

❖ **Cries from Babylon: the problem of compassion in Australian refugee policy**

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Abstract

In considering the problem of asylum generally, and the experience of 'boatpeople' specifically, through the tools of Critical Discourse Analysis (CDA) and New Criticism *Cries from Babylon* is a study of asylum-seeker discourse within the Australian body politic. More particularly, it is a retrospective on shifting policy rhetoric during the Rudd and Gillard Labor governments. Through its historical-cultural and linguistic analysis, the paper positions the rhetoric of these Prime Ministers in the context of an historical narrative concerning the asylum seeker. A principal finding is that, despite indubitably strong personal convictions (inspired, in significant measure, by the life and work of World War II martyr Deitrich Boenhoeffer), in trying to appease the right of Labor's own broader electorate, Rudd occasionally echoed — though never adopted wholesale — the hard-line rhetoric of his predecessor John Howard, Prime Minister of Australia 1996 – 2007. In making its arguments, *Cries from Babylon* also considers the resurgence of such rhetoric by Prime Minister Julia Gillard and Opposition Leader, Tony Abbott.



*He has walled me about so that I cannot escape; he has put heavy chains on me
(Lamentations 3:7, New Revised Standard Version).*

In "From refugee camps to gated communities: bio-politics and the end of the city", Bülent Diken writes that "society seems unable to decide whether the asylum seeker is the true subject of human rights, which it invites everybody to accept as the most sacred of the sacred, or simply a criminal, a thief ..." (2004: 84). As the strident voices of political imperative and practicality have overridden both the cries of the refugee and the expressions of moral normalcy that accompany them, so the rough, but generally functional, framework that once gave limited succour to those compelled to flee their homelands has been bent out of shape. Not quite squeezed out of the rhetorical milieu completely, the compassionate humanitarian everywhere finds himself pressing against the dominant edges of a rhetorical parallelogram: one side of which demands to 'know' the true status of the exile while the other determines to punish him anyway.

Before the 2007 election, and early in his tenure as Australian Prime Minister – with one exception – Kevin Rudd adopted the rhetoric of the compassionate humanitarian. But those utterances, characterised by Christian overtones and broader appeals to moral normalcy, contrast with his (and, later, Julia Gillard's) 'harder', post-election "tough on people smugglers" rhetoric. This shift reflects a broader dilemma that paralyses the West and that provides fertile (and sometimes thorny) political territory for opposition parties.

In considering the problem of asylum generally, and the experience of 'boatpeople' specifically, *Cries from Babylon* is a study of asylum-seeker discourse within the Australian body politic and a retrospective on

shifting policy rhetoric during the Rudd and Gillard Labor governments.¹ The rhetoric of these two Prime Ministers and Leader of the Opposition, Tony Abbott, are examined throughout using the tools of Critical Discourse Analysis (CDA) and New Criticism. Through its historical-cultural and linguistic analysis, the paper places the former Prime Minister's policy in the context of a national history that has, in turn, contributed to a peculiar and profoundly debilitating moral paralysis. The result of this paralysis is the banishment of the asylum seeker to a no-man's land where the confined are rendered 'invisible' and where they endure traumas echoing those from which the vast majority sought escape. The paper thus reveals several ironies, the first of which is that a then Prime Minister who espoused so reverently the moral posture of Dietrich Bonhoeffer found himself increasingly condemned as one of the 'reasonable' people who, through their naivety and desire to please all of the people all of the time, fail to "bend back into position the framework that has got out of joint" (Bonhoeffer 1971: 4).

A second irony is that in trying to appease the right of Labor's own broader electorate, Rudd occasionally echoed – though never adopted wholesale – the hardline rhetoric of the Howard government (1996-2007). Arguably, rather than attenuating this less compromising rhetoric, the Gillard government's aborted Malaysian 'solution' was emblematic of this approach and pushed Australia's refugee discourse further to the right. *Cries from Babylon* also argues that Leader of the Opposition, Tony Abbott, has had an influential (and even antagonistic) role in effecting this rhetorical shift.

For a range of reasons, practical expressions of compassion toward asylum seekers come at significant political cost, and no left-leaning Australian government has been prepared to stand fast on the matter. Rather, there is an acute political awareness of a contradictory consciousness that Australians have when it comes to admitting aliens. Having initially capitalised on the Australian sense of the "fair go" (that side of the contradiction that celebrates expressions of moral normalcy), Kevin Rudd found himself wedged between that which happened to align with his self-espoused personal convictions (practical expressions of compassion toward those who seek asylum) and suspicious, or even xenophobic, perspectives on the alien. From April 2008 until his ousting from the Lodge, Rudd's response appears to have been to say as little as possible on the subject: a "fleeing from public altercation into the sanctuary of private virtuousness" (5).

But Bonhoeffer explains that, since a man must therefore close his eyes to the injustice around him, there is no merit in this. In the wake of the growing number of boats bearing asylum seekers into Australian waters, Rudd appeared to choose a form of political expediency over a potentially costly civil courage. Recent history appears to confirm the political dangers of this silence, as opposition leader Tony Abbott was able to set and dominate the dimensions of the debate (pressing the above-noted parallelogram almost completely flat). Rudd's proposed policy 'adjustments' – including the expansion of 'invisible' off-shore detention centres, the intended re-opening of the Curtin Detention Centre in Western Australia, and the serious consideration given to opening other on-shore detention centres in the Western Desert – seemed to bear testament to a political cynicism (at best a "neither hot nor cold" compromise) that would have utterly dismayed the Prime Minister's hero. These policy adjustments, which broke with the cultural direction of the then Prime Minister's earlier rhetoric, are augmented by one of Rudd's last policy announcements – the three and six-month 'freezing' of applications for asylum from Sri Lankan and Afghani refugees, respectively. Whereas Bonhoeffer was brutally executed at Flossenbürg for his refusal to capitulate, in an election year, the Prime Minister appeared anxious to avoid being hanged on a matter of principle. Rudd's unceremonious dumping confirms yet another irony: his "back-flip" on this and other core issues resulted in a dead-of-night political execution.

In 2006, as an aspiring Leader of the Federal Opposition sought to define and establish himself, Kevin Rudd offered a vision of himself as a Christian Social Democrat: a politician evincing the compassionate ethos of Christ; a would-be Prime Minister who would nurture the principle of human equality and cooperation in the bosom of an open democracy. In *The Monthly* magazine of October 2006, Rudd penned an essay on the life and legacy of Lutheran Pastor Dietrich Bonhoeffer. By placing Bonhoeffer within the broad political context of Christian Socialism, the author observes that Bonhoeffer never proclaimed himself as such but points out that he nonetheless espoused social democratic ideals such as concern for 'otherness' and "the oppressed" (28). Against arguments from centre-right politicians such as then-Prime Minister John Howard that the Church refrain from commenting on certain political matters (including the treatment of asylum seekers), Rudd argues that social justice is at the heart of Jesus Christ's Gospel and that 'morality' is not limited to a small number of "hot button issues" such as abortion, but also concerned

with social issues such as the treatment of asylum seekers. Quoting Stanley Hauerwas, Professor of Theological Ethics at Duke University, Rudd argues that a failure to recognise the legitimacy of a "Christian perspective, informed by a social gospel or Christian socialist tradition, amounts to a depressing capitulation to the idea 'that truth in politics, particularly in democratic regimes in which compromise is the primary end of the political process, do no mix'"² (Hauerwas in Rudd 2006: 27). In offering this perspective, the then Shadow Minister for Foreign Affairs rejects the argument that "Bonhoeffer only provides a guide for Christian action 'in extremis', but not for the workaday problems of 'normal' political life" (Rudd 2006: 27). Herein lies the full fabric, texture, and essence of Kevin Rudd's moral-political positioning: a philosophical stance that profoundly informed all but one of his public pre-election utterances on the issue of asylum seekers.

In his essay on Bonhoeffer above, Rudd describes asylum seekers as a "great challenge of our age." This challenge, he writes, has to do with how we should care for the alienated and the dispossessed:

The biblical injunction to care for the stranger in our midst is clear. The parable of the Good Samaritan is but one of many which deal with the matter of how we should respond to a vulnerable stranger in our midst. That is why the government's proposal to excise the Australian mainland from the entire Australian migration zone should be the cause of great ethical concern to all the Christian churches (29).

As asserted, for Rudd, "a continuing principle shaping ... engagement [between church and state] should be that Christianity ... must always take the side of the marginalised, the vulnerable, and the oppressed" (25). Recognising Australia's status as a secular nation, Rudd does not advocate a Kantian moral absolutism (27). Yet, he holds that the state should be guided by such a morality; that part of the church's mission should be to "provide an illuminating principle ... that can help to shape our view of what constitutes appropriate policy for the community, the nation, and the world" (26).

This ethos appeared to inform the Rudd government's earliest policies regarding the status and treatment of the refugee. In a time span of less than two years, the government moved swiftly to undo the Howard Liberal Government's so-called Pacific Solution, end indefinite detention, provide asylum seekers with access to legal representation, and to cancel fees charged to asylum seekers to pay the costs of their own incarceration. From late 2009, however, as limited as it was, Rudd's rhetorical focus steadily shifted away from moral argument to more pragmatic concerns about 'capacity' on Christmas Island, processing times and so on. This begs a question: why was a moral argument so apparently compelling prior to the 2007 election no longer so compelling? Or, at least, why was the then Prime Minister seemingly much less enthusiastic about promoting the moral underpinning of his government's previous liberal, humanitarian stance? Part of the answer to this lies in the political history of the asylum seeker in Australia.

The asylum seeker and the Australian body politic

Within the context of the Australian body politic, the asylum seeker has long catalysed and polarised debate. In November 2009, a Herald/Neilson poll was conducted. Fourteen hundred voters were canvassed as to their attitudes to immigration. Forty-three percent of respondents considered the rate of immigration too high. An earlier poll, by Sydney's Lowy Institute, found 66 percent of Australia's population to be 'concerned' about asylum seekers arriving by boat. ("Boat people far from an open or shut case", *The Age* Oct 17, 2009: <http://www.theage.com.au/opinion/editorial/boat-people-far-from-an-open-or-shut-case-20091016-h1cf.html>). The first of these polls highlights broad concern among the Australian electorate regarding immigration policy generally, while the second foregrounds the same electorate's contradictory reaction to the question of the status of the asylum seeker. While these recent polls are telling, older surveys also serve to demonstrate Australia's long held antipathy towards unauthorised arrivals.³

Marr and Wilkinson (2003) note that in the decade following the fall of Saigon, Australia took 95,000 Vietnamese refugees and that fewer than 5,000 of these had made the journey to Australia by boat (36). They also observe that 30 percent of respondents in a 1979 poll said that Australia should take none of these boat arrivals (36.) A bare majority said that Australia should take some of the arrivals, while only eight percent thought that all the boat people should be allowed to settle in Australia (36).

When the Keating Labor Government introduced its scheme of mandatory detention for unauthorised

arrivals in 1992, it violated several United Nations conventions on refugees, on civil and political rights and on the rights of children (37). The scheme, however, proved to be very popular with Australians. A poll taken in 1993 showed almost complete community support for the policy, while 44 percent of those questioned wanted to see all boat people barred from settling in Australia (37). The fear of 'illegal' arrivals was made particularly clear in a 1998 poll that showed the average Australian estimated the number of boat people arriving to be 70 times the actual amount (37). Australians, then, are particularly alarmed by the arrival of outsiders through 'illegitimate' channels – especially by boat. The first question of concern to this paper is: why? And the second is: how did this contribute to Rudd's apparent abandonment of his personal moral stance as a basis for Australia's refugee policy?

The answer to the first question – as to why there is such a contradictory response to the issue of immigration – lies in an examination of Australia's national history. While Marr and Wilkinson (2003) argue that, unlike Britain and the United States, Australia has never seen itself as a safe haven for those fleeing poverty and persecution, this is not entirely true. Following World War II, Australia accepted applications from many thousands of Europeans (Greeks and Italians, especially) who sought escape from war-ravaged, economically destitute homelands. Considered refugees, these people were ironically resettled away from the public gaze in outback camps (such as that in Parkes, New South Wales)⁴. While at a political level, Australia was meeting its moral and international obligations (the latter required under United Nations conventions), a contradictory consciousness was patently manifest: resettlement was okay, but only if it happened out of sight – and, therefore, largely out of mind. While these post-war refugees had legal status, their arrival was controlled and Australia's generosity was otherwise conditional. As Marr and Wilkinson observe, following World War II, the government of the day sent officials to Europe to choose suitable (white) candidates (47). Further, they note that the Whitlam Labor Government's 1973 determination to remove the remaining shreds of the White Australia Policy was contingent on a public expectation that Australia would maintain its practice of carefully selecting new arrivals (47).

In prosecuting an argument that then Prime Minister John Howard tapped into a popular (perhaps xenophobic) sentiment that has its origins in Australia's historical approach to the refugee, Marr and Wilkinson trace the Australian objection to the illegitimate "queue jumper" – a figure thought to present an affront to officially sanctioned, but "conditional", humanitarian programs such as that described above. Howard's infamous 2001 cry, "We decide who comes into this country, and the circumstances in which they come", therefore has historical resonance with an electorate that, in large measure, expects the perceived flow of illegal arrivals to be reduced to a controlled trickle. Historical precedent, then, is a powerful thing and Australia's 130- year plus "out-of-sight, out-of-mind" approach to immigrants confirms the body politic's intergenerational objection to the asylum seeker (especially those who arrive by boat). At the same time, this "out-of-sight, out-of-mind" political approach (to be "vigorously pursued", as promised by the Prime Minister during the 2010 election campaign) guarantees a continuation of ignorance and suspicion. Put another way, separation and the silence that results from it reinforce the internalisation of myth and prejudice. For instance, Pedersen, Griffiths and Watt (2007: 552) observe that very few Australians have had contact with asylum seekers and that their impressions of this out-group would seem to be based almost exclusively on reports presented in the mass media.

The second question posed, above, was: how did this objection to, and fear of, the asylum seeker contribute to Rudd's apparent abandonment of his personal moral stance as a basis for Australia's refugee policy?

The asylum seeker and the Rudd government

Given the opinion poll results previously outlined and the historical-cultural context explored above, it is clear that the former Prime Minister found himself profoundly politically "wedged" when attempting to change Australia's asylum seeker policy. Personal conviction and practical politics seemed at loggerheads: a particularly uncomfortable combination for Rudd, a man with a paradoxically strong inner conviction and an equally instinctual predilection for political compromise – perhaps learned during his long tenure as a Queensland bureaucrat and during his time as a diplomat in China. Writing at the time of Rudd's handling of the global financial crisis, Manne (2009) opined:

There is a contradiction at the heart of the Rudd government. On the one hand, it is extremely ambitious. On the other, it is extremely risk adverse (14).

While referring specifically to Rudd's handling of the GFC, the above quote neatly articulates a paradoxical approach to governance that came to characterise the administration of the former Prime Minister. In the context of the refugee issue, that characteristic manifests itself thus: Australians' apparent objection to, and fear of, the asylum seeker appears to have caused Rudd to abandon a more culturally ambitious moral platform and to strategically withdraw into the would-be safer territory of *realpolitik* (the risk-adverse side of his government's contradictory approach). The result was a policy compromised by a "neither-nor" approach to the issue that saw Rudd's rhetoric shuffling to the right as he nodded to the left. To be fair to the former Prime Minister, his program initially made modifications to the nation's immigration policy that came closer to meeting the humanitarian requirements of United Nations conventions hitherto abrogated by successive governments. However, the effectiveness of Rudd's asylum seeker policy was (perhaps inevitably) compromised as the time for the 2010 federal election drew nearer.

It seems likely that Rudd's failure to privilege his moral agenda over and above perceived electoral considerations was one of several reasons for his recent demise. The irony here is that as Leader of the Opposition during the 2007 election campaign, with one notable (perhaps aberrant, or maybe anticipatory) exception, Rudd did not abandon his moral position. Apparently, he did not need to. An electorate that appeared to accept the need to apologise to the Stolen Generations and that seemed to acknowledge that climate change was indeed "the great moral challenge" of our time also appeared to accept the moral argument concerning refugees. But then the boats started to come and with them an opposition more than happy to blame this on the new government's "soft policy." Tony Abbott responded to the Rudd government's several changes to mandatory detention arrangements by rehabilitating many of the border security tropes and frames of the Howard government's refugee discourse. Rudd failed to combat this uncompromising rhetoric of the centre-right with a further, unequivocal, expression of his commitment to the moral position adopted on asylum seekers (via the social justice frame) before, during, and after the 2007 campaign. Instead, perhaps having recognised the political problems this may cause within an electorate used to hearing politicians offering tough action on boat people, he opted to echo his predecessor.

Rhetorical analysis

This section analyses the shifting nature of Kevin Rudd's rhetoric highlighted above. For this task, certain tools of Critical Discourse Analysis (CDA), New Criticism, and classical rhetoric will be employed. CDA is a methodological framework incorporating a textual analysis of the relationship between power and discourse. While theorists such as Foucault (1980) and Chomsky (1988: 2002) consider this relationship generally, CDA is a tool that facilitates a somewhat closer investigation at the lexical level. At a broader level, CDA considers the relationship between words and phrases used and the codification and exercise of power. As van Dijk (1994: 435) puts it, CDA facilitates the examination of 'dominance' in society as "... enacted, sustained, legitimated, or challenged by talk or text." A limitation of CDA, however, is that its tools permit a somewhat less nuanced analysis and so this section also employs the traditional techniques of New Criticism (metaphor, irony, paradox, echoic devices and so on) as well as certain frameworks and techniques of classical rhetoric. While focusing on Rudd's shifting discourse – and his strategic use of silence – this section also considers the (largely antagonistic) role opposition leader Tony Abbott played in forcing Rudd to change policy course on the "boatpeople" issue. The section closes with a consideration of the subject-specific rhetoric of Kevin Rudd's replacement, Julia Gillard.

As explored earlier in this paper, Kevin Rudd's lengthy 2006 essay on the life and legacy of Lutheran Pastor Dietrich Bonhoeffer formed the moral and philosophical basis of his Prime Ministership – at least initially. In terms of both content and tone, it proffered a vision of a nation ready to chart a new course *vis-à-vis* its treatment of the dispossessed and destitute. Drawing on the kind of rhetoric last heard under the Keating administration, in *The Monthly* of October 2006, Rudd writes of an Australia that takes seriously "the values of decency, fairness, and compassion that are still etched deep in our national soul despite a decade of oxygen deprivation ..." (30). The following month, in the same periodical, before carefully reintroducing the lexicon of social justice so eloquently leveraged by Labor Prime Ministers past – including Chifley and Keating – the would-be Labor leader terms the last 10 years of Liberal rule a 'brutopia' (46) Rudd's reaching for literary precedent does not, then, stop at Australian shores. In *Faith in Politics*, when opining that the nation needed to be "guided by a new principle [encompassing] not only what Australia [might] do for itself, but also what Australia can do for the world", he of course alludes to

the famous chiasmus of Kennedy's inaugural address (Rudd 2006: 30). Through a mere echo, Rudd thus suggests that Australia should be at the moral forefront of global endeavour. And here is the basis of the Rudd government's ratification of the Kyoto protocol, the 2008 apology to the Stolen Generations, and the new asylum seeker policy.

Just one month after the publication of the essay on Bonhoeffer, Kevin Rudd became Leader of the Opposition. He used a long Australian summer to chart out a course for a future government. His rhetoric from this time remains characterised by the same appeals to moral normalcy and social justice that informs the Bonhoeffer piece. During this period, however, electoral considerations become apparent for the first time. Moral appeals – though not altogether expunged – are attenuated, as Rudd seems unwilling (or electorally unable) to comment on the Haneef affair, to oppose a new Gunns pulp mill (something that proved disastrous for his predecessor Mark Latham), and to resist the Howard government's overtly discriminatory intervention into Northern Territory indigenous communities – which, when in power, Rudd would alter so that it might meet United Nations conventions. Significantly, and perhaps to avoid a repeat of the Labor Party's election loss to the Coalition government during the 2001 Tampa crisis, the then opposition leader unequivocally supported the Howard government's freeze on the African refugee intake.

As highlighted above in the Robert Manne quote, Rudd's tendency to awkwardly combine moral aspiration with caution becomes increasingly evident in his pre-election rhetoric. One example of this combination is Rudd's announcement of November 21, 2007 in which he asserted that, if elected, Labor would dismantle the Pacific Solution. Referring to the "humanity of the situation" Rudd said Labor would "exit those arrangements as quickly as possible." He also said: "The Pacific solution is wrong, it's a waste of taxpayer's money, it's not the best way to handle asylum seekers or others" ("Rudd has no timetable for Nauru closure" 2007). Here, moral appeals are combined with practical considerations. Rudd denounces the Pacific Solution's inhumanity and describes it as being 'wrong', while appealing to the Australian taxpayer on the basis that their money is being wasted. This example of argumentum ad *populum* dovetails with Rudd's moral proclivities as well as his carefully targeted election strategy.

As the election drew nearer, however, Rudd's tone changed, as he displayed something of a willingness to draw upon the tropes of the border security frame long used to deride asylum seekers. This is evident in an interview Rudd gave to *The Australian* very late in the election campaign. In that interview of November 23, 2007, the Leader of the Opposition is said to "advocate" a "layered approach" to border security (Kelly & Shanahan 2007). In carefully contrived triadic structure that builds towards, and privileges, posture over policy, Rudd bludgeons his audience with the word "effective": "effective laws, effective detention arrangements, effective deterrent posture..." (ibid.). The nature of this posture is later explained through the simple sentence: "You'd turn them back" (ibid.). This echo of the infamous Pauline Hanson phrase evokes the long-held Australian will to deflect "unauthorised" boat arrivals. It was the kind of rhetoric that, in the months and years ahead, would gradually find favour with a new Prime Minister increasingly anxious to appear tough on people smuggling – especially when he and his government began to suffer in the polls. While the softer, more compassionate, vocabulary of Dietrich Bonhoeffer still characterised Rudd's rhetoric, it was augmented by much harder utterances. Rudd's new refugee policy would be "tough but humane."

By April 2009, Rudd angrily opined that "[p]eople smugglers are the vilest form of human life." He went on to add that "[t]hey trade on the tragedy of others and that ... they should rot in jail, and ... in hell" (Coorey 2009). This was in the context of a boat carrying 49 mainly Afghan men having exploded near Ashmore Reef, killing three people and wounding 31. Perhaps it was the shades of the Tampa crisis that forced Rudd into less measured rhetoric but, whatever the case, a central irony manifests itself. Dietrich Bonhoeffer, the former Prime Minister's own hero, was a people smuggler. Under the pretense of services to the Abwehr, Bonhoeffer, who Rudd describes as "the man I admire most in the history of the twentieth century" engaged in the "vile" act of covertly smuggling several Jews into safe nations such as Switzerland (Rudd 2006).

While ironic enough that Rudd condemns people smugglers for an act carried out by his hero, there is a deeper irony still: Bonhoeffer certainly did "rot in jail" – although, in his case, damnation seems an unlikely punishment. Returning to *The Sydney Morning Herald* article of April 2009, Rudd's assertion that "[t]his government maintains its hardline, tough, targeted approach to maintaining border protection for Australia" (Coorey 2009) makes use of tropes that the Liberal Party employed in its descriptions of its

own "tough" approach to the subject. Moreover, Rudd's penchant for alliteration – as in "tough, targeted ..." – underscores a determination to offer a rational basis for the kind of "toughness" the Prime Minister had eschewed just two years earlier.

As suggested earlier in this paper, the efforts of the Rudd Labor government to humanise Australia's asylum-seeker policy were, in significant measure, thwarted by an antagonistic opposition leader willing to trade on long held prejudices. In a matter befitting the former pugilist, Opposition Leader Tony Abbott aggressively targeted Labor's policy, reigning down brutal strikes on the Prime Minister in the form of a relentless series of Howard-era slogans. He announced that if elected, he would reinstate temporary protection visas, resume offshore processing, and work towards stopping boats at sea. These policy announcements draw on the border security frame of asylum seeker discourse, with heavy emphasis being given to the "asylum seekers as illegal arrivals" trope. As Pedersen, Griffiths and Watt (2007) have observed, the Howard Government frequently described asylum seekers as "illegal immigrants." This occurred in spite of the fact that no law – international or domestic – had been breached by those legitimately seeking asylum (552). On a rhetorical level, the effect of this was to delegitimise the proper claims of asylum seekers.

A closer examination of Abbott's rhetoric reveals nothing less than a determination to leverage such populist tropes while thinly swaddling them with the rhetoric of humanitarian normalcy. Thus, Abbott urged Australians to consider the dangers that boatpeople endure on the high seas. Essentially, he argued that, for their own good, boatpeople should be deterred. An example that serves to demonstrate this is from a Liberal Party election campaign pamphlet, which takes on the form of an "Action Contract" bearing his metaphorical and literal signature. Clause 5 reads:

The Coalition will maintain rigorous offshore processing of those arriving illegally by boat, reintroduce temporary protection visas (to deprive people smugglers of a product to sell) and be ready, where possible, to turn boats back (Liberal Party of Australia 2010).

This carefully framed rhetoric reinforces ingrained Australian attitudes towards boatpeople as "illegal" arrivals. And, as these are the utterances of a senior politician, Abbott's "office" as Opposition Leader confers legitimacy on such attitudes.

By referring to the need to deprive people smugglers of a "product to sell", Abbott "swaddles" a hardline message with the mildest expression of humanitarian concern. Subtly, the focus slips away from the boatpeople to the people smugglers, who, as Rudd's "scum of the earth" description indicates, are a common target in Australian political discourse. To be sure, the reason for this is that the exploitative people smuggler makes for a much easier target than the boatperson, who, while still being unpopular with the Australian electorate, remains the subject of the "limited succour" referred to at the start of this paper. Thus, the people may be assured that they are not really xenophobic or unduly harsh in their support of stances that would see "the boatpeople" discouraged.

It is therefore significant, and not a little ironic, that Abbott's appeals are structured to limply echo the moral normalcy evoked by Rudd in his own policy utterances. And it is even more ironic that Abbott uses these "for their own good" appeals to moral normalcy in order to legitimise policies that have proved to be harmful to the mental health of asylum seekers. Research conducted by University of New South Wales' senior psychology lecturer Zachery Steele indicates that the Howard Government's temporary protection visas plunged the people holding them into mental illness more often and with greater severity than those who gained permanent protection visas (Jopson 2009). A survey of 101 Mandaens living in New South Wales, members of a religious minority who had fled persecution in Iran and Iraq, highlights that those who were able to get off temporary protection visas and become permanent residents showed mental health improvements (ibid.). Their rate of post-traumatic stress disorder dropped off from 45% to 11% with the change of visa status. According to Dr. Steele, when their mental health was measured, the half that remained on temporary protection visas showed no improvements over a two-year period (ibid.). "Those still on TPVs during the period maintained their level of distress over time. It freezes people in a state of mental anxiety from which they are not able to recover" (ibid.). Abbott, then, makes use of humanitarian appeals to garner support for a policy demonstrated by psychology research to be inhumane.

Finally, it is worth noting that, like Rudd before him, Abbott makes use of Hanson phraseology. "Turn the

boats back" is a popular refrain in Australia's public asylum seeker discourse, even among those of disparate political philosophies. Without a doubt, Abbott's relentless assault on the Rudd Labor Government proved effective. Following a number of changes to government policy – the freezing of asylum seeker processing along with similar U-turns on emissions trading and insulation funding schemes (three policies savaged by Abbott, who then used their abandonment as "proof" that the Prime Minister was flaky) – Rudd's previously stratospheric approval rating crashed. In lieu of factional support, Rudd's popularity had always been a life raft. His being without this proved fatal. As factional powerbrokers were circling, perhaps prophetically, the Prime Minister spoke of his refusal to conduct "a race to the bottom on asylum seekers" (Rudd in Manne 2010:12). The woman who defeated him on June 24, 2010, however, appears to have no such problem with participating. As the nation's new leader declared "game on", Julia Gillard pressed Australia's asylum seeker policy (and rhetoric) further to the right (ibid.). The framework that her opponent had pressed to near bottom, would certainly not be bent back very far.

During a speech given to the Lowy Institute, Gillard set the tone for her asylum seeker rhetoric. She argued that it was wrong to dismiss Australians concerned about the arrival of asylum seeker boats as "rednecks" and declared that there needed to be a full debate on asylum seekers free from "political correctness" (ibid.). So as to deter asylum seekers from arriving in Australia, Gillard announced that her government would seek to build a regional processing centre in East Timor. In seeking to improve the government's electoral fortunes, Gillard employed the border security frame and, at times, borrowed directly from Abbott's language on the issue. For example, during an interview with *The Courier Mail*, Gillard said she wanted to "stop boats before they leave foreign shores" (Balogh & Atkins 2010). "[T]he way to do that is to take away from people smugglers the product that they sell," she argued (ibid.). Nowhere is Gillard's willingness to embrace the language of the centre-right clearer than here: the description of depriving people smugglers of a 'product' is lifted directly from her opponent's brochure. This, therefore, is an indication that Labor strategists saw this phraseology as having "cut through" with voters and thus well worth appropriating.

Another example comes from the same interview. Gillard stated, "I don't want to see desperate people risking their lives. I don't want to see people smugglers profiting so that's what the regional processing centre is for" (ibid.). Like Abbott, Gillard describes her concern as being humanitarian in nature, with people smugglers as the targets of condemnation. And, as was the case with Abbott's rhetoric, the aim was to elicit assent from readers in a way that the targeting of asylum seekers themselves might not. Furthermore, and as was again the case with Abbott's rhetoric, there is considerable irony in Gillard's raising concern that asylum seekers put their lives at risk: by definition, the lives of genuine asylum seekers are already at risk, which is what leads to them to a position where they place themselves in leaky boats in the first instance. Such rhetoric therefore fails to recognise asylum seekers' immediate right to safety and gives the false impression that they have any other choice.

Where Gillard's earlier rhetoric departed from Abbott's (and, later, her own), however, was in her propensity to flavour her border protection rhetoric with tropes from the social justice frame that characterised Rudd's earlier utterances. Ironically, given her government's later brokering of the "Malaysian solution", Gillard's reasoning for selecting East Timor as a site for a processing centre was that, unlike Nauru, the nation is a signatory to the 1951 United Nations Convention Relating to the Status of Refugees. Theoretically, this would ensure that the rights of the asylum seekers would be respected. While the proposed "East Timor Solution" that came before the Malaysian deal would never gain the approval of the East Timorese, the Malaysian "boatpeople for refugees swap" preceded without the apparent need for United Nations support.⁵

Even as her government's policy position hardened, in a press conference held in Darwin, the Prime Minister ditched her previous description of "unauthorised boat arrivals" opting instead for the softer "irregular people movements" (Barrass 2010). The latter description avoids the de-legitimising of asylum seekers that is implied by the former. Finally, it is worth mentioning here that during her Lowy Institute address, Gillard, in response to the challenge of prominent human rights lawyer Julian Burnside QC, admitted that, at present rates of arrival, asylum seekers would take twenty years to fill the Melbourne Cricket Ground ("Gillard's Timor solution: reaction" 2010). This illustration serves to dispel voter concern about the number of asylum seeker arrivals. Along with her rhetoric on the need to deter people smugglers, Gillard here demonstrates her pragmatic and targeted approach to the asylum seeker issue. It also demonstrates that – as was the case with Rudd and Abbott – Gillard sees a need to combine tough-

sounding rhetoric with humanitarian language.

Despite this rhetorical "swaddling", there can be no denying that Gillard's language moves the Labor government's policy frame further in line with that of their Liberal opposition. During a post-election speech to confirm his support for a minority Gillard government, rural independent Tony Windsor suggested that Australia's two major parties had reached a point where their political philosophies were "merging". As an example he singled out the government's stance on asylum seekers: "Julia Gillard went to the polls with the Liberal Party's boat people policy" (Windsor 2010). Coming from one of two men who enabled the Gillard Government to cling to power, this is a most candid analysis of an administration willing to at least partially adopt the strategy of those sitting opposite.

It is arguable, however, that neither Rudd nor Gillard needed to bow to public pressure in this way. The high office of Prime Minister both enables and requires the holder to be an opinion leader and shaper of public discourse. This, the authors contend, includes convincing the public of the merit of occasionally contentious or unpopular policies. The Rudd and Gillard Labor Governments have been involved in this task before. The apology to the stolen generations was a contentious, indeed, divisive topic in Australian polity. Yet, when Rudd put an intelligent, well-crafted apology motion to parliament, in a Galaxy poll of 1,100 respondents, 68% percent of Australians indicated their support. This was up sharply from 55% two weeks prior (Metherell 2008). Conversely, the number of people disagreeing with the apology fell sharply: from 36% to 22% percent (ibid.). These findings show an electorate initially divided on a contentious political issue, yet willing to "jump on the bandwagon" when decisive action was taken. This was no doubt helped by Rudd's explanation as to why it was necessary to apologise – the kind of detailed, eloquent explanation missing from his changes to asylum seeker arrangements. There is room, then, to believe consensus may be built again, this time in the case of the asylum seeker question. But, to paraphrase the words of Marr and Wilkinson (2003), for the time being, Julia Gillard has opted for John Howard's approach: seeing Australians as they are, rather than as how they could be, and opting to leave their consciences alone (280). In this environment, and it is a source of hope, the Greens are the only party willing to stand fast on the issue. This minor party declared that, despite an accord to support Labor in minority government, they would not support the proposed use of East Timor as a processing location. The Greens, moreover, never approved of the "Malaysian solution" (they in fact welcomed the High Court decision concerning the proposed arrangement) and the party remains committed to getting children out of detention centres (Nurushima 2010).

Conclusion

The foregoing rhetorical analysis has served to examine particular cultural and stylistic mechanisms that have, in the main, been consciously employed in such a way as to bend out of shape an otherwise generally functional framework that once gave limited succour to those compelled to flee their homelands. By leveraging the tools of CDA and New Criticism, this paper has begun to consider the sometimes subtle, but often blunt, rhetorical instruments that make the task of the compassionate humanitarian virtually impossible – and that increasingly render the voice of compassion unheard. While CDA has revealed the power of a range of tropes and frames, as suggested in this paper's opening ambit, it is ironic that in a country whose moral framework is purportedly underpinned by the Christian tradition, the Christian (read: social justice) "frame" is only invoked by politicians when politically expedient. As American philosopher, essayist, and poet Ralph Waldo Emerson so succinctly puts it: "Every Stoic was a Stoic, but in Christendom, where is the Christian?" (Emerson 1950: 164)

With reference to the asylum seeker issue, this article therefore asserts that in pre-campaign mode, the politician is sometimes inclined to privilege moral instinct over political intuition. But, as electoral imperatives begin to register, the rhetoric of the political centre-left (in this case, represented by the Labor Party) tends to shuffle steadily to the right while the rhetoric of the centre-right (represented by the Liberal Party) slips not nearly so far to the left. The result is the sequestration and silencing of the asylum seeker – a figure objectified, ostracised, and effectively criminalised, in that order. Through rational processes designed to "reasonably" interrogate his status, he is confined to a no man's land where, arguably, he endures the privations and humiliations from which he fled. While the psychological traumas endured by detained and confined asylum seekers are only touched on in this paper, the all-too-frequent, and often distressing, reports of protest, depression, psychosis, and self-harm over the last decade speak for themselves. If Australia is indeed a nation that has inherited its moral framework from

Christianity, for thousands of asylum seekers (the vast majority of whom have legitimate claim but who are nonetheless indefinitely detained), Australia is no Promised Land but a place of weeping and heavy chains.⁶ That Australia must do better by the refugee stranger and even by the illegitimate “queue jumper” is beyond reasoned debate, but as long as political leaders lack the courage of their personal convictions (far less than the calling and commitment of Deitrich Bonhoeffer is required) and as long as political partisanship persists, the problem of compassion will remain. Former Justice Michael Kirby puts it thus:

Australia has a very short electoral cycle. Three years in the Federal Parliament. This means that we are constantly in the electioneering business. This has led to attempts of both sides to wedge the other on sensitive issues. Refugee law and policy is ready made for wedging. Unless the major political parties can agree to cease this appalling verbal competition (the State equivalent is law and order) there will be no escaping three yearly bouts of refugee bashing. The exit strategy is a bipartisan concordat that Australia will comply with its international obligations. No more. But certainly no less (M. Kirby, personal correspondence, September 17, 2010).

Without such a concordat, it seems most likely that the cries of the afflicted will continue to be largely ignored, and that things will go on as they are - with the politicians who repeat populist anti-asylum seeker tropes being considered by electors to have committed only mildly venal sins: certainly none for which they should be consigned to Hell. In Australia, for now, that is a fate reserved only for the asylum seeker.

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Footnotes

1 Several studies traverse the general territory of discourse on the subject of asylum seekers, though none exclusively focus on the shifting rhetoric of the Rudd government vis-à-vis the same issue. Among the several texts offering a broader context for the present article is a paper published in the Canadian journal *Refuge* in which authors Michelle Lowry and Peter Nyers (2003) observe that "the crackdown on refugees...and the resistance to these assaults are a global phenomenon" (2). As an important aside, we point out that while the subject of asylum seekers is often the focus of extensive reportage and journalistic commentary (as is reflected by the extensive source material we draw upon), this paper is not a review of media coverage but a retrospective on policy rhetoric and the political framing that is so much a part of it.

2 Hauerwas' rejection of this argument that politics and compassion do not mix is of much relevance to Australian political commentary, where it has the status of popular sentiment. That extraordinary political will is required to bring compassion into play in the political arena is eloquently argued by Elizabeth Porter (2003).

3 Even a recent poll that signals a willingness on the part of a narrow majority of Australians to have asylum seekers processed onshore points to a requirement on the part of these same voters that asylum seekers be detained while their claims are assessed. The poll therefore reinforces our point about a contradictory national psyche, as it pertains to asylum seekers. (See Marr, *The National Times* August 16, 2011 <http://www.nationaltimes.com.au/opinion/politicians-have-their-own-reasons-for-pursuing-hard-line-20110815-1iusu.html>)

4 This itself is in step with a broader Western context alluded to in the introduction of this paper. There

has been a long history of the refugee as *homo sacer*; a 'suspicious' figure left alone on a political (and in some cases, geographical) island.

5 The United Nations High Commission for Refugees 'noted' the arrangement, but did not approve it. In observing that "the arrangement and its implementing guidelines contain important protection safeguards" the body indicated a preference that, consistent with general practice, Australia might process asylum seekers arriving by boat into Australia in Australia (UNHCR in Reuters, 2011). It is a perspective with which the majority of High Court justices would appear to agree.

6 The epigraph to this paper alludes to the biblical *Book of Lamentations*, which, in part, records the history of the once great city of Babylon where, for seventy years, the Jews were cruelly confined.

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