responses to the Other can also be managed through the invocation of particular values as part of the national character:

the [national] category may be construed in such a way as to invoke certain general values about the treatment of others – we are a tolerant nation; we are a nation which embraces otherness; we are above prejudice... (Reicher & Hopkins, 2001, p. 77).

Reicher and Hopkins' (2001) study of the Scottish/British union debates demonstrates this proscriptive use of nation-ness. They found many varied images of Scottish-ness and English-ness, who belonged and who benefited or threatened the national identity. In one example, a Scottish independence activist claimed: "The Scot would hate to be wrong. That's why he sometimes doesn't offer opinions when asked." Conversely, a Conservative arguing for unionism defined Scots as having a "natural desire to express themselves" (Reicher & Hopkins, 2001, p. 105). Reicher and Hopkins argue that this flexibility and variability points to the strategic dimension of identity construction. White (1981, p. viii) also makes the point that national descriptions are action oriented:

There is no 'real' Australia waiting to be uncovered. A national identity is an invention. There is no point asking whether one version of this essential Australia is truer than another because they are all intellectual constructs, neat, tidy, comprehensible – and necessarily false... When we look at national identity, we need to ask, not whether they are true or false, but what their function is, whose creation they are, and whose interests they serve.

Following this, Reicher and Hopkins (2001, p. 105) argue in relation to the two different constructions of the 'Scot' above, that: "when the activist defines the Scot as silent in the face of English loquacity, it serves to develop a view of the Scots-English relationship as asymmetric and hence to justify the SNP [Scottish National Party] call for independence." However, when the conservative re-defines the Scots

as expressive: “it serves the purpose of arguing that the Scots are fully able to hold (and get) their own in the Union”.

Based on this research, it appears that appeals to the nation have attained a commonsense status as natural and ‘right’. As well as being of use to those who support the new legislation against asylum seekers, it is thus likely that such national rhetoric can also lend an important sense of legitimacy and naturalness to advocates’ arguments. This issue has been the subject of some previous research: Saxton (2003) and Gale (2002) included, in their analysis of media accounts of asylum seekers, a brief exploration of national discourses used by refugee advocates. However, previous research has primarily focussed on constructions of the nation and the national interest that legitimate the exclusion of asylum seekers (Gale, 2002; Hier & Greenberg, 2003; Pickering, 2001; O’Doherty, 2001; Saxton, 2003).

In this chapter, I analyse constructions of the nation and the national interest, and the functions these serve in excluding or including asylum seekers, in both anti- and pro-asylum seeker accounts. I begin by reviewing the previous discursive research on national discourse and asylum seekers. I then consider criticisms of ‘inclusive’ nationalism in Australia. After providing this background, I move on to an analysis of: the construction of Australia as a physical space and Australia as threatened in accounts in favour of the new legislation; four common constructions of the nation in advocates’ speeches – a nation with a tarnished image, a nation of the fair go, a multicultural nation of migrants, and Australia as less generous than other nations; and two common repertoires – (1) ‘this is not the Australian way’ and (2) ‘accepting asylum seekers is in the national interest’.

**Previous research on national discourses and asylum seekers**

As national discourses are a central theme in asylum seeker debates, analysing their construction and function has been the focus for much research in this area. As noted, most of this research has been concerned with exclusionary versions of the nation, although two researchers (Gale, 2002; Saxton, 2003) have also analysed potentially inclusive national images. In this section, I review in turn the work of Hier and Greenberg (2002), Saxton (2003), Gale (2002) and Pickering (2001) on exclusive and inclusive national discourses.

Canadian researchers Hier and Greenberg (2002) examined media accounts of the arrival by boat of Chinese asylum seekers in Canada. They identified a discourse of national risk and security that was deployed in the articles to work up the asylum seekers' arrival as a crisis of sovereignty, national security and Canadian national identity. Through this risk discourse, asylum seekers were constructed as threats to law and order, health, economic stability and international relations. Hier and Greenberg (2002) found that there was a predominant construction of the asylum seekers as "illegal Chinese" and "illegal Asians". They argue that this categorisation of "illegal" positioned the asylum seekers as violators of state boundaries who posed a significant threat to the integrity of the Canadian state. They noted that as the debate continued, this categorisation quickly shifted to include an identification of asylum seekers as criminals and disease-carriers. In this way, they were also constructed as a broader threat to law and order and the health of the Canadian citizenry. The arrival of the asylum seekers was soon amplified in the news media as constituting a crisis in the refugee and immigration processing system. This culminated in calls for the widespread restriction of Canadian immigration and



admissions policy. Hier and Greenberg's (2002) research demonstrates that by presenting Canada as 'under threat' in these ways, the expulsion of the asylum seekers could be re-framed as legitimate risk avoidance, a construction that successfully countered other potential versions of this exclusion as inhumane and racist.

In Australia, Saxton (2003) examined constructions of asylum seekers in news reports and letters to the editor in the *Sydney Morning Herald* (an Australian newspaper). She identified two discourses she calls 'national rights' and 'national identity'. In the national rights discourse, Australia was worked up as having a right to preserve and protect its territory and character and, in doing so, to decide which, and how many, migrants and asylum seekers may come here. Within this national rights discourse asylum seekers were represented as violating Australia's sovereign rights and therefore as undesirable in relation to the national space. The national rights discourse also constructed a positive national identity through positioning Australia's actions as a response to asylum seekers' illegality and therefore a legitimate defence against a threatening enemy Other. As van Dijk (1993; 1997) notes, a construction of the Other as the enemy creates a conversely positive self-presentation for the aggressor whose actions are re-presented as a legitimate defence against a hostile outsider.

Counter to this national rights discourse was another national discourse which Saxton calls 'national identity'. This discourse was concerned with the national character and how the treatment of asylum seekers impacted on understandings of what it is to be Australian. Within this discourse, asylum seekers were constructed as fellow humans in need and the actions of the Government a denial of their human rights that damaged Australia's reputation (Saxton, 2003).

Gale (2002) also examined the Australian print media and its representations of asylum seekers. He identified three discursive themes, the first of which, 'border protection', constructed asylum seekers as a threat to national security. As in the Canadian media (Hier & Greenberg, 2002), asylum seekers arriving in Australia were constructed in these articles as illegals who violated Australia's borders and bypassed ('queue-jumped') the Australian immigration process. However, unlike the Canadian media, the primary way of constructing the asylum seekers as a threat to the Australian nation post-9/11 was through associating them with terrorism and thereby presenting the Australian response to them, which included a military boarding of the *Tampa* by SAS troops, as another front in the 'war on terror'.

The other two representational themes Gale (2002) identified in the Australian media, which also drew upon national discourses but were used to argue in support of asylum seekers, were 'a human face' and a 'rights' theme. He found the human face theme constructed Australia as an humanitarian nation sharing a common human identity with asylum seekers. The third representational theme of rights drew on understandings of Australia as a multicultural nation in a globalised world. Both of these were used to condemn the Government's policies as inhumane and as attack on asylum seekers' rights.

Pickering (2001) examined the Australian print media on asylum seekers and refugees over the three years prior to the *Tampa* and the 2001 election, exploring the production of asylum seekers as deviant through a number of discourses, including a discourse of the integrity of the nation state. In her analysis of this discourse of national integrity Pickering found that the press predominantly constituted the arrival of asylum seekers as a crisis requiring strong state regulation to 'keep them out'. The articles over this period consistently constructed the arrival of asylum seekers using a

vocabulary of war, describing their arrival as “incursions”, an “assault” and an “invasion” (Pickering, 2001, p. 175). Pickering (2001) found that responses to asylum seekers were presented as a defence plan by using militarised language such as “hunts”, and calling for the immigration routes to be closed down and for international treaties to be put on hold, actions more at home in a war setting than in peacetime (Pickering, 2001, p. 175). The arrival of asylum seekers was also consistently worked up as a “national emergency” requiring the “full deployment” of the armed forces (Pickering, 2001, p. 175). As also noted by Saxton (2003), a discourse of war constructs asylum seekers as a threat to the national community and frames Australia’s militaristic and punitive actions as a defensive and legitimate response to this threat. O’Doherty (2001) also observed the centrality of national discourse to justifications of militaristic actions against asylum seekers in his study of Australian media articles on the arrival of the MV *Tampa*.

The research of Hier and Greenberg (2002), Saxton (2003), Gale (2002), Pickering (2001) and O’Doherty (2001) demonstrates that the nation, national interests and national values play a role in the asylum seeker debates both for the Government, and also for its opponents. However, although both Saxton (2003) and Gale (2002) refer to discourses of nation that were used in support of asylum seekers, neither examine this in great detail. Further, all the studies on nationalism and asylum seekers examined here use print media as their data source. In this chapter, therefore, I intend to build on this previous research by examining the relatively unexplored area of national discourses in parliamentary speeches, and include a greater focus on advocates’ speeches. Before doing this, however, it is important to review a further area of work on nationalism which raises a number of issues for

advocates' use of the rhetoric of nationhood, that of critiques of 'inclusive' nationalism in Australia.

### **Critiques of 'inclusive' nationalism**

The research reviewed above in general considers the deployment of national categories, the national interest and constituting people as 'us' or 'them' as potentially either exclusive or inclusive, depending on the particular understandings of the nation that are developed. However, recent critiques of representations of the nation as 'inclusive', i.e. as humanitarian, multicultural and egalitarian, problematise such a black and white approach. According to Hage (1998), oppressive White-ethnic power relations remain omnipresent in 'multicultural' Australia, and continue to be reproduced not only by overtly exclusive and racist discourses, but also by the ideologies of cultural pluralism and tolerance (i.e. multiculturalism) that are presented as the antithesis to prejudice.

The representation of Australia as multicultural is common in accounts of Australia's history, and in descriptions of Australia's national image and national values. Since the 1970s, multiculturalism has been included in the version of Australia's history as a progression from the racism and exclusion of the White Australia Policy to the tolerance and liberalism of multiculturalism, and has become a ubiquitous and persuasive national image (Stratton, 1998). Since the 1988 Bicentennial Celebrations, it has also been promoted as a positive national identity for Australia (Stratton, 1998). In the commonplace accounts of multiculturalism, cultural diversity is represented as desirable, progressive and anti-racist. These discourses have been an integral part of politics in Australia. However, according to Stratton (1998, p. 13):

The left's tendency to self-congratulation over the apparent liberality of the policy of multiculturalism blinds them to its fundamental conservatism. Certainly, the policy is liberal when compared to Australia's history of demanding total assimilation from its migrants, but this is not saying much. It remains a policy which confines diversity to the realm of culture and which continues to privilege a white, Anglo-Celtic core culture.

Despite the ostensibly progressive stance of multiculturalism, Hage (1998) and Stratton (1998) argue that it provides problematic subject positions for Whites and Others. Of particular concern is the positioning of 'ethnics' as an exotic Other enriching an enervated Anglo culture (Hage, 1998; Stratton, 1998). In this theme of cultural enrichment, which both Hage (1998) and Stratton (1998) identify as a key repertoire of Australian multiculturalism, the emphasis is on what 'multiculturalism can offer' and what 'we can learn from other cultures'. As Hage points out, this allows for a 'receiver' of culture and a 'giver'. According to Hage (1998), positioning one's self as an arbitrator of belonging, i.e. as 'one who accepts', positions the Other in the subservient and controlled role of the 'accepted'. Hage calls this myth of control, which attempts to gloss over the demographic and social changes wrought by immigration in Australia, a 'white fantasy' used in the service of maintaining a white hegemony.

Hage also argues that the power to accept or to tolerate the Other "is the same power to position the Other as an object within a space that one considers one's own, within limits one feels legitimately capable of setting" (Hage, 1998, p. 90). According to Hage (1998), while the 'good nationalist' (Hage's term referring to those who use discourses of tolerance and multiculturalism) categorises the Other as desirable or 'not that undesirable', they are still engaging in a practice of categorising the Other that confirms an image of the white Australian as the manager of the national space. Hage argues that despite the ostensible difference between these

‘exclusive’ and ‘inclusive’ national discourses, both those that may be considered ‘racist’ and those that adopt a discourse of egalitarianism and multiculturalism, continue to:

share a conception of themselves as nationalists and of the nation as a space structured around a White culture, where Aboriginal people and non-white ‘ethnics’ are merely national objects to be moved or removed according to a White national will (Hage, 1998, p. 18).

Multiculturalism has also been criticised on the grounds that it confines plurality to the cultural sphere whilst whites retain legal, political and economic power. According to Stratton (1998) this construction of multiculturalism-as-cultural-plurality has the effect of entrenching the existing race-based power structure, foreclosing any significant change in Australia’s core institutions. Applying the discourse of multiculturalism as a national descriptor can also function to marginalise intolerance and racism as an aberration, rather than an everyday occurrence, taking attention away from structural and institutionalised racism<sup>13</sup>. A discourse of multiculturalism, then, fails to engage with changing existing race-based power relationships. According to Hage (1998, p. 86) multiculturalism may thus be seen as “a form of symbolic violence in which a mode of domination is presented as a form of egalitarianism.”

What might this mean for an analysis of national discourse in refugee advocate’s speeches? I have included the critiques of Hage (1998) and Stratton (1998) in this chapter because they act as a cogent reminder that, simply because a person may constitute Australia as multicultural, does not therefore also entail that this constitution is not problematic for asylum seekers and their claims. Thus, throughout this analysis, I attempt to examine the discourse of nation in terms of

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<sup>13</sup> I discuss this again in the next chapter as a strategy of new racist discourse.

Hage's argument that there is no such thing as 'good' nationalism in white Australia. I also examine how these constructions of Australia may obscure a darker history of racism and intolerance, thus contributing to the reproduction of Australia as essentially humane and accepting.

### **Constructions of Australia in anti-asylum seeker speeches: Analysis and discussion**

My analysis identified two common constructions of 'Australia' in the speeches of Government MPs and others supporting the new legislation against asylum seekers:

- i. Australia as a physical bounded space
- ii. Australia as under threat.

I consider both of these in the sections below.

#### *Australia as a physical, bounded space*

The articulation of Australia as a physical, bounded space is organised by the commonplace that nations are concrete entities comprised of land and sea which have definitive boundaries, anything inside of which belongs to an 'us' (Anderson, 1983/1991). Extract 1, from the second reading speech on the *Border Protection Act 2001* (which sought to retrospectively legalise the SAS boarding of the *Tampa* and the removal of the asylum seekers in Navy vessels to Nauru), and incorporated into the Senate Hansard by Senator Ellison, is a good example of this recurrent repertoire.

*Extract 1: Our territory*

1. In a statement made earlier today the Prime Minister outlined the serious circumstances surrounding the entry of a Norwegian flag vessel MS *Tampa* into Australian waters surrounding Christmas Island.
2. That vessel entered our territorial waters in defiance of a direction given by Australia.
3. In the absence of firm action on the part of Australia, it could have led to the illegal entry of the persons on board into Australia thus undermining Australia's control over its sovereign territory.
4. Those who enter our territorial waters contrary to an express direction from the Government should not be rewarded by being allowed to stay in our waters, or even worse, by having the opportunity to enter our land territory.

(Senator Christopher Ellison, Liberal Party, Senate Hansard, 29/8/01, p. 26970)

Of note firstly in this extract is the repetition of key words indicating national ownership of land and sea: "Australian waters" (1), "our territorial waters" (2), "Australia's control over its sovereign territory" (3), "our territorial waters" (4), "our waters" (4) and "our land territory" (4). Interwoven with these words and phrases is the commonplace that these physical entities which belong to 'us' are also things over which 'we' should have absolute control, observable in the phrases that denote surprise and concern where this control is challenged. For example, in the second line, the entry of the *Tampa* is presented as the "defiance" of Australia's orders, and in line four Ellison presents the arrival of the *Tampa* as a precursor to "undermining Australia's control".

The alignment of Australia with a physical landscape of land and sea performs two important functions. Firstly, it presents the exclusion of those who seek to enter this physical space as normal, obvious and right. This particular construction of 'the nation', is, as I noted earlier, deeply ingrained in contemporary commonsense. Thanks to the proliferation and reiteration of banal nationalism, there



is no need, as Billig (1995) notes, to explain that Australia is a geographical bounded entity or why it is important to defend this national space. By including the arrival of the *Tampa* within a discourse of ‘defence of land and sea’, Ellison and other Government members work up the boarding of the *Tampa* by the SAS and the removal of asylum seekers to Nauru as a legitimate military response to a physical threat.

Secondly, the formulation of Australia-as-a-physical-bounded-space addresses a very wide potential audience – all those within the Australian borders – to mobilise against a common enemy, those who seek to cross these borders. As Reicher and Hopkins (2001) note, the key to successful mobilisation is to address as wide an audience as possible, and to position one’s self and one’s party as the representatives of this group. The call to everyone within the borders is broad and encompassing, seeking to capture and mobilise the entire national population, including those groups who have traditionally been marginalised, such as Indigenous Australians and immigrants.

The formulation of Australia-as-a-physical-bounded-space is also useful for working up Australia as ‘under threat’, another common repertoire which I examine in the next section.

#### *Australia under threat*

In Chapter 4, I examined MP Prosser’s construction of Australia-under-threat from gangs of people smugglers and criminal asylum seekers. As I noted at the time, there were a number of ways in which politicians formulated this threat. I am particularly interested, in this section, on the formulation of Australia as a limited physical space (incorporating the repertoire examined above), threatened by

overwhelming numbers of asylum seekers. This next extract from Senator Eggleston is an example of this.

*Extract 2: Quite a small country*

1. At the present time, I am told, there is somewhere around 23 million people in the world who have left their home countries.
2. That is an enormous number of people.
3. Australia can proudly say that it has played its role in looking after its share of the refugees of the world.
4. But Australia is quite a small country with limited resources.
5. We have a population of only 19 million, and there is only so much we can do.

(Senator Alan Eggleston, Liberal Party, Senate Hansard, 28/8/01, p. 26800)

In this extract, Eggleston contrasts the “enormous” (2) number of refugees (whom he takes care at this stage not to characterise as ‘refugees’, i.e. as people to whom we may owe a duty of care or who would normatively be considered with compassion) with a presentation of Australia as “quite a small country with limited resources” (4). In this contrast he employs extrematisations such as “enormous” when constructing asylum seekers, and minimisations such as “quite” and “only” when constructing Australia, to work up this difference between Australia and the asylum seekers. He also uses quantifications as part of this extrematisation/minimisation contrast. Eggleston does not compare the 19 million Australians with the 438 asylum seekers on the *Tampa*, but with the “23 million people who have left their home countries” (1), thereby managing to present Australia as ‘small’ and the asylum seekers as ‘overwhelming’, although the actual numbers of asylum seekers reaching Australia are, in comparison with all other countries receiving asylum seekers and refugees, relatively small (Mares, 2002;

Manne & Corlett, 2004). These contrasts and their quantification are used to work up Eggleston's claim that "there is only so much we can do" (5) as a rational, logical conclusion based on quantifiable (and therefore incontrovertible) fact.

In doing so, Eggleston's account also relies upon another familiar commonplace that 'there are only so many resources to go around', a common repertoire in debates about asylum seekers and other undocumented migrants. For example, Mehan (1997) observed the employment of a discourse of scarcity in American debates about bills to restrict the access of undocumented workers to health care and education. In that debate, as here, this repertoire presented 'illegal immigrants' as taking up limited resources that should, self-evidently, be distributed among those who 'belong' to the nation.<sup>14</sup> As a commonplace, it lends a sense of rightness to Eggleston's claims that these bills are a necessary response to 'the fact' of limited resources.

This is a very different picture from that usually painted by the Government who generally prefer to promote a view of Australia as economically prosperous, emphasising indices such as house prices and consumption, low unemployment, and new free trade agreements, all of which are regularly attributed to their skilful economic management. In this picture, Australia is wealthy, and can (indeed must) aspire to even greater wealth and comfort.

How did Government politicians so successfully turn this abundance into scarcity? The construction of Australia as a physical, bounded (i.e. limited) territory, and the formulation of that physical territory as threatened, were useful in representing Australia's control over its territory and resources, and thus our wealth and wellbeing, as vulnerable to the incursions of asylum seekers. In these debates,

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<sup>14</sup> This commonplace draws its resonance from the discourses of citizens rights, sovereign rights and communitarianism which I examined in the previous chapter.

the simultaneous repertoires of economic abundance and scarcity work together with the discourse of the nation-as-a-physical-space-under-threat to produce a population fearful of losing its land, sea and ‘resources’ to outsiders.

At the same time as it introduces this uncertainty, the Government also offers the prospect of an end to uncertainty; by making the instability of economic prosperity an issue of border control and making the re-assertion of this control a national project consumers of this argument are potentially empowered to ‘take control’ (Hage, 2003). Utilising the situation of the refugees in order to impart to people en masse the perception that they have control and security is a highly effective strategy. This is a time of social upheaval for many (despite the burgeoning wealth of some) – 9/11, globalisation, economic rationalism and environmental degradation have all contributed to a sense of unease. The perception of control, and of being the person/party to offer that control (deflecting any claims that Government policies such as economic rationalism are contributing factors to economic insecurity), is politically potent (Hage, 2003).

To be an effective strategy, control of asylum seekers must convincingly be seen to also offer control of these changes. To achieve this, asylum seekers are flexibly and variably equated with terrorism, with gangs, with ‘heinous crimes against humanity’, with the erosion of sovereign rights, the invasion of ‘our’ land and the diminishment of ‘our’ resources. Controlling asylum seekers can thus be presented as a way to control crime, citizens rights, land ownership and prosperity. This is why there are multiple constructions of the threats that asylum seekers represent – they must be the source of many different fears so their control can be the control of many different threats. If they were just asylum seekers or even just boat

people they could not provide a repository for such a wide variety of social and economic ills and fears.

In contrast to these accounts, advocates did not draw upon a construction of Australia as a physical, bounded space, or as a national space under threat. In support of their arguments, they generally construct Australia in terms of national values and beliefs. In doing so, they draw upon another traditional commonplace in discourses about asylum seekers, in which fair standards for admission into the national community are established by reference to who we imagine ourselves to be and what our aims as a nation are (Dauvergne, 1999). In this discourse, standards for immigration programs are made with a view to resonating with commonsense morality and national ideals. Other researchers such as Scanlan and Kent (1988) have also noted that appeals to national images and history are highly useful for critiquing immigration policy. I explore these alternatives to the Government's national discourse of territory and threat in the next section.

### **Constructions of Australia in advocates' speeches: Analysis and discussion**

My analysis identified four common constructions of 'Australia' in refugee advocates' speeches:

- i. A nation with a tarnished image
- ii. A nation of the 'fair go'
- iii. A multicultural nation of immigrants
- iv. Australia is less generous than other nations

I also identified two other common repertoires centring around ideas of the nation and the national interest. In the first, asylum seeker policies were criticised as ‘not the Australian way’ and in the second, asylum seekers are presented as ‘beneficial for the nation’. I consider each of these in the sections below.

*A nation with a tarnished image*

This first repertoire of national identity was also the most frequently used. Politicians justified their support for asylum seekers in terms of the risks to Australia’s reputation and image created by excluding asylum seekers. In the parliamentary speeches, this repertoire typically included:

- (a) a construction of Australian-ness that presented accepting asylum seekers as an expression of Australia’s identity and values;
- (b) a construction of this identity as positive and long-standing; and
- (c) a risk discourse in which people, actions and legislation that oppressed or rejected asylum seekers were positioned as a threat to this ‘good name’.

Many accounts also constituted Australia’s international reputation as at risk.

This repertoire shares similarities with the ‘discourse of national identity’ identified by Saxton (2003), which worked up the treatment of asylum seekers as negatively impacting on understandings of what it is to be Australian. According to Saxton (2003), in this discourse asylum seekers were constructed as fellow humans in need and the actions of the government a denial of their humanity that damaged Australia’s national identity (Saxton, 2003).

Also of interest is Jones' (2000) analysis of speeches in the UK parliament, in which she found that emphasising a national identity of tolerance and humanitarianism was common to both Government and opposition arguments. She noted that the Government often emphasised positive characteristics, such as tolerance, empathy and hospitality, prior to justifying the need to exclude asylum seekers, who, in contrast, were presented negatively. Jones also found that those opposing the Government's policies engaged in positive self-presentation by emphasising Britain's tradition of tolerance and commitment to human rights. However, in this context, this positive presentation was used to show how the Government's proposed legislation would tarnish this image. Jones (2000, p. 286) gives as an example of this repertoire a speech of Liberal Democrats' parliamentarian Emma Nicholson:

Despite the 1993 Act, and because the Bill has not yet reached the statute book, Britain still has a reputation – which is falling fast – for tolerance.

Extract 3, from a speech by MP Hollis on the *Migration Legislation Amendment (Immigration Detainees) Bill 2001*, is a typical example in the Australian Parliament of the construction of the refugee legislation as tarnishing Australia's image.

*Extract 3: We should be an example to the world*

1. We do have a good record on migration.
2. We have a good record on taking refugees under the UNHCR.
3. We are a very multicultural society and we do live in harmony in this society.
4. We should be an example to the world.
5. But what kind of message are we sending?
6. The two major political parties are jockeying over who can be toughest on detainees, among whom there are women and children who are being demonised in the community.
7. It is not, I suggest, a proud day for the Australian parliament.

(MP Colin Hollis, ALP, House Hansard, 23/8/01, p. 30133)

In this account, Australia is constituted as having “a good record on migration” (1), “a good record on taking refugees” (2), as “a very multicultural society” (3) and a society in which we “live in harmony” (3). However, constituting Australia as a nation with a good record on migration and re-settling refugees is also a feature of Government speeches, as in this example from the Prime Minister.

*Extract 4a: No nation has been more generous*

1. Australia has a record in relation to caring for refugees of which every member of this House should be proud.
2. No nation in the last 50 years has been more generous or more decent in relation to refugees than has Australia.

(PM John Howard, Liberal Party, House Hansard, 27/8/01, p. 30235)

The representation of Australia as a nation with a commendable refugee record, is, however, put to quite different uses by these two speakers. Both follow this construction of Australia with “but”. In Extract 3, Hollis asks: “We should be an example to the world. But what kind of message are we sending?” (my emphasis). For Hollis, a positive Australian image functions as a measure against which we may (negatively) evaluate the policies relating to asylum seekers (and also the actions of the two major political parties). What we “should” be, given this record, is “an example to the world”, but we are not. This sets the scene for an explanation of why we are not.

In contrast, Howard follows his constitution of Australia as the most generous nation with:



*Extract 4b: Australia's national interest*

1. But (my emphasis) that does not mean that we are abandoning in any way our right to decide who comes here; nor shall we ever abandon our right to refuse to allow people to be landed in this country in circumstances where that would not represent the best so far as Australia's national interest is concerned.

(PM John Howard, Liberal Party, House Hansard, 27/8/01, p. 30235)

Howard's construction of Australia as a generous nation acts as a disclaimer. This is a frequently used technique to smooth over inconsistencies between cultural norms such as generosity and humanitarianism and statements/policies that may be read as lacking compassion and humanity. In Howard's account, generosity takes second place to the "national interest" which he presents as the prevention of unwanted arrivals from landing in Australia.

Hage (1998) constitutes accounts such as Howard's (which are typical of both Government and ALP speeches in this data set) as distancing Australia/ns from what is being done to refugees. Such accounts imply that the way we deal with 'non-Australians' does not reflect in any way on the values Australians use in internally structuring our society. In accounts like this, 'values' are sidelined as a potential consideration in how Australia deals with asylum seekers in order to present their arrival and these policies as being about the completely different issues of territorial integrity, security, and the ability to protect 'our' land.

Returning to Extract 3, in Hollis's speech what we "should" be, given our good record, is "an example to the world", but we are not. As noted, this sets the scene for an explanation of why we are not. Hollis provides us with the answer: the actions of the Government and the ALP. Hollis re-frames the two major party's claims that they are protecting the nation's borders in the national interest, by

presenting their actions in a rather different light: “The two major parties are jockeying over who can be toughest on detainees, among whom there are women and children who are being demonised in the community” (5). Rather than upholding the Australian tradition of multiculturalism and harmony, the two major parties are portrayed as engaged in a political tussle. And rather than acting in the national interest, Hollis argues they are motivated by competition to see “who can be the toughest” (5). Lest aiming to make asylum seekers’ lives difficult be read as a possibly worthy aim (given the predominant positioning of asylum seekers as criminals, ‘queue-jumpers’ and cheats), Hollis reminds his audience that we are not only talking about detainees, but about “women and children” – thus, presenting this political point-scoring as harming what is normatively considered a vulnerable and powerless group. In Hollis’ account, this is not a parliament that is upholding Australia’s rights to border integrity, but politicians behaving reprehensibly towards women and children, politicians who are not continuing our traditions of refugee resettlement and multiculturalism, but are acting in direct contradiction with Australian values (compare “harmony” with “jockeying” and “multicultural” with “demonised”).

The point is often made that we develop national identities by developing who we are ‘not’, i.e. there is no ‘us’ without a ‘them’ (Billig, 1995). In this account it is not the asylum seeker who is the undesirable Other, but the Government and the ALP. They are presented as harming not only asylum seekers, but also Australian values and beliefs. The ‘enemy within’ discourse serves two functions for positioning the Government, the ALP and refugee advocates. First, it positions the speaker, and refugee advocates more generally, as representative of Australian values, whilst positioning the Government and the ALP as unrepresentative.

Undermining other parties in this way is an important rhetorical move in establishing who is speaking for the nation. To claim that a party or politician does not represent the national interest is to discredit their right to speak for the nation, and to cast doubt on their motives. Second, it positions refugee advocates as defending not just asylum seekers, but the nation itself. By focussing on the national dimension of the Government's actions, advocates seek to reach a wider audience than that which might be expected to be sympathetic towards asylum seekers – they are calling on the wider populace to defend their common national reputation. In these types of accounts, protecting asylum seekers and protecting the nation are constituted as synonymous, rather than antithetical.

Hollis' appeal that "we should be an example to the world" (4) also invokes an international context for Australia's actions (and is another example of the manifestations and uses of a discourse of internationalism in these debates). Historically, a concern with the effect of racist immigration policies on Australia's international image emerged in the 1970s, when Gough Whitlam ended the White Australia Policy and adopted multiculturalism<sup>15</sup>. Prior to this, there had been increasing calls in the media and elsewhere to amend this aspect of Australia's immigration policy on the grounds that it was damaging business and security relationships with international partners, particularly Asia. Whitlam, among others, set about re-negotiating Australia's identity as a country in Asia, and establishing closer links with these countries (Curran, 2004).

This concern is also a theme in Australian media reports on asylum seekers. According to Gale (2002), a significant pattern in the media on asylum seekers

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<sup>15</sup> This version of Australia's history as moving smoothly from racism to multiculturalism is a highly simplified and glossed account. It is used here expediently as a thumbnail sketch, however I would argue along with others such as Hage (1998) that whilst multiculturalism became the 'official' policy for race relations, racism continues to be a central feature of intergroup relations in Australia.

during 2001 focussed on the global and historical context of asylum seekers and the Government's policies, and the implications of domestic policy for international relations and UN conventions. For example, he cites noted Australia political analyst and editor Paul Kelly's claims in three articles in *The Australian* and *The Weekend Australian*: "that the refugee policy will 'isolate us' internationally and is an 'old-fashioned' policy 'in retreat' that reflects 'protectionist nationalism'" (Gale, 2002, p. 7).

By invoking an international context, the possible implications of Australia's policies are expanded from local to international consequences, thus heightening the possible risks to Australia's reputation posed by the legislation and the actions of the major parties. However, criticism from international bodies, and the international community, was a contentious issue in the asylum seeker debates. As I noted in Chapter 3, the UNHCR was variously constituted in anti-asylum seeker speeches as providing both an appropriate standard against which to measure Australia's own refugee intake (in the context of claims that the UNHCR upholds far fewer refugee applications than Australia) and as interfering and irrelevant to Australia's national concerns. Hollis' introduction of Australia's international reputation as a concern is designed to counter the commonplace in these debates that such international opinion is not relevant. In doing so, he is reproducing another commonplace that refugees and asylum seekers are an international, rather than national, issue, an assumption that emerged after the Second World War (Goodwin-Gill, 1989), and which, as I found in Chapters 3 and 4, is a consistent repertoire in advocates' speeches.

There is a final aspect to this account that I want to examine before moving on, and that is the local context and implications of Hollis' choice of a national image. Throughout his account he is faced with the dilemma of working up a picture

of Australia and Australians that may be read as negative – that we are not, in fact, being generous or tolerant towards refugees. This is a dilemma faced by all refugee advocates in the parliament. The most common solution to this, and one that Hollis also adopts, is to shift from attributing a positive identity to ‘us’, to locating the demise of this positive identity specifically with the Government and the Labor Opposition. Blame for the response to refugees is neatly shifted onto these parliamentarians, rather than the public at large, who ostensibly retain the potential to be generous and inclusive. This works to isolate the parliamentarians supporting the Government’s policies as un-representative of national values and the national interest. It also offers a positive image for potential consumers of Hollis’ argument, keeping them on side.

However, in doing so, Hollis is also re-producing a hegemonic version of Australia as a tolerant, non-racist nation, which, according to Hage (1998), works to reproduce the widespread denial of racism in Australia. Although such an account may have strategic value in retaining potential consumers of this argument, it nevertheless constitutes a rosy gloss on Australia’s record on refugee settlement and multiculturalism, as the overview of the history of refugees and asylum seekers in Chapter 1 attests, that contributes to the continuing minimisation of the problem of racism in Australia.

In this next extract, from Senator Brown’s speech opposing the bill introducing wider strip-searching powers in detention centres, the repertoire of a-nation-with-a-tarnished-image is used to argue that the policy of mandatory detention should be abolished.

*Extract 5: A proud reputation for being multicultural*

1. What is it doing to this country which has such a proud reputation for being multicultural and for going to the aid of people who are in difficulty?
2. This country recently took an extraordinary risk in putting a huge amount of human effort and resources into assisting our near neighbour East Timor in its moment of tragedy.

(Senator Bob Brown, Australian Greens, Senate Hansard, 28/8/01, p. 26820)

In this account, Australia is presented as “multicultural” (1) and as “going to the aid of people who are in difficulty” (1) both qualities that proscribe accepting asylum seekers. The example of the Australian response to East Timor (2) is strategic for attesting, by its historicity, to the centrality, in the Australian identity, of providing assistance to others. As Reicher and Hopkins (2001) note, the most effective way to stabilise national identities that are inherently variable and partial is through the use of history. History establishes both the timeless, essential character of the national identity as well as establishing the political project of the speaker as an expression of that identity.

Brown’s rhetorical question in the first line presents the strip-searching of detained asylum seekers as antithetical to this identity; a threat to this “proud reputation”. It also, by its open-endedness, produces a sense that the risks to this reputation are potentially unlimited and unknown.

Both Hollis’ and Brown’s accounts, which are representative of a common pattern in advocates’ speeches, work up a version of the Australian identity as multicultural and humanitarian. However, rather than using this as the preliminary to a justification of the new legislation and a way to present asylum seekers negatively (as in John Howard’s account), these accounts work up a positive identity for Australia in order to present it as being at risk. The accounts draw on a narrative of a

national reputation that is under threat, and establish the possible risks attendant on this, both domestically and internationally. This way of understanding Australia attempts to mobilise the populace to defend Australia's threatened identity as a multicultural and humanitarian nation against the Government's and the ALP's asylum seeker policies.

*A nation of the 'fair go'*

The representation of Australia as a nation of a 'fair go', a gloss in the Australian vernacular for egalitarianism, has a long history in local debates about national identity. As Thompson's (1994, p. ix) study of Australian national myths concludes:

[a] strong and widely pervasive belief in egalitarianism exists...That belief has long been important in and of itself for it is, and has been, a part...of the way Australians see themselves.

How a 'fair go' is constructed and used, however, is flexible and variable. Thompson (1994) also found that egalitarianism has, at different times, referred to equal treatment of those of the same race/culture and to the equal treatment of all people (i.e. we are all humans). Similarly, being egalitarian has also been variously defined as equal treatment or as equality of access. These flexible formulations of egalitarianism have been utilised to justify quite different policies. For example, politicians who supported the introduction of the White Australia Policy justified this bill on the basis that a mixed race society was not egalitarian, on the basis that it would be unfair to those who would not be able to compete with white British settlers. During debates over dismantling the White Australia Policy seventy years later, however, egalitarianism was considered to be the application of equal treatment

to all people regardless of race or nationality, and was successfully employed in arguments calling for the abolition of the White Australia Policy (Thompson, 1994).

During the 2001 Australian election, the conservative side of politics once again captured the ideology of egalitarianism through its contentious argument regarding the alleged queue jumping of asylum seekers (Johnson, 2002). The use of the queue analogy is widespread in discussions about asylum seekers (Gelber, 2003). Historically, in Australia, it has been used in arguments against granting asylum to Jewish citizens during the Second World War (NSWADB, 2003) and to the Vietnamese boatpeople in 1978 (Gelber, 2003). In the present debates, it appears ubiquitously across radio, television and the print media, used by both journalists and the public, and in parliamentary settings as well, such as De-Anne Kelly's claim that unauthorised arrivals are "trying to migrate to Australia by queue-jumping" (Gelber, 2003).

Culturally, the queue represents a central ideal of modern bureaucratic democracies: impartial decision-making unaffected by distinguishing status characteristics such as class, race or health. The queue is claimed to be rational and impartial, in the sense that decisions are made according to rules, rather than subjective criteria. By ensuring objectivity and impartiality, it also ensures fairness through its adherence to the rule of 'first come first served' (Gelber, 2003). The queue represents the cultural value that the time served in the queue denotes the appropriateness of receiving the product or service. The effort of waiting is rewarded by receiving these goods (Gelber, 2003). Queues can be viewed as the social means of maintaining control whilst moving towards a goal, characterised by organised behaviour. They represent orderliness and patterns of equality and standardisation (Gelber, 2003).



Jumping the queue is a violation of the impersonal criterion of waiting and therefore of fairness. Gelber (2003, p.4) suggests that queue-jumping:

can be seen to break the physical line (by the interjection of the queue-jumper), break the learned rules (and simultaneously illustrating that breaking the rules is possible), create a new level by which one's turn is determined (one's sheer procacity), introduce emotion as a successful criterion for determining place (one's desire to be served faster), introduce irrationality in the selection process (due to the arbitrariness of those who possess sufficient procacity benefiting, while those who hold the rules in esteem suffer), override orderliness, threaten equality, and violate rank order.

This queue analogy then, can be used to good effect to discredit asylum seekers simply by constructing them as 'queue jumpers'. This one phrase links with the cultural values outlined above, so that it effectively positions them as violating many central values.

Using this, the Government and its supporters were able to constitute the off-shore immigration application system as representing a 'fair go', and asylum seekers (i.e. people applying for protection onshore rather than offshore) were presented as acting unfairly. By defining Australia as a nation of a 'fair go', and asylum seekers as violating this principle, those coming by boat were presented as morally antithetical to Australian egalitarianism.

Extract 6, from MP O'Connor's speech in the House of Representatives, is an example of the 'fair go' repertoire used to justify the new asylum seeking legislation.

*Extract 6: Those who seek to come here need to be fair about this also*

1. We do have a deep-seated value in our society that we ought to give a fair go to all.
2. But those who seek to come here need to be fair about this also.

(MP Gavan O'Connor, ALP, House Hansard, 23/8/01, p. 30110)

In this account O'Connor draws upon the commonplace of Australia as a nation of the 'fair go' in order to construct a positive us/negative them contrast. On the one hand Australia is presented as having a "deep-seated value to give a fair go to all", i.e. a value of universal egalitarianism, while by comparison asylum seekers are positioned as having been 'unfair' and as not having a similar value of egalitarianism. As I noted in the review of discursive research on asylum seekers at the end of Chapter 1, the contrast of a positive self/negative other is a common strategy in anti-asylum seeker accounts.

Used here, it presents the issue of asylum seeking as one in which only Australia is playing fair, while the asylum seekers are not. This leads to the logical, if unspoken, conclusion that those who do not act fairly, should not themselves be treated with fairness, in other words, that fairness is a two-way street. This idea that 'fairness is a two-way street' assumes a relationship of equality between asylum seekers and Australians. By making 'fairness' the criteria by which both our actions and those of asylum seekers are judged, O'Connor ensures that asylum seekers are positioned as people who have the opportunity to be fair, as this is being defined by those supporting this new legislation, i.e. to wait in refugee camps. As has been noted in previous chapters, this assumes that asylum seekers have a choice in leaving their country and applying for residency in Australia. It also obscures the vast disparities between Australians and asylum seekers, such as differences in wealth, stability, power, and the ability to choose where and how to live.

Refugee advocates also constituted Australia as a country of the 'fair go', but for quite different purposes. In this next extract from Senator Brown's speech urging the Government to allow the *Tampa* to land in Australia, Brown presents Australia as

a “country of a fair go” and ‘letting them in’ as an expression of egalitarianism and equality.

*Extract 7: A country of a fair go*

1. This country has a reputation, in which it glorifies – and I like to be an Australian who thinks this way – for being a country of a fair go and a country, therefore, that respects all human beings as deserving of a fair go.
2. That reputation is now being tested.
3. You cannot have that sort of philosophy ending at a border drawn somewhere against people on the other side.

(Senator Bob Brown, Australian Greens, Senate Hansard, 28/8/01, p. 26820)

As I noted earlier, ‘fair go’ can be variably and flexibly defined. Brown specifically defines ‘fair go’ as the equal treatment of all people in line 1 and again in line 3. In this version of egalitarianism, one cannot have a reputation as a nation of a fair go whilst excluding those outside of the national border. This is a definition of egalitarianism as the equal treatment of all human beings similar to that used in arguments against the White Australia Policy noted by Thompson (1994).

This repertoire of a ‘fair go’ as universal equal treatment positions as non-egalitarian those who do not treat asylum seekers as they would ‘Australians’ or other humans. Because egalitarianism is worked up here as a national value, the position offered to Government ministers and their supporters is also one of being ‘un-Australian’. In echoes of the repertoire of Australia as a nation with a tarnished image, Brown presents this Australian identity (which he presents very positively by terms such as “glorifies” and “I like to be an Australian who thinks this way”), as under threat (“That reputation is now being tested”), from those who do not extend a ‘fair go’ to those outside of Australia.

The construction of borders as ‘arbitrary’ in the final line is also interesting. In Government speeches, the Australian borders are presented as inviolate and sacrosanct (see, for example, Extracts 1 and 2 in this chapter). There is a strong sense in Government accounts that borders are a natural and inevitable feature of nations, and that crossing those borders carries heavy legal and moral consequences. In Brown’s account, however, borders are presented as more ambiguous. In line 3, he describes the national boundaries as having been “drawn somewhere”. In this account, borders are seen as a product of human agency and arbitrariness. This allows for the idea that where they have been drawn, they can also be re-drawn, according to other, less exclusionary, principles.

This is quite a radical idea, and departs rather dramatically from the commonplace of nations as having natural geographical, demographic, language and social borders. Nairn and McCreanor (1990; 1991) and McCreanor (1993) call these kinds of commonplaces ‘standard stories’. They argue that departures from the standard story are difficult to produce. We can see Brown orienting to this potential difficulty in his account by including this idea of borders as human artefacts within a broader discourse of universal humanity, a discourse in which the idea of ‘no boundaries’ is itself a commonplace standard story in western liberal democracies. Given the deep-seated commonsense that nations are bounded physical entities, it is not surprising that Brown’s presentation of borders as arbitrary is the only instance of its kind in these debates. However, it represents a very interesting possibility for challenging these deep-rooted assumptions, and may gain credence if developed, particularly in light of the increasing acceptability of postmodernism and post-structuralism (though at present these are much maligned by the Government as a degenerative ideology of the Left).

These accounts from O'Connor and Brown, which are representative of two common repertoires of 'a fair go' in these debates, demonstrate the flexible and variable way in which the same national identity may be used for quite different purposes. Whilst O'Connor considered Australia's offshore immigration system as a 'fair go' and the asylum seekers arriving by boat as 'unfair', Brown presented a version of 'fair go' as the equal treatment of all people. He used the construction of Australia as an egalitarian nation to work up Australia as bearing a responsibility to act fairly towards asylum seekers. This was in contrast to the account from O'Connor, where asylum seekers were presented as having an equal responsibility to be 'fair'.

*A multicultural nation of immigrants*

The construction of Australia as a multicultural nation of immigrants was common throughout accounts arguing against the new legislation, or for a softening of the legislation (an argument run by some members of the ALP). Australia as a multicultural nation of immigrants emphasises migration, racial and cultural diversity, and attitudes of tolerance and peaceful co-existence as central features of Australian-ness. In this next extract from MP Price, we can see that he constructs Australia as multicultural, and constructs this cultural diversity as both desirable and beneficial to Australia. These are also constructed as an historical fact of Australia's social make up, and essential to Australia's success as a nation.

*Extract 8: We are a country of immigrants*

1. In rising to speak on the Migration Legislation Amendment Bill (No. 6) 2001, I want to start by saying that we are a country of immigrants.
2. I have seen no publication that suggests that we have any future without future immigration.

3. I would like to remind everyone that 12 months ago we celebrated the Olympic Games.
4. We put on show Australia and our multicultural society, and I think the world stood up and took note.
5. It was said to have been the best Olympic Games.
6. The opening ceremony, which impressed everyone, paraded what a great and diverse nation we are.  
[...]<sup>16</sup>
7. We ought not to put all that at risk.
8. We have a bright future by continuing to support immigration and by celebrating the diversity of our people.

(MP Roger Price, ALP, House Hansard, 20/9/01, p. 31116)

Much is accomplished in the first few lines of this speech. To begin with, Price constitutes Australia as “a country of immigrants”<sup>17</sup>. This does two things. Firstly, it is the first move in a longer account that re-frames this debate from one on ‘asylum seekers’ to one on immigration. Whilst the arrival of asylum seekers in Australia has been sporadic, immigration is an established, ongoing practice involving substantial numbers of arrivals every year. By re-categorising asylum seekers within the larger group of immigrants, asylum seeking is ‘normalised’. This lends a sense of rightness and naturalness to asylum seeking as part of immigration.

However, immigration is not a straightforwardly unproblematic concept in Australia, as the review of the changing perspectives on immigration in Australian history in Chapter 1 makes clear. Thus, Price also takes time to constitute immigration as both essential to Australia’s future (“I have seen no publication that suggests that we have any future without future immigration” (2)) and “We have a bright future by continuing to support immigration” (8)), and to Australia’s

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<sup>16</sup> I have removed four sentences in which Price talks about his recent visit to a Muslim school in his electorate.

<sup>17</sup> It is worth noting that this account of Australia as a country of immigrants, whilst ostensibly presenting Australia as inclusive, does, however, exclude the Indigenous people of Australia.

international image and reputation (“We put on show Australia and our multicultural society, and I think the world stood up and took note” (4)).

This construction of Australia as a country of immigrants, and the constitution of immigration as an essential aspect of Australia’s future and reputation, works up accepting asylum seekers as in our own interest rather than something we should do for their benefit. This is something all the national images utilised by refugee advocates share – by framing their support for asylum seekers in terms of the imperative of national values and interests, the focus is shifted from asylum seekers and what they might be gaining or taking from ‘us’, to how they may benefit ‘us’. The focus is on Australian interests, rather than those of the asylum seekers, though these interests are constituted as complementary – we need immigrants, and they are immigrants, satisfying both sides. This is a ‘win-win’ portrayal of asylum seeking, rather than ‘win-lose’. This destabilises the ‘us’ versus ‘them’ rhetoric so common in Government speeches and throughout the media.

This focus on benefits also works to establish a practical, reasonable subject position for an advocate. Those who supported the entry of asylum seekers to Australia were often accused of being naïve idealists and of forming a ‘human rights industry’ and an arrogant, discriminatory elite (O’Doherty & Augoustinos, unpublished). Presenting asylum seekers as an economic benefit for all Australians is a way of managing this negative identity.

Further, by defining ‘us’ not in terms of ethnicity, culture or country of origin (such as Anglo-Saxon, or Britain), but as ‘immigrants’, being born elsewhere and making a home in Australia becomes a defining feature of Australian-ness. This categorisation functions as an important challenge to the dominant depiction of asylum seekers as racially, culturally and morally different. By inserting a new

criterion of ‘immigration’ to measure difference and sameness, the distance between ‘Australians’ and ‘asylum seekers’ is closed, and the two groups worked up in Government accounts are re-categorised here as one group of immigrants.

As well as constituting Australia as a country of immigration, Price does so within a discourse of multiculturalism. As noted previously, multiculturalism may be defined in many ways. Price seems to be equating multiculturalism with diversity in lines 6 and 8. He also defines immigration/multiculturalism/diversity positively with terms such as “great” (6) and “bright” (8), and links these to the Olympic Games, an event with a high positive loading. This diversity is also constructed as the feature that non-Australians are most impressed with: “the world stood up and took note” (4) and “The opening ceremony, which impressed everyone...” (6). These all constitute immigration/multiculturalism/diversity as a national strength.

Despite these positive constructions of accepting asylum seekers, does Price’s account nonetheless reproduce the problematic formulations of multiculturalism as cultural plurality, cultural tolerance and cultural enrichment? On the one hand, his initial construction of Australia as a “country of immigrants” suggests a re-categorisation of ‘us’ (non-immigrants) and ‘them’ (immigrants) into a single ‘us’, i.e. immigrants. However, the emphasis on ‘shows’, and on multiculturalism as a positive aspect of Australia’s reputation may potentially be read as a focus on cultural, rather than social and political, diversity, and ethnicity as an ‘exotic’ performance. These sorts of interpretations and issues can be quite difficult to disentangle from these kinds of accounts, where there is no explicit (or indeed implicit) definition of multiculturalism provided by the speaker.

I would argue, however, that a multiculturalism discourse is being employed here to differentiate Price’s (and the ALP’s) support for this new asylum seeker



legislation from the Government's support for this legislation. Although some members of the ALP expressed concerns about this legislation in their own party and in the media, those in parliament voted in favour of the legislation. It is important to interpret the speeches of ALP members in this light – as talk that seeks to manage their vote for the legislation whilst also attempting to differentiate themselves from the Liberal Party (and thus from the criticisms of the Government's policy as racist, inhumane and immoral), and also to manage their own private and not so private misgivings or outright opposition to the legislation. Although earlier I considered Price's account as potentially of benefit for asylum seekers, in its political context Price's construction of Australia as a multicultural nation of immigrants can also be interpreted as shifting the focus away from what is being done towards asylum seekers by presenting his own and his party's position as multiculturalist and as pro-immigration despite their support for this legislation. Similar to the positive self/negative other presentation I examined in O'Connor's speech earlier, Price's use of a discourse of multiculturalism, diversity and national pride is used here to present himself positively as tolerant, accepting and not racist, i.e. as different from the Government, although they are both voting in favour of the same piece of legislation. In this respect, Price is using multiculturalism as a way of presenting what is arguably an exclusionary and racist policy as egalitarian and justified.

There is another aspect of Hage's criticism of multiculturalism that applies to this account. Similar to Hollis' account earlier (Extract 3), by constituting Australia in positive terms this account marginalises alternative versions of Australia as exclusionary and racist. In particular, the picture of harmonious nation-building glosses over the economic and social inequality after the Second World War between white and non-white immigrants who primarily contributed to the economy as

‘migrant’ labour and were generally given the worst jobs in the worst conditions (Hage, 1998). Although as I noted a construction of Australia as a multicultural nation of immigrants has some strategic benefits in this context by (potentially) proscribing that we accept asylum seekers into Australia and treat them with ‘acceptance and tolerance’ once they arrive, in the broader context it reproduces the dominant, and politically conservative, paradigm that Australia is an egalitarian society.

*Australia is less generous than other nations*

Earlier I analysed an account from one of PM John Howard’s speeches in which he constructed Australia as the most generous country towards refugees. As I noted then, during the asylum seeker debates Australia was often portrayed as the most generous nation towards refugees and asylum seekers. Take, for example, these two further accounts:

*Extract 9: The most generous in the world*

1. There are 900 people coming down now on different types of boats and they are trying to seek illegal access into Australia.
2. Australia has set aside 12,000 places for refugees and, weight for age, or population wise, we are probably the most generous re-settlers of refugees in the world.

(Senator Ronald Boswell, National Party, Senate Hansard, 29/8/01, p. 26987)

*Extract 10: The most generous in the world*

1. Australia has a humanitarian program which is recognised as one of the most generous in the world.
2. We accept 12,000 refugees or thereabouts each year under our humanitarian program.

3. Per capita, that is one of the most generous programs in the world, and it is recognised as such by the United Nations.

(Senator Julian McGauran, National Party (now a member of the Liberal Party), Senate Hansard, 29/8/01, p. 26885)

In these extracts, Boswell and McGauran use the repertoire of Australia-as-the-most-generous-nation to work up a positive presentation of Australia and a conversely negative position for asylum seekers, and to present Australia as doing ‘more than enough’, making the re-settlement of more asylum seekers and refugees ‘not our problem’. A number of politicians in these debates justified their support for the new legislation on the basis that Australia’s status as the most generous meant accepting asylum seekers arriving by boat would be over-generous, or to preface the claim that this generosity needed to be limited because it was being abused. This was also found by Sedlak (2000) in her examination of the Austrian parliamentary debates on immigration. She found that those supporting new restrictions on asylum seekers drew on a national myth of the legendary hospitality and generosity of the ‘Austrian golden heart’. This formed part of a principle/practical dichotomy, in which financial constraints (presented as the result of this previous generosity) were drawn upon to present providing assistance in the current situation unreasonable.

Earlier, I analysed how constructions of Australia as a generous nation could also be employed by refugee advocates’ to present this tradition of generosity as tarnished and threatened by the new asylum seeker policies. In addition, in justifying their opposition to these new laws, refugee advocates also drew upon a repertoire in which Australia is presented as less generous than other countries. However, as a less salutary vision of Australian-ness, and also one that does not fit with the standard story of Australia-as-generous, advocates faced considerably more difficulty

mounting these kinds of arguments. In both the extracts below, the speakers use different strategies to overcome this.

In this first extract MP Hollis undermines as a myth, the Government's version of Australia-as-generous and works up as 'real' the alternative presentation of Australia as hostile and paranoid about outsiders.

*Extract 11: Paranoid Australia*

1. And to allay our fears, we always say, 'How good we have been: we take 12,000 refugees.'
2. If I hear 'genuine refugee' again, I think I am going to be sick.
3. All we hear about are genuine refugees.
4. The truth is, Australia has always been hostile to people coming here.
5. Malcolm Fraser made this point a couple of days ago in the Sydney Morning Herald and the Melbourne Age, and it is true.
6. If you want to look at how paranoid Australia was, read O'Farrell's book on the history of the Irish in Australia.  
[...] <sup>18</sup>
7. I am old enough to remember us talking about wogs and dagos and people living on the smell of an oily rag.
8. Then we had the domino theory: how all these dominoes would fall and the yellow peril would come down to Australia.
9. We have always been frightened of the north.
10. We have always been frightened of people coming here.
11. Today everyone talks about how great we were towards the Vietnamese.
12. Ask a few Vietnamese who came here in boats and landed in Darwin 20 or 25 years ago about the great reception they got!
13. Unlike Nauru, there were not people there in hula dresses presenting them with flags.
14. Go back and look at some of the articles in the papers when the Vietnamese came here in boats 20 years ago and at the xenophobia that was exhibited then.
15. So it goes on.
16. Always in this country there is a competition as to how far we can demonise people.
17. That is what we are doing today.
18. That is what we are continuing to do in this country.

(MP Colin Hollis, ALP, House Hansard, 20/9/01, p. 31110)

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<sup>18</sup> I have excluded from this transcript six lines after Line 6 in which Hollis talks about Australia's Irish heritage, which was not relevant for the present analysis.

In the first line Hollis presents the opposing claim that ‘Australia is generous towards refugees’ in order to undermine it. He begins destabilising this version of Australia as, firstly, a palliative for “fears” that we are not being generous (and thus implicitly not a ‘true’ claim, but one used for political purposes), and secondly, as a version of Australia so offensive that he feels he is going to be “sick”. This works up Hollis’ opposition to this version of Australia as a ‘gut reaction’ i.e. as a deep-seated physical response, helping to present his position as ‘the truth’. He uses this to challenge as ‘sickening’ (implying that it is false, fake, reprehensible and wrong) the distinction used so often in Government accounts between ‘genuine’ and ‘non-genuine’ refugees and the claim that Australia is generous towards those who ‘deserve’ such generosity. The rest of this account is given over to demonstrating that these claims are false and that Australia/ns have been hostile to all refugees.

Hollis continues by re-presenting this generosity as a ‘myth’ with his first phrase in line 4 “The truth is...” He then goes on to work up as ‘the truth’ a version of Australia as hostile through five consensus warrants (4, 5, 6, 11 and 13). Those in lines 6 and 11 are particularly interesting. In line 6, Hollis draws on a powerful strategy of reality production, that of personal experience, which, as researchers such as Potter (1996) have pointed out, is difficult to undermine. And in lines 10 and 11, Hollis introduces a distinction between the claims of Australians (who have a stake in presenting their actions in a favourable light), and the ‘real’ version of the story told by those who were the targets of Australia’s refugee policies. This account uses these warrants as a way of ‘building up evidence’ for Australia’s hostility, in the face of pervasive claims that Australia is generous. As I noted, the ideal of a generous Australia is both a commonsense one, and one that is consistent with Australia’s projected national image. Hollis orients to this and provides not just one, but five

consensus warrants of his position. Note also that these consensus warrants include one from a high-ranking former Liberal Prime Minister, Malcolm Fraser, as well as a book author, Hollis himself, the Vietnamese, and newspaper reports. Hollis also draws upon another more recent commonplace in the Australian imaginary – that of Australia/ns as xenophobic towards Asians. In recent years, many academic and non-academic sources have argued that Australia has had a long-standing fear of Asia and Asians, which is reflected by race-based immigration laws such as the White Australia Policy, and, as Hollis mentions here, the widespread belief in the ‘yellow peril’ and the ‘domino theory’ (e.g. McMaster, 2001). Although this version of Australia’s history has been vociferously denied (especially by PM John Howard), it still retains cultural currency, and is thus useful here to make Hollis’ argument that Australia is a hostile rather than generous nation.

As noted previously, constructions of Australia as egalitarian and multicultural function proscriptively – these are not merely descriptions of Australia but ways of proscribing how we should respond to asylum seekers, and what kind of policies are in the national interest. This construction of Australia as less generous is no different, although this is obviously a much more negative description of the Australian identity. This repertoire uses the inherently negative loading of hostility, xenophobia and intolerance to proscribe not that asylum seekers should continue to be treated in this way, but that Australia must replace this outmoded, negative identity with more progressive attitudes of inclusion and acceptance.

In this next extract, Senator Bartlett takes a different approach to building a version of Australia-as-less-generous-than-others, through using quantification rhetoric. I noted earlier in relation to Extract 2 the Government’s use of numbers and statistics to work up the number of asylum seekers as ‘too many’, Australia as

‘too small’ and the current refugee intake as generous. Extract 12 is an example of the ways in which numbers and statistics can be successfully used by advocates, to make the opposite arguments that there are few asylum seekers arriving in Australia, that Australia is able to take in more refugees, and that Australia’s intake is less generous than that of other countries.

*Extract 12: This myth that we are more generous*

1. We have also had repeated statements that Australia is the most generous of all countries, except possibly Canada in relation to the provision of assistance for people who are seeking asylum.
2. Again, the facts do not bear this out.
3. I acknowledge that there are different definitions in different parts of the world, so there are always some imperfections related to comparing figures—that can work both ways of course—but the UNHCR track these things and, if we look at their statistics for asylum applications lodged in Europe, North America, Australia and New Zealand in the first six months of this year, Australia ranked 12th in the first part of the year, with 3,400 in the first quarter of the year and just under 3,000 in the second quarter.
4. This compares with countries such as Germany, which had over 40,000, and France, which had over 20,000, and the list goes on.
5. Similarly, in relation to applications lodged, our overall number is significantly below that of many other countries, and so it is a complete furphy to suggest that we are more generous than other nations.
6. Sure, if you just count people from offshore, we do not do too badly: we are ranked about third on a per capita basis at the moment, behind Norway and Canada.
7. However, if you include onshore arrivals and people having to deal with asylum applications, we come quite a long way down the list, on a per capita basis.
8. There are 687 per million people in Australia, compared with 2,400 in Norway, 2,480 in Switzerland, 1,000 in Canada, 2,778 in the Netherlands and 957 in Germany.
9. So let us not accept this myth which is being peddled, among all the other myths, that we are more generous and are pulling our weight more than anybody else.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 24/9/01, pp. 27693-4)

As in Hollis's account, Bartlett re-presents the construction of Australia-as-generous as a 'myth'. Whilst Hollis used a series of consensus warrants, Bartlett uses numbers and statistics to work up as 'fact' his alternative account of Australia-as-less-generous-than-others. In line 3, he provides a possible reason for the discrepancies between the Government's reading of the statistics and the reading he presents in his speech. He immediately follows this by presenting his interpretation as the true one, again through a consensus warrant provided by the UNHCR. In this context, the UNHCR is presented as an independent monitor of all refugee intakes across countries, which, it is implied, uses generic categories and definitions and can therefore be considered to be more accurate, and less interested, than those provided by individual countries.

Bartlett's choice to compare Australia with other countries is also yet another example of the ways in which a discourse of internationalism, which I first examined in Chapter 3, can be used in these debates. By positioning Australia as one nation among many, and drawing upon the commonplace in internationalism discourse of the importance of 'pulling one's weight' and sharing the burden, Bartlett measures Australia's performance against these criteria. He also uses this as a way to proscribe greater, rather than less, generosity, as the appropriate response. Similar to Hollis' account, Bartlett's version of Australia-as-less-generous-than-others is oriented towards proscribing that more, rather than less, generosity, is consonant with this Australian national image.

*This is not the Australian way*

In developing a basis on which to reject the Government's refugee policies, a number of politicians, such as Senator Schacht and Senator Allison, whose speeches



are extracted below, constituted the refugee policies as inimical to Australian values and beliefs. Constituting something as Australian or un-Australian provides both a proscription for what we should do and what we should not, what is acceptable and what may be criticised.

This first extract is from Senator Schacht's speech in committee on amendments to the Migration Act. The extract is part of a much longer speech in which Schacht denounces the views expressed by members of One Nation and the Liberal Coalition. Previous to Senator Schacht's speech, Senator Harris of One Nation had made a number of comments, including: "I feel the whole issue of illegal immigration has been bogged down in political correctness and warm and fuzzy garbage"; "I believe that Australia has taken great exception to the abusive influx of the illegals"; and "I believe the Australian people have very clearly shown in some of the polls...that they believe that these illegal criminals should be immediately sent back" (Senator Ian Harris, One Nation Party, Senate Hansard, 6/8/01, pp. 25593-25595). This extract from Schacht's speech is a response to these calls to 'turn them around', in which he re-frames what such an action 'really' means, and undermines claims that 'turning them back' has public support.

*Extract 13: That's not the Australian way*

1. Say to the members of the Australian public, 'Whom on the boats do you want to shoot first?
2. Or do you not want to shoot them?
3. Do you want the Australian patrol boats to ram them and sink them at sea – going back to what the Romans used to do, the old-style ramming – run over them and let them drown?
4. It is all very well to sit back in Australia and imply these things on a talkback program when that person is not looking in the face of someone they are about to drown, turn away or let starve at sea.
5. When you get to that question, I think a large majority of Australians will say, 'That's not the Australian way; that's not what we've been about in

this country for 200 years of European settlement.’

(Senator Christopher Schacht, ALP, Senate Hansard, 6/8/01, p. 25599)

In this account, Schacht presents the Australian public’s anti-asylum seeker sentiment as a temporary obscuration of their ‘true’, underlying and deeper feelings and values (which would reject killing or harming asylum seekers). Schacht uses history as a way of differentiating between this temporary anti-asylum seeker sentiment and these deeper feelings and values by presenting the latter as an essential Australian quality since European settlement (5). He also uses the consensus warrant of “a large majority of Australians” (5) who would, along with Schacht, agree “that is not the Australian way” (5). In distinguishing the rejection of killing and harming other people as truly Australian and the calls to ‘turn them away’ as “not the Australian way” (my emphasis), Schacht seeks to mobilise his audience towards an humanitarian approach to asylum seekers, and to oppose the new legislation and the Government that introduced it.

Schacht explains the contemporary support for ‘turning them back’ as the result of the public’s distance from the ‘reality’ of the life and death nature of refugee decisions, i.e. of not being confronted with the human face of this issue. Given the local context in which this speech is being made, it is likely that Schacht is implying that this distance has been created by the Government’s ban on the media photographing or speaking to asylum seekers, and by its anti-asylum seeker rhetoric. He undermines the public support for the Government’s policies as not ‘real’, i.e. as not based on ‘the truth’. He uses this to argue that once the public is presented with the truth, i.e. should Australians look “into the face of someone they are about to drown, turn away or let starve at sea” (4), then they would revert to the principles

which Schacht argues are the true expression of the national identity and would no longer support these policies.

This pattern of undermining support for a policy or project by presenting it as an outcome of the machinations of an extreme minority influencing the reasonable majority has been previously identified by Wetherell and Potter (1992), Nairn and McCreanor (1990; 1991) and Praat (1998). They found that, in interviews, media reports, and submissions to the human rights commission, majority whites in New Zealand consistently dismissed Maori protestors as ‘stirrers’ (i.e. an unrepresentative extreme minority) who had ‘hoodwinked’ the majority of Maoris into supporting them. The effectiveness of these repertoires in discrediting one’s opponents has its roots in the western traditions of valorising ‘facts’, rationality, ‘genuine beliefs’ and individual reasoning, over falsity, emotionality, ‘inauthentic motives’ and the group or crowd mentality (Wetherell & Potter, 1992). It is interesting that this same pattern, which elsewhere has been used to dismiss the validity of indigenous land rights campaigns, is conversely used here to marginalise and isolate the Government as extreme and non-representative and to undermine their support as a temporary aberration resulting from their attempts to ‘hoodwink’ the public.

In this next extract Senator Allison also differentiates between the true and false Australia, again providing a basis for rejecting the asylum seeker legislation as un-Australian.

*Extract 14: This is not Australia*

1. We believe the views that have been expressed in the last few days by so many people – the churches, immigration groups, ordinary individuals – who have said that this is not Australia, this is not the way we treat refugees, this is an abuse of human rights, and this is not what we feel good about.
2. Many people have said to me that they are ashamed to be Australian and that they want us to reject this bill.

(Senator Lyn Allison, Australian Democrats, Senate Hansard, 24/9/01, p. 27731)

In this extract, Allison, with the corroboration and consensus of “so many people” (1) who are nominated as both authoritative and widely representative through a persuasive three-part list – “the churches, immigration groups, ordinary individuals” (1) – the treatment of asylum seekers is positioned as antithetical to Australia: “this is not Australia, this is not the way we treat refugees” (1).

Emotions are used here to produce a moral evaluation of the treatment of asylum seekers. Presenting the policy as engendering ‘bad feelings’, such as shame, is, according to Edwards (1997), useful for presenting the incarceration of asylum seekers as wrong, because emotions are commonly understood as both honest and spontaneous. Thus, to describe something in terms of an emotional reaction is to work up one’s position as the truth, i.e. as a natural response (Edwards, 1997).

The rhetorical effect of these emotion categories draws on an equation of the body politic to the individual body and psychology. The particular model of individual psychology being reproduced here is one in which the individual has a true self, but also the ability to act falsely. In humanistic psychology terms, a lack of coherence between the true and false self underlies psychopathology, and manifests itself in symptoms of psychological distress. Here, we have a national body, made

up of a true self that treats refugees humanely and with dignity, and a current, false self, the actions of which have manifested in negative feelings and shame. The resolution of this crisis of identity is to return to the essence of Australian-ness. The notion of national character and character disorder (like personality and psychopathology), used to establish the pathogenic nature of certain forms of national being, is widespread in nationalist rhetoric (Reicher & Hopkins, 2001). Indeed, according to Reicher and Hopkins (2001, p. 207) “There is no more powerful way of regulating national relations than by invoking pathology to determine what is legitimate and what is illegitimate”.

In common with Schacht above, Allison must establish the national image of Australia that she presents as the national image. This is particularly difficult given the generally overwhelming public support for the Government’s policies. As well as emotion categories, Allison employs an expert consensus warrant (the churches and immigration groups) and a consensus warrant of the “many” to present opposition to the legislation and support for asylum seekers as an expression of the true national identity.

*Accepting asylum seekers is in the national interest*

As noted in the introduction to this chapter, according to Reicher and Hopkins (2001), a common way in which descriptions of the nation become part of a strategic shaping of responses to the Other is through:

defining their impact upon one’s collective interest. If say, they enhance the national interest, they are to be embraced; if they threaten the national interest they are to be rejected (Reicher & Hopkins, 2001, p. 77).

It follows then, that, just as Government ministers worked up asylum seekers as a threat, refugee advocates in parliament alternatively defined the relationship between asylum seekers and the Australian nation as positive, beneficial and essential to Australia's success as a nation. Senator Cooney makes this point when he says:

*Extract 15: They have made great contributions*

1. ...they have made great contributions to this country.
2. They have become professors at universities, they have become judges and what have you.

(Senator Barney Cooney, ALP, Senate Hansard, 6/8/01, p. 25601)

In this extract, Cooney presents asylum seekers and refugees as part of the national prosperity and progress: “they have made great contributions to this country” (1). He bolsters his argument through a three-part list of the personal achievements of immigrants in highly respected fields: “professors at universities” and “judges” (2) and completes the list with a generalised list completer that indicates there are many more relevant nameables that do not need to be specified. Such generalised list completers are a robust way of indicating generality (Jefferson, 1990).

Others also took up this repertoire. Nick Bolkus, a Labor senator, asserted that refugees and immigration are an essential part of Australia's success as a nation.

*Extract 16: Refugees have made enormous contributions*

1. In that context, you really have an obligation to help those who want to come here as refugees and in humanitarian circumstances – if for no other reason than, in looking back at our history, it can be seen that those who have come here over the years as refugees have made enormous contributions to this country.
2. They have not stagnated and have not been stillborn in their citizenship of

Australia.

3. They moved on one after the other and contributed enormously.
4. We have met social responsibilities but, as a nation, we have benefited from those whom we brought in in these circumstances.

(Senator Nick Bolkus, ALP, Senate Hansard, 29/8/01, p. 26997)

In this extract, Bolkus presents the relationship between Australia and refugees as one in which refugees have made “enormous contributions” (1 & 3). He defines the relationship between asylum seekers and Australia as one that is mutually beneficial (4), rather than to the benefit of refugees and the detriment of Australia as is often the case made out by Government speakers. This is similar to the presentation of immigration as a win-win situation that I noted earlier, in relation to the extract from Price.

In defining asylum seekers as of benefit to Australia, these extracts, and others like them, seek to strategically shape the response to asylum seekers towards acceptance.

## **Conclusion**

This chapter sought to answer two questions: how is Australia being constructed in arguments about asylum seekers and what do these constructions achieve. In the first section, I built upon previous research in this area and examined the construction of Australia as a physical, bounded space and of Australia as under threat in Government accounts. These repertoires presented the Government’s policies as the necessary defence of land and sea, and asylum seekers as a threatening Other poised to overwhelm a small and vulnerable nation.

In the second section, I examined advocates’ accounts of ‘Australia’. There were four common ways of depicting Australia in these speeches: as a nation with a

tarnished image, a nation of the 'fair go', a migrant/multicultural nation, and as less generous than other nations. These constructions were not merely descriptive but proscriptive. They were an integral part of strategies to shape the Australian response to asylum seekers towards humanitarianism and acceptance. Advocates constructed the nation in such a way as to proscribe inclusiveness, acceptance and compassion towards asylum seekers. They also defined the relationship between the national interest and asylum seekers as mutually beneficial and presented refusing asylum seekers as negatively impacting on the Australian identity and collective interest. The Government was positioned as a threat to the national interest because its actions violated core Australian characteristics and diminished the Australian reputation.

However, it is important to acknowledge that these constructions of the Australian identity did not have equal weight in the debate over asylum seekers. The Pacific Solution, mandatory detention and temporary visas remain entrenched as Australia's response to asylum seekers. Reicher and Hopkins (2001, p. 148) suggest that: "One way...in which the argument over identity becomes unequal is through the differential power of participants to instantiate their constructions in the fabric of our everyday lives."

What, then, did the national identities offered by Howard have that those offered by refugee advocates did not? I argued that the 9/11 attacks, together with globalisation, economic, environmental and political instability, provide an historical context in which the demonisation of people moving across borders who are 'different' is utilised to allay fears of de-stabilisation and terrorism. These historical events have made refugee advocacy more difficult. However, it should be noted that Pickering (2001) analysed talk about asylum seekers for the three years prior to the



*Tampa* and still found that asylum seekers were overwhelmingly demonised and criminalised. It seems that asylum seekers offer an identifiable enemy, particularly in times in which enemies are perceived to be everywhere.

Further, if we look at the commonsense assumptions about ‘nations’, some aspects of nationhood are more readily part of a national imaginary. This is particularly the case for ‘borders’ and ‘border protection’ and the idea that a nation is a group of distinct people sharing distinctive qualities. These features of nations are regularly and invisibly instantiated into the daily fabric of our lives: atlases and maps produce definitive lines between nations; systems of citizenship, immigration and travel require all manner of documentation to prove one’s own nationality before crossing the border into another ‘nation’; intellectual and philosophical writings on the nature of nations consistently define nations in terms of borders, territory and shared qualities such as language, history and culture. Perhaps, as I noted in Chapter 4, there is a hierarchy of ‘things necessary for a nation’, as there is a ‘hierarchy of rights’. One may be a nation without maintaining a good international reputation, but one may not be considered a nation without control over land and borders. As Nairn and McCreanor (1990; 1991) note, some arguments are less available than others, they are arguments out on a limb, going against the accepted wisdom of ‘a nation is a sovereign state’. In this context, it is more difficult, and less persuasive, to draw upon ‘peripheral’ national discourses that work up nation-hood in terms of values such as humanitarianism and egalitarianism.

In the Australian context, there is also an increasing trend towards viewing identity debates as negative and unnecessary. PM John Howard has been particularly effective in positioning those national identities that are critical of Australia’s history, that are universal rather than nationally focussed, and that include non-

Europeans, as unnecessary, false, and ideologically-driven criticisms of an essentially positive and authentic Australian identity. The identities his Government offers in terms of national security and border protection also speak to a rising nationalism and patriotism in Australia that is often reflected in fears of a failing ‘Anglo-Saxon’ identity and which mirrors the more overt patriotism of the United States (Hage, 2003).

In the next and final analytic chapter I examine the ways in which advocates challenge another commonplace discourse in these debates – that of new racism.

## *Chapter 6: Refugee advocates' constructions of racism*

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According to an Australian report on racism, in the last ten years the boundaries of legitimate political discourse on race, immigration and ethnic relations have expanded to incorporate an increasingly normalised racialisation of issues such as the exclusion of asylum seekers (Anti-discrimination Board of New South Wales (ADB NSW), 2003). This racialisation is mostly implicit, relying on coded references to racial and cultural groups, such as 'youth gangs' and 'terrorists', which have come to be widely understood by target audiences as references to people from Middle Eastern backgrounds. Many of the features of this political discourse reproduce those identified in other debates on race and immigration as 'new racism'. The proliferation of new racism in the Australian debates on asylum seekers is a significant issue for those opposing the new asylum seeker policies. However, as noted in the Preface, comparatively little attention has been paid to anti-racist talk and texts within research on the language of racism. Exploring these is of particular interest given the deployment of the subtle and slippery discourses of new racism by those promoting the new asylum seeker legislation, and also in light of the potential implications of some understandings of racism commonly used in anti-racist discourses (e.g. as an individual, psychological failing), an issue I raised briefly in the Preface.

The research presented in this chapter takes the construction of racism in refugee advocates' speeches in the Australian parliament as the main object of study. It aims to extend previous research that has focussed solely on racist or anti-asylum seeker talk and text, thereby increasing our understanding of the complexities of race discourse. It aims to identify the multiple constructions of racism in this talk, their

function and social implications. I also analyse these constructions with a view to examining whether refugee advocates are constructing new racism as racist.

I begin by reviewing previous discursive research on new racism, and on racism and asylum seekers. This outlines some of the main themes and arguments employed to exclude minorities and asylum seekers, providing an understanding of the rhetorical context in which advocates' constructions of racism are made (Billig, 1988). This is followed by a review of previous research on anti-racist talk and texts, before I go on to analyse constructions of racism in refugee advocates' speeches in the parliament.

### **The new racism**

As noted in the Preface, there is a growing body of discursive research on majority group members' talk and text on issues of race, ethnicity and immigration that has been conducted across a range of sites, including the media, parliament and everyday talk, and in a number of western nations. This research reveals a commonality in the discursive resources (i.e. interpretative repertoires, rhetorical devices) of the contemporary language of racism across western liberal democracies. Collectively, this research points to a discursive shift in the way inequality and oppression are justified. This shift is observable in the pervasive de-racialisation of such talk, ubiquitous denials of prejudice, and the mobilisation of liberal tropes of freedom, equality and fairness.

American researchers have called this the 'new racism', which denies being racist, in contrast to 'old-fashioned racism', which was unambiguous in terms of its

racist agenda<sup>19</sup>. According to researchers such as Katz and Hass (1988), Kinder and Sears (1981), McConahay (1986) and Pettigrew and Meertens (1995), new racism appropriates liberal individualist principles such as self-reliance to argue against policies designed to provide equal opportunity such as affirmative action. Negative feelings and attitudes are worked up as 'not racist', justifiable responses to the 'fact' that minority groups transgress central values such as hard work, thrift and independence.

Billig (1988) argues that contemporary political leaders, the media and citizens are faced with a social taboo against expressing unjustified negative views against out-groups. That is, general norms and values against irrationality prohibit blatant forms of prejudice, which, since the Enlightenment, has come to be understood primarily as an irrational, unreasonable and subjective/emotional response (Billig, 1988; van Dijk, 1992). In view of this, speakers attempt to maintain a 'rational' subject position by strategically working up their views as reasonable and framing their talk in such a way as to undermine or prevent possible charges of prejudice. Those who wish to express negative views against out-groups take care to construct these views as justified, warranted and rational (Rapley, 2001), denying, mitigating, justifying and excusing negative acts and views towards minorities in order to position themselves as decent, moral, reasonable citizens (Condor, Abell, Figgou, Gibson & Stevenson, in press).

The discursive resources used for denying, rationalising and excusing negative views of out-groups can be loosely grouped into three types of strategies:

(1) framing negative views as ostensibly based on conditions external to one's self

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<sup>19</sup> However, the distinction between old and new racism in this way is less than clear cut, as there is evidence that even 'old fashioned' racists choose their terms and arguments strategically (Billig, 1988) and that overt racial views are still expressed in everyday talk (Rapley, 2001).

(i.e. as rational, factual and non-prejudiced), rather than on internal, psychological motivations (i.e. as irrational, subjective and prejudiced); (2) re-defining racism as 'extreme, violent behaviour', as 'doing equity', as 'honesty' and as 'over-sensitivity'; and (3) deploying liberal and egalitarian principles of fairness and equality.

#### *External rationales for negative views*

Previous research has found that new racist discourse employs a 'reasonable prejudice' repertoire, constructing negative views as based on incontrovertible, external reasons (i.e. as rational, factual and non-prejudiced), rather than as stemming from an internal, psychological cause (i.e. as irrational, subjective and prejudiced) (Billig et al., 1988). Two popular externalised justifications for negative views of out-groups are: to argue that the negative view is a response to the negative characteristics of the out-group (blaming the victim); and to re-present racist views as economic concerns.

#### *Blaming the victim*

Attributing inequality to the characteristics of the out-group is a strategy van Dijk (1991) calls 'blaming the victim'. In this classic neo-liberal trope, problems are described not in terms of social or historical causes, but as caused by individuals' characteristics and destructive choices (LeCouteur, Rapley & Augoustinos, 2001).

Augoustinos, Tuffin and Rapley (1999) found evidence of victim blaming in their study of focus group discussions on Indigenous and white relations in Australia. Participants constructed the issue of Indigenous poverty as a consequence of "their (wilful) disengagement from productive activity" (p. 355) and Indigenous alcoholism

the result of an individual choice to drink. Similarly, Indigenous people's collective 'failure to achieve' was attributed to the 'dead weight' of problematic Indigenous people who prevented progress. By shifting the responsibility for poverty and alcoholism on to Indigenous people themselves, white speakers were able to reject claims that these were the result of systemic racism and discrimination.

Victims of racism are not only blamed for problems such as inequality, unemployment and alcoholism, but are also constructed as the cause of the majority group's racism. Reeves (1983), van der Valk (2000), Jones (2000) and Verkuyten (1998) found politicians and focus group participants argued that immigration and the presence of immigrants caused racism and a rise in extremism. For example, the participants in Verkuyten's (1998) study argued that their negative views of 'foreigners' grew out of their experiences living in a multi-ethnic community, claiming they were not racist until they lived with immigrants and observed their unhygienic and immoral lifestyles.

### *Economic arguments*

Negative views of an out-group can also be externalised by framing them as a concern with economic practicalities. For example, Blommaert and Verschueren (1998) found immigration was consistently constructed in the Belgian media as a threat to prosperity, to the future of 'our' children, the viability and integrity of the social security system and majority group employment. An ostensible concern for cost-efficiency was also used to legitimate the refusal to grant asylum to refugees, who were depicted as a drain on the economy requiring a large financial outlay for little return (often contrasted with the financial benefits of 'other immigrants') (Blommaert & Verschueren, 1998).

Economic arguments can also be used to re-frame negative views of an out-group as a concern with economic practicalities. This was demonstrated by Augoustinos, Tuffin and Rapley (1999), who found that their focus group participants rationalised racism as “justifiable anger” over “unfair” government handouts to Indigenous Australians. Participants argued that negative feelings towards Aboriginals were not based on “the colour of a person’s skin” but on the “social advantages they are seen to have”. One participant denied that the pervasive dislike of Aboriginal people was racist, claiming instead that it was the result of “taxpayers [...] worried about where their money is going”.

### *Re-defining racism*

Contrary to the assumptions of much non-discursive research on racism, the category of racism, and attributions of race and racism, are not static, nor are they value-free, empirical scientific statements about observable objects in the natural world. Rather, the category of racism is constructed flexibly and variably, and these constructions can be used to manage the moral accountability and identity of the speaker as not racist. By re-drawing the boundaries of what may legitimately be defined as ‘racist’, the category of racism may be used to position a person as ‘not racist’ by placing their own behaviour and views outside of the boundaries of racism. This is demonstrated by the variety of constructions of racism observed across sites of formal and informal talk about ‘race’. These constructions include: racism as violence, racism as equity, racism as honesty, and racism as over-sensitivity.



*Racism as violence*

The 'reasonable prejudice' repertoire, outlined above, is coincidental with a repertoire of 'unreasonable prejudice', in which the reasonably prejudiced argue that the 'real' racists are those who promote and engage in violence (Billig et al., 1988). The use of extremism as the measure of racism is often used to allow the 'reasonably prejudiced' to distance their own negative views and acts from racism (van Dijk, 1991).

This was found by Verkuyten (1998) in his study using focus groups in the Netherlands. Participants constructed 'real racism' as the Nazi extermination of the Jews and the violent protests of extreme right wing political groups. By defining racism as extremism, they were able to distance themselves from such an identity, despite expressing highly negative and derogatory views about 'foreigners'.

*Racism as equity*

Billig et al. (1988) suggest that linked to the concept of prejudice is the notion of equality, as to be non-prejudiced is to treat all people equally. Thus it is imperative, in order to avoid charges of racism, that the reasonably prejudiced are seen to uphold the values of equality whilst formulating unequal views. This is observable in arguments opposing affirmative action, which are often presented as a concern that no group should receive special treatment or more than their fair share (Augoustinos, Tuffin & Every, 2005).

In his study of the maiden speech of Pauline Hanson, an Australian right-wing political candidate, Rapley (2001) found the speech drew upon locally nuanced, culturally pervasive discourses of egalitarianism, mateship and the notion of a 'fair

go' to construct a version of self as representing 'equity'. Using these discourses, Hanson re-defined her opposition to Indigenous land rights and affirmative action as a defence of the right of white Australians to be treated equally, rather than as a prejudicial view of Indigenous people.

As Billig et al. (1988) argue, the claim that it is white majority who are unfairly treated and thus the 'real' victims of prejudice, re-casts oppressor and oppressed. This strategy was also identified by Verkuyten (1998) in his study in The Netherlands. Participants in his focus groups re-defined themselves as the object of discrimination from anti-racists. In this argument, the injustice of discrimination is not questioned, but who is being discriminated against is challenged. This allows participants to define themselves as part of the moral community, as upholders of equality, whilst espousing negative views of others (Verkuyten, 1998).

#### *Racism as honesty*

Rapley (2001) also found that a key strategy in Hanson's speech was to re-define racially negative views as the expression of frank, down-to-earth, common sense. This was also noted by van Dijk (1991) in relation to claims that media reportage marking criminals as 'black' were reporting the 'truth' and were therefore not racist.

#### *Racism as over-sensitivity*

In this new racist strategy, claims of racism are contested as 'over-sensitivity'. This was found by Nairn and McCreanor (1990) in their study of submissions to the Human Rights Commission on race relations in New Zealand.

They examined the use of notions of 'sensitivity' in Pakeha (white New Zealanders) constructions of a fight between Pakeha and Maori students after the Pakeha students performed a mock Haka (Maori dance). The behaviour of the Pakeha was attributed to 'insensitivity', rather than racism, whilst the Maori's claim that the mock Haka was racist was deemed to be an 'over-sensitive' response. This functioned to allocate blame for racial tension to the undue sensitivity of the Maori, whilst minimising the responsibility of the Pakeha.

The attribution of racism to over-sensitivity was also found by van Dijk (1997), Augoustinos, Tuffin and Rapley (1999) and Augoustinos, Tuffin and Sale (1999), who give the following example of this strategy:

Also too they often look for *reasons* that are not there. Ahh they feel that because they're Aborigines if something doesn't happen it's because they're Aborigines (Ah ha). Umm often, ok I admit that sometimes it may be the case in jobs and whatnot but ahh I think often it's not warranted? (Augoustinos, Tuffin & Sale, 1999, p. 95)

In this account, experiences of racism by Indigenous people are contested with the suggestion that they are seeing racism where it does not exist. Such strategies locate the source of racism in the individual psyches of Indigenous people, and infer that racism is more imagined than real. The magnitude of racism is minimised with the suggestion that, while some claims are justified, "often" these are unwarranted.

*Liberal arguments for 'illiberal' ends*

Wetherell and Potter's (1992) analysis of racist discourse in New Zealand found that the intellectual resources of Western political democracies structure the discourse of race politics. They argue that although discursive resources such as human rights, egalitarianism and equality have been utilised in anti-racist discourse,

and are perhaps commonsensically associated with liberalism and democracy, these same intellectual resources are also successfully deployed to support arguments whose effects or aims are 'illiberal' and undemocratic. They found that these intellectual traditions were mobilised as 'rhetorically self-sufficient arguments' i.e. they were used by participants without further explanation, allowing the ethical principles of liberal philosophy to do their rhetorical work. When these ethics raised potentially opposing or problematic issues, participants then drew on the discursive resource of 'practicality', most frequently in the form of the principle/practical dichotomy in which a principle is cited, but is excluded as impractical in the current situation.

Wetherell and Potter (1992, p. 177) identified ten rhetorically self-sufficient arguments utilised by white speakers to justify the inequality between Pakeha and Maori citizens and avoid a racist identity:

1. Resources should be used productively and in a cost-effective manner
2. Nobody should be compelled
3. Everybody should be treated equally
4. You cannot turn the clock backwards
5. Present generations cannot be blamed for the mistakes of past generations
6. Injustices should be righted
7. Everybody can succeed if they try hard enough
8. Minority opinion should not carry more weight than majority opinion
9. We have to live in the twenty-first century
10. You have to be practical.

All of the strategies for denying racism outlined in the previous sections can be seen to draw on these intellectual resources. For example re-defining racism as 'equity' draws on the argument that 'everybody should be treated equally'; the categorisation of Indigenous Australians as unproductive relies on the argument that

‘resources must be used productively’; and the construction of inequality as the fault of minorities draws on several arguments such as ‘present generations cannot be blamed for the mistakes of past generations’ and ‘everybody can succeed if they try hard enough’.

The strategies for presenting racist views as ‘not racist’ outlined here are, as noted, common in debates on race, ethnicity and immigration in western liberal democracies. Within this body of research on the contemporary language of racism, many researchers have focussed specifically on the asylum seeker debates. This next section reviews in more detail this research on asylum seekers and race discourse.

### **Race discourse and asylum seekers**

Discursive research on race discourse and asylum seekers has primarily focussed on how people from the Middle East have been constructed as racially deviant, how asylum seekers have been identified as Middle Eastern, and thereby how they have been incorporated into this discourse of the racially deviant Other. Their research has identified three main ways in which this is done: by constructing people from the Middle East and asylum seekers as criminals; by constructing people from the Middle East and asylum seekers as racially different; and by constructing people from the Middle East and asylum seekers as ‘culturally incompatible’. I examine each of these in turn below.

#### *Constructing asylum seekers as a criminally deviant Other*

According to Gilroy (1987) criminalisation is a highly effective method of constructing a deviant Other and a potent way to legitimate inequality, oppression

and discrimination. A commonsense link between immigration, ethnicity and crime had already been established in Australia prior to the arrival of the asylum seekers on the *Tampa* (ADB NSW, 2003). As one example, the ADB NSW report cites this from an Australian newspaper: "In August 2001, NSW Premier Bob Carr 'had called for tightening of immigration policies to reduce ethnic crime on Sydney's streets'" (ADB NSW, 2003, p. 42). Another example of this commonsense link between ethnicity and crime is this extract from Paul Sheehan's opinion column in the *Sydney Morning Herald*, in which he alleges that 'Australians' are not happy about:

the way a large Muslim population has been brought into this country with barely a shred of consultation or consent...it cannot be a coincidence that the least cost-effective immigration/refugee stream in the past 15 years, in terms of high unemployment, high welfare dependence and high crime, has come from the Middle East, particularly Lebanon (cited in ADB NSW, 2003, p. 43).

As the asylum seekers arriving by boat were generally from Afghanistan and Iraq (Mares, 2002), politicians and the media were able to incorporate asylum seekers within this already well-established discourse of 'criminals from the Middle East' (ADB NSW, 2003).

This criminalisation of 'ethnics' was given greater legitimacy by the September 11 attacks. Terrorists, people from the Middle East and asylum seekers were interwoven in public discourse despite the fact that many asylum seekers were fleeing from the very regimes alleged to be harbouring terrorists. On 14 September 2001, Peter Reith (the Australian Treasurer in 2001) stated that "the clamp down on border protection went 'hand in hand' with efforts to combat terrorism" (cited in Poynting et al., 2002, p. 56). Similarly, Philip Ruddock (the immigration minister in 2001) warned on 17 September 2001, that asylum seekers entering Australia by boat

were a potential security risk, and that some had criminal records (Poynting et al., 2002).

Research by Gale (2002) also demonstrates the links made between the refugee 'crisis' and the 'war on terror'. In support of this, Gale (2002) cites media headlines such as "PM sends in the Troops" in relation to the SAS boarding of the *Tampa*. He also noted that the 'war on terror' and the expulsion of asylum seekers were represented in media and political discourse as two facets of an overarching war against the Other.

*Constructing asylum seekers as a racial and religious Other*

As also found in the ADB report, Gale (2002) finds evidence of the racial differentiation of 'Australians' and 'Muslims' in prime ministerial speeches to a Melbourne mosque that delineated Muslims as Other through the strategic use of "our country" and "your community". He argues that: "While constructing a binary between so called 'good' and 'bad' people of 'Arab' background, 'impassable symbolic boundaries' are also constructed between what is seen as a 'racially' constituted divide between 'us' and 'them' – Australians and people of the 'Islamic faith' and 'Arab background'" (Gale, 2002, pp. 5-6).

Another common sense assumption organising much of the talk about asylum seekers is that social stability relies upon racial homogeneity (Pickering, 2001). This is exemplified by this extract from a *Sydney Morning Herald* article about asylum seekers and refugees which stated that: "...it is sensible to devote a great deal more effort to ensuring that social tensions are not exacerbated by high rates of immigration" (cited in Pickering, 2001, p. 181). Within this common sense discourse

of race and social stability, asylum seekers can be constituted as racially different and therefore a threat to social cohesion.

According to Hier and Greenberg (2002), both racialisation and illegality also organised the discourse around asylum seekers arriving in Canada by boat. News coverage of the asylum seekers repeatedly referred to them as 'Chinese' or 'Asian', creating an instant epistemological distinction between 'Chinese' and 'Canadian', 'Orient' and 'Occident', 'us' and 'them'. Hier and Greenberg (2002, p. 498-99) give examples of this in headlines such as: "Chinese face immigration hurdle", "Illegal Chinese migration flowing around the world", and "Latest shipload of Asians lands to mixed reception". This process of racialised Othering served to homogenize the asylum seekers in a narrow and stereotypical fashion. The news coverage relied upon historically-laden, racialised imagery to construct international human migration predominately as a Chinese/Asian phenomenon, and, ultimately, a phenomenon to which Canada is vulnerable.

Linked to the racialisation of asylum seekers was the characterization of their actions as 'illegal'. They were most often described as 'illegal Chinese' or 'illegal Asians' and, as in Australia, associated with fraudulent claims and criminal activity. They were also worked up as a national security risk, particularly through purported links to organised crime such as drug smuggling. In Australia, asylum seekers were also linked with drug smuggling, as in the headline from *The Australian* in Gale's (2003, p. 5) analysis: "How guns, drugs and people are swamping the coastline".

### *Constructing asylum seekers as culturally Other*

Asylum seekers are also differentiated as 'culturally' incompatible. The legitimization of exclusion on the basis of 'cultural difference' has been identified as a



feature of new racism. Wetherell and Potter (1992), in their examination of Pakeha talk about Maoris, found that whereas race was once an effective and prevalent legitimating discourse, this is now performed by discourses of culture. Wetherell and Potter (1992) found that references to race were still common in the discourse of New Zealanders but that racial explanations of social relationships (e.g. emphasising superiority/inferiority, agricultural metaphors) were no longer used. They argue that cultural discourse takes over some of the same tasks as race by constructing culture as a naturally occurring difference between people. Inequality is justified, not by reference to biology, but to deficiencies in practices, attitudes and values. This still allows the ancient and archaic to be contrasted with the modern, just as 'primitive' is contrasted with 'advanced' in racial discourse, whilst maintaining a subject position as non-racist (Wetherell and Potter 1992).

A culture-as-natural-difference discourse was often employed to negatively differentiate asylum seekers in the Australian debates (Corlett, 2002b). These arguments were organised around a central premise: that the 'alien culture' of asylum seekers threatened Australian 'culture'. This was particularly made use of during what has become known as the 'children overboard affair' in which asylum seekers were falsely accused by the Australian government of throwing their children overboard to blackmail their way into receiving protection (Mares, 2002).

Government ministers, such as the then Minister for Immigration and Indigenous Affairs, Philip Ruddock, used this event to build a widely accepted message that "parents from different backgrounds to 'Australians' are incapable of understanding the significance of their actions because they do not, as a result of their cultural and religious backgrounds, share the same deep emotional attachment to their children as 'we' do" (cited in Corlett, 2002b, p. 46). The Prime Minister later consolidated this

message of cultural difference in the soon to become ubiquitous phrase 'I don't want people like that here' (Saxton, 2003).

The criminalisation of asylum seekers and their construction as racially and culturally different is the 'rhetorical other' which refugee advocates seek to challenge. However, as noted previously, some researchers examining anti-racist talk and texts have raised concerns that some of the discourses employed in these types of campaigns may ignore social and structural inequalities or fail to identify new racist discourse as racist. I review this work in the next section.

### **Constructions of racism in anti-racist talk and texts**

In general, research on constructions of racism in anti-racist contexts has focussed on the construction of racism as an individual, psychological failing. This has been the subject of several studies critical of the social effects of this individualisation: Henriques (1984), LeCouteur (2001), LeCouteur and Augoustinos (2001) and Wetherell and Potter (1992).

Henriques (1984) examined the Scarsdale Report on the UK uprisings of 1981, which explained the riots as a response to the prejudice of a 'few bad apples'. According to Henriques (1984), this focussed strategies for change on reforming the attitudes of a few police officers, rather than addressing wider issues of social inequality. Similarly, LeCouteur (2001) and LeCouteur and Augoustinos (2001) examined the deployment of a repertoire of 'apology as healing' used in the Australian debates on Indigenous reconciliation. This repertoire constructed racism as the result of psychological immaturity, proposing that this should be addressed by changing these regressive attitudes, whilst ignoring wider social and structural issues that arguably contribute to the inequality of Indigenous people. Wetherell and Potter

(1992) also critique prejudice-as-an-individual-problem as politically impotent, preferring conceptualisations of racism as a widespread social and structural issue.

However, in Augoustinos, Tuffin and Every's (2005) focus groups, one participant constructed the lack of economic and educational opportunities for Indigenous Australians as racist. This suggests that whilst a definition of prejudice-as-an-individual-problem is commonly deployed in anti-racist contexts and has contributed to the continuation of racism, it is also possible for other understandings to be mobilised, i.e. prejudice is not always constructed in ways that have oppressive social consequences. Whilst Henriques (1984), LeCouteur (2001), LeCouteur and Augoustinos (2001) and Wetherell and Potter (1992) provide an important critique of racism-as-an-individual-failing, it is worthwhile examining the ways in which prejudice is defined in other 'anti-racist' contexts to see whether this complicit discourse is being reproduced or whether less oppressive alternatives are being used.

Other critiques of constructions of racism in anti-racist contexts have been made within research on new racism. These researchers have expressed concerns that anti-racist discourses have not shifted in order to recognise new racism as 'racist'. For example, van Dijk (1992) has suggested that in general new racism is difficult to identify and often goes unremarked. Similarly, Wetherell and Potter (1992) argue that anti-racist campaigns that rely on an 'old-fashioned' definition of racism as the expression of a belief in biological superiority, or the use of overt and negative racial language, risk becoming obsolete:

Even relatively blatant fascist propaganda and blatant advocates of racism (such as Le Pen in France) have learnt to modify their discourse so that on some occasions racism can occur without biological categorisation and the more familiar paraphernalia of 'advanced' and 'primitive', 'negative' and 'positive', 'superior' and 'inferior' distinctions. Given this flexibility of the enemy, and the way debates move on, it seems sensible not to commit oneself to one exclusive characterisation of racist claims. There is a danger of being

silenced when racist discourse continues to oppress but no longer meets the main characteristics of social scientific definitions of racism (Wetherell & Potter, 1992, pp. 71-2).

These critiques of understandings of racism employed in anti-racist contexts such as refugee advocacy highlight the importance of examining constructions of racism in these contexts further, which I undertake in my analysis in the next section.

### **Constructions of racism in advocates' parliamentary speeches: Analysis and discussion**

My analysis identified four ways of talking about asylum seekers that were constructed as racist by refugee advocates in the parliament:

- i. The use of categorical generalisations
- ii. The unequal treatment of asylum seekers compared with other, similar, groups
- iii. Talk-about-the-nation
- iv. Culture-as-natural-difference talk

My analysis also identified that 'political leadership' was the most common way of accounting for the origins of racism. I consider each of these in the sections below.

#### *Constructing categorical generalisations as racist*

According to Billig (1988), the formulation of categorical generalisations as racist has its roots in the Enlightenment valorisation of rationality. During the twentieth century, the attribution of homogeneity to racial groups was widely considered to be fallacious. Categorical generalisations came to be viewed as opinions not based on objective judgement of the 'facts' (of either out-group

heterogeneity or universal social diversity (Figgou, 2002)), but based on subjective emotions i.e. prejudice and racism (Billig, 1988).

Constituting categorical generalisations as racist is commonplace in social psychological accounts of racism. According to Figgou (2002), the conceptualisation of racism as fallacious categorical images of out-groups (stereotypes) was first formulated by Katz and Braly (1935). The conceptualisation of racism as rigid categorical thinking is also found in Adorno's theory of the authoritarian personality, in Allport's work on the nature of prejudice, and in recent social cognitive accounts of racism (Figgou, 2002).

However, a number of studies of social psychological texts, political discourse, and participants' talk in interviews and focus groups, have noted a pervasive presentation of categorical generalisations as not racist, but as factual representations of groups. Condor (1988) and Hopkins, Reicher and Levine (1997) examine the construction of racial categorisations as cognitive representations of real differences between groups, and of this categorising process as natural and value-free. For example, social cognitive researchers such as Stephan and Rosenfield (1982, cited in Condor, 1988, p. 95) argue that "[t]he major function of attaching labels to different racial and ethnic groups is to impose order on a chaotic social environment", implying that these categories reflect real-world, observable differences between groups. Similarly, forming generalisations about ethnic groups (stereotyping) has also been constituted as a value-free cognitive process, as in this example from Taylor (1981, cited in Condor, 1988, p. 84): "Stereotypes, both benign and pernicious, evolve to describe categories of people, just as sunsets are characterised as colourful or balls as round."

Similarly, and as noted previously, in the Australian debate on Indigenous land rights, Pauline Hanson claimed that identifying a criminal as 'Aboriginal' was not racist but 'honest' (Rapley, 2001), whilst van Dijk (1991) found that journalists justify their ethnic marking of criminals in media reports as not racist, but 'telling the truth'. These researchers argue that the presentation of categorical generalisations as 'fact' may have the effect of reproducing potentially discriminatory opinions as 'not racist'. This justification of racial categorisation as 'factual accounting' has been identified as a strategy of new racism (van Dijk, 1991) and as evidence of the increasingly accepted racialisation of Australian politics (Rapley, 2001).

It is of significant interest then, that in the debates on asylum seekers in the Australian parliament, refugee advocates drew upon the intellectual resources of the Enlightenment and social psychological theorists such as Allport to constitute the use of categorical generalisations as indeed racist. In this first extract, an interaction between Senators Brown and McGauran, Brown constitutes as racist McGauran's categorisation of fraudulent asylum seekers as 'Pakistanis'.

*Extract 1: The member for racial discrimination*

1. Brown I keep hearing the Minister for Immigration and Multicultural Affairs on our airwaves about what rotters these asylum seekers are.
2. He says that some of them actually have money in their pockets; they have paid intermediaries.
3. McGauran Pakistanis.
4. Brown 'Pakistanis' interjects the not helpful member for racial discrimination opposite.  
[Unrecorded interjections]
5. Brown He can discriminate who they are from where he is sitting.
6. I do not happen to have the information, but he interjects, so he must know.

(Senator Bob Brown, Australian Greens, and Senator Julian McGauran, National Party, Senate Hansard, 24/9/01, p. 27723)

Senator McGauran's interjection "Pakistanis" (3) follows Senator Brown's report of the Minister for Immigration and Multicultural Affairs (Philip Ruddock) calling asylum seekers "rotters" and 'economic migrants' (1-2). McGauran's interjection categorises these 'rotters' as Pakistanis (thereby supporting the claim attributed to Ruddock that they are not refugees but are indeed bogus economic migrants). Senator Brown takes up this interjection and constitutes it as racist, accusing Senator McGauran of being "the not helpful member for racial discrimination" (4). This is followed by unrecorded interjections. (In the Australian parliament, interjections are only included in the transcript if they are referred to by the speaker.)

Brown constitutes "Pakistani" as an erroneous categorical generalisation by challenging the truth status (and thereby the rationality) of this claim. "He can discriminate who they are from where he is sitting" (5) implies that "Pakistanis" is not a claim founded on empirical evidence – McGauran has not himself seen the asylum seekers, nor, implicitly, can nationality be determined simply by looking – McGauran is merely making an unfounded claim while sitting in his chair in parliament. The likely veracity of McGauran's claim is further undermined when Brown goes on to say: "I do not happen to have the information, but he interjects, so he must know" (6). Again, this implies that McGauran has made a comment that is not founded on any objective evidence and casts doubt on the truthfulness of McGauran's claim. As only McGauran possesses the 'information' that the asylum seekers are Pakistani, whilst Brown and others in the parliament, who might generally be expected to also have such 'information', do not, it is undermined as a subjective and individual opinion.

As noted, the defence of categorisations, particularly racial categorisations, as factual, is a key strategy in new racist arguments. However, examining this particular account suggests that such racial categorisations do not remain untroubled, but can be constituted as racist, and therefore as morally accountable. Senator Brown, in this account, re-draws the boundaries of what counts as racism to include the racial marking of asylum seekers. Far from being defensible as a mere reporting of the facts, Brown undermines the veracity of McGauran's claim that the "rotters" are Pakistanis. He problematises the claim – how does McGauran know this? Has he seen them? Even if he had seen them, can we tell a person's nationality simply by looking at them? The potential status of racial categorisations as 'knowledge' is called into question in this interaction.

A second example of the construction of categorical generalisations as racist appears in the extract below from Duncan Kerr, ALP member for Denison in the House of Representatives, who is speaking on a bill limiting judicial review of refugee applications.

*Extract 2: Some will be lying but others will be deserving*

1. It is not right to find ourselves gathering in the parliament of Australia and describing people who come to this country and seek refuge here as all – and I use the words that have been used – criminal aliens.
2. This is not language appropriate to such people.
3. Some, of course, will be seeking to abuse the system, some will be lying, some will be creating false stories and fictions in order that they can make their claims but others will be deserving; others will require protection.  
[...]<sup>20</sup>
4. It reminds me of the kind of narrow, dog-whistling populist politics that sometimes comes up in the lead-up to elections, where we are hearing the kinds of appeals that the member for Fowler so correctly identified as associated more with trying to ingratiate oneself with those who support the odious views of Pauline Hanson.

(MP Duncan Kerr, ALP, 6/2/2001, House Hansard, p. 23949)

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<sup>20</sup> I have removed two paragraphs in which Kerr talks about the judicial decision making process in refugee matters.



Line 4 of this account, in which Kerr equates the term 'criminal aliens' with "narrow, dog-whistling populist politics" and Pauline Hanson<sup>21</sup>, makes it clear that Kerr is treating the generalised account of all asylum seekers as criminal aliens, introduced in line 1, as racist. In lines 1 to 3 Kerr constitutes 'criminal aliens' as a generalisation that is contrary to the fact of the asylum seekers' diversity ("...some will be...but others..."(3)). Racism (as categorical generalisations) is viewed as unreasonable: the generalisations are considered to be 'inappropriate' (2) and the belief that all asylum seekers are criminals is devalued as "trying to ingratiate oneself" and as "odious" (4).

Kerr does not deny that there may be 'some' liars and cheats amongst the asylum seekers. He allows room for a 'kernel of truth' in the representation of asylum seekers as criminals: there are some who are taking advantage of Australia's refugee immigration program and lying to obtain an humanitarian visa (2). What Kerr does problematise is the application of the stereotype 'criminal' to all asylum seekers.

Against the claim that all asylum seekers are criminals Kerr counterposes the 'reality' of intragroup differences between asylum seekers ("others will be deserving; others will require protection" (3)). By pointing to intragroup differences, Kerr also works up his position as rational and reasonable whilst simultaneously positioning as irrational and unreasonable those using the categorical generalisation 'criminals'.

As in Brown's account above, the use of pejorative categories to refer to asylum seekers is constituted as racist, rather than as a neutral reporting of the 'facts'. Kerr's accusation also extends the types of categorical generalisations that

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<sup>21</sup> As I noted in the footnote in Chapter 2, p. 47, the terms 'dog-whistling' and 'populist' have previously been identified as synonyms for racism, whilst Hanson became widely constructed as 'racist' during her political career.

are constituted as racist in these debates – whilst Brown constitutes as racist the racial marking of asylum seekers, Kerr seeks to constitute as racist the attribution of criminality to all asylum seekers. In doing so, Kerr is re-producing the social psychological construction of racism as the attribution of negative stereotypes to a group of people (Figgou, 2002). This is an important challenge to the hegemonic descriptions of asylum seekers as criminals that formed a central part of the Government's campaign.

Kerr also constitutes as racist a categorical generalisation that does not refer to race, thereby making an accusation even where talk is de-racialised, suggesting that this new racist strategy of de-racialisation is not always successful in fending off accusations of racism. However, although the conceptualisation of racism as categorical generalisations is a common one in psychology, the extracts presented here were the only instances in this data set in which categorical generalisations were constituted as racist. This may suggest that categorical generalisations are not often being made accountable as racist in this particular context.

*Constructing the unequal treatment of asylum seekers and other immigrants as racist*

Another commonplace account of racism, both in psychology and in the present data set, regards the preferential treatment of in-groups and the negative, or discriminatory, treatment of out-groups as prejudiced. According to Billig et al. (1988) this understanding of racism also has its roots in Enlightenment thought, specifically in the value placed upon equality, which proscribes that all people be treated without either negative or positive bias. This understanding of racism as in-group/out-group bias is also reproduced in some psychological accounts of racism

such as social identity theory (Tajfel & Turner, 1986) and self-categorisation theory (Turner, Hogg, Oakes, Reicher & Wetherell, 1987).

However, there is substantial research demonstrating the ways in which the concept of equality has also been taken up not to challenge exclusionary views, but to articulate them and present them as justified and warranted. For example, McConahay (1986) found that opposition to black political demands in the United States was expressed in terms of unfairness and inequality: 'they' are getting special privileges, which 'we' are not. Billig et al. (1988) also notes this in relation to the common argument that 'they' are not following 'our' rules and are gaining unfair advantages and privileges. This is also common in Australian debates on Indigenous land rights. For example, Pauline Hanson claimed that Indigenous people received disproportionate government assistance and gained unfair advantages through land rights and affirmative action programs (Rapley, 2001). Similarly, claims that asylum seekers arriving by boat should not be allowed into Australia were justified on the basis that, by jumping the 'queue', they were receiving unfair advantages over other migrants and refugees (Corlett, 2002b).

Given these conflicting uses of 'equality', it is therefore interesting that in the Australian parliament, refugee advocates utilise the discourse of equality in order to present the response to asylum seekers as different from that of other, comparable groups, and thereby constitute this response as racist. In this repertoire, two groups are constructed and their treatment compared. The differential treatment of these groups is attributed to their different racial composition.

This example is taken from the House of Representatives speech by Dick Adams on a bill to restrict asylum seekers' access to the courts. He constructs the

new asylum seeker policies as racially discriminatory, as demonstrated by the unequal treatment of visa over-stayers and boat people.

*Extract 3: Maybe it is because most of those people come from Europe*

1. Thousands of illegal immigrants come in by air or legitimate means; sometimes they are not touched by the migration people until they are picked up in the community for other reasons.
2. The government does not seem to be too worried about them.
3. I think there are about 50,000 a year.
4. How many boat people do we have?
5. About 2,500.
6. The previous speaker, the member for Chifley, said we are spending \$200 million on the 2,500 or 3,000 boat people.
7. But we have 50,000 people each year who arrive by air and overstay their visas.
8. This government does not seem to be too worried about that group of people.
9. Maybe it is because most of those people come from Europe, America, Canada or other white, English-speaking countries.

(MP Dick Adams, ALP, House Hansard, 7/2/01, p. 24039)

As is common in this repertoire, Adams constructs two groups and contrasts the response to them. One group is the “illegal immigrants” who “come in by air or legitimate means” (1), the other group is the “boat people” (4). Whilst the groups are different in terms of the means of their arrival, neither are ‘legal’ immigrants. It is interesting that Adams describes over-stayers as “illegal immigrants”, using the same terminology commonly deployed by the government to connote asylum seekers. By constituting both overstayers and asylum seekers as “illegal immigrants” Adams problematises any difference in the way they are treated.

Adams compares the number of over-stayers and asylum seekers: “50,000” (twice) and “about 2,500” and “2,500 to 3,000” (5-7). He then argues that, although there are far more over-stayers than ‘boat people’, there is relatively little attention

paid to them: the over-stayers “sometimes they are not touched by the migration people until they are picked up in the community for other reasons”(2) and “the government does not seem to be too worried about them” (twice: 3-4 and 8-9) whilst in relation to the boat people “we are spending \$200 million on the 2,400 or 3,000” (6). Through this contrast, a commonsense assumption that greater financial expenditure, resources and government attention would be focussed on the greatest number of illegal immigrants is seen to be violated. This comparison sets up the necessity to explain why this imbalance has occurred.

The comparatively large expenditure on a relatively small number of people arriving by boat is made sense of as a response to the racial composition of each group. Adams concludes that: “Maybe it is because most of those people come from Europe, America, Canada or other white, English-speaking countries” (9). Implicitly, by contrast, the smaller group of boatpeople is non-white and non-English speaking, presenting the differential treatment of asylum seekers arriving by boat as racist.

This next extract, from Senator Bartlett’s speech on the *Tampa*, contrasts the unequal treatment of boat people and people aboard a passenger liner.

*Extract 4: If this boat were carrying 100 people from a passenger liner*

1. Let us not kid ourselves that we would be acting the same way if this boat had anybody else on it other than a boatload of asylum seekers from the Middle East.
2. If this boat were carrying 100 people who had been rescued from a passenger liner, Australia would not think twice, and yet they have used this subterfuge, this extremely technical and highly dubious interpretation of the Law of the Sea to refuse entry to over 400 asylum seekers – men, women and children.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 28/8/01, pp. 26783-4)

Bartlett contrasts two groups – asylum seekers on a boat, and people on a passenger boat – both of whom need to be rescued. In response to the passenger liner, “Australia would not think twice” before rescuing its passengers, however, the asylum seekers have not been rescued but refused entry into Australia based on a “highly dubious interpretation of the Law of the Sea” (2). This contrast constructs the response to asylum seekers as abnormal, as well as unequal and discriminatory. Bartlett implies that the different response to the asylum seekers is because they are “from the Middle East” (1).

This third example is from Senator Schacht’s speech on the excision of islands from Australia’s migration zone, and his comments are directed towards a Liberal senator, Senator Lightfoot. In this extract, the differential treatment of asylum seekers is attributed to Senator Lightfoot’s racial preference for white people.

*Extract 5: If they were black farmers from Zimbabwe*

1. I tell you what: if unfortunately because of the circumstances in Zimbabwe with the way the white farmers are being treated - and I do not agree at all with the way they are being treated; I think that what the Mugabe government is doing is a disgrace - those farmers fled that country in some sort of boat and came to Australia Senator Lightfoot would be at Cottesloe Beach welcoming them with a banner because they are white and they are farmers and they are from Zimbabwe.
2. But if they were black farmers from Zimbabwe he would be standing at the shore saying ‘Get out we don’t want you.’

(Senator Chris Schacht, ALP, Senate Hansard, 25/9/01, p. 27844)

Schacht uses the now familiar contrast structure of two groups and their differential treatment. Both the groups are identified as farmers from Zimbabwe potentially arriving in Australia by boat, however one group is white and the other

black, and thus one is welcomed and the other refused. This is attributed to Senator McGauran's preference for white people over black.

As noted, presenting policies and actions as upholding the principle of equal treatment has been used to defend them as not racist. However, this same liberal value of equality is utilised by refugee advocates in order to challenge these same policies. They are constituted as unfair and discriminatory in order to make these policies accountable as racist.

*Constructing talk-about-the-nation as racist*

Several researchers examining new racism have found that opposition to Indigenous claims, immigration and asylum seeking often employs a discourse of 'nation' to legitimate this opposition as 'not racist'. For example, Barker (1981) argued that British Conservative politicians concealed racial discrimination and prejudice within apparently neutral appeals to nationalism. Similarly, Wetherell and Potter (1992) found that white New Zealanders used the repertoire of 'we are all New Zealanders' to position Maori calls for land rights as divisive and unwarranted, and to present their opposition to these land rights as 'not racist'.

However, there is also evidence that an understanding of talk-about-the-nation as 'not racist' exists alongside an understanding of such talk as potentially racist. Condor (2000) found that national categories were treated as problematic by interviewees in England, who avoided or otherwise managed any such claims much as they might talk that is potentially hearable as racist. By examining interview data for the ways in which national references are taken up as unproblematic or made accountable as prejudice, she found that her English respondents treated talk about 'their country' as a delicate topic. She argues that: "Far from mobilising 'innocent'

national categories to mask or neutralise potentially accountable racist sentiments (Barker, 1981; Reeves, 1983), these respondents seemed inclined to treat talk-about-this-country as essentially prejudiced, and (often) as tantamount to racism” (Condor, 2000, p.193).

The refugee debates in the Australian parliament offer an interesting site in which to examine the ways in which refugee advocates treat talk-about-the-nation. In this next extract, MP Albanese treats Hardgrave’s claim to be ‘standing for national sovereignty’ as racist. This extract is taken from the end of MP Hardgrave’s speech supporting the Government’s stand on the *Tampa*.

*Extract 6: Sieg Heil!*

- |    |           |  |
|----|-----------|--|
| 1. | Hardgrave | The Australian Labor Party want to create some sort of splittist agenda in Australia, some sort of racist and religious campaign to claim the government is not acting properly.             |
| 2. |           | Of course, the majority of Australians see through their parlous and splittist approach to Australian politics and support the government, because we are standing for national sovereignty. |
| 3. | Albanese  | Sieg Heil!   |
| 4. | Hardgrave | Mr Speaker, the member for Grayndler has made a suggestion to me which I find highly offensive.  |
| 5. |           | In fact, given my track record in defending multi- cultural Australia—   |
| 6. | Speaker   | The member for Moreton will resume his seat.   |
| 7. |           | The member for Grayndler will withdraw the remark.   |
| 8. | Albanese  | Mr Speaker, I found that speech offensive.   |
| 9. |           | All five minutes of it had racist overtones.   |

(MP Anthony Albanese, ALP and MP Gary Hardgrave, Liberal, House Hansard, 30/8/01, p. 30703)

In a standard reversal move, Hardgrave accuses the Australian Labor Party (of which Albanese is a member) of running a “racist ... campaign” (1). In Hardgrave’s speech, the Government and the majority of Australians, who are allegedly the target of charges of racism, are re-constructed as defendants of



“national sovereignty” (2). This is a form of disclaimer: ‘we aren’t racist, we’re patriotic’. However, the success of such strategic utterances depends ultimately upon their subsequent reception (Condor et al., 2005). In this case, Albanese does not take up Hardgrave’s appeals to national sovereignty as socially acceptable and unproblematic, but responds with “Sieg Heil” (3).

Albanese’s response to Hardgrave’s speech, together with Condor’s (2000) research, suggests that talk-about-the-nation can count as ‘racist’. However, neither is this accusation taken up as unproblematic. Hardgrave in turn responds by re-positioning himself as someone with a “track record in defending multicultural Australia” (5), once again presenting his position as ‘not racist’. Hardgrave’s choice to defend himself as a multiculturalist also suggests that he has heard “Sieg Heil” as an accusation of racism. His reply gives a different gloss to “standing for national sovereignty” – Hardgrave is standing for a “multicultural” national sovereignty, and is therefore both inclusive and a patriot.

Hardgrave’s response to Albanese’s accusation of racism suggests that constituting talk-about-the-nation as racist, particularly through recourse to Nazi metaphors, is unlikely to be taken up as unproblematic. The deployment of terms and symbols associated with Nazi Germany appears elsewhere in debates about race and immigration, both to articulate racist views and to challenge them. For example, participants in Verkuyten’s (1998) study defined racism as extreme violence, such as that of the Nazis, using this to position their own talk and actions as ‘not racist’. However, Lynn and Lea (2003) found that challenges to mandatory detention utilised Nazi metaphors, particularly that of the concentration camp, to make this practice visible as a morally accountable, racist act. Similarly, Seidel (1988) noted in the European debates on apartheid that the pro-sanction, anti-racist lobby utilised Nazi

imagery to condemn apartheid. Despite the potential to use Nazism as an historical discursive resource to condemn present actions, in the current data corpus there were few examples of Nazi imagery. Its increasing deployment as a measure of extremism, as suggested by Verkuyten's findings, may mean that it is more difficult to justify its use in the context of the asylum seeker debates.

It is also significant that this extract is the only instance in which talk-about-the-nation is constituted as racist. This suggests that whilst national discourse has the potential to be represented and treated as potentially racist (Condor, 2000), politically, this is not an easy thing to achieve, particularly in this context. So much of the debate around refugees was in terms of national vulnerability, security and sovereignty that the acceptability of this nationalist version of events was fundamental to the increasing denials that Australia's treatment of asylum seekers was arguably racist. Indeed, parliamentary advocates for refugees often relied on appeals to national traits of generosity and tolerance, and to the national interest, to advance their own claims (this was explored in the previous chapter). In this context, constituting talk about national rights and sovereignty as racist could be tantamount to political suicide. The widespread public support that the Government's policies received meant that much of this justificatory nationalist discourse was rarely made morally accountable.

*Constructing cultural-difference-talk as racist*

Constituting cultural-difference-talk as racist is a relatively recent understanding of racism in the social sciences more generally, and social psychology more specifically. In 1981, Barker argued that racist talk was being concealed in a discourse of culture-as-natural-difference. According to Barker (1981), immigration

restrictions proposed in the UK in the late 1970s were justified by politicians as a necessary protection for the British 'way of life', which it was claimed was under increasing threat from an influx of foreign cultures. More recently, Wetherell and Potter (1992) identified the naturalisation of cultural difference as a key strategy in white New Zealanders' justification of their opposition to Maori land rights and autonomy. In Australia, Corlett (2002b) examined how the exclusion of asylum seekers was re-framed in the Australian parliament and media as the preservation of 'our' culture. He notes the ways in which asylum seekers were constituted as culturally different, and culturally incompatible with 'Australians'.

Although this view of cultural difference talk as potentially racist is becoming more widely accepted in academic work on racism, it was not frequently drawn upon in these debates. However, there was one instance in the Australian parliament in which cultural-difference-talk was constituted as racist. The extract below is from Senator Andrew Bartlett of the Australian Democrats, speaking in the debate on a migration bill amendment to excise islands in Australian waters from the migration zone, and thereby removing the right of those landing there to invoke Australia's asylum process.

*Extract 7: A question of difference in civilisation*

1. As I said yesterday, in a lot of ways hearing this debate is like being struck by déjà vu, particularly in relation to this chamber over recent years.
2. The Migration Amendment (Excision from Migration Zone) Bill 2001 is an enforcement in a literal sense of the Fortress Australia attitude.
3. Many of the statements that have been made – including some of the speeches we heard from senators during the second reading stage, some of the statements from ministers and obviously some of the statements in the community and on talkback radio—would not have been out of place 100 years ago.
4. I have been reading through the Hansard from 100 years ago in relation to the Immigration Restriction Bill, the bill that introduced the White

- Australia Policy which I mentioned last night.
5. I am not specifically saying that the Migration Amendment (Excision from Migration Zone) Bill 2001 is promoting White Australia.
  6. The bill does not specify details in that respect, but the comparisons between the bills are nonetheless quite marked—for example, in the rhetoric that was used to justify excluding people who are unwanted, whom we do not want here.  
[...]<sup>22</sup>
  7. It is fascinating to read the arguments put forward 100 years ago today—a special centenary— in the House of Representatives on 25 September 1901.
  8. Mr Henry Willis, who was the member for Robertson, said: It is our plain duty to prevent any further influx of these aliens into our midst.  
[...]
  9. Mr Edwards, the member for South Sydney, said: We are afraid that our civilisation will be permanently injured by contact with a large number of persons of races belonging to a different civilisation.
  10. To my mind, it was not a question of colour at all – as with the current legislation – but was a question of difference in civilisation.
  11. There are very interesting echoes with a lot of the comments around the place that we cannot let in people with a different way of life.
  12. They might be terrorists, they might be criminals.
  13. They are people who have paid their way, they are people who have done the wrong thing; they will be a bad influence on our life.  
[...]
  14. Today, 100 years on from the Immigration Restriction Bill, we are still hearing the same justifications.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 25/9/01, p. 27841)

In this extract, Bartlett constructs the standard anti-asylum seeker arguments about cultural difference and homogeneity as racist. What is interesting about this extract is the way in which Bartlett builds his accusation of racism. As noted previously, the strategy of de-racialising racist arguments through the deployment of more neutral concepts such as 'culture' may pose a problem for anti-racism; namely, that it is more difficult to justify accusations of racism in a context in which there is no mention of race. Obviously, the de-racialisation of this discourse serves as a

<sup>22</sup> I have removed sentences and paragraphs where Bartlett quotes more extensively these prior speeches.

prolepsis against accusations of racism, whereby the speaker has the ready defence that they have not mentioned race. Bartlett himself orients to this issue in lines 5 and 6, in which he manages the potential criticism that the present debate (and that in support of the White Australia Policy), does not directly refer to race.

In order to warrant his accusation of racism in a context in which race has not been specifically mentioned, and indeed, in which racism has been vociferously denied by Government ministers and their supporters, Bartlett strategically works up comparisons between the rhetoric supporting a bill that has been widely condemned as racist by both sides of the political spectrum (the White Australia Policy (WAP)) and the present bill, which does not mention race but which, Bartlett claims, has similarly been represented as a solution to the effects of 'aliens' on 'our culture' as was the WAP. In line 10, he again attends to the potential rejoinder that there is no mention of race in these bills by constituting 'civilisation' rather than 'colour' as the marker of difference relied on by proponents of the White Australia Policy and proponents of current policies against asylum seekers.

As noted, Wetherell and Potter (1992) expressed concern that anti-racist campaigns have not kept pace with changes in modern expressions of racism that do not necessarily make overt references to race. However, as is demonstrated in this extract, Bartlett is making this kind of rhetoric accountable as hearably racist, despite the absence of direct references to race. In doing so, he is reproducing the construction of cultural-difference-talk as racist, an argument which has been central in discursive work on the language of contemporary racism. Unfortunately, however, this was the only example of its kind in this data set.

*Constructing the cause of racism: politicians and the media*

It is not only what counts as racism that was at issue in these debates, but also the origins of and solutions to racism. Refugee advocates generally represented the public's antipathy towards asylum seekers as racist, in turn explaining this racism as the outcome of the Government's and the media's representations of asylum seekers as a threatening Other. Extracts 8, 9 and 10, from the speeches of Senators Bartlett, Stott Despoja and Harradine, are typical examples of the construction of politicians or the media as instrumental in creating racism.

*Extract 8: 'irrational fears...are being whipped up'*

1. The same sorts of irrational fears that applied in 1901 are being whipped up again in 2001 by incredibly irresponsible political leaders and others in our community.

(Senator Andrew Bartlett, Australian Democrats, Senate Hansard, 24/9/2001, p. 27615)

*Extract 9: 'inflaming racial hatred'*

1. If we inflame racial and religious based hatred and intolerance, the terrorists will have struck another blow.

(Senator Natasha Stott Despoja, Australian Democrats, Senate Hansard, 24/9/2001, p. 27704)

*Extract 10: 'there is underlying racism being generated'*

1. I respect the views of others in this chamber, but I am concerned that there is an ugly side to all of this and that in the community there is underlying racism being generated – I am not saying by the government of course – from talkback shows and all the rest of it, which is most unfortunate.

(Senator Brian Harradine, Independent, Senate Hansard, 24/9/2001, p. 27700)

In these three accounts, racism is “whipped up”, “inflamm[e]d” and “generated” by “political leaders and others”, “we” (likely to refer to politicians in general or those in the Senate) and “talkback shows and all the rest of it”. Through the use of these agentic terms, each clearly works up either politicians or certain sections of the media as responsible for the public’s racism. With this assertion, however, two corollary points are made. Firstly, that for most of the time, except when encouraged to be so by politicians, Australians are not prejudiced. This repertoire shares some similarities with the repertoire examined in the review of new racism, that locates racism in extreme minorities, not in the everyday or mainstream. In the current context, racism is not located in a minority group, but is worked up as temporally constrained, i.e. it may be located in the populace as an underlying propensity at any time, but its problematic manifestation only occurs sporadically – in this instance, when irresponsible politicians allow it space and support. Thus, racism is still confined to the margins of Australian society, but in terms of times and situations, rather than particular groups or individuals. The second implication of the claim that the Government and the media is generating public racism is that the public are not responsible for their opinions or behaviour. The effect of this formulation is to problematise politicians and the media, whilst excusing the Australian public as a whole as not ‘really’ racist. The familiarity and reasonableness of these assertions rests on the commonplace that Australia is not a racist society (Hage, 1998).

The claim that Australia is not a racist society, or that the public are not to blame for their reactions to asylum seekers, is potentially a problematic one for anti-racist politics. In the local context, it is useful to avoid alienating the public, on whose support politicians rely to remain in power. However, alternate

understandings of Australia as racist, and of racism as embedded in social institutions and practices, arguably with more radical implications and possibilities for change, are not taken up. The net effect, as Henriques (1984) and Wetherell and Potter (1992) argue, is that this discourse of 'racism as generated by politicians and the media' can have the effect of obscuring the problem of racism as an ongoing issue in Australia.

The construction of racism as 'generated by politicians and the media' also implies particular strategies and political interventions for dealing with racism. Having established politicians and the media as the cause of racism, advocates called upon these same groups to examine the effects of their actions and, based on an acknowledgement of the dangerousness and immorality of these actions, to then choose not to manipulate the public. Extracts 11 and 12 are typical examples of this.

*Extract 11: We need to fight that enemy in our own hearts*

1. Amid the debate and speculation on the causes of the terrorist attacks in the United States, we should recognise a basic truth: terrorists have lost compassion and respect for human life and we need to fight that enemy in our own hearts as well.

(Senator Natasha Stott Despoja, Australian Democrats, Senate Hansard, 24/9/2001, p. 27704)

*Extract 12: You are a better man*

1. Maybe the honourable member for Fisher does not do it intentionally; I will give him the benefit of a very strong doubt.
2. But I say to you: do not do it again.
3. You are a better man than that—at least I think you are a better man than that.
4. There might be some venal political gain for you in doing that, but all it does is incite unrest.
5. Apart from the member for Flinders, you seem to be the only one who is continually saying things like this.
6. I ask you to desist.

(MP Con Sciacca, ALP, House Hansard, 19/9/01, p. 30954)



Both of these accounts are typical of others in this data set in that they call on those generating racism to examine their actions and make an individual moral choice to act differently. In Extract 11, the war against terror is re-formulated from an external war against terrorists, to an internal war against becoming like our terrorist enemies by losing compassion and respect. The audience is being 'asked' to examine their "hearts" to ensure that they have not been seduced into becoming terrorist-like. In Extract 12, MP Sciacca appeals to the member for Fisher's 'better' nature, and 'asks' him to stop claiming that asylum seekers are terrorists (Sciacca and other politicians elsewhere bring the member for Fisher to account for making this link between asylum seekers and terrorists and Sciacca is referring to these earlier comments here).

This is very similar to the appeals to individual morality I examined in Chapter 4. Here, as in the constructions of an other-centred humanitarianism, advocates appeal to politicians to take the 'high moral ground', to be 'better' people. In these accounts, this ideal person is compassionate, has respect for human life, is self-less and other-serving (i.e. someone who doesn't take advantage of the public and use racism for personal political gain), and is committed to social harmony and cohesion (someone who does not "incite unrest" (4)). Although these kinds of appeals to a utopian self and society are evocative and stirring, by formulating anti-racism as a form of magnanimous moral virtue, the power to be racist and to exclude and penalise asylum seekers is not at any time actually addressed.

Appeals such as these to the 'rational individual' have their roots in the liberal tradition and the Enlightenment (Arblaster, 1984). They draw upon the commonsense notion that every individual has the ability to reason, and therefore the ability to determine truth and plan a course of action accordingly. This tradition lends

a sense of 'rightness' to the kinds of appeals to moral reasoning being relied upon by advocates in these debates. However, the structured inequalities between Australians and asylum seekers (such as access to the media), and between Westerners and the developing world where most of these asylum seekers come from, is never addressed by these kinds of individualised moral injunctions. These relationships of power are glossed by stirring visions of unity and moral enlightenment, but whilst these remain, there is little likelihood that racism against asylum seekers will be reduced.

In making these criticisms, I am not arguing that politicians do not play an important role in the reproduction and maintenance of racism and in the exclusion of asylum seekers. As I argued in Chapter 2, politicians occupy a position of power in relation to the lives and wellbeing of asylum seekers, given their ability to enact aversive legislation and their greater access to the media. I do believe it is important to call politicians and the media to account for their talk and actions, and, in this debate, the Government and its supporters arguably stereotyped, vilified and falsified information about asylum seekers to gain support for their bills. Moreover, they also used language that can readily be identified as racist, both 'old-fashioned' and 'new'.

What I am arguing is that calling on these politicians to 'be better people' is unlikely to have far-reaching potential for changing the social systems that arguably underpin racism in our society. Asking politicians to conduct the debate in 'non-racist' language is not the same as criticising as racist the very thing that this debate is about – this legislation against asylum seekers. Indeed, Labor politicians like Sciacca use this division between 'racist language' and 'non-racist bill' to their advantage. Labor voted in favour of all the bills introduced by the Government, however they attempt to differentiate themselves as non-racist by criticising some of the language of some members of the opposition as 'inflammatory' and

inappropriate, whilst still supporting the bills themselves. This assumes that somehow this debate could be conducted outside of 'racism', and the legislation debated as a practical and necessary policy solution to a problem. This echoes new racist strategies of defining racism so as one's own actions can be considered 'not racist'.

Of course, not all the constructions of the cause of racism analysed here are intentionally engaged in rendering their own actions 'not racist'. They are obviously oriented to critiquing the ways in which various politicians have spoken about asylum seekers. Yet, by framing these criticisms in terms of individual politicians' morality, they limit the potentially more far-reaching view that politicians and members of the public are drawing upon racist discourses and practices that have a long history in Australia that have not been successfully addressed by changing politicians' or the public's 'moral choices'. It is important both to critique racism in political speeches and in the media, but also to avoid constructing this in individualised terms.

## **Conclusion**

This chapter highlights some of the constructions of racism employed by refugee advocates in the Australian parliament. I found that advocates constituted the use of categorical generalisations (both racial categorisations and those that did not refer explicitly to race), the differential treatment of asylum seekers from other categories of 'illegal' immigrants, talk-about-national-sovereignty and cultural-difference-talk as racist. These understandings of racism drew upon constructions of racism as categorical generalisations and unequal treatment found in social psychology, and also upon newer understandings of racism as talk about nation and

culture found primarily in research on new racism in the social sciences and psychology.

In light of criticisms of anti-racism's effectiveness against new racism, this analysis also focussed on the ways in which advocates' constructions of racism challenged the new racist strategies employed in these debates. There is some evidence that advocates' constructions of racism are adapting to the changing language of racism. Refugee advocates in the parliament constituted as racist talk that did not employ racial categories or imagery, talk-about-national-sovereignty and cultural-difference-talk, all of which are key strategies for warranting the exclusion of asylum seekers and that are deployed in new racist talk more generally.

At the same time there is also evidence that new racism does pose difficulties for parliamentary refugee advocates making accusations of racism. For example, this analysis also highlighted that the constitution of 'criminal aliens', talk-about-national-sovereignty and cultural-difference-talk as racist only occurred once in this corpus of data. Further, in the case of Albanese's constitution of talk-about-national-sovereignty as racist (Extract 6), this accusation was not allowed to stand unchallenged, but was contested by another MP, and led to Albanese being disciplined by the House Speaker. Similarly, Bartlett's careful management of his constitution of cultural-difference-talk as racist suggests an orientation to the limited acceptability of such alternative understandings of racism.

The analysis of accounts of the origins of and solutions to racism also suggests that the concerns of researchers such as Henriques (1984) that racism is being individualised and marginalised are warranted in this instance. Advocates formulated the public's racism as an outcome of political manipulation. This functioned to excuse the general populace from responsibility for racism and also

supported the formulation of solutions to this racism in terms of the individual moral choices of politicians. As argued, this effectively sidelines any focus on changing social, economic and political inequalities, and fails to address the power relationships that underpin the exclusion of asylum seekers.

These findings have a number of implications for research on racism and for refugee advocacy. I examine these, and the implications of the analysis in the previous chapters, in the next, and concluding, chapter.

## *Chapter 7: Conclusion*

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The research reported in this thesis has examined a largely neglected area of the contemporary language of race, immigration and asylum seekers, that of anti-racism and refugee advocacy. Taking the Australian parliamentary debates of 2001 on asylum seekers as my data, I analysed the speeches of politicians on both sides for their explanations for the arrival of asylum seekers, the construction of Australia's and asylum seekers' rights and Australia's humanitarian duties, and the construction and function of discourses of nation and racism. This chapter reviews these findings, and discusses the implications of these for future research on the language of contemporary racism and for anti-racism and refugee advocacy.

### **Summary of the analytic chapters**

Chapter 3 considered how explanations for the arrival of asylum seekers were organised to either proscribe or deny that Australia is responsible for assisting asylum seekers. Previous research on this issue had examined the formulation of asylum seeking as a response to soft laws and as a personal choice for the ways these positioned asylum seekers as bogus, worked up domestic laws as 'the problem' and changes to these laws as 'the solution', and dismissed claims that recipient countries are responsible for asylum seekers. The small amount of previous research on alternative accounts examined the formulation of asylum seeking as compelled by persecution or by the economic demands of recipient countries for the ways in which these positioned recipient countries as responsible for asylum seekers. This chapter aimed to extend this previous research by examining a different data set and source

(Australian parliamentary accounts) and by paying particular attention to advocates' accounts of asylum seeking.

In the accounts of Government ministers and their supporters, as in those of their counterparts in the UK and in the media, asylum seeking was formulated as a response to soft laws and as a personal choice. The formulation of asylum seeking as a response to soft laws functioned to construct the issue as a simple problem with a straightforward solution (changing the asylum laws), and the Government as providing that solution, thereby presenting them as practical, decisive and effective. The second repertoire of asylum-seeking-as-a-personal-choice relied on the commonplace that people must bear responsibility for the consequences of their choices (Verkuyten, 2005) to argue that asylum seekers, by choosing to come to Australia, must abide by the consequences of that decision (e.g. mandatory detention, temporary visas), and to absolve Australia from any responsibility for their protection. Both these repertoires of asylum seeking also positioned asylum seekers arriving by boat as 'bogus', and as 'taking advantage' of Australia's generosity.

There was also, however, a notable difference between the Australian political context, and that of the UK parliament and the Australian media. Throughout the Australian parliamentary debates, there was only one instance in which Australia was worked up as an attractive destination because of its economic and social prosperity. I argued that formulating Australia's laws as attractive, and avoiding language such as 'economic migrants' that constructs a social and economic inequality between Australia and asylum seekers, manages the potential accountability and obligations arising from the asylum seekers' comparative need.

Refugee advocates, on the other hand, formulated asylum seeking as a forced escape from persecution, as an outcome of Australia's inadequate overseas aid and

restricted refugee intake, as invited by Australia, and as a global phenomenon. These repertoires were organised to undermine the opposing versions of asylum seeking as a response to soft laws and as a personal choice by re-presenting asylum seeking as a natural human response to intolerable conditions. The formulation of asylum seeking as a forced escape from persecution views Australia as having a moral and legal responsibility to provide refuge by presenting asylum seeking as compelled (rather than as a choice); and through drawing on the common place (popularised since the Second World War and encoded in the international conventions relating to refugees) that a duty of care is owed to people escaping persecution.

As in the UK parliament (Jones, 2000) advocates in the Australian parliament also constructed a relationship between Australia and asylum seeking in which Australia's harsh immigration laws and foreign policy were complicit in the arrival of the boats. This alternative account of the movement of asylum seekers was oriented to challenging the dominant negative categorisation of asylum seekers as bogus, whilst making the Government and its supporters accountable for their role in the asylum seekers' circumstances, and therefore responsible for providing assistance and protection to them. The related construction of Australia's laws as an invitation, which justified asylum seekers using these laws to come to Australia, also functioned to re-present asylum seekers as genuine and Australia as responsible for their protection.

Refugee advocates also challenged the account of asylum seeking as a response to soft laws by arguing that asylum seeking is occurring globally, rather than only in Australia, thereby undermining the implicit logic in the Government's accounts that asylum seeking is a response to Australia's laws. Through drawing on the liberal conceptualisation of nations as members of a cooperative international



community bearing responsibility for other members, this repertoire of asylum-seeking-as-an-international-issue also positioned Australia as having a shared responsibility for asylum seekers.

In Chapter 4, I continued to explore the ways in which both the Government and its supporters, and refugee advocates worked up or denied Australia's responsibilities for asylum seekers, this time through the discourses of rights and humanitarianism. Previous discursive work had generally treated rights and humanitarianism as unproblematic, static concepts. However, a brief review of liberal political theory on immigration and asylum seeking demonstrated that the liberal concepts of rights and humanitarianism, far from being homogenous and coherent, are actually multiply defined within liberal political theory. These flexible constructions provide the basis for quite contradictory positions in this debate. In Chapter 4, I examined how these liberal values were taken up, re-defined and challenged in the parliamentary debates on asylum seekers.

It was found that the Government and its supporters drew upon a distinctly Hobbesian justification for their policies by working up asylum seekers as a threat and 'sovereign rights' as absolute, non-negotiable rights to control national borders. In these speeches, asylum seekers' claims were downgraded to a less compelling 'humanitarian obligation'. Further analysis demonstrated that this humanitarian obligation did not include protection or an assessment of asylum seekers' needs, but was concerned to establish that Australia was taking a quantifiable "fair share of the burden". In a number of cases, humanitarianism was defined so as to apply only to displaced persons in overseas refugee camps by formulating these people as having a 'greater need', thus dismissing asylum seekers arriving in Australia as a legitimate focus for humanitarian aid.

Refugee advocates engaged with the account of sovereign rights and constructed it as a more modest right limited by liberal moral obligations towards asylum seekers. In contrast to the Government's accounts, advocates constituted asylum seekers as people with rights (specific rights as an asylum seeker and universal rights as a human being), and thereby as legally and morally entitled to assistance. Refugee advocates also reversed the common positioning of Australia as under threat and asylum seekers as the aggressor, by conversely arguing that Australia's actions violated the rights of asylum seekers. They drew upon a construction of rights as universal and the principle of moral equality to justify a more compassionate response to asylum seekers. They also constructed an other-centred humanitarianism, emphasising the liberal principle of 'a duty to assist others' as a moral and emotional imperative.

In Chapter 5, I examined both Government and advocates' constructions of the nation and the national interest and their role in dismissing or re-instating Australia as responsible for asylum seekers. Ideas of the nation have considerable cultural currency, and both sides in this debate drew upon the rhetoric of nation-hood. Previous research had primarily focussed on the ways in which the rhetoric of nation-hood was deployed in anti-asylum seeker arguments in the media, so in this chapter I aimed to extend this previous research by examining the rhetoric of nation-hood in the Australian parliament, and also by focussing on advocates' constructions of the nation and the national interest.

I found that the Government and its supporters primarily defined the nation in two ways: as a physical bounded space, and as under threat. The construction of Australia as 'land and sea' was useful for positioning the arrival of the asylum seekers within this national space as an invasion, and a violation of sovereign rights

and ownership. This concept was also drawn upon to construct Australia as a limited physical space, i.e. as under threat from overwhelming numbers of asylum seekers, who were positioned as endangering the equitable distribution of national resources amongst those who ‘rightfully’ belonged to the national space, and thereby threatening Australia’s continuing economic and social prosperity. These two repertoires worked up the expulsion of asylum seekers by force, and their exclusion from national resources once they arrived in Australia (such as access to welfare, health services and employment) as natural, normal and right.

In contrast, advocates relied primarily on constructions of Australia in terms of values and beliefs, which values and beliefs were presented as consonant with accepting, rather than rejecting, asylum seekers. In this way, advocates presented the acceptance of asylum seekers as natural, normal and right. There were four ways of constructing the nation in advocates’ speeches: as a nation with a tarnished image; as a nation of the ‘fair go’; as a multicultural nation of immigrants; and as less generous than other countries. Advocates also employed two repertoires of ‘this is not the Australian way’, and ‘accepting asylum seekers is in the national interest’. These presented Australia as having a reputation for generosity and tolerance which it is in danger of losing, or, in the repertoire of Australia as less generous than others, of failing to live up to its obligations to be generous and tolerant. Advocates also presented the contemporary response to asylum seekers as ‘false’ and humanitarianism and multiculturalism as the ‘true’ Australian identity obscured by the political machinations of the Government. Asylum seekers were also presented as being of benefit to Australia to construct accepting asylum seekers as a ‘win-win’ situation.

In this chapter, I also explored the implications of the discourse of multiculturalism as a national descriptor. I argued that although it was difficult to tell exactly what definition of multiculturalism advocates were employing, the construction of Australia as multicultural does have the effect of glossing over the continuing racism in Australia, thereby marginalising this as an aberration rather than an everyday occurrence. This obscures the structural and social inequalities that still exist within Australia between whites and others.

In Chapter 6, I analysed how refugee advocates constructed the asylum seeker legislation, policies and talk of Government ministers and their supporters as racist. Previous research on race, immigration and asylum seeker debates has in general focussed on identifying talk/text as racist, however, in this chapter I was concerned with what refugee advocates themselves treat as racist. Previous research on new racism had also raised concerns that new racism is not readily identifiable as racism and that it therefore often went undetected. I took this up as a particular issue for this analysis and examined advocates' understandings of racism for the ways in which they engaged (or didn't engage) with new racist strategies. A further issue for analysis was the implications of advocates' understandings of racism for strategies of change. Previous work in this area had examined the social and political effects of individualising racism as a personal failing, concluding that although this formulation was often used in 'anti-racist' contexts, it led to a focus on individual reform leaving social, economic and political inequalities unchallenged. I was therefore interested to examine the ways in which racism was defined by refugee advocates to see whether this complicit discourse is being reproduced or whether less oppressive alternatives are being used.

I found that advocates constituted as racist the use of categorical generalisations (both racial categorisations and those that did not refer explicitly to race), the differential treatment of asylum seekers and other ‘illegal’ immigrants, talk-about-national-sovereignty and cultural-difference-talk. I argued that these repertoires do make accountable the new racist strategies of presenting racial categories as ‘factual’ or of de-racialised categories such as ‘criminal aliens’ as ‘not racist’ and of using national and cultural categories to stand in place of racial categories. However, I also argued that there is substantial evidence that the proliferation of new racism does pose significant problems for working up successful anti-racist discourses.

I also examined how refugee advocates accounted for the origins of racism, and what solutions these accounts supported. I found that the public’s racism was most commonly understood as activated and spread by the ways that politicians (and the media) spoke about and acted towards asylum seekers. This functioned to excuse the public as not ‘really’ racist, whilst holding some politicians and sections of the media as accountable for generating racism (though not as racist per se). It worked to sideline racism as a peripheral aberration in an otherwise non-racist society. Whilst this may be a locally and politically expedient formulation of racism (as it avoids alienating the voting public and reproduces the accepted commonplace that Australia is not racist), this focus on individual politicians has some problematic implications for strategies of change. Advocates called on politicians generating racism to examine the morality and effects of their actions and re-commit to anti-racism. However, this fails to address the power differences between all Australians and asylum seekers, or the racism embedded in social structures and institutions.

## **Implications of this research**

### *For research on the language of contemporary racism*

In general, discursive research on race, immigration and asylum seekers has been predominantly concerned with explaining the ways in which language is used to justify and maintain the present unequal status quo between whites and minority groups. As noted in the Preface, some discursive researchers have focussed on alternative accounts in these debates, what might be called anti-racist, pro-immigration and pro-refugee discourses. Work in this area, though, has been a sideline concern within a primary focus on oppressive talk and texts.

However, these alternative accounts are an interesting and worthwhile focus for discursive analysis. As this thesis demonstrates, examining these accounts has the potential to increase our understanding of how challenges to inequality, exclusion and oppression are worked up and articulated. In particular, it contributes to a more complete understanding of the contemporary language of race, immigration and asylum seekers as a dynamic, argumentative dialogue. This has the potential to generate important insights into the shifting nature of these debates. For example, as in Chapter 3, where I noted that Australian politicians avoided formulating asylum seeking as a search for lifestyle and economic benefits, a construction that had, however, been used overseas and in the Australian media. As I argued in that chapter, this change is likely to have been a response to advocates' arguments that there are obligations to asylum seekers arising out of their poverty, as well as their experiences of persecution.

The analysis of anti-racist and refugee advocacy discourses is also important for critically examining their implications for social change. A number of

researchers have previously explored the ways in which formulations of racism as an individual psychological failing and of multiculturalism as cultural diversity function to maintain rather than challenge racial inequality in Australia. In this thesis, I found that advocates constructed racism as ‘generated by politicians’, which I argued functions to marginalise racism in Australia and focuses on changing individual politicians rather than addressing social and structural inequality. I also argued that identifying as a ‘multiculturalist’ and describing Australia as ‘multicultural’ could be used to present support for the asylum seeker legislation as ‘not racist’, and to present Australia as ‘not racist’. This suggests that discursive research can be useful for increasing awareness of the potentially conservative effects of some liberal discourses.

Analysis of alternative accounts is also useful for highlighting how alternative discourses are (or are not) adapting to the shifting nature of contemporary race and immigration language. As I noted in Chapter 6, both Wetherell and Potter (1992) and van Dijk (1992) raised concerns that understandings of racism employed in anti-racist discourses do not make the new racism, such as the use of culture as a natural marker of difference, accountable as racist. As the analysis of understandings of racism in refugee advocates’ speeches demonstrated, some politicians did count new racist talk as racist, however this occurred infrequently and was carefully managed, suggesting that challenging new racism is a potential issue for anti-racist and refugee advocacy discourse.

*For refugee advocacy and anti-racism*

In relation to refugee advocacy, the analysis presented in this thesis has highlighted the discursive resources available for, and drawn on in, challenging

Australia's refugee policies. However, throughout the thesis I also acknowledged the issue of power – that the discourses relied upon by the Government and by those opposing the new policies did not exist on a level playing field, but were played out within a pre-existing power hierarchy. This is arguably the main analytic point that I have drawn from this research.

The acknowledgement that the cards are stacked against discourses of resistance is not new (e.g. Nairn & McCreanor, 1990, 1991; McCreanor, 1993c). As Nairn and McCreanor (1990; 1991) and McCreanor (1993c) have argued, alternative arguments are attempting to challenge the 'standard story', i.e. the dominant, hegemonic version of events that is widely accepted as natural, obvious commonsense, and therefore as true. These authors argue that the work required to produce alternative versions as reasonable, rational and right is considerably more than that faced by those adopting the standard story, and that these alternative versions are therefore more vulnerable to being dismissed and marginalised, at least initially.

Challenges to the standard story are particularly constrained by what the dominant version glosses over and makes irrelevant. This issue was a consistent theme in the accounts examined in this thesis. For example, in Chapter 3, I examined a repertoire attributing the arrival of asylum seekers to the Government's harsh immigration and overseas aid policies. As the widely accepted version of asylum seeking attributes the arrival of the boats to the asylum seekers' attraction to soft laws, re-presenting their arrival as the outcome of Australia's actions is a more complex and difficult argument to make. This was particularly so, as the claim that asylum seekers are attracted by soft laws worked in conjunction with other hegemonic versions of asylum seekers as bogus refugees 'taking advantage' of



Australia's generosity. Advocates also faced the challenge of keeping consumers of their argument onside whilst working up a criticism of 'Australia/ns' that worked against the standard story of Australia as a generous nation.

The difficulties of challenging the standard story were also apparent in accounts working up asylum seekers as rights-holders, examined in Chapter 4. Advocates claimed that asylum seekers have a right to seek asylum, and a human right to protection. However, the construction of rights as universal, on which these arguments were based, was constrained by the hegemonic status of sovereign rights, both in these debates and more broadly in law and the national imaginary. The different availability of Government and advocacy discourses was also highlighted as an issue in constructions of the nation in Chapter 5, where I noted that the Government's version of Australia as 'land and sea' reproduced a fundamental commonsense understanding of nations as bounded physical spaces, whilst advocates' constructions drew upon the comparatively (in relation to nations as 'physical spaces') peripheral understanding of nations as having particular values and beliefs.

One of the areas where the standard story caused the most difficulties for mounting successful counter arguments was in challenging new racism, an issue I raised in Chapter 6. The commonly accepted versions of self and nation as 'not racist', the discursive strategies employed to support this version, and the de-racialisation of discourses around asylum seekers, made it difficult to mount successful arguments that condemned the Government and its supporters as racist.

Generally, advocates challenged these standard stories by drawing upon the discursive resources of internationalism, human rights, an other-centred humanitarianism, multiculturalism, equality and egalitarianism, and anti-racism. The

commonsense “kit bag” of arguments that these discourses provide are familiar and widely understood ideas that have a significant history in Australian debates about identity, immigration and race.

However, as I consistently noted in this thesis, and as has been demonstrated by other researchers, these discourses have been considerably constrained and marginalised, not only in this particular debate, but as part of the continuing shift towards more conservative politics in Australia and other Western liberal-democratic nations. For example, as Hage (1998) and Stratton (1998) have demonstrated, multiculturalism is an essentially conservative discourse that confines diversity to the cultural, spheres, excluding political, social and economic plurality. However, the conservative Right has deemed even this limited diversity threatening. Politicians such as John Howard and Pauline Hanson constitute cultural plurality as a proliferation of insular, incompatible racial/cultural groupings attacking each other and ‘mainstream Australia’. This representation of multiculturalism-as-divisive draws upon constructions of culture as ‘natural difference’, to claim that different cultures cannot live in harmony and that plurality leads to division and internal breakdown. Such notions have led to the reification of an homogeneous ‘Australian’ culture, and to calls for this ‘Australian’ culture to be adopted by all migrants in order to preserve cohesion.

Humanitarianism, as groups such as the refugee advocates understand it, has also been marginalised as threatening, as demonstrated by the analysis presented in Chapter 4. A common theme in Government accounts was that humanitarianism, as an obligation to help others in need, has led to ‘others rights’ being put above ‘Australia/ns rights’. The prioritising of others, it was claimed, has had the detrimental effect of bogus asylum seekers getting more than they deserve at the

expense of Australians. Humanitarianism was worked up as necessarily constrained by legitimate concerns about Australia's capacity to assist asylum seekers and Australia's sovereignty over its borders. Government ministers and their supporters successfully presented their stand as reasonable and practical humanitarianism, whilst justifying the introduction of policies that prevented asylum seekers from reaching Australia and those already here from attaining permanent residency.

Accusations of racism have also been systematically marginalised. Anti-racists are pervasively represented as privileged, out-of-touch white liberals discriminating against other whites. This marginalisation has been observed in the United States, the UK, Europe and Australia. van Dijk (1997), in his examination of the American media's representation of an anti-discrimination bill, noted its supporters were tagged as the "human rights industry" and as "demagogic", constructing them as violators of the American values of democracy and freedom of speech. Lynn and Lea (2003) found, in letters to the editor on the entry of asylum seekers to the UK, that refugee sympathisers were derisively tagged as "white liberals": wealthy elites who espoused humanitarianism but forced the financial burden of this humanitarianism onto (poor) others. The theme of anti-racists as out of touch with the mainstream was also found in The Netherlands. Participants in Verkuyten's (1998) focus groups positioned anti-racists as ignorant of the reality of living in a multi-ethnic community and therefore without legitimate right to speak of the 'facts'. These participants also presented anti-racists as discriminating against the majority white population. In Australia, the construction of accusations of racism as a violation of free speech was popularised during debates over indigenous and white Australian race relations (McIntyre & Clark, 2003). Paul Sheehan (1998) alleged that 'racist' was a loaded term employed by the "Thought Police" (post-modern

academics, Labor politicians and members of the ‘elite multiculturalism industry’) to silence their opponents. As in Belgium and the UK, ‘the elites’ has become a powerful categorisation of those who oppose conservative policies on indigenous Australians, immigration and refugees by constructing anti-racists as an out of touch, privileged minority.

Further, I, and others, have also argued that often the discourses employed in anti-racist contexts may function, albeit unintentionally, to support the very status quo that advocates are aiming to change. I raised this as an issue in Chapters 5 and 6 in relation to multiculturalism and the construction of racism as ‘generated by politicians’. I argued that these two discourses perpetuate the common conception that racism does not exist in Australia, a portrayal that effectively ignores the continuing social inequalities in Australia and works to marginalise these as an issue. This is a politically conservative view that leaves social and economic inequalities and the power of white politicians unchallenged.

In reflecting on these two findings – that refugee advocates’ discourses were constrained and marginalised, and that some of these same discourses may be problematic in terms of their implications for social change – it seems I have reached an impasse; I have demonstrated how discourses of resistance were defeated, but not how this resistance might be done in a different, and more successful, way. This tension seems to be a significant limitation of this work, which may be an effect both of the tools that were used, and the data on which I chose to focus.

In relation to the tools, it may be that discourse analysis is useful in critiquing dominant discourses, becoming in this way a form of resistance itself, but less useful for identifying potential discourses of resistance other than those already being drawn upon by other social members. The issue of the relationship between

discourse analysis and practical application has previously been identified as potentially problematic on several grounds, including: the discursive construction of the relationship between research and application; the potential for discursive findings to be abused; the potential for 'recommendations' to reify discourses which may themselves become problematic; the privileging of language as the site of intervention; and the tension between the epistemological position of relativism and making truth claims as part of a practical application (see e.g. Willig, 2001, for a discussion of these issues). My conclusion that discourse analysis did not facilitate generating alternative discourses to be employed in refugee advocacy, suggests that its usefulness for this type of intervention may be a further issue for the practical application of discourse work.

In relation to the limitations of the research presented in this thesis and the data, it may be that language, specifically political discourse, is not the site at which changes to the response to asylum seekers can best be effected. This idea was suggested by my reading of Gosden (2005), who has identified a number of levels on which refugee advocacy functions, which include, but is not limited to the public discourse of politicians or of other refugee advocates. Rather, Gosden suggests that change comes about through the private discourse between advocates with their family and friends, particularly where these advocates' talk about their experience of their personal relationships with asylum seekers. Gosden argues that a second significant force for change in the advocacy movement is that of 'role-modelling' through which advocates provide tangible evidence of personal, caring and mutually sustaining relationships with individual refugees and asylum seekers. Although these forms of resistance and these relationships are also mediated by language, I would agree with Gosden (2005) that there are many possible avenues for change. Political

discourse, whilst a significant forum for debate, and an important site at which inclusive discourse can be given voice and disseminated, therefore may neither be the primary site at which change to Australia's refugee policies will be effected, nor towards which research should be directed.

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