

Julie Bishop on Radio 4



Julie Bishop is currently in the United Kingdom for bilateral talks. She was recently interviewed on BBC Radio 4 where presenter, John Humphrys, raised the topic of asylum seeker policy.

It is always interesting to see how our political leaders spin towards non-Australians. And while Bishop's demeanour is very very good, the substance of her responses to Humphrys' questions do nothing to justify our current treatment of asylum seekers.

In this post I have created something of a transcript of the interview and given my own responses to Bishop's answers. I like British interviewers, so much more rigorous than our typical Australian sycophants. I would love to see how this would have played out on, say, a BBC *Hard Talk*, but I suspect we shall never know. But I have tried my hand at contemplating a few possible *Hard Talk*-like questions.

The interview can be found here: <http://www.bbc.co.uk/programmes/b03xdmz6>

The relevant section is:

<http://briggs.id.au/jour/files/2014/03/jbbbc.mp3>

Let us consider:

JH: Why? Why such a tough approach? Is it really necessary?

JB: What your listeners may not be aware of is that in recent years about 1200 people, that we know of, have died, trying to make a journey from Indonesia to Australia, paying people smuggling syndicates to put them fishing boats to make these journeys to Australia to claim some kind of asylum. And, as a

new government, we were not going to stand by and have the people smuggling trade continue to flourish, and these deaths and sea. So we have taken a tough line to deter people from taking that dangerous journey, and our aim is to dismantle the people smuggling trade that flourishes in South East Asia.

It's a good first question and an unsurprising answer. A "tough line" is required in order to act as a deterrence. Apart from the troubling attitude that underlies the phrase "*some kind of asylum*" (as if to imply or presume invalidity) there are other defects in Bishop's answer that should be pointed out.

1. The ends do not require the means. There is a deep flaw in Bishop's logic. Her assertion is that the problem can *only* be solved by this tough approach. She is asserting that this tough approach *demand*s the tough approach as a *necessary* component of the solution. My push-back questions would be something like: "But surely Minister, deterrence only works if the cost of taking the journey outweighs the cost of staying behind. Surely deterrence requires you to act worse than the regimes from which people are escaping?" "But there are clearly other ways of dealing with maritime arrivals. Look at Italy with African refugees^[1], look at the United States and the United Kingdom^[2], why this way when it so clearly cuts close to the bone of civil society?"
2. The ends do not justify the means. There is a deep flaw in Bishop's ethic. Good ethics is premised on the truth that people are an ends in themselves. We do not punish one person for the actions of another. We should not punish asylum seekers for the actions of a people smuggler. The only way this policy can be ethically valid is if we presume presume that the asylum seekers have done something wrong – which may well be Bishop's

assumption, but not something she is willing to admit.

It is certainly a presumption indicated by Morrison's overuse of the word "illegal." My push-back questions would be something like: "It seems, Minister, that you have a form of incarceration, imposed upon men, women, and children, without due process or criminal charge.

Surely such precious principles of civil society are too much to give up, even in the face of people smugglers?"

Humphrys chooses to pursue Bishop down a consideration of the "toughness":

JH A tough line? Some call it an inhumane line? Some have said... it casts a very dark shadow over your commitment to Human Rights and fundamental respect for human dignity.

JB: Well I don't accept that at all. We have in place an arrangement for application for asylum to be processed in both Nauru and Papua New Guinea. And in the case of Papua New Guinea we have joint ministerial arrangement with the Government of PNG, and we work together...

This is a non-answer. Humphrys quotes from David Mann to back up his "Some have said." Bishop does not interact with the issue of Human Rights, which is a codified notion, or with the more abstract (but no less real) concept of human dignity. So let us help her out by quoting from the Universal Declaration on Human Rights^[3].

1. Minister, would you agree that "Everyone has the right to life, liberty and security of person" and that your current asylum seeker regime is, in fact, removing liberty and security from men, women, and children?
2. Minister, would you agree that "No one shall be subjected to arbitrary arrest, detention or exile" and that in your asylum seeker regime you are, in fact,

arresting, detaining and exiling men, women and children without due process?

3. Minister how is it not possible that your asylum seeker regime is denying certain persons the “full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.”?

And we could go on. And on. And on, about the various manners in which our treatment of asylum seekers contravenes our (voluntarily entered into) commitments and obligations under international law.

Humphrys pursues the “exile” notion of the current regime:

JH: Why can't they be in your country? Why can't you have these detention centres in Australia?

JB: Because it's been a decision of both sides of politics, both the Labor Party and the Coalition, that we work to deter people coming to Australia, and their claims are processed in third countries, and then we look for resettlement in other countries including in Australia. And we've done this before, and it worked. We were able to prevent the people smuggling trade from flourishing, we stopped people coming by boat, we stopped the deaths at sea, and then we have a very generous humanitarian and refugee program. But the government must be in charge of the refugee and humanitarian program not the people smuggling trade.

Again, a non-answer is given. Bishop answers the “how” (because Labor and Coalition said so!), not the “why.” Her other points are also weak:

- The “we've done this before” aspect is strange. Yes, off-shore processing has been done before. But “you'll never be resettled in Australia” has never been done

before.

- The “very generous humanitarian and refugee program” is also a strange claim, as this simply isn’t so.^[4] Nor is it ethical. “We’re being nice to these other people, so we’re allowed to be harsh with these people” does not a moral argument make.
- And the last sentence is vintage Howard, and is basically: “We will decide who comes to this country and the circumstances in which they come.”^[5] The “people smuggling trade” (an even more intangible entity than “people smugglers” themselves) are nominated again as a foil. The pushback question would be this: “Minister, it is clear under the Convention on Refugees that it is entirely impossible for a country to dictate the circumstances in which people come to Australia, and the nature of the humanitarian crises that eventuate. Surely there is no moral distinction between those you reach out to welcome, and those who knock on your door seeking help; both of which are experiencing circumstances you cannot control?”

Humphrys returns to the necessity of inhumanity point and some to-and-fro occurs:

JH: But you could still treat them humanely, couldn't you? I mean, it's been described, some of these centres... as breeding grounds for rape, rioting, malaria, and mental illness, that bear the look and feel of concentration camps.

JB: Well I've visited the one on Nauru, and that doesn't reflect...

JH: Well, are they Holiday Camps?

JB: Well they're not Holiday Camps because people are clearly having their applications for asylum processed there, and if they are found not to be genuine asylum seekers they are returned to their home country. What we're trying to do is

prevent people coming via the people smuggling trade to Australia...

JH: It just seems a slightly uncivilised way of doing it. Saying to these people who are desperate anyway, because they fear for their lives in some cases... saying to them, "Try and get into Australia, and you will be treated pretty savagely." That's not a very civilised way...

JB: Well that's not the case. I have visited there. And I am satisfied that the governments of Papua New Guinea and Nauru and the Government of Australia are ensuring that people are treated appropriately and with dignity...



Bishop of course is unwilling to acknowledge the plethora of independent evidence about the inhumanity of the detention centres, and the questions about the depth of her inspection.^[6]

She also fails to acknowledge that harsh conditions in the detention centre are *exactly* what is evidenced in the government's communications to would-be asylum seekers.^[7]

As far as dignity is concerned, let me once again quote from Universal Declaration on Human Rights: "Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom..."^[3] Which is to say, "Minister, it's one

thing to use the word 'dignity', but surely there are some thresholds of indignity that we simply know have been crossed? Are you saying that these have not happened?"

And of course, the counter-example of Manus Island is clear and present. Humphrys puts it forward, and then Bishop disgraces herself:

JH: So why was there a riot in one of them, and somebody died?

JB: Yes, well 1200 people have died on boats.

JH: So that justifies a death?

JB: No, I didn't say it justified it at all. I just said that we're trying to stop people coming by boat. There was an incident recently in one of the centres on Manus Island, and it did involve, tragically, the death of a person. And this is what happens in unruly behaviour when violence occurs, and it's tragic.

Really? Here is a Morrisonesque moment of warped moral compass. The words "and somebody died..." should be and must be responded to straight away by "That is a terrible tragedy, we regret that it happened." Instead, the head count ledger comes out. Humphrys retort about whether she is trying to justify the death is well-placed. Bishop denies, but cannot unring that gong.

It could be put down to a "mis-speaking" and benefit of the doubt could be advanced. But then she plays the "unruly behaviour" card. Has she received the outcome of the Manus Island inquiry. "Minister, you say "unruly behaviour", but there is overwhelming evidence that the unruliness and violence was instigated and perpetuated by government contractors.^[8] Surely you must take some responsibility for this death?"

Humphrys is running out of time, so he starts talking about accountability:

JH: You're effectively operating a kind of Guantanamo Bay aren't you, in some ways even worse?

JB: No I don't accept that at all.

JH: Why do your critics, who have looked at them very carefully, people who are experienced in these matters, say that?

JB: You mean the UNHCR?

JH: I mean the UNHCR, and other groups

JB: We responded to the UNHCR's statement in Geneva and we believe that the arrangements that we have in place with the sovereign government of Papua New Guinea and the Australian Government means that people are being treated with respect, with dignity. They're given health care. They're given schooling. Their children go to school. They have community centres. There are doctors, I've met with the doctors there. The standard of accommodation, and the standard of support they receive in many instances is better than that received by the people of Papua New Guinea.

JH: So you're not deterred by the attacks of people like the UN?

JB: No I'm not, because we have managed to, in the last few months prevent people coming by boat, taking that dangerous journey to Australia. And that's what we promised at the last election, it was an election promise we took to the Australian people. We won that election and we're delivering on that promise.

Again, non-answers. "We responded to the UNHCR" statement does not give any detail of what that response is. It does

not articulate the concerns that were raised, or the manner in which they were addressed. It is dismissal. A dismissal of an authoritative body who knows that they're are talking about.

The reference to "sovereign government of Papua New Guinea" is also a misdirection. "Minister, are these centres run by Australia, or by Papua New Guinea? Have these asylum seekers applied for asylum to PNG or to Australia?" "Minister, if these centres have better facilities than PNG, surely you can understand the concerns of those who question whether PNG is an appropriate place for eventual resettlement."

Of course, Bishop's list of the centre's facilities is also an implicit admission of something incompetent. After all, despite these amazing facilities, mental health issues^[9] abound and babies are miscarried.^[10]

And finally, Bishop's self-adulation about being successful is in the same vein of spin. "Minister, you say that you have stopped boat arrivals, but that's not really the point is it? The boats are still coming, they are getting close to Christmas Island, and then you are towing them back to Indonesia?^[11] Despite your policies people are still willing to make a dangerous journey. Surely you must acknowledge that your regime is not as benign and certainly not as successful as you make out?"

Humphrys then moves on to more light-hearted matters having confirmed that Julie Bishop, a supposedly conservative politician, is wed to that most impositional of political stances – self-believing spin, self-affirmed rhetoric, and inability to extend grace, acknowledge ambiguity, and respond to failed responsibility and error.

Her demeanour was excellent. But it was a shameful performance.

[1]	http://www.abc.net.au/news/2013-08-09/alberici-italy-asylum-boats-australian-model/4875134
[2]	http://www.smh.com.au/national/asylum-seekers-what-other-countries-do-20120813-244fs.html
[3]	http://www.un.org/en/documents/udhr/
[4]	http://www.abc.net.au/news/2014-02-24/liberal-mp-kelly-odwyer-incorrect-on-australias-refugee-intake/5270252
[5]	https://www.youtube.com/watch?v=FrJ1mMPpVuQ
[6]	http://www.smh.com.au/federal-politics/political-news/julie-bishop-under-fire-for-praising-conditions-on-瑙鲁-20131219-2zo5g.html
[7]	http://www.news.com.au/national/the-federal-government-uses-a-comic-book-to-stop-the-boats/story-fncynjr2-1226824447746
[8]	http://www.theguardian.com/world/2014/mar/04/manus-island-asylum-seeker-describes-violence-on-night-of-reza-baratis-death
[9]	http://www.theaustralian.com.au/national-affairs/policy/mental-health-declines-in-long-term-detainees/story-fn59nokw-1226819031243#
[10]	http://www.theguardian.com/world/2013/dec/23/woman-who-miscarried-on-christmas-island-told-lower-expectations
[11]	http://www.smh.com.au/federal-politics/political-news/another-turned-back-boat-lands-in-indonesia-20140225-33dn7.html

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