

UNIVERSITY OF SYDNEY

Greeting the Stranger

Examining the (un)familiar in Australia's
detention history

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Abstract: Despite the contemporary explosiveness of asylum seekers and their treatment in Australia, the complex vicissitudes of its history have been glossed over. Focusing specifically on the evolution of detention legislation, this thesis places Australia's treatment of 'boat people' within the framework of the 1980s migration debates, preoccupations with illegal immigration and the development of Australia's 'proud humanitarian record.' It criticises historians' exemplification of the 1992 mandatory detention legislation as a 'watershed' moment, and shows that this legislation only solidified a policy with a deeper and more complex history.

Keywords: *asylum seekers, mandatory detention, Port Hedland, multiculturalism, illegal immigration, refugees*

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A Note on Language

In the development of Australian detention legislation different categories of migrants emerged. The most significant were the categories of illegal immigrants and unauthorised boat arrivals. ‘Illegal immigrants’ was a term that included visa overstayers and illegal entrants. Unauthorised boat arrivals were persons who had travelled to Australia via boat and were seeking asylum. Legally they were deemed not to have entered the country. The term was used synonymously with ‘boat people’ and ‘boat arrivals’. ‘unauthorised boat arrivals’ and ‘illegal immigrants’ belonged to distinct groups with different laws applied to them. Given the complexity of the different legal categorisations the following list provides the definitions of terminology as they will be used in this thesis:

Asylum seekers: Either illegal immigrants within Australia or border claimants, requesting protection under the UNHCR *United Nations Convention on the Status of Refugees 1951* and the *United Nations Protocol Relating to the Status of Refugees 1967*.

Boat People: Despite the vitriol surrounding this idiom, it was the most common term used politically to describe people who claimed protection status at the nation’s borders after travelling to the country by boat. Legally they were deemed to have not entered Australia. Other terms also used synonymously included: unauthorised arrivals and boat arrivals. They were also named ‘unprocessed persons’ by the detention provisions of the *Migration Amendment Act 1991*.

Border Claimants: Individuals arriving either by boat or by plane who claimed protection status under the UNHCR criteria.

Illegal Immigrants: Prohibited non-citizens currently residing in Australia. This group comprises of individuals who have overstayed their visas and have entered the country undetected.

Introduction: A Familiar Story

‘We have wonderful news ... We are in Australia and help is on the way’ the Captain said. Everyone cheered and showed great excitement.¹

Suzie Lang.

After a month at sea, Suzie Lang and Sok Lee arrived off the coast of Western Australia. It was November 1989. Along with twenty-four other Cambodians they were the first asylum seekers to make their own way to Australia by boat in almost a decade. They were held by migration officials in Broome for three weeks before being transferred to Westbridge Immigration Centre in Sydney.² These twenty-six asylum seekers were the beginnings of what would later be called the Second Wave of unauthorised arrivals, for whom the Hawke and Keating Governments would eventually institute Australia’s first purpose-established facility for processing boat people and introduce mandatory detention legislation.³ And yet, at this point, there was little legislative framework upon which to base Suzie and Sok’s detention.

The issue of how to process unauthorised arrivals remains one of the most explosive and legally challenging issues in contemporary Australian politics, yet much of the contextual detail of its history has been glossed over. Current examinations of ‘boat people’ and detention tend to focus on the policy and rhetoric of former Prime Minister John Howard without reference to the history of its introduction.⁴ Some historians have acknowledged the

¹ Suzie Lang, ‘My Arrival in Australia’, 1 January 1992. Transcript of interview taken at Port Hedland by the Australian Council of Churches delegation. Available through the National Council of Churches, Refugee Development Archives 1989–1994, *Case Studies: Port Hedland — 1992*, (Sydney: Australian Council of Churches, 1992).

² Suzie Lang, ‘My Arrival in Australia’, p. 1.
‘Cambodian Boat People to be Moved to New Darwin Location’, *Department of Immigration Media Releases*, 18 September 1990, p. 1.

³ Katherine Betts lists the full figure as 28, however that number includes children born in Australia. This thesis will only use numbers pertaining to those who arrived in Australia by boat. (Katherine Betts, ‘Boat People and Public Opinion in Australia’, *People and Place*, 9, no. 4 (2001), p. 34.)
Joint Standing Committee on Migration Regulations, ‘Table 7.3: Unauthorised Boat Arrivals: November 1989 to March 1992’, *Australia’s Refugee and Humanitarian System: Achieving a Balance Between Refuge and Control*, (Canberra: Australian Government Printing Service, 1992), p. 162.

⁴ These include: Sara Wills, ‘Un-stitching the lips of a migrant nation’, *Australian Historical Studies*, 33, no. 118 (2002), pp. 71–89.

long history of misgivings towards boat people, but in many instances even this has been discounted. Since crises such as ‘children overboard’ and the *Tampa* affair, the history of cultural anxiety towards refugees has been reconceptualised, calling on these attitudes as evidence of a conservative turn and re-emergence of White Australia-style racial exclusion.⁵ Amongst political commentators, writers such as Robert Manne have ignored the influences of the Hawke and Keating Governments, focussing instead on the Keating legacy as the ultimate antithesis to the destructive and regressive policies of Howard.⁶ Similarly, historians have largely concentrated on recent events and policies, situating these within the broader narratives and themes of race relations in Australia without reference to the development of detention policies. Consequently, the complex vicissitudes of the history of refugees and asylum seekers in Australia from 1989 to 2001 have largely been passed over.

In order to understand the development of detention policies in Australia it is crucial to isolate the particular context of the Second Wave of asylum seekers. When looked at in isolation the introduction of detention for asylum seekers in 1989 raises a central question. Why was detention deemed so essential for the asylum seekers who arrived in November 1989, when over two thousand boat people were welcomed into the Australian community under the Fraser Government in the 1970s?⁷ The critical paradox of this period is the need to

David Marr and Marion Wilkinson, *Dark Victory*, (Sydney: Allen & Unwin, 2003).

Robert Manne, ‘Sending them home: refugees and the new politics of indifference’, *Quarterly Essay*, no. 13 (2004), pp. 1–95.

David Corlett, *Following them home: the fate of returned asylum seekers*, (Melbourne: Black Inc., 2005).

Frank Brennan, *Tampering with Asylum: A Universal Humanitarian Problem*, (St Lucia: University of Queensland Press, 2007), pp. 40–41.

⁵ The MV *Tampa* was a Norwegian vessel that had rescued asylum seekers stranded at sea. When the *Tampa* arrived in Australian territory, carrying these asylum seekers, the Howard Government directly intervened to prevent its passengers landing at Christmas Island. For weeks, Australian politics and media were consumed with the issue. For an account of the crisis, see: Marr and Wilkinson, *Dark Victory*.

The ‘children overboard’ affair, occurring in the same year, was an event in which Australian politicians reported that asylum seekers had thrown their children from ships attempting to enter Australian territory in order to avert border control. Like *Tampa* incident, the event sparked significant public and media commentary.

⁶ Robert Manne, ‘The Road to Tampa’, in Laksiri Jayasuriya, David Walker and Jan Gothard, *The Legacies of White Australia: Race, Culture and Nation*, (Crawley: University of Western Australia Press, 2003), pp. 165–174.

⁷ Gwenda Tavan, *The Long, Slow Death of White Australia*, (Carlton: Scribe Publications, 2005), p. 214.

reconcile the pride Australia espoused in its record of resettling Vietnamese refugees and a continuation of non-discriminatory migration, with a national preoccupation with border control.

My examination of this shift will be divided into three sections, each exploring different but interrelated tensions that contributed to the change in public and political attitudes to asylum seekers over the 1980s, culminating in the 1992 introduction of mandatory detention legislation. Firstly, there was the tension between the abstract ideal of multiculturalism, which the Hawke Government pursued with increasing vigour over the 1980s, that needed to be balanced against Australian public and political preoccupations with border control. Secondly, there was the tension between memory and perception in social opinion of asylum seekers and the influence of government rhetoric in shaping these social attitudes. Finally, there was the very fact of detention itself, which served to cement the public and political perception that these asylum seekers needed to be detained. This thesis will be examining the fundamental shift in attitudes against asylum seekers that occurred between the Governments of Malcolm Fraser and Bob Hawke, marked by the opening of Port Hedland detention centre.

When ‘uninvited’ refugees or ‘boat people’ first arrived in Australia in 1976, the nation was in the process of abandoning an ideology that had dominated migration policy for most of the century.⁸ The policy, labelled ‘White Australia’, was a system of legislation and unwritten policy, designed to preserve the British ethnicity of Australia, exemplified in the *Immigration Restriction Act 1901*. Since Gough Whitlam had officially denounced White Australia in 1973, Australia had moved rapidly towards embracing diversity through the new policy of multiculturalism. Nancy Viviani has argued that the arrival of boat people from 1976, later called the ‘First Wave’ of asylum seekers, formed the first real test of this

⁸ Term used by the ALP: Laurie Oakes, *Labor’s 1979 Conference Adelaide*, (Canberra: Objective Publications, 1979).

commitment.⁹ While White Australia had been officially renounced, the acceptance of large numbers of refugees tested the capacity of Australian society to embrace ethnically and culturally diverse immigration. Tied to the end of White Australia and national guilt over Australia's contribution to the Vietnamese refugee crisis, Australians did welcome a large number of refugees. Although they were held provisionally for processing and health checks, the assumption of legitimacy meant they were accepted for resettlement in Australia.¹⁰ Moreover, although tensions and divisions emerged over the Fraser Government's unconditional acceptance of boat people, Viviani argues that this was a test 'successfully passed'.¹¹ Through the reforms of the Fraser Government, refugees and Australia's humanitarian record came to exemplify the nation's progress away from the racially exclusive policies of White Australia.

In 1988, 'multiculturalism' formed the centrepiece of Australia's bicentenary celebrations. Then Prime Minister Bob Hawke proudly proclaimed that Australia was 'a nation of immigrants', united in their common commitment to the nation.¹² Drawing on the anti-Chinese race riots that had marked the centenary celebrations in 1888, Hawke reminded Australia of how far it had come from such attitudes.¹³ Non-European migration was at its highest level since Federation, the Hawke Government had newly established the Office of Multicultural Affairs within the Department of Prime Minister and Cabinet, and in 1989 the

⁹ Nancy Viviani, *The Long Journey: Vietnamese Migration and Settlement in Australia*, (Melbourne: Melbourne University Press, 1984), p. 114.

¹⁰ In October 1981, Australia made a bipartisan decision to detain 146 asylum seekers known in advance to be illegal under a temporary law, the *Immigration (Unauthorised Arrival) Act 1980* — an act which legislated the prosecution of people who sought to bring illegal entrants into Australia for profit. The act was especially proclaimed for the purpose. However, this was an aberration to the status quo of acceptance and a decision taken after grave consideration from both sides of Parliament. The law was rescinded on 30 October 1983. See: Parliamentary Debates (Hansard), House of Representatives, 20 October 1981, pp. 2193–2196. Parliamentary Debates (Hansard), Senate, 8 September 1982, p. 708.

¹¹ Viviani, *The Long Journey*, p. 114.

¹² Bob Hawke, 'Australia Day Speech', Sydney, 26 January 1988. Available through the National Archives of Australia, *Various speeches, briefs, talking points and notes maintained by the Prime Minister: 1983–1991*, Series: M3851/1.

¹³ Bob Hawke, *Speech to the Bicentennial Multicultural Foundation: 21 December 1988*, (Canberra: Australian Government Publishing Service, 1988), p. 1.

Agenda for a Multicultural Australia was launched.¹⁴ While there were continual tensions and criticisms threatening to undermine the multicultural ideal, the Hawke Government remained steadfastly committed to non-discriminatory migration policies.¹⁵ Yet, amidst this commitment, the first boat people to arrive in almost a decade were detained, setting in motion a policy that would continue to dominate Australia's treatment of asylum seekers into the twenty-first century. While it was not the first time asylum seekers had been deemed to be illegitimate, it was the first time their illegitimacy was assumed. The strains of multiculturalism cast a shadow over Australian's perceptions of refugees and saw the resurrection of policy and attitudes that had marked the history of the White Australia policy. While Australian race relations had changed considerably over the twentieth century, the arrival and detention of asylum seekers from 1989 was a reminder that there was no easy, teleological story of Australian migration.¹⁶

Between the First and Second Waves of boat arrivals (1976–82; 1989–98) social and political attitudes towards asylum seekers became increasingly critical.¹⁷ While the Hawke Government built on the legacy of Fraser to further entrench a national ideology of diversity; boat people were increasingly criticised by the Government as undermining Australia's migration program, threatening Australian employment and, ultimately, compromising the Australian way of life. Rather than explaining the shifts in Australian policy and attitudes, scholars have shown a tendency to conflate different historical periods of boat people and concentrate on overarching themes of distrust and aggression towards them. Subsequently,

¹⁴ James Jupp, *From White Australia to Woomerah: The Story of Australian Immigration*, (Cambridge: Cambridge University Press, 2002), p. 31 & p. 50.

See also: Office of Multicultural Affairs, *National Agenda for a Multicultural Australia: Sharing Our Future*, (Canberra: Australian Government Publishing Service, 1989).

¹⁵ Bob Hawke, 'The Immigration Debate — A Rejection of Racial Discrimination', in Frances Milne and Peter Shergold (eds.), *The Great Immigration Debate*, (Sydney: Federation of Ethnic Community Councils of Australia, 1984), pp. 53–54.

¹⁶ Teleology is a philosophy that sees history as a continual progression towards an enlightened end point. See: 'Historicism and teleology as analytical practice' in Michael Hawkins, 'Our Present Concern: historicism, teleology, and more contingent histories of a more democratic global past', *Rethinking History*, 15, no. 3 (2011), pp. 373–392.

¹⁷ While the Second Wave lasted until 1998, this thesis will only be examining the evolution of detention policies, culminating in the May 1992 introduction of mandatory detention: *Migration Amendment Act 1992 (Cth)*.

the changes and differences between the First Wave of boat arrivals and the Second Wave are left unaccounted for. Rather than examining the individual causes and implications of the Second Wave of asylum seekers and its surrounding context, the period from 1989–92 is largely examined through the lens of the *Tampa* crisis as a brief aside to account for Australia’s introduction of mandatory detention legislation. What is not explained is the shift from the leniency of the Fraser Government during the First Wave, to a strict policy of detention for all unauthorised asylum seekers in Australia in the Second Wave.

Broader histories of race relations and refugees in Australia — such as those of James Jupp, Peter Mares and Don McMaster — place the social and political attitudes towards asylum seekers within the tradition of White Australia.¹⁸ Looking over the narrative of the Australian migration experience, these histories begin with tensions in the gold fields, the anti-Chinese race riots of the 1880s and the protection of the white Australian labour market — culminating in the *Immigration Restriction Act 1901* — to explain Australians’ strong reactions to asylum seekers in the 1970s, 1990s and in the twenty-first century. They recount ‘essentialist’ histories of White Australia, espoused by Myra Willard, A. T. Yarwood, M. J. Knowling, Charles Price and Herbert London, who see Australia’s racially exclusive migration policies as an inevitable product of racial ignorance, which faded as Australian society moved towards informed acceptance and diversity.¹⁹

However, these historians have presented a panoptic view of refugee history that fails to differentiate between particular contexts. In doing so a variety of different policies and

¹⁸ Jupp, *From White Australia to Woomera*.

Peter Mares, *Borderline: Australia’s treatment of refugees and asylum seekers*, (Sydney: University of New South Wales Press, 2001).

Don McMaster, *Asylum Seekers: Australia’s Response to Refugees*, (Melbourne: Melbourne University Press, 2001).

¹⁹ These seminal histories include: Myra Willard, *History of the White Australia Policy to 1920*, (Melbourne: Melbourne University Press, 1967).

A. T. Yarwood, *Attitudes to Non-European Immigration*, (Melbourne: Cassell Australia, 1968).

A. T. Yarwood & M. J. Knowling, *Race Relations in Australia: A History*, (Sydney: Methuen Australia, 1982).

Charles Price, *Immigration, Settlement and Ethnicity in Post-War Australia*, (Adelaide: Australian Population Association, 2000).

Herbert London, *Non White Immigration and the White Australia Policy*, (Sydney: Sydney University Press, 1970).

attitudes are blurred and the differences between Fraser Government's acceptance of over two thousand 'uninvited refugees' and the Hawke Government's immediate and long-term detention of the Second Wave of asylum seekers are not adequately explained.²⁰ While Don McMaster and Paul Kelly have looked at the detention policies of the Hawke Government, their approaches concentrate on the top-down policy initiatives of Hawke and Keating, with neither history examining the interaction between society and government in the formation of policies under Hawke.²¹ The broad contexts that Jupp, Mares and McMaster span leaves individual occurrences such as the introduction of detention policies and the manifestation of these policies loosely, and sometimes inaccurately, scrutinised.²² Furthermore, the assumption of continuity across these contexts leads these historians to present a generalised narrative of asylum seekers in Australia.

Memory and imagined history are intrinsic aspects of the explosiveness of refugee issues in contemporary politics. Politicians often exaggerate fears and phobias about border control, drawing on recollections of an idealised past in which uncontrolled boat arrivals did not threaten the integrity of Australia's immigration program. Since the *Tampa* crisis, Klaus Neumann has composed several works criticising the misuse of refugee history in politics and the failure of Australian scholars to adequately address the history of asylum seekers in Australia.²³ In his examination of Australia's 'refugee record' up to the Indochinese refugee crisis, Neumann makes the important point that Australia's conception of its 'humanitarian

²⁰ The term 'uninvited' refugees came from the Labor Government's official 1979 party platform. See: David Combe, *Australian Labor Party Platform, Constitution and Rules as approved by the 33rd National Conference, Adelaide, 1979*, (Canberra: Australian Labor Party, 1979), p. 90.

²¹ McMaster, *Asylum Seekers*.
Paul Kelly, *The March of Patriots: The Struggle for Modern Australia*, (Carlton: Melbourne University Press, 2011).

²² Jupp, *From White Australia to Woomera*.
Mares, *Borderline*.

McMaster, *Asylum Seekers*.
²³ Including: Klaus Neumann, *Refuge Australia: Australia's Humanitarian Record*, (Sydney: University of New South Wales Press, 2003).
Klaus Neumann, 'Oblivious to the Obvious? Australian asylum-seeker policies and the use of the past', in Klaus Neumann and Gwenda Tavan (eds.), *Does History Matter? Making and Debating Citizenship, Immigration and Refugee Policy in Australia and New Zealand*, (Canberra: Australian National University Press, 2009), pp. 47–64.
Klaus Neumann, 'Asylum Seekers, Willy Wong, and the uses of history: from 2010 to 1962, and back', *Australian Historical Studies*, 42, no. 1 (March 2011), pp. 126–139.

record' is embedded more in nostalgic idealisations than practice.²⁴ Neumann also summarises the essential difficulty for historians in situating Australia's current treatment of asylum seekers within the nation's history:

Australia's record of dealing with refugees and asylum seekers does not easily support either the view that current Australian policies are merely a continuation of a previous hard-hearted approach to those seeking our protection, or that they are an abrogation within a tradition of generosity.²⁵

Within the context of the Second Wave of asylum seekers this is a paradox that needs to be reconciled. However, while Neumann has voiced concern over the overwhelming number of histories that chronicle the treatment of asylum seekers from 1990, he too overlooks the history of detention policies.²⁶

Many scholars have made important contributions to building histories based on the specific experiences of refugees and migrants in Australia. Viviani has composed several works exploring the history of Indochinese refugees accepted under the Prime Ministerships of Whitlam and Fraser, continuing her exploration of their experience well into the 1980s when most other historians, and society generally, had stopped paying attention.²⁷ In choosing this specific area, Viviani is able to fully explore the changes and events that defined and shaped its actors. Similarly, Glenda Sluga places differing and interrelated immigrant narratives within the broader 'story' of Australian migration, examining the individual experiences that construct and often oppose an assumed history of migrants in Australia.²⁸ Methodologically, these approaches form an important framework for analysing the experiences and history of asylum seekers in Australia.

²⁴ Neumann, *Refuge Australia*, pp. 1–14.

²⁵ *Ibid.*, p. 10.

²⁶ Highly critical of this treatment, Neumann released a comprehensive history examining individual narratives of refugees up to the mid 1970s. Neumann, *Refuge Australia*.

²⁷ Viviani, *The Long Journey*.

Nancy Viviani, *Australian government policy on the entry of Vietnamese refugees in 1975*, (Nathan: Griffith University, 1980).

Nancy Viviani, *Indochinese in Australia: the issues of unemployment and residential concentration*, (Canberra: Australian Government Publishing Service, 1993).

²⁸ Glenda Sluga, *Bonegilla: 'A Place of No Hope'*, (Parkville: University of Melbourne, 1988).

Spurred by the politicisation of refugee history in the twenty-first century, Neumann has called for a real and comprehensive history of refugees in Australia.²⁹ Yet existing ‘complete’ histories of refugees in Australia, such as the work of McMaster, Jupp and Mares, suggest that perhaps this is not what is lacking in the written history of this field. Placing histories of refugees and asylum seekers within a central narrative of Australian history tends to equate or ignore individual characteristics of each context. It is necessary to begin with the particular characteristics of each era and then explore the manner in which these relate to, or undermine, broader understandings of the narrative of migration policy, attitudes and relations. Rather than complete histories of refugees, what is lacking in Australian scholarship are detailed examinations of the particular periods that have come to define migration policy and its history in Australia.

Essential to this is the need to give an adequate analysis of the policy developments instituted by the Hawke and Keating Governments when a new wave of asylum seekers arrived on Australia’s shores. My central concern will be the social and political evolution of detention policies and anti-asylum seeker attitudes under the Hawke-Keating Governments. This will be placed within the framework of broader migration debates and global shifts in attitudes towards refugees occurring in the 1980s, as well as noting the influences of memory and policy from the 1970s Indochinese refugee crisis. I will examine Australian society’s diminishing faith in multiculturalism towards the late 1980s, its increasing preoccupation with illegal immigration and mistrust of the legitimacy of asylum seekers. In order to include the personal experiences of asylum seekers detained under these policies, I will draw on original and unpublished transcripts of interviews and case reports collected by the Australian Council of Churches at Port Hedland in 1992. Finally, I will also examine the evolution of Australia’s first specialty detention centre for asylum seekers and the some of the experiences of those housed within it.

²⁹ Klaus Neumann, ‘Seeking Asylum in Australia: A Historical Perspective’, in Susan Aykut and Jessie Taylor (eds.), *Seeking Asylum in Australia: 1995–2005, Experiences and Policies*, (Melbourne: Monash University Institute of Public History, 2006), pp. 73–84.

This thesis seeks to redress the deficiencies in the historical record of Hawke and Keating's refugee and immigration policies. Chapter one will look at the construction of Australia's 'protection record' and the proud history of immigration espoused by Hawke amidst heated migration debates. It will show how Hawke's concentration on multiculturalism as the new national identity contributed to fierce public rejections of illegal immigration, and through this, the characterisation of asylum seekers as illegitimate, illegal and requiring detention. Chapter two will build on this reconceptualisation of asylum seekers to show how public perceptions of refugees changed between the First and Second Wave — compounded by political rhetoric — turning public opinion against any acceptance of asylum seekers. The third chapter will examine the specific evolution of detention policy in Australia and the social impacts of detention on public perceptions of asylum seekers. After examining the social impact of detention, this thesis will conclude by examining how the recent prevalence of political and cultural anxiety regarding asylum seekers has again reconstructed memories, obfuscating the influence of Hawke and Keating in the development of these policies, instead focusing on the re-emergence of White Australia ideology under Howard. In doing so, historians have equated or ignored the different events and attitudes that defined periods such as the First and Second Wave of asylum seekers, and have failed to adequately explain the evolution of detention practices for asylum seekers in Australia.

Australia had always shown a preoccupation with the principle of controlling its borders. Yet since the multicultural reforms of Fraser this control also needed to be balanced against the principle of racial acceptance and Australia's humanitarian commitments. The demarcation that emerged over the 1980s between 'genuine' and 'illegitimate' refugees, provided a means through which the Hawke-Keating Government could balance ethnically diverse migration, a continuation of its 'humanitarian record' and a consistent commitment to maintaining the integrity of the nation's borders through the detention of unauthorised arrivals.

Chapter One

‘Bob is not your uncle’: Multiculturalism, Unemployment and Migration Control in 1980s Australia



‘I know the tough decisions I’ve had to take, I know the arses I’ve had to kick, the ears I’ve had to belt.’³⁰ **Bob Hawke, June 1990.**

The days of the White Australia policy are behind us. The policies of enforced conformity and assimilation will live only in the history books where they belong. Multiculturalism embodies this irrevocable transformation.³¹

Bob Hawke, July 1989.

We have an orderly migration program. We’re not going to allow people to just jump that queue by saying we’ll jump into a boat, here we are, Bob’s your uncle. Bob is not your uncle on this issue. We’re not going to allow people just to jump that queue.³²

Bob Hawke, July 1990.

³⁰ Quote and cartoon from: ‘Letters’, *Sydney Morning Herald*, 9 June 1990, p. 24.

³¹ Bob Hawke, *Speech: Launch of the National Agenda for a Multicultural Australia*, Sydney 26 July, 1989, (Canberra: Australian Government Publishing Service, 1989), p. 3.

³² Bob Hawke, *A Current Affair*, 6 June 1990.

Speaking at the launch of the *National Agenda for a Multicultural Australia* in 1989, Prime Minister Bob Hawke reaffirmed his Government's commitment to cultural diversity in Australian society. Alluding to past tensions, his speech formed a significant reminder of the pace with which the nation had ostensibly moved away from the racially exclusive policies of White Australia and entered a new era in which 'multiculturalism' was esteemed above homogeneity as the defining symbol of national identity. Calling on social perceptions of Australia's generous response to the Indochinese refugee crisis and beliefs that the worst of it was over, Hawke was also constructing a new national ideal based on diversity. Yet, despite the commitment of his Government, external issues and explosive public debate in 1984 and again in 1988 threatened to unhinge Hawke's multicultural ideal. Unemployment was at a post-war high, the country was in recession and many Australians perceived that unchecked illegal immigration and family migration were compromising the Australian way of life. Furthermore, at the very moment when Hawke was fighting the most strongly for his vision of Australian identity he had to find a solution to a historically controversial issue: 'boat people'. Within precarious celebrations of diversity there was little public or political patience for unauthorised boat arrivals.

In order to explain the sudden detention of Cambodian asylum seekers in 1989 it is necessary to examine the fragility of the multicultural ideal and the breakdown of migration consensus over the 1980s. I will situate the policy of detention for all boat people within the wider context of migration debates and changing perceptions of refugees. The first section of this chapter places Australia's increasing reticence to accept refugees within the context of a global reconceptualisation of the Indochinese refugee crisis. The second section will look at the fragility of multiculturalism and Australian society's increasing misgivings towards the policy and its effect on heightening tensions and debate over Asian immigration and illegal immigrants. It also examines Hawke's use of Australian responses to the Indochinese refugee crisis to build his image of Australia's national identity, despite his Government's pragmatic reluctance to accept refugees. The last section will examine the Hawke Government's renewed pursuit of illegal immigration amidst the breakdown in migration consensus. With

perceptions of the legitimacy of refugees already fading, growing concerns that multiculturalism was undermining Australia's cultural identity and a national preoccupation with illegal immigration; the Hawke Government's detention policies reflected the changing attitudes of the late 1980s.

The bold policy initiatives of the Hawke Government give the impression that the 1980s formed the highpoint of multiculturalism, further developed under the Prime Ministership of Paul Keating and later undermined by the more regressive policies of John Howard.³³ Against this background it is difficult to understand Hawke's harsh characterisation of boat people, expressed in his comments on *A Current Affair* in June 1990.³⁴ Yet, the Government's reactions to boat arrivals formed a reminder that Hawke's multiculturalism was largely focused internally on a national cultural ideal of cohesion and acceptance of difference, which saw uncontrolled migration as a potential threat to this goal. While the large-scale acceptance of refugees under the Fraser Government was instrumental in the evolution of multicultural policy, by 1989 the Hawke Government saw them as separate legislative issues, even operating through different government departments.³⁵

Concentrating either on Hawke's renewed pursuit of a strongly multicultural agenda or his rejection of asylum seekers arriving by boat, contemporary commentators and historians have as yet failed to reconcile these policies in order to understand the origins and causes of the Hawke Government's detention policy. Many histories, such as those of Mary Kalantzis and Robert Manne, ignore the Hawke Government's contribution to detention practices in Australia. Instead, they create a false dichotomy between the noble pursuits of the Hawke

³³ This viewpoint is espoused by:

Manne, 'The Road to Tampa', pp 165–167.

Mary Kalantzis, 'Immigration, Multiculturalism and Racism', in Susan Ryan and Troy Bramston (eds.), *The Hawke Government: A Critical Retrospective*, (Melbourne: Pluto Press, 2003), pp. 311–324.

³⁴ Bob Hawke, *A Current Affair*, 6 June 1990. Quoted at outset of chapter.

Also reported in: Glen Milne and Tracey Aubin, 'Bob's not your uncle, PM tells boat people', *The Australian*, 21–22 July 1990, p. 3.

³⁵ Multiculturalism was run through the Department of Prime Minister and Cabinet (Office of Multicultural Affairs), rather than the Department of Immigration: Jupp, *From White Australia to Woomerah*, p. 31.

Government and the destructive policies of Howard.³⁶ While McMaster provides a strong history of the Hawke Government's policies towards asylum seekers and the crises of multiculturalism over the 1980s, these are treated as separate issues, and the interrelation between the two is not discussed.³⁷ Conversely, while Sara Wills has examined the connection between Australia's long history of insecurities with its national identity, she ignores the Hawke period, concentrating only on the harsh treatment of refugees and reformation of the national image during the Howard Government.³⁸ The challenge, then, is to resolve Hawke's fierce pursuit of a multicultural Australia against his fierce rejection of asylum seekers.

Amongst histories of the Hawke Government's detention policy, historians such as Frank Brennan and Margaret Simons lean towards an emotional analysis of the underlying morality based on memory and personal experience and fall into the trap of reviewing Hawke's policy in light of the *Tampa* crisis and its aftermath.³⁹ Brennan sets up a dichotomy between Hawke and the Cambodian asylum seekers:

Once the second wave had started, the Hawke Labor government decided that it was time to get tough on 'illegals'. Hawke had no sympathy for the Cambodians.⁴⁰

His account of Hawke's detention policies emphasises the injustices of the detention practice without analysing its causes. Like many historians, Brennan perpetuates the categorisation of asylum seekers as 'illegal immigrants' and fails to note that Hawke was getting 'tough on "illegals"' long before the Second Wave of asylum seekers. Similarly Simons's analysis of Vietnamese asylum seekers arriving in 1976 suggests that the policy changes were merely a whim of the Hawke Government, symptomatic of a lack of political leadership. She contrasts

³⁶ Kalantzis, 'Immigration, Multiculturalism and Racism', pp. 311–324.
Manne, 'The Road to Tampa', pp 165–167.

³⁷ McMaster, *Asylum Seekers: Australia's Response to Refugees*.

³⁸ Wills, 'Un-stitching the lips of a migrant nation', pp. 71–89.

³⁹ Brennan, *Tampering With Asylum*.

Margaret Simons, *Malcolm Fraser: The Political Memoirs*, (Carlton: Melbourne University Publishing, 2010).

⁴⁰ Brennan, *Tampering with Asylum*, p. 43.

the two Governments' treatment of boat people without giving any evidence or causes for the differences:

All the rhetoric and the harsh solutions that have been used in our own time to deal with refugees were available to, and being urged upon the Fraser government ... the Labor government, faced with more desperate people arriving on Australia's shores, accepted the view that reception centres were needed for refugees, although now they were more frankly termed "detention centres".⁴¹

Simons creates a false dichotomy between the treatments of asylum seekers under Fraser and Hawke, without analysing the underlying causes of the difference. Quoting Fraser, Simons criticises Hawke's failure to stand up to public and political criticism, stating that political leadership was the single difference between the treatment of refugees in First and Second Waves of asylum seekers.⁴²

The central issue addressed in this chapter is the contextual developments between Fraser's lenient treatment of more than two thousand Vietnamese boat people from 1976–79 and Hawke's immediate detention of asylum seekers in 1989.⁴³ If, as Fraser recently contended, the language of 'queue jumpers' and 'illegals' — and the suggestion of detention centres — already existed throughout the First Wave of asylum seekers, why were the detention provisions of the *Migration Act 1958* not used then, yet were implemented immediately for the Second Wave of asylum seekers?⁴⁴ The evolution of this policy shift becomes more apparent when placed within the context of changing migration policy and attitudes over the 1980s.

'Compassion fatigue' or 'economic' migrants?: the Reconceptualisation of Refugees

The Australian Labor Party (ALP) had often shown ambivalence towards the nation's acceptance of refugees. While the Whitlam Government had officially renounced the policy of

⁴¹ Simons, *Malcolm Fraser*, p. 421.

⁴² *Ibid.*, p. 419.

⁴³ See: Tavan, *The Long, Slow Death of White Australia*, p. 214.

See 'Leadership' in Simons, *Malcolm Fraser*, pp. 416–443.

⁴⁴ Malcolm Fraser, as quoted in Simons, *Malcolm Fraser*, p. 418.

White Australia in 1973 and laid the groundwork for a new multicultural agenda with the then Immigration Minister Al Grassby's 'Family of the Nation Speech', his Government had shown considerable reluctance to accept Indochinese refugees from offshore camps.⁴⁵ Within cabinet, Whitlam infamously rejected the asylum claims of Indochinese refugees, asserting that he was 'not having hundreds of fucking Vietnamese Balts coming into this country with their political and religious hatreds.'⁴⁶ During the Prime Ministership of Malcolm Fraser, the ALP supported the Government's resettlement program, yet made political capital out of the nation's increasing misgivings towards unauthorised arrivals of Indochinese refugees. In 1977, when Australia was broadening its refugee program, Hawke (then president of the federal ALP) indicted the Fraser Government's automatic acceptance of 'uninvited' refugees.⁴⁷ Publically labelling them 'illegal immigrants', Hawke declared that the Government 'should make a clear sign that they will no longer be accepted in this way'.⁴⁸ These comments came as the Australian public was expressing misgivings towards boatloads of refugees and tapped into fears of Australia's sovereignty being compromised. Along with proposals for onshore processing facilities, the ALP increasingly vocalised underlying public concerns that Australia was accepting more than its fair share of refugees.⁴⁹

While in opposition, the ALP introduced a policy of onshore refugee processing at their federal conference of 1979, foreshadowing by a decade the Hawke Government's response to boat people in 1989.⁵⁰ The idea of 'processing' camps in Australia for refugees was not controversial as a policy platform. 'Uninvited refugees', as the policy referred to them, would be held in these camps until another resettlement country, such as New Zealand or the

⁴⁵ See: Viviani, *The Long Journey*, pp. 59–62.

Tavan, *The Long, Slow Death of White Australia*, p. 205.

⁴⁶ Gough Whitlam, as quoted in Kelly, *The March of Patriots*, p. 191.

⁴⁷ 'Six from refugee boat seek to return to Vietnam', *Sydney Morning Herald*, 2 December 1977, p. 6.

'Send the pirates home, say unions', *The Age*, 3 December 1977, p. 1.

'Hawke: Return Bogs Refugees', *The Australian*, 29 November 1977, p. 1.

⁴⁸ 'Hawke: Return Bogs Refugees', *The Australian*, 29 November 1977, p. 1.

⁴⁹ This was apparent in both federal and state ALP policy platforms. See: Laurie Oakes, *Labor's 1979 Conference Adelaide*, (Canberra: Objective Publications, 1979).

Labor Party of Australia, *Conference 79: Australian Labor Party*, (Sydney: Australian Labor Party, 1979), p. 59.

Also press: 'Refugees: Aust has "lost control"', *Sydney Morning Herald*, 21 April 1979, p. 5.

⁵⁰ Oakes, *Labor's 1979 Conference Adelaide*, pp. 40–41.

United States, could accept them.⁵¹ Yet the conference also stated that with refugees arriving in their current numbers, it was not an issue, but that the policy was intended to prevent the arrival of hundreds of thousands of refugees in offshore camps in the future.⁵² Gravely concerned about this new party policy, Shadow Immigration Minister Mick Young warned the Labor Conference that if Australia introduced permanent processing camps in Australia, the party would have 'the White Australia policy being written back into the platform of the Australian Labor Party'.⁵³ Yet the conference adopted the policy with little opposition. The proposed establishment of these processing centres was a statement that the ALP considered that Australia had already taken more than its fair share of refugees, so the task of taking 'uninvited refugees' should fall upon other resettlement countries.⁵⁴ It was the first use of Australia's 'humanitarian record' against boat people. Yet, with no 'uninvited refugees' arriving in Australia over the early years of the Hawke Government, processing camps remained internal party policy.

There was an underlying assumption reflected in the rhetoric of the ALP internal party policy, as well as the particularities of the policy itself.⁵⁵ The 1979 platform spoke to growing public concerns that Australia was being too generous in its contribution to refugee resettlement in Australia. Yet the policy and the term 'uninvited refugees' also reflected the perception that the First Wave of boat people were genuine refugees and therefore Australia had a responsibility to ensure their protection, even if Australia was not the country to provide it.⁵⁶ By 1989 detention was based on assumption that boat arrivals coming to

⁵¹ Combe, *Australian Labor Party Platform*, p. 90.

This had also been raised in the Liberal Cabinet in 1979 as a possible solution should the unauthorised arrivals of boats continue, but never became official policy. Australian Cabinet Paper, *Submission No 3169: Processing Centre for Indo-Chinese Refugees — Decision No 8569*, 1979. Available through the National Archives of Australia, Series: A12909, Control: 3169, pp. 1–3.

⁵² Oakes, *Labor's 1979 Conference Adelaide*, p. 40.

⁵³ *Ibid.*, p. 41.

⁵⁴ *Ibid.*, p. 40.

⁵⁵ *Ibid.*, pp. 40–41.

⁵⁶ *Ibid.*

Australia were not legitimate.⁵⁷ Failed asylum claimants were not resettled by the United Nations, but were returned to their country of origin.⁵⁸ The change in terminology and policy between 1979 and 1989 was symbolic of the broader reconceptualisation of the legitimacy of refugees and boat arrivals.

Global and domestic attitudes towards refugees were also changing. While in 1976 the scale of the Indochinese refugee crisis had been recognised internationally, by 1983 the immediate crisis was considered to have ended. Australia established a second category of 'humanitarian entry' for those in camps who did not fit the strict United Nations definition of refugee, allowing them to tighten their refugee entry criteria.⁵⁹ The initial refugee policy of the Fraser Government in 1977 actively attended to widening the entry to include 'people in refugee-type situations who do not fall strictly within the UNHCR mandate or within Convention definitions.'⁶⁰ The purpose of the 'Humanitarian Entry' program was to provide a separate category for those who did not fit the UNHCR Convention definitions.⁶¹ This change was a reaction to the shifting nature of refugee crisis, but also allowed the Government to be stricter on boat people than offshore 'economic' refugees. In 1989, shortly before the November arrival of refugees, the Hawke Government introduced a policy stating that only the unauthorised arrivals that fit the strict UNHCR *refugee* criteria would be accepted, while those in offshore camps could be accepted on humanitarian grounds.⁶²

⁵⁷ For example: 'Once these people reach Australia they can expect to be deported, but only after a lengthy and expensive stay.' Parliamentary Debates (Hansard), House of Representatives, 31 May 1990, p. 914.

⁵⁸ *Ibid.* See also: 'Macau Boat Arrivals Sent Home', *Department of Immigration Media Releases*, 11 October 1991, pp. 1–3. Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992). Department of Immigration, *Review 91: Annual Report 1990–1991*, (Canberra: Australian Government Printing Service, 1991), p. 65.

⁵⁹ McMaster, *Asylum Seekers*, p. 54.
Viviani, *The Long Journey*, p. 112.

⁶⁰ Michael MacKellar, *Statement on Refugee Policy and Mechanisms: Ministerial Statement*, (Canberra: Australian Government Publishing Service, 1977), p. 6.

⁶¹ Joint Standing Committee on Migration Regulations, *Australia's Refugee and Humanitarian System: Achieving a Balance Between Control and Compassion*, pp. 36–37.

⁶² *Migration Legislation Amendment Act 1989 (Cth)*.

This international shift in attitudes towards the 'legitimacy' of refugees was intrinsically related to the size of the offshore refugee crisis. Over the 1980s the soaring numbers of displaced people caused resettlement countries to become increasingly preoccupied with the adverse effect resettlement might have on their culture and quality of life.⁶³ In the United States, cynical commentators perceived that their country's vast generosity was now being exploited.⁶⁴ In Australia, 'compassion fatigue' was compounded by a fear that its 'humanitarian record' would cause the hundreds of thousands of refugees still in offshore camps to see Australia as an ideal destination.⁶⁵ It was more complex than merely being a preoccupation with 'border control': resettlement countries needed to balance legal and culturally historic obligations of hospitality and protection with an anxiety regarding the preservation of their culture.⁶⁶ Globally, these countries needed to legitimise their inability to absorb the vast number of refugees who needed help.

Refugees still making their way to offshore camps were increasingly considered to be 'economic refugees'. This categorisation referred to those refugees who were suffering economic disadvantage following the conflict of the Vietnam War, and were seeking the better life that Western countries offered. The term 'economic refugee' had emerged in the

⁶³ For example: Roger J LeMaster, 'Compassion Fatigue: The Expansion of Refugee Admissions to the United States', *Boston College International and Comparative Law Review*, 6, no. 2 (1983), pp. 447-474.
 'Boat People and Compassion Fatigue', *New York Times*, 14 July 1988, p. 28.
 Don Podesta, 'Millions of Refugees Now Face a Harder-Hearted World', *Toronto Star*, 5 November 1989.
 'Compassion Fatigue', *The Times*, 31 October 1989.
 'The barriers go up in Europe to refugees', *Sydney Morning Herald*, 30 November 1985, p. 21.
 Although it is beyond the scope of this thesis to do so, an analysis of this global preoccupation would form a fascinating case study illustrating the framework of 'White Paranoia' laid out by Ghassan Hage in *White Nation*. See: Ghassan Hage, *White Nation: Fantasies of White Supremacy in a Multicultural Society*, (New York: Routledge, 1998).

⁶⁴ LeMaster, 'Compassion Fatigue', pp. 449.

⁶⁵ Peter Hastings, 'Australia fears refugees want asylum', *Sydney Morning Herald*, 2 July 1985, p. 8.
 Richard McGregor, 'Hurford warns of refugee ghettos', *Sydney Morning Herald*, 17 August 1985, p. 3.
 Patrick Walters, 'Hurford foreshadows harder line on boat people "refugees"', *Sydney Morning Herald*, 26 May 1986, p. 5

⁶⁶ For more on the history and philosophy of hospitality and asylum seekers see: Garrett Brown, 'The Laws of Hospitality, Asylum Seekers and Cosmopolitan Right: A Kantian Response to Jacques Derrida', *European Journal of Political Theory*, 9, no. 3 (2010), pp. 308-327.

early 1980s, across the global and domestic press.⁶⁷ Unlike the 'genuine' refugees of the late 1970s, the term demeaned the legitimacy of those refugees still departing Vietnam and Cambodia. The domestic perception of these refugees as illegitimate was compounded by the global denial of their refugee status and the repatriation of existing refugees.⁶⁸ This demarcation became further entrenched when Hong Kong, with support from Australia and the United Kingdom, instituted new re-categorisation policies for refugees.⁶⁹ On arriving in Hong Kong, asylum seekers were screened and had their legitimacy assessed. 'Genuine' refugees were taken into the processing camps awaiting resettlement, and 'economic refugees' were given the option of voluntarily repatriating themselves or being detained in facilities in Hong Kong. It was the first step towards the United Nations's new offshore re-categorisation policies for refugees known as the Comprehensive Plan of Action.⁷⁰ This program was designed to prevent the boat arrivals from making the journey to resettlement countries themselves; controlling the movement of refugees without compromising the international obligations of resettlement countries.⁷¹ Globally and domestically, these individuals' applications for refugee status were increasingly rejected.

The Crisis of Multiculturalism: The Demise of Migration Consensus

On taking office in 1983, the Hawke Government cut Australia's refugee intake, focusing migration policy on stimulating the economy and protecting Australian jobs. Globally, commentators increasingly noted the phenomenon of 'compassion fatigue' towards the hundreds of thousands of displaced persons in offshore refugee camps.⁷² Ironically, as Viviani

⁶⁷ 'Economic refugees', *Sydney Morning Herald*, 14 October 1981, p. 6.

'Britain's help sought on boat people's fate', *The Sunday Times*, 12 April 1987.

'Canada Proposes Sending Back Vietnamese Economic Refugees', *Reuters*, 6 July 1987.

⁶⁸ 'Possible repatriation of Vietnamese refugees', *The Times*, 27 September 1986.

'Hanoi to take boat people back from Hong Kong camps', *The Times*, 13 October 1988.

⁶⁹ Helen O'Neil, 'Australia backs move to keep out the boat people', *Sydney Morning Herald*, 21 June 1988, p. 1.

⁷⁰ Sara E. Davies, 'Realistic yet humanitarian? The comprehensive plan of action and the refugee policy in Southeast Asia', *International Relations of the Asia-Pacific*, 8, (2008), pp. 196–197.

⁷¹ *Ibid.* See also: W. Courtland Robinson, 'Comprehensive Plan of Actions for Indochinese Refugees, 1989–1997: Sharing the Burden and Passing the Buck', *Journal of Refugee Studies*, 17, no. 3 (September 2004), pp. 319–333.

⁷² Mark Baker, 'A harsher refuge awaits the flood', *Sydney Morning Herald*, 18 April 1983, p. 7.

'Unending flow of boat people prompts protest by Jakarta: Indonesia protests growing number of

has argued, the dwindling numbers of boats making their own way to Australia and the nation's restriction of its entrance criteria for refugees in the early 1980s, solidified a public perception that the global refugee crisis was over.⁷³ While the Government was still playing a role in the refugee crisis, the absence of boats allowed the issue to fade from immediate public concern. Hawke's new migration policy played into this public perception, highlighting the past generosity of the country, but also allowing the nation to turn inwards and concentrate on its own interests.

When unauthorised arrivals resumed in 1989, the Labor Party's reticence towards accepting 'uninvited' refugees had been compounded by a decade of financial and cultural insecurity, particularly regarding the changing ethnic composition of Australia's migration program. Unemployment was at a post-war high and many Australians were placing the blame on new migrants. Figures from the Australian Bureau of Statistics collected over this period, analysed by Katherine Betts, show the close link between dissatisfaction with migration levels and unemployment.⁷⁴ Many blamed the Fraser Government for failing to prevent a serious recession, and for accepting large numbers of Vietnamese refugees when employment options were already limited. This criticism was not limited to vocal minorities. For example, the Labor Women's Conference of NSW reported their opposition 'on economic and employment grounds' to the '32,000' refugees to be accepted that year.⁷⁵ The public disappointment with Fraser's policies was given voice in 1983, when the ALP — running a policy platform based on employment and economic reform — defeated Fraser, and Hawke became the 23rd Prime Minister of Australia. Although Hawke's first steps were to reduce the nation's refugee intake and skilled immigration, Australians increasingly vocalised their

Vietnamese Refugees', *The Times*, 4 November 1985.

Roger J LeMaster, 'Compassion Fatigue: The Expansion of Refugee Admissions to the United States', *Boston College International and Comparative Law Review*, 6, no. 2 (1983), pp. 447–474.

'Boat People and Compassion Fatigue', *New York Times*, 14 July 1988, p. 28.

⁷³ Viviani, *The Long Journey*, p. 112.

⁷⁴ Katherine Betts, 'Immigration and Public Opinion: Understanding the Shift', *People and Place*, 10, no. 4 (2002), pp. 27–28.

⁷⁵ Labor Party of Australia, *Conference 79: Australian Labor Party*, (Sydney: Australian Labor Party, 1979), p. 59.

opposition to — and doubts about — both Asian immigration and multiculturalism.⁷⁶ While the Fraser era had worked towards dismantling any vestiges of racial exclusion and the White Australia policy, by 1988 the principle of multiculturalism was publically and politically criticised.

The demise of bipartisan consensus over immigration and multiculturalism was less rapid than it immediately appeared. Social acceptance of multiculturalism was assumed rather than tested, and the move towards adopting the policy as a national ideal had occurred rapidly. From the introduction of the word 'multicultural' by Al Grassby in 1973, the concept had swiftly developed as a national ideology. As Steven Castles (et al.) commented in 1984:

Within five years of the 'Family of the Nation' speech, a full-blown 'ism' with bipartisan acceptance had emerged and had been given material expression in the Galbally Report.⁷⁷

Ken Inglis also noted that a term with almost no definition or common meaning somehow came to replace a homogenous view of 'Australians' as a defining national identity.⁷⁸ The Fraser Government was committed to leading public reform and continued to accept large numbers of refugees, despite polling in 1978 that suggested Australians were increasingly sceptical of the refugee resettlement program.⁷⁹ Fraser himself later said that his Government sought to change critical public opinion through his reforms, without taking the risk of compromising with critical minorities.⁸⁰ That the Hawke Government's first migration changes were to reduce immigration and temporarily abandon the progress of multicultural affairs was a reminder that multiculturalism remained an evolving policy rather than an accepted reality in everyday Australia.⁸¹

⁷⁶ Hawke, 'The Immigration Debate — A Rejection of Racial Discrimination', p. 53.

⁷⁷ Stephen Castles, Mary Kalantzis, Bill Cope and Michael Morrissey (eds.), *Mistaken Identity: Multiculturalism and the Demise of Nationalism in Australia*, (Sydney: Pluto Press, 1988), p. 59.

⁷⁸ Inglis, *Observing Australia: 1959 to 1999*, pp. 202–206.

⁷⁹ Viviani, *The Long Journey*, p. 63.

⁸⁰ Malcom Fraser, as quoted in Simons, *Malcolm Fraser*, p. 423.

⁸¹ Hawke's abandonment or rejection of multicultural policy upon first coming to office is argued by: Castles, Kalantzis, Cope and Morrissey, *Mistaken Identity*, pp. 73–75. Alan Mayne, 'Delineating multicultural Australia', in Gerry Bloustien, Barbara Comber and Alison Mackinnon (eds.), *The Hawke Legacy*, (Kent Town: Wakefield Press, 2009), p. 98.

Amidst bicentenary celebrations of multiculturalism in 1988, the new doctrine was heavily criticised from both ends of the political spectrum. Castles's observation that 'our image of multicultural Australia is meant to be at the level of Trivial Pursuit: song and dance, food and folklore', reflected the reality that Hawke's multiculturalism was merely a top-down idealisation of an Australia identity that did not incorporate the interests of Australians and new migrants alike.⁸² In 1988, the *Sydney Morning Herald* summarised this perception, stating that Hawke was attempting:

to construct some fanciful but well-meaning sense of nationhood for us all to celebrate in 1988, and around them some 15 million people are pursuing 15 million different lives and lifestyles and not giving a damn about the attempt to turn them into Aussies instead of individuals.⁸³

Similarly, Lachlan Chippman noted that the majority of Australian society had only a vague idea of what 'multiculturalism' actually entailed.⁸⁴ The tokenistic nature of these celebrations gave them little practical application for new migrants, many of whom were still suffering racial intolerance.⁸⁵ Rather than being a year of multicultural celebration, the bicentenary was becoming a year in which Australia debated the ideology and identity of its nationhood. The historic problem of Australian national identity was manifesting itself in a widely debated and non-inclusive commitment to a spurious ideology of diversity.

Throughout his bicentenary addresses, Hawke used public pride in Australia's humanitarian past to strengthen the nation's commitment to the Government's multicultural ideal and associated migration policies. Despite the ALP's record of reducing refugee and humanitarian intake, refugees were held up in these speeches as representing an intrinsic aspect of Australia's migrant past and diverse future:

⁸² Castles, Kalantzis, Cope and Morrissey (eds.), *Mistaken Identity*, p. 6.

⁸³ Craig McGregor, 'What exactly are we celebrating in 1988?', *Sydney Morning Herald*, 7 October 1985, p. 9.

⁸⁴ Lachlan Chipman, 'Multiculturalism and the puzzling semantics of division', *Sydney Morning Herald*, 11 August 1988, p. 13.

⁸⁵ This was mostly in the form of racist slogans and graffiti, as well as racist sentiment in the popular media such as talkback radio:

Peter Shergold, 'Introduction', in Peter Shergold (ed.), *The Great Immigration Debate*, (Sydney: Federation of Ethnic Community Councils, 1984), p. 46.

'Casey sparks row over racism', *Sydney Morning Herald*, 2 October 1987, p. 133.

Australia's future, as in the past, depends on the continuation of our immigration program ... Australia has a proud record of accepting and settling refugees from Asia and other parts of the world. In the preceding decade we have welcomed more refugees into our country proportionally than any other Western country.⁸⁶

These comments reinforced the Hawke Government's acceptance of Chinese nationals amidst public opposition, while also offering an excuse to refuse the entry of boat people. The platform of 'family migration', the largest and one of the most contested aspects of the Hawke Government's immigration program, was founded on and reinforced by the history of Australia's refugee intake under the Fraser Government. As Hawke reiterated, 'it is inconceivable that we could accept refugees in the late 1970's and refuse their families in the 1980's.'⁸⁷

The perception that multiculturalism was driving immigration policy fuelled heated and racially insensitive debate from its critics. Criticisms of multiculturalism were notoriously exemplified when Geoffrey Blainey, at an address to the Warrnambool Rotary Club in 1984, claimed that immigrants from Asian countries had become a favoured majority in Australia's migration program.⁸⁸ In 1988 he went further asserting that Australia was becoming a 'nation of tribes': a country composed of unassimilated ethnic communities.⁸⁹ Other groups such as the Australian National Alliance and the Australian League of Rights vocally opposed Asian migration to Australia, drawing on the instability of employment and of migrants' threat to Australian culture.⁹⁰ In their propaganda they warned that Australia

⁸⁶ Bob Hawke, *Speech by Bob Hawke to the Asian-Australian Consultative Council: 3 September 1989*, (Canberra: Australian Government Publishing Service, 1989), p. 4.
See also: Bob Hawke, *Speech by Bob Hawke to the Federation of Ethnic Communities' Councils of Australia: 30 November 1988*, (Canberra: Australian Government Publishing Service, 1988), p. 5.
Bob Hawke, *Speech by Bob Hawke for the launch of 'Year of Citizenship': 30 September 1988*, (Canberra: Australian Government Publishing Service, 1988).

⁸⁷ Hawke, 'The Immigration Debate', p. 54.

⁸⁸ 'Blainey stirs sleeping issue', *Sydney Morning Herald*, 23 March 1984, p. 13.

⁸⁹ Geoffrey Blainey, 'Hawke the Leader of a Nation of Tribes', *Weekend Australian*, 3 December 1988, p. 42.

⁹⁰ Examples of propaganda released by anti-Asian immigration groups include: J. C. A. Dique, *The Asianisation of Australia!*, (Windsor: The Australian League of Rights, 1988).
Stephen J Rimmer, *The Cost of Multiculturalism*, (Canberra: The Australian League of Rights, 1991).

'would be drawn into Asia' if Hawke was re-elected.⁹¹ Ethnic groups were depicted as exerting undue influence over the formation of government policy. Whereas migration policy over the course of the 1960s focused on the ability of new migrants to be absorbed into Australian society, the multicultural doctrine — in which migrants were encouraged to retain their cultural heritage ostensibly threatened the social landscape of Australia.

The FitzGerald report, commissioned by then Minister for Immigration Clyde Holding and released in 1988, found that while race itself was not a major issue amongst the community, a large number of Australians felt that cultural pluralism and the right of immigrants to maintain their heritage was unduly driving government policy.⁹² Yet the report also exemplified refugees to highlight the progress and capacity of Australians:

Australians have come a long way in their attitudes to immigration since the demise of the White Australia policy. It is no longer seen as respectable institutionally to espouse racist views ... Australia's more welcoming stance on immigration is best illustrated in its support for the refugee program. This element of immigration ... should provide a positive outlook for Australia's capacity to absorb immigrants.⁹³

Since the 1970s, Australia had shown considerable acceptance of refugees and was increasingly rejecting racist sentiment. The tightly controlled refugee resettlement program was not an issue in the immigration policy of the nation, but rather an area in which Australia could show pride and a capacity for great acceptance. Yet multiculturalism and illegal immigration were still sources of significant social division. The FitzGerald report's findings indicated that Australians saw refugee resettlement as a separate aspect of the immigration program, not associated with the more contested issues of multiculturalism and illegal immigration.

⁹¹ J. C. A. Dique, *The Asianisation of Australia!*, (Windsor: The Australian League of Rights, 1988), p. 3.

⁹² Committee to Advise on Australia's Immigration Policies, *Immigration: A Commitment to Australia*, (Canberra: Australian Government Printing Service, 1988).

⁹³ Committee to Advise on Australia's Immigration Policies, 'Executive Summary', *Immigration: A Commitment to Australia*, (Canberra: Australian Government Printing Service, 1988), p. 3.

Conversely, multiculturalism and the Hawke Government's migration policies became increasingly controversial. The findings of the FitzGerald report were used against the Hawke Government by then Opposition leader John Howard, who in 1988 called for a reduced intake of Asian immigrants, stating that multiculturalism was a threat to 'social cohesion'.⁹⁴ 'We have apologised too much for our past and we are apologising too much about our cultural identity,' Howard asserted.⁹⁵ Ironically, Howard's audacious claims about the views of the Australian public — and his plans for a 'One Australia' election campaign — worked against him within his party and the Australian public, who distanced themselves from his statements.⁹⁶ In both the 1984 and 1988 election campaigns, public support for the Liberal Government had dropped at even the suggestion that racial exclusive attitudes might be driving government policy.⁹⁷ While there was vocally racist sentiment amongst some facets of the Australian community, the majority were committed to the end of White Australia and racially non-discriminatory migration.

By August 1988 the immigration debate had a dedicated section in the *Sydney Morning Herald*, and major features throughout the Australian media. Examining newspapers from across Australia at the time, it quickly becomes clear that while most responses sought to hide or deny racist sentiment, there was widespread concern about the level of Asian immigration and its impact on employment and the changing cultural landscape of Australia. On 12 April 1988, Nola Dawson gave a typical response to the Hawke Government's

⁹⁴ 'Multiculturalism "off the rails"', *The Canberra Times*, 31 July 1988, p. 1.

⁹⁵ *Ibid.*

⁹⁶ 'Three Liberal MPs cross the floor over "racist" immigration policy', *Sydney Morning Herald*, 5 August 1988, p. 11.

Mike Steketee, 'Coalition rift over migration deepens', *Sydney Morning Herald*, 13 August 1988, p. 2.

'Mending fences with chopsticks', *The Herald*, 24 November 1988, p. 3.

'Ethnics hiss at Howard', *The Advertiser*, 2 December 1988, p. 2.

Lindsay Olney, '1988 in review; Labor survives despite itself', *The Advertiser*, 31 December 1988, p. 15.

⁹⁷ Tim Colebatch, 'Coalition suffers for its views on Asian migration', *The Age*, 20 November 1984. Quoted in Renata Singer and Michael Liffman (eds.), *The Immigration Debate in the Press, 1984: Update Two*, (Melbourne: Clearing House on Migration Issues, 1986), p. 5.

Lindsay Olney, '1988 in review; Labor survives despite itself', *The Advertiser*, 31 December 1988, p. 15.

migration policies, questioning the imbalance between European immigration levels and those of 'Asians, Filipinos and some Middle East People':

I believe a great many people, who have no animosity towards a multicultural society, are concerned at what appears to be a disturbing inequality in numbers.⁹⁸

The letter also questioned the family reunion program, which, she argued, had been increased by Hawke to the detriment of the skilled migration program. Echoing Blainey's criticisms of the cultural ghettos created through the immigration of substantial family groups from Asia, Nola Dawson added that Asian families 'frequently appear ... to be extremely large, as opposed to the smaller European family'.⁹⁹ As Ghassan Hage has argued, fears of 'the other' in immigration and multiculturalism are not necessarily illustrations of latent racist sentiment, but rather tend to manifest themselves when the traditional culture of a nation seems threatened by minority cultures.¹⁰⁰ At the heart of the public concern exemplified by this letter to the editor, was a fear that Australia's traditional cultural composition was shifting without reference to the Australian community's desires.

Speaking at a meeting of the Federation of Ethnic Community Councils of Australia (FECCA), Hawke commented that the one regret he took from the Bicentennial year was:

the collapse ... of bipartisan support for the principles of multiculturalism and of a truly non-discriminatory immigration policy. These two great features of our contemporary nationhood have, most regrettably, been undermined, in a year and at a time when they deserved our greatest affirmation.¹⁰¹

The unwavering pursuit of multiculturalism had inadvertently seen the renewed emergence of opposition to Asian migration from some facets of Australian society. However noble the Hawke Government's intentions for a multicultural agenda were, his reluctance to listen to the apprehensions of the public exacerbated the shadow side of multiculturalism: racial intolerance. The Hawke Government's top-down assertions of Australia's national 'identity'

⁹⁸ Nola Dawson, 'Balanced Anxiety', *Sydney Morning Herald*, 20 April 1988, p. 18.

⁹⁹ *Ibid.*

¹⁰⁰ Ghassan Hage, *White Nation*, p. 38.

¹⁰¹ Bob Hawke, *Speech by the Prime Minister: Federation of Ethnic Communities' Councils of Australia*, 30 November 1988, (Canberra: Australian Government Publishing Service, 1988), p. 2.

and failures to acknowledge public dissatisfaction rekindled heated debates about the percentages of Asian migrants within the nation's immigration program. Illegal immigration was of particular concern, and the number of illegal immigrants in Australia was used to show that the Hawke Government had lost control of its migration policy. In pursuing a tough stance on illegal immigration and denying claims for asylum from within the country, the Hawke Government fostered the perception of the new boat people in 1989 as 'illegal' and therefore requiring detention while their claims were assessed.

A Renewed Focus on Illegal Immigration

With the reconceptualisation of refugees and the ostensible end to the global refugee crisis, the Government was able to call on Australia's refugee record to pursue its multicultural agenda without also being obliged to resettle thousands of 'illegitimate' refugees offshore. In opposition to the amnesties offered by Fraser in 1980, Immigration Minister Chris Hurford warned illegal immigrants that the Hawke Government was committed to its tough stance on unauthorised migration.¹⁰² Ironically, the Parliament's bipartisan rejection of any amnesty was reported by the *Sydney Morning Herald* as 'highlight[ing] renewed Government- Opposition co-operation over immigration matters'.¹⁰³ The Government and Opposition had written a joint press release — translated into thirteen languages and published in ethnic community papers — declaring that the presence of illegal immigrants was no longer acceptable to Australians.¹⁰⁴ Opposition immigration spokesman Philip Ruddock added that at least sixty percent of illegal immigrants were removing employment opportunities from legitimate workers.¹⁰⁵

The Government and Opposition's shared policy reflected longstanding Australian concerns with border protection, which had been dramatically heightened by the problem of unemployment. While Hawke pursued multiculturalism with renewed vigour, establishing the

¹⁰² 'No amnesty for illegal immigrants, warn Govt and Opposition', *Sydney Morning Herald*, 1 April 1985, p. 3.

¹⁰³ *Ibid.*

¹⁰⁴ *Ibid.*

¹⁰⁵ *Ibid.*

Office of Multicultural Affairs within the Department of Prime Minister and Cabinet, the Government's strong pursuit of illegal immigration through the *Migration Legislation Amendment Act 1989* provided a means through which the Government could be perceived as tackling any threats to Australian social cohesion, without compromising the nation's multicultural agenda.¹⁰⁶

Following the recommendations and model legislation of the FitzGerald committee in 1988, the Hawke Government introduced the *Migration Legislation Amendment Act 1989*. The amendment offered a number of changes recommended by the FitzGerald report, the most significant of which was the requirement that all illegal immigrants regularise their status by June 1990 or face detention and deportation.¹⁰⁷

The legislation reflected a new Government promise to detain and deport the estimated ninety thousand people already in Australia illegally. Its renaming of 'prohibited non-citizens' as 'illegal entrants' further emphasised existing public perceptions of visa-overstayers as a threat.¹⁰⁸ Reflecting on the legislation in September 1990, the Joint Standing Committee on Migration Regulations commented on the manner in which illegal entrants had come 'to symbolise the inability of governments to control their borders, and ... to protect the integrity of the immigration programme'.¹⁰⁹ Along with strict new visa restrictions and review processes, this crackdown on illegal immigrants demonstrated the Government's commitment to a controlled and orderly migration program.

* * *

In November 1989, a boat carrying twenty-six Cambodians seeking asylum arrived off the coast of Australia. Amongst them were Suzie Lang and Sok Lee who, along with the rest of the boat's cargo and crew, were quickly transported under escort to Broome for processing.

¹⁰⁶ *Migration Legislation Amendment Act 1989 (Cth)*
Jupp, *From White Australia to Woomerah*, p. 31.

¹⁰⁷ Joint Standing Committee on Migration Regulations, *Illegal Entrants in Australia: Balancing Control and Compassion*, (Canberra: Australian Government Publishing Service, 1990), p. 7.

¹⁰⁸ This was a government estimation of the numbers of illegal entrants in Australia: *Ibid.*, p. 12.

¹⁰⁹ *Ibid.*

After almost a month they were taken to the migrant hostel in Sydney.¹¹⁰ They were excited to have arrived safely, but apprehensive how they would be treated and the vast differences between their culture and that of Australia. 'I must learn how to know them', Sok Lee muttered.¹¹¹

Considered 'prohibited entrants' under section 88 of the *Migration Act 1958*, they were liable for detention 'during stay of vessel in port'.¹¹² While this law has almost no application for refugees, there was no other existing legislative framework under which to hold those seeking asylum. There was a fundamental assumption of illegitimacy underlying the Hawke Government's treatment of the Second Wave of asylum seekers, founded in these illegal immigration issues and shifting global attitudes towards refugees. Alongside Hawke's condemnation of boat people as 'queue jumpers', there was also the repeated assertion in Parliament that these people would inevitably be sent home.¹¹³ Where the First Wave of asylum seekers were fundamentally assumed to be genuine, the Second Wave were, from the outset, considered to be a wave of 'economic refugees'. Although these refugees were fleeing the same countries for the same reasons, they were treated differently. Like illegal immigrants, boat people were now seen as attempting to circumvent migration controls to take advantage of the Australian way of life and compromising it in the process.

In the multicultural policy crisis of the late 1980s there emerged a fundamental tension over responses to boat arrivals. While most Australians supported the removal of ethnically exclusive migration, there was an underlying concern with the protection of Australia's traditional culture that manifested itself in an overt preoccupation with border control. The sharp decline in support for the Liberal party in 1984 and 1988 when their policies looked to be influenced by racially exclusive sentiment shows that the public's concern was with the

¹¹⁰ Suzie Lang, 'My Arrival in Australia', 1 January 1992, p. 1.

Sok Lee, 'My Arrival in Australia', 3 January 1992. Both excerpts are transcript of interviews taken at Port Hedland by the Australian Council of Churches delegation. Available through the National Council of Churches, Refugee Development Archives 1989–1994, *Case Studies: Port Hedland — 1992*, (Sydney: Australian Council of Churches, 1992), p. 1.

¹¹¹ Sok Lee, 'My Arrival in Australia', 3 January 1992, p. 1.

¹¹² *Migration Act 1958 (Cth)*.

¹¹³ For example: Parliamentary Debates (Hansard), House of Representatives, 31 May 1990, p. 914.

speed and extent of cultural change, rather than their support of White Australia-style racial exclusion itself.¹¹⁴ Furthermore, one of the most positive findings of the FitzGerald report was Australia's pride in its refugee record and its capacity to welcomingly accept refugees.¹¹⁵ Australia had come a long way since the White Australia policy. However cultural insecurity at the rate of change, compounded by unemployment and the state of the economy, was manifesting itself in a re-emergence of a long-standing need for immigration control. When boat people came to Australia in 1989, Australia's humanitarian record needed to be balanced against a fundamental Australian policy of border integrity. The widespread distrust of multiculturalism and migration and the reconception of the legitimacy of most refugees created a social and political landscape in which detention of the Second Wave of asylum seekers was deemed necessary. In the late 1980s, 'genuine' refugees continued to be welcomed into Australia, yet the issue of boat people was increasingly equated with illegal immigration as a threat to Australia's social cohesion and security.

¹¹⁴ Colebatch, 'Coalition suffers for its views on Asian migration', p. 5.

Olney, '1988 in review; Labor survives despite itself', p. 15.

'Three Liberal MPs cross the floor over "racist" immigration policy', *Sydney Morning Herald*, 5 August 1988, p. 11.

¹¹⁵ Committee to Advise on Australia's Immigration Policies, 'Executive Summary', p. 3.

Chapter Two

The Unknown Guest: The Shift in National Responses to Asylum Seekers

YOUR editorial of January 22, on illegal boat people, will no doubt be construed by some to be racist. But a stand must be made now ... The influx of illegal Asian immigrants will become a flood unless these 'queue jumpers' are stopped.¹¹⁶

N. Middleton, Euroa.

Fierce denials of the rights and legitimacy of asylum seekers are a recurrent aspect of refugee histories in Australia. When the Second Wave of asylum seekers began arriving in November 1989, there was an immediate social response that did not reflected the threat involved. Within months, newspaper headlines across the mainstream media bore the same misgivings that had been prevalent throughout the Indochinese refugee crisis of the 1970s, suggesting the coming of 'refugee hordes' and the possibility of another 'avalanche' of arrivals.¹¹⁷ Once again, boat people were raising questions about the Australian Government's ability to control its country's borders and to protect the Australian way of life. In the recessive economic climate of the 1980s, this issue was exacerbated and used as further proof of the Hawke Government's failure to reduce unemployment and its continued pursuit of high migration numbers against the desires of many Australians.

This chapter will examine the influences of popular responses to asylum seekers from 1989 to early 1992. Building on the development of global attitudes explored in the previous chapter, it looks at the impact of memory and political rhetoric on the formation of these attitudes. The first section will analyse how the memories of unprecedented numbers of refugees and asylum seekers arriving between 1976 and 1982 exacerbated the perceived threat of asylum seekers arriving from 1989. It will also show that memories of Australia's

¹¹⁶ N Middleton, 'Make a Stand', *Herald Sun*, 31 January 1992, p. 14.

¹¹⁷ 'Braced for boatpeople "avalanche"', *The Herald*, 4 June 1990, p. 4.
 'More boat people "on way here"', *The News*, 6 June 1990, p. 11.

generosity during the 1970s were retrospectively idealised and used to renounce any responsibility to help resettle the new boat people of the Second Wave. Finally, it will show how public misgivings were compounded by the Hawke Government's harsh rhetoric to denounce the legitimacy of these asylum seekers.

There were two significant and interrelated influences shaping public perceptions of the Second Wave of asylum seekers: memories of the Indochinese refugee crisis of the 1970s (and the First Wave of asylum seekers) and vilifying political rhetoric. The arrival of Cambodian asylum seekers in 1989 was the second time in living memory that refugees had made their own way to Australia's shores. As such, memories of the First Wave were always going to shape public reaction to the Second Wave. However, as the differences in perception between 'genuine' refugees and illegitimate 'economic' refugees broadened, public perceptions of the First Wave changed. Instead of recalling the public and press indictments of 'illegals' and 'queue jumpers', in 1989–1991 memories of the 1970s were retroactively reconceptualised to focus on the generous response Australia had given to the Indochinese refugees who had 'obeyed the rules.'¹¹⁸ As Australia became more proud of its humanitarian record, memories of the divisions that emerged during the Indochinese refugee crisis faded, leaving the impression that Australia's response had been a success.¹¹⁹ Despite the same language and indictments of 'illegals' and 'queue jumpers' being used, this 'proud' record was used to obfuscate Australia's responsibility to the Second Wave of asylum seekers. Government rhetoric tapped into these misapprehensions, solidifying a popular perception that these new boat people should be detained or deported.

Explaining the causes and influences of popular reactions is a troubling task for historians, and inevitably requires some conjecture. For example, while polling taken in 1979 and again in 1993 shows an incredible shift in negative public opinion towards boat people, there was no polling between these periods. Nonetheless, the facets of social mood represented by these polls, press articles and public statements are a keystone in the

¹¹⁸ Christine Rau, 'Viet boat person's success story', *Sydney Morning Herald*, 16 February 1992, p. 21.

¹¹⁹ Viviani, *The Long Journey*, p. 112.

introduction of detention practices, and deserve careful and individual examination. Through an examination of media articles, letters, public political statements and Government press releases, I will analyse the negative public reactions to boat arrivals that saw the continuation of detention in Australia. While analysing only a fraction of a diverse public response, the sentiments and rhetoric examined in this chapter form a reminder that fierce opposition to boat arrivals has a deeper history than the sentiments of the early twenty-first century and requires careful and individual examination.

Contemporary commentary and histories written since the 2001 *Tampa* affair have used similarities in negative public opinion between the First and Second Wave of asylum seekers as evidence that these reactions were founded on racial intolerance. McMaster, Markus, Mares and Kelly portray the unauthorised arrival of asylum seekers as a continuing issue in Australian society.¹²⁰ Without attempting to explain any differences between different periods, Kelly has remarked:

Since World War II, Australia has accepted about 700,000 refugees from many cultures and countries. This entry has aroused little dispute, with one exception — boat arrivals, whether they are Afghan Muslims or Vietnamese Christians.¹²¹

While McMaster notes the influence of the 1970s Indochinese refugee crisis on the Second Wave of asylum seekers, he goes into little detail, failing to explain the nature, extent or implications of this influence:

Australians feared the spectre of a repeated outflow of refugees from Indochina, similar to the flows from Vietnam in the late 1970s, and the Hawke Government acted tough to deter Cambodian boat people.¹²²

Although Australia has shown considerable resistance to boat people throughout its history, these different periods saw different public and legislative reactions to the problem. In the

¹²⁰ Kelly, *March of Patriots: The Struggle for Modern Australia*, p. 189.

This is an issue looked upon throughout McMaster's work, however see especially the chapter 'Australian Immigration and its Other': McMaster, *Asylum Seekers*, pp. 38–66.

Andrew Markus, 'Racism and refugees: an Australian tradition', *Australian Rationalist*, 60/61 (December 2002), pp. 16–22.

¹²¹ Kelly, *March of Patriots*, p. 189.

¹²² McMaster, *Asylum Seekers*, p. 75.

first instance, in 1976, there was an initial period during which Australians accepted some responsibility for assisting displaced Vietnamese citizens in the wake of the Vietnam War. Secondly, although dissatisfaction with the numbers of refugees being resettled in Australia peaked in 1979, a poll taken in February found that only five percent advocated deportation for boat people with sixty-one percent accepting that a ‘limited number’ could stay.¹²³ The number of people advocating deportation had actually dropped since 1977.¹²⁴ Conversely, by 1993, only seven percent thought some boat people should be allowed to stay, with ninety percent advocating deportation or detention.¹²⁵ These figures show that in the 1970s Australians were responding to an ostensibly uncontrolled refugee resettlement program, but more broadly accepted the genuineness of these refugees claims. Conversely, in 1989 — despite a decade of no boat arrivals — public opinion became antagonistic to such entrants. This shift requires explanation.

A ‘Viet Success Story’?: The Influences of Memory on Popular Responses

During the 1970s refugee crisis, Australia accepted seventy thousand Indochinese refugees, including over two thousand unauthorised boat people.¹²⁶ While Australian society accepted its responsibility to resettle some Indochinese refugees, the extent of this public acceptance was limited. The public questioned the generosity of Australia in comparison to other resettlement countries. Boat people represented the epitome of unregulated migration in Australia, and the acceptance of these ‘uninvited’ refugees exposed the limits of Australian generosity. Newspapers highlighted public and official sentiments that these boat arrivals were ‘queue jumpers’ and ‘opportunists’, ‘invading’ Australia’s shores.¹²⁷ While both the ALP and the public were voicing misgivings towards the acceptance of these ‘uninvited

¹²³ ‘Morgan Gallup Poll number 252, 1–4 February 1979. The question was: ‘Next about refugees from Vietnam would you allow any number of them to live here permanently — or limit their number — or stop them from staying here?’ Cited in Betts, ‘Boat People and Public Opinion in Australia’, p. 40.

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*, p. 41.

¹²⁶ Tavan, *The Long, Slow Death of White Australia*, p. 214.

¹²⁷ ‘Council angry with Aust queue jumpers’, *Sydney Morning Herald*, 10 May 1979, p. 15.

‘Stronger defences in the north recommended’, *Sydney Morning Herald*, 29 April 1978, p. 21.

refugees' or 'boat people', they still acknowledged that Australia was required to grant these refugees protection. When boat numbers dwindled, the issue faded from public and political concern and Australians were left with a memory of great change and the perception that their nation had provided one of the most generous responses to a global crisis.¹²⁸ Coming into office in 1983, the Hawke Government cut migration and diminished the percentage of refugees accepted within this intake, solidifying the perception that the crisis was over.

The impact of memory has received particular attention from historians for its influence on our perceptions of the past. For the most part, this attention has highlighted the difficulty of reconstructing 'accurate' personal histories when these histories are intertwined with a strongly coloured collective memory. This work, for example, has noted the manner in which historians looking at the Second Wave of asylum seekers and the demise of multicultural consensus have been influenced by both their participation in the discourse of the time and their memories of its events. Beyond this, many historians have looked at the powerful intergenerational influences that significant social periods or changes can have on an entire generation's perceptions of the present and its aspirations for the future.¹²⁹ John Murphy, for example, has examined how growing up during the Great Depression — and living through the Second World War — profoundly influenced the aspirations and experiences of a generation of Australians during the 1950s.¹³⁰ The framework espoused by these approaches emphasises the impact of the past on present social understandings, experiences and intentions.

This methodological approach is particularly pertinent when discussing an issue as sensitive as boat people and refugee resettlement. As Viviani has explored, memories of the instability and social divisions during the Vietnam War in Australia impacted attitudes towards the resettlement of refugees during the global crisis of the 1970s.¹³¹ Australia felt

¹²⁸ Viviani, *The Long Journey*, p. 114.

¹²⁹ See especially collected works such as Richard White and Penny Russell (eds.), *Memories & Dreams: Reflections on 20th Century Australia*, (Sydney: Allen & Unwin, 1997).

¹³⁰ John Murphy, *Imagining the Fifties: Private Sentiment and Political Culture in Menzies' Australia*, (Sydney: UNSW Press, 2000).

¹³¹ Viviani, *The Long Journey*, p. 54.

some responsibility for the global refugee crisis. However, over the course of the Fraser era, boat people came to represent not merely uncontrolled entry into the country, but also the rapidly changing ethnic composition of Australia's migration program. By 1989, attitudes towards refugees had changed once again. Although the country was still accepting refugees, there was an increasing national perception — fostered by domestic media and political statements — that most of those people in offshore camps were 'economic' refugees. When boats once again appeared on Australia's shores, social tensions played into the still unsettled memories of the Indochinese refugee crisis of the 1970s.¹³² The moral obligation towards refugees that many Australians had felt following the Vietnam refugee crisis had faded, and reactions to asylum seekers increasingly revealed the limitations of Australian generosity.

Memories of the Indochinese refugee crisis affected social perceptions in two important respects. In the first instance, memory magnified the intensity of the issue, and the Australian society braced itself for another influx of asylum seekers the size of that under Fraser. This is strongly reflected in the speed with which the boats arriving became a media issue, in the exaggeration of the threat and the language used to describe the problem. Despite a decade of inactivity, from the first arrival of 26 Cambodians in 1989, the press extensively covered every arrival and even every suspected arrival. While Australia's first refugee landing in 1976 had received almost no media coverage, the November 1989 arrival made the front page in South Australia, and newspapers across Australia for the remainder of the year.¹³³ When another 118 people landed in April 1990, there was a rapidly mounting

¹³² This was apparent from press coverage and articles over the course of the 1980s, as well as intellectual articles and survey results. For analysis see: Nancy Viviani, 'Indochinese, Immigration and the Hanson Factor', *The Sydney Papers*, 9, no. 3 (Winter 1997), pp. 44–52.

¹³³ Press coverage of the first boat arrival in a decade included: 'Aborigines find "boat people" in northern WA', *The Advertiser*, 30 November 1989, p. 1. 'Cambodian "boat people" under escort in W.A.', *Sydney Morning Herald*, 30 November 1989, p. 2. "'Boat people" head for shore', *The Sun*, 30 November 1989, p. 36. "'Boat people" riddle', *The News*, 30 November 1989, p. 14. This coverage continued throughout the year and into 1990, including: 'Boat people "appear to be Cambodians"', *The Advertiser*, 1 December 1989. 'Concern over boat people', *The Advertiser*, 21 December 1989, p. 16.

concern that Australia was falling victim to an ‘illegal immigration racket’ and faced a renewed ‘influx’.¹³⁴ Although by the end of 1990 only 224 asylum seekers had arrived in Australia, papers such as the *Sydney Morning Herald* were reporting an ‘avalanche’ of arrivals. Newspaper articles also reminded Australians that this was the second time boat people had become an issue in their history.

In January 1992, *The Advertiser* emphasised the potential of the ‘boat people’ problem by conflating the two periods in Australia’s history:

Does [Australia] face a refugee explosion? Boat people are not new to Australia. They started arriving in Australia in April, 1976, when the first of 54 Vietnamese vessels limped into Darwin Harbor, carrying 2000 refugees ... Since November, 1989, eight boats have arrived in Darwin waters, carrying 382 people. Of these people, only 19 have since left Australia.¹³⁵

By associating the two events and suggesting continuity between the First and Second Wave of boat people, this article drew on memories of the refugee crisis of the 1970s to exaggerate the renewed threat of boat people. There were striking similarities of language and perception between this article, and the media coverage of the late 1970s.¹³⁶ In both periods the overwhelming political and social concern conclusively showed the world that self-initiated migration would not be a guarantee of protection in Australia. The influence of a Second Wave of asylum seekers within living memory of the first emphasised an underlying preoccupation with the vulnerability of Australia’s borders. While in 1976 there was some surprise that Vietnamese asylum seekers had made their own way to Australia, the arrival of the Second Wave of asylum seekers posed the threat that uncontrollable migration could become a permanent problem for Australia.

Tony Stephens, ‘A question of destiny hides behind a day of celebration’, *Sydney Morning Herald*, 27 January 1990, p. 4.

¹³⁴ “‘Refugees’ seek pot of gold here’, *Sunday Mail*, 15 April 1990, p. 17.

A Bradley, ‘\$1.5 m pledge for boat people camp’, *The Herald*, 16 April 1990, p. 2.

¹³⁵ Mark Thornton, ‘Heroic trek of the boat people’, *The Advertiser*, 23 January 1992, p. 15.

¹³⁶ These include articles such as:

Jeff Penberthy, ‘Refugee Flood A Racket, Mayor Claims’, *Sydney Morning Herald*, 27 November 1977, p. 2.

Michael Richardson, ‘More refugee boats on way to Darwin’, *Sydney Morning Herald*, 3 April 1978, p. 1.

While the media drew on public memories of the Indochinese refugee crisis and the First Wave of asylum seekers, they also retroactively reshaped them. In history, memory and imagined perceptions of the past in the present mutually influence each other. While the public reactions to the new arrival of refugees were influenced by memories of the First Wave, these memories of the 1970s Indochinese refugee crisis were also retroactively shaped by the arrivals of 1989. Tavan and Neumann have examined how selective uses of history and public memory have been used to build support for later political agendas.¹³⁷ In my previous chapter I looked at how the 1980s' idealisation of Australia's contribution to the Indochinese refugee crisis in the 1970s allowed the Government to push its immigration agenda, while also ignoring its responsibilities to asylum seekers. Yet this selective memory can also be subconscious. Left with the memories of the nation's generous response to refugees in the 1970s, newspaper articles obfuscated the public and political vitriol that had adversely conditioned Australia's response to the First Wave of boat people. Instead they created a demarcation between the Indochinese refugees of the First Wave as 'good' and 'genuine' refugees, and the asylum seekers of the Second Wave as 'illegitimate' and 'illegal'. Although the same language emerged in both instances, these articles were oblivious to the similarities.

Rather than focusing on these new boat people to rekindle fears of uncontrolled migration in the 1970s, there was an emergence of articles telling of the successes of Vietnamese resettlement. These features sought to create a dichotomy between the 'model' refugees of 1976–1979 and the newly arrived asylum seekers. In 1992, the *Sydney Morning Herald* featured the story of Nguyen Van Tri, a Vietnamese refugee who was resettled in Australia from a Thai camp in 1978.¹³⁸ While the headline 'Viet boat person's success story' and much of the article body formed a positive reflection of Australia's resettlement program, the by-line was particularly telling:

Immigration Minister Gerry Hand last week cracked down on boat people he said were abusing immigration laws. Christine Rau reports on one original

¹³⁷ Neumann and Tavan (eds.), *Does History matter?*, pp. 125–143.

¹³⁸ Christine Rau, 'Viet boat person's success story', *The Sydney Morning Herald*, 16 February 1992, p. 21.

boat person who *obeyed the rules* and has made a successful new life in Sydney.¹³⁹

The article primarily spoke to social sentiments of refugee acceptance and potential in Australia. However, in its emphasis on ‘obeying the rules’ it spoke to a broader sentiment that saw asylum seekers who made their own way to Australia as having jumped a queue. Rather than building on Nguyen’s achievements to reflect on the Keating Government’s continued resettlement of Vietnamese refugees from offshore camps, it fostered a dichotomy between unauthorised arrivals in Australia and those who ‘wait patiently in camps’.¹⁴⁰

Similarly, the article ‘Destination Darwin’ drew on the memory of large influxes of boat people to emphasise Australia’s vulnerability. Yet it too chose to obfuscate any commonality between the two periods:

At first, they came mainly from Vietnam and Cambodia, escaping communism and poverty. More recently they have been coming from Southern China and Macau, driven not by political repression but by the dream of a better life in the West. Only 10 boats have arrived in Australia since the second wave of non-Vietnamese boats began leaving in large numbers ... But tens of millions of *mengliu* (blind wanderers or internal migrations) are roaming China in search of work.¹⁴¹

By creating a contrast between the two periods, these articles drew on public memory in a very specific and deliberate manner. Conflating the two periods recalled the uncertainties of the refugee crisis in the late 1970s and magnified the issue’s pertinence, yet it also spoke to a society proud of its humanitarian record and a social landscape that was largely adapting to the changes of the 1970s. As the FitzGerald report had found, Australian society welcomed refugees, even during a period in which migration was a serious social issue.¹⁴² While these articles certainly showed the manner in which Australian perceptions of asylum seekers in 1989 had been influenced by the events of the 1970s, they also reflected the transformation of Australia’s social landscape since the first boat arrival in 1976. Vietnamese culture was

¹³⁹ *Ibid.* Emphasis added.

¹⁴⁰ This was the language used by the same paper, weeks earlier, in response to the latest boat arrivals in Australia. ‘Boat people: one hurdle left’, *Sydney Morning Herald*, 22 January 1992, p. 8

¹⁴¹ David Jenkins, ‘Destination Darwin’, *Sydney Morning Herald*, 6 June 1992, p. 35.

¹⁴² Committee to Advice on Australia’s Immigration Policies, ‘Executive Summary’, p. 3.

increasingly exhibited in galleries and at public events, and Australian society praised the election of its first Vietnamese mayor in Melbourne.¹⁴³ An article in *The Australian* on ‘backdoor’ migrants and the Hawke Government’s failure to control illegal immigration was situated next to the article ‘Vietnam “boat boy” proves hardship is no handicap’, covering in the success of Vietnamese refugees and other Asian migrants in the New South Wales HSC.¹⁴⁴ While the memory of a refugee crisis in the 1970s clearly magnified social perceptions of the threat of boat people and Australia’s vulnerability, the media showed a reluctance to criticise the actions of the First Wave of arrivals.

This emerging dichotomy between refugees and asylum seekers was not only linked to a social acceptance of the boat people occurring during the late 1970s; it also marked a fundamental shift in attitudes towards asylum seekers over the course of the 1980s. During the Indochinese refugee crisis of the 1970s polling suggested that around sixty percent of Australians thought at least some boat people should stay, and despite the opposition to boat people in the media.¹⁴⁵ Furthermore, despite the considerable difference in numbers between the First and Second Wave of asylum seekers — with 2,058 boat people arriving from 1976 to 1982 and 460 from November 1989 and March 1992 — the extent of critical media coverage from the outset of the Second Wave was well beyond that of the 1970s.¹⁴⁶ Finally, while resettling genuine refugees was not a significant issue in the early 1990s, an Irving Saulwick poll in 1993 found that forty-four percent of Australians were in favour of returning *all* boat people.¹⁴⁷ These figures demonstrate that by 1989, Australian society was differentiating refugee migration from uncontrolled unauthorised arrivals or ‘boat people’. The retroactive rewriting of history was another way in which Australians could express

¹⁴³ ‘Refugee Viet Now a Mayor’, *Courier Mail*, 9 August 1991, p. 7

‘Mayor rides crest of success’, *Sunday Herald Sun*, 11 August 1991, p. 16.

¹⁴⁴ ‘Vietnam “boat boy” proves hardship is no handicap: Asians take top honours in HSC results’, *The Australian*, 14 January 1992, p. 3.

Natasha Bita, ‘Migrant entries geared to skills’, *The Australian*, 14 January 1992, p. 3.

¹⁴⁵ Betts, ‘Boat People and Public Opinion in Australia’, p. 40.

¹⁴⁶ Tavan, *The Long, Slow Death of White Australia*, p. 214.

¹⁴⁷ Irvin Saulwick poll 28 September 1993, as quoted in Betts, ‘Boat People and Public Opinion in Australia’, p. 41.

Committee to Advise on Australia’s Immigration Policies, ‘Executive Summary’, p. 3

pride in their ‘humanitarian record’, without being obliged to accept the claims of the new boat people.

* * *

The extent of public debate and the strong feelings that were evoked by boat people over this period raise the question of influence. While it is clear that public perceptions of boat people changed, what were the causes and implications of this shift? When unlocking migrant narratives, historians often examine how early migrant experiences and their depictions to the public were carefully stage-managed by the Australian Government to meet public expectations. For instance, in his analysis of the Bonegilla migrant processing centre Bruce Pennay discusses how maintaining public confidence in migration held more importance to the Government than the experiences of migrants themselves.¹⁴⁸ Yet historians often fail to examine how political processes, actions and opinions come to define public perceptions. Looking at political rhetoric, next section will demonstrate the instrumental impact of the rhetoric and policy of the Hawke Government in solidifying attitudes against asylum seekers.

‘In the interests of the nation’: A Rhetoric of Control

In the development of social attitudes there are always questions of influences. In the twenty-first century, the pervasive oppositional public attitudes towards asylum seekers have often been examined for their relationship to government policy and rhetoric.¹⁴⁹ Yet, similar attitudes that were apparent throughout the Second Wave of asylum seekers have received little attention in current scholarship. While many commentators have noted the rhetoric of Hawke, they fail to show the implications of his Government’s related rhetoric and policy. To account for the significant shift in public opinion towards repatriation or detention for all

¹⁴⁸ Pennay, ‘Selling Immigration’, pp. 113–130.

¹⁴⁹ Including: Peter Charlton, ‘*Tampa: the triumph of politics*’, in David Soloman (ed.), *Howard’s Race: Winning the unwinnable election*, (Sydney: Harper Collins Publishers, 2002), pp. 79–107. Michael Clyne, ‘The use of exclusionary language to manipulate opinion: John Howard, asylum seekers and the reemergence of political correctness in Australia’, *Journal of Language and Politics*, 4, no. 2 (2005), pp. 173–196. See particularly ‘The Politics of Fear’ in Mares, *Borderline*, pp. 100–120.

boat people, the remainder of this chapter will examine how the idealisation of Indochinese refugees from the 1970s and the rejection of asylum seekers from 1989 was further shaped by both the policy and the language of the Hawke Government.

At the heart of this discussion is political rhetoric: its foundations, its intentions and its effect on social attitudes. Building on a theoretical framework suggested by Clifford Geertz, Judith Brett has stated that political symbolism ‘is not just a response to social and political situations but is an important factor in shaping those situations’.¹⁵⁰ Through an analysis of Menzies’s ‘Forgotten People’ speech, Brett shows that Menzies was not merely speaking to a political climate, he was also shaping that climate.¹⁵¹ Similarly, James Curran has examined how Hawke focussed his policy and rhetoric on stimulating cohesion and unity within Australian society, despite the divisions caused by his multicultural platform.¹⁵² In Hawke’s public statements about boat people it is therefore important to examine the manner in which he was driving public response as well as drawing on it.

While the Hawke Government released its statements and took legislative action with the public sentiment in mind, it was also equally effective in creating and shaping public sentiment regarding boat people. While no single speech or action could exemplify the message of this analysis, the remainder of this chapter will study a selection of sources and their interactions: the relationship between the Department of Immigration’s press releases, Hawke’s noted public statements on *A Current Affair* and changing public response. It will build on the public sentiments already analysed in order to highlight the impact of political sentiment on further shaping these attitudes.

As doubts over immigration levels and multiculturalism increased over the 1980s, the Australian Parliament gave bipartisan support to discovering and deporting all illegal

¹⁵⁰ Judith Brett, ‘Menzies’ Forgotten People’, in Richard White & Penny Russell (eds.), *Memories & Dreams: Reflections on 20th Century Australia*, (Sydney: Allen & Unwin, 1997), p. 156.

¹⁵¹ *Ibid.*, pp. 155–170.

¹⁵² James Curran, *The Power of Speech: Australian Prime Ministers Defining the National Image*, (Melbourne: Melbourne University Press, 2004), pp. 195–254.

immigrants, and preventing any more from entering Australia.¹⁵³ When Cambodians began arriving on Australia's shores in 1989, the Government's intentions were challenged. Even before their claims for asylum had been assessed, these people were declared by Hawke to be illegitimate 'economic refugees' who had intentionally broken the laws designed to protect Australia's borders.¹⁵⁴ Yet Hawke's rousing calls to action were not met with immediate support. Instead many Australians responded with anger at his rejection of Cambodian asylum seekers and his unequivocal support of Chinese students.¹⁵⁵ Furthermore, there was confusion as to why he had undermined the legal processes his own Government had set up to process illegal immigrants in 1989 and doubts that his Government could control immigration.¹⁵⁶

Looking at Hawke's public statements, it becomes apparent that he was not merely drawing on the existing sentiments of Australians towards boat people; he was using the broader social concern about illegal immigration to construct consensus over the issue of the Cambodians. On 10 June, Hawke reaffirmed Australia's sovereignty over its migration programs:

Say 200 people have come, they've encountered some difficulties. All right, they get here ... What if it's 200,000, two million? It's got nothing to do with whether they are Cambodians, whether they are Irish, Greek, Italian.

The fact is that I am making it quite clear, as far as this Government is concerned, that we as a sovereign country will determine our immigration policy and its content, its size.¹⁵⁷

Hawke's comments came days after the press conference in which he had controversially stated that Chinese students fearing persecution in the wake of Tiananmen Square could seek

¹⁵³ Through the *Migration Legislation Amendment Act 1989 (Cth)*.

¹⁵⁴ Hawke made this statement at a press conference, and it was widely reported the following days: N Savva, 'It's question time, PM', *The Sun*, 9 June 1990, p. 71. David Washington, "'No Open Door" into Australia, Stresses PM', *The Advertiser*, 11 June 1990, p. 4.

'Facing flood of illegal migrants', *Mercury*, 15 June 1990, p. 8.
¹⁵⁵ 'PM creates more confusion on Chinese students', *The Advertiser*, 15 June 1990, p. 1. P Steedman, 'Asian Voice Ignored by Occident', *Sunday Herald*, 17 June 1990, p. 13. 'How migrants make Hawke go to water', *The Herald*, 18 June 1990, p. 9.

¹⁵⁶ *Ibid.*

¹⁵⁷ Washington, "'No open door" in Australia, stresses PM', p. 4.

indefinite protection in Australia, while the Cambodian asylum seekers would be sent home. That he called this full-scale press conference — only the third of his Prime Ministership — showed the gravity of his Government's decision and the prospect of community backlash.

By pre-emptively asserting that the Cambodian asylum seekers would be sent home — and doing so after announcing protection for the Chinese students — Hawke used the Cambodians' situation to reaffirm his commitment to Australian border protection, calling on the mentality that already underpinned broader attitudes to migration.¹⁵⁸ Border protection had long been an issue in Australia, but this issue was exacerbated by the heated migration debates of the 1980s. By asserting the sovereignty of Australia over its migration program, Hawke was reaffirming his commitment to the progress of the nation as a whole, while also drawing on fears of border protection in the community. This he reinforced by exaggerating the threat: twenty-six irregular migrants were portrayed as a risk of millions, encouraging public perceptions that Australia could become an unmitigated destination for the 'hordes from the north'. Internationally, there had been a global refugee crisis over the 1980s, involving hundreds of thousands of displaced people in offshore camps. Yet, over three years of arrivals, Australia had received only 460 boat people by June 1992.¹⁵⁹

Multiculturalism and migration were already issues in Australia, but through his statements, Hawke focused these social divisions on a newly emerging problem: boat people. By calling on existing dissatisfaction with illegal immigration — and focusing it toward boat people — the rhetoric of the Hawke Government helped to further develop these public attitudes. In his infamous statements on *A Current Affair*, published in national papers the following day, Hawke drew connections between the illegal immigration, cultural division and boat people:

There are people waiting in queues around the world to be able to come to this country, which opens its doors and its arms to legitimate refugees ... [D]o not let any people, or any group of people think that because Australia has

¹⁵⁸ *Ibid.*

¹⁵⁹ Joint Standing Committee on Migration Regulations, *Australia's Humanitarian System*, p. 162.

that proud record, that all they've got to do is to break the rules, jump the queue, lob here and Bob's your uncle.¹⁶⁰

Through such rhetoric, Hawke was able to show his commitment to cracking down on illegal immigration by determined action against boat people, while also offering compassion to refugees — an area in which Australian society had been shown to hold special pride.¹⁶¹ Yet, by repeatedly raising indictments of 'boat people', 'illegal immigrants' and 'queue jumpers' in press releases and statements into 1992, Hawke was in fact exacerbating a culture in which asylum seekers were perceived as a considerable threat to orderly migration.

Many of the media articles most critical of boat people were directly sourced through the press releases of the Immigration Department. Like Hawke's depictions of boat people, these releases emphasised the illegitimacy of boat people, their commitment to ensuring these asylum seekers would remain in detention and reported every rejection of refugee status and subsequent deportation.¹⁶² These releases drew on Australia's past generosity, while affirming the necessity of border control.¹⁶³ The Immigration Department's comments in turn fed press and political commentary, compounding perceptions that boat people were a threat and prompting the support of Australia's Opposition Leader, John Hewson.¹⁶⁴ With no polling

¹⁶⁰ Bob Hawke, *A Current Affair*, 6 June 1990.

Also reported in: Glen Milne and Tracey Aubin, 'Bob's not your uncle, PM tells boat people', *The Australian*, 21–22 July 1990, p. 3.

John Larkin, 'Only genuine refugees will stay: Hawke' *The Advertiser*, 21 July 1990, p. 16.

¹⁶¹ Committee to Advise on Australia's Immigration Policies, 'Executive Summary', p. 3.

¹⁶² Examples include: 'Macau Boat Arrivals Sent Home', *Department of Immigration Media Releases*, 11 October 1991, pp. 1–3.

'Processing Centre for Unauthorised Arrivals to be Established At Port Hedland', *Department of Immigration Media Releases*, 12 August 1991, p. 1.

'Cambodian Refugee Applications Receive Rejection Notices', 6 April 1992, *Department of Immigration Media Releases*, pp. 1–2.

'Immigration Minister Will Not Intervene Further in Boat People Departure Issue', *Department of Immigration Media Releases*, 8 April 1992, p. 1.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

¹⁶³ 'Refugee Status and Humanitarian Stay Funding to be Increased', *Department of Immigration Media Releases: 1990–1992*, 20 August 1991, pp. 1–2.

'"Our Good Friends" — Refugees and their Sponsors', *Department of Immigration Media Releases*, 31 July 1991, pp. 1–2.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

¹⁶⁴ Including: 'Hand won't step in over boat people', *The Advertiser*, 18 April 1992, p. 1.

'Hand Refusal', *Courier Mail*, 9 April 1992, p. 2.

done during the first years of the Second Wave of arrivals, the Department of Immigration and its chief minister, Gerry Hand, were basing their policy of detention and commentary about boat people on political expedience and assumptions of how the public would react. As journalist Margo Kingston commented in 1993:

Hand said he believed that if such [polling] research were done, 95 percent of Australians would support detention, or worse, for the boat people.¹⁶⁵

Like multiculturalism in the 1970s, opposition to Australia's acceptance of boat people was often assumed, rather than tested. The department's press releases were aimed to appease public concern with unauthorised arrivals and border protection. However, these statements were also solidifying public perceptions against the admission of boat people.

The letter quoted at the beginning of this chapter was written by N. Middleton to the *Herald Sun* in 1992. It formed part of a segment titled 'Racist slur unjustified', in which readers voiced their opinions on the recent 'influx' of boat people from Hong Kong. Along with other readers, Middleton echoed the pervasive sentiments echoed by many Australians in 1992:

The influx of illegal Asian immigrants will become a flood unless these 'queue jumpers' are stopped.¹⁶⁶

Similarly, two days earlier, J. L. Edithvale wrote:

Wake up, Australia. Let's look after our own before we become charity workers to the never-ending boat people.¹⁶⁷

The familiarity and resonance of statements found across such letters — also apparent in opinion pieces and articles such as those analysed earlier — became increasingly pertinent over the course of the Second Wave crisis, and drew on the language most commonly used by Hawke himself. Although the language of 'queue jumpers' and 'illegal immigrants' was used

'Time up for 37 boat people', *The Advertiser*, 7 April 1992, p. 7.

'Fate of 43 boat people decided', *Hobart Mercury*, 7 April 1992, p. 13.

'Fake Refugees Sent Back Home: Hand', *Courier Mail*, 10 April 1991, p. 27.

¹⁶⁵ Margo Kingston, 'Politics and Public Opinion', in Mary Crock (ed.), *Protection or Punishment?: The detention of asylum-seekers in Australia*, (Sydney: The Federation Press, 1993), p. 8.

¹⁶⁶ Middleton, 'Make a Stand', p. 14.

¹⁶⁷ J. L. Edithvale, 'Boat people debate', *Herald Sun*, 29 January 1992, p. 14.

during the Vietnamese refugee crisis of the Fraser era, it took on a new tone and frequency and continued into the 1990s.

The assumption of illegality throughout these letters was indicative of a social and political climate advocating the return — or detention followed by return — of all boat people. These perceptions were further compounded through bipartisan support when the Opposition Leader, John Hewson, affirmed Hawke's hard line on boat people.¹⁶⁸ Like Hawke, Hewson exaggerated the threat of illegal immigration despite the small numbers that had arrived and asserted that 'the issue of the Cambodian boat people was reaching breaking point'.¹⁶⁹ Writing at the time of the issue, Manne reprimanded the Government for 'calling boat people names', and commented that the universal hardening in attitudes against boat people marked 'a turning point in the history of Western attitudes to the problem of refugees', with Australia's foreign affairs minister Gareth Evans asserting that the actions of these 'queue jumpers' were to the detriment of legitimate migrants.¹⁷⁰ It is ironic that just over a decade later, Manne called on the legacy of the Fraser, Hawke and Keating Governments as the antithesis to Howard's divisive and regressive rhetoric against asylum seekers.¹⁷¹

There is an inexorable relationship between the social and political opinion that is built on the cultural history of a nation. Both memory and global responses form an intrinsic influence over social and political perceptions of migration. Yet the influence of the rhetoric and actions of the Hawke Government shows how political opinion not only responds to social perceptions, it also defines them. The existing historical scholarship has focussed too readily on the language of Howard as building negative public perceptions towards asylum seekers, without reference to a long history of such sentiments. As such, public opposition to

¹⁶⁸ 'Refugees upset by Hewson', *The News*, 17 July 1990, p. 10.

'Hewson backs PM on refugees', *The Advertiser*, 16 July 1990, p. 1.

'Hewson warns of boat people rush', *The Sun*, 16 July 1990, p. 19.

'Hewson warns of refugee flood', *The Sun*, 9 July 1990, p. 24.

¹⁶⁹ 'Send Back Boat People — Hewson', *The Courier Mail*, 16 July 1990, p. 1.

¹⁷⁰ Robert Manne, 'Calling Boat People Names', *The Herald*, 16 June 1989, p. 12.

¹⁷¹ Manne, 'The Road to Tampa', pp. 165–174.

boat arrivals has been placed within the broader historical context of Hansonism, and the conservative turn of the late 1990s. The public and political sentiments explored in this chapter — exemplified in the almost vitriolic rhetoric of Hawke against boat people — is a reminder that public opposition to boat arrivals has a deeper and more complex history. Furthermore, during this period this political opposition was paradoxically joined with a fierce pursuit of multicultural sentiment and a rejection of racist sentiment.

Throughout Hawke's public statements there were seeds of similar sentiments that Howard would espouse a decade later. By 1993, when mandatory detention formed the centrepiece of Australia's asylum processing policy, polling found that ninety per cent of Australians favoured either turning the boats around or detaining applicants while their claims were assessed.¹⁷² In part, the strength of the Hawke Government's rhetoric was intended to prevent asylum seekers from making their way to Australia, yet it was equally effective in strengthening the turn of public opinion against their admission. While existing historical analysis has anchored this opinion in the re-emergence of White Australia, or proof of latent racist sentiment, it is important to remember that there was no easy historical progression towards detention policies. In its increasing support of detention practice in 1989, Australian society was influenced by the economic recession, historical memory, global influences and a political climate that was playing to public fears. As Australia moved towards a policy of mandatory detention for all boat people, it was this political preoccupation that increasingly solidified into overwhelming support for either detention or rejection of all asylum seekers.

¹⁷² Betts, 'Boat People and Public Opinion in Australia', p. 41.

Chapter Three

Uninvited Guests: The Detention of Boat People in Australia

We sat around the table and we had our meal.
We talked about the new accommodation in
Port Hedland. What will it look like? As the
evening drew to a close I said ‘Goodbye’ to
them because I thought I would never see them
again.¹⁷³

Ngep Sokkheng.

Aside from the social and political repercussions, increasing numbers of boat arrivals following the bicentenary also placed considerable strain on Australia’s migration procedures. Between November 1989 and October 1991, there had been 382 unauthorised arrivals to Australia, most of whom were still being detained under the *Migration Act 1958* while their claims for protection were being assessed.¹⁷⁴ For the Department of Immigration, detention had become the only viable alternative to deportation; the only means by which the integrity of Australia’s borders could be maintained without breaching the nation’s responsibilities under the 1967 Protocol Relating to the Status of Refugees.¹⁷⁵ The biggest difficulty facing the Department of Immigration’s policy of detention was a lack of infrastructure in which unauthorised arrivals could be held while their applications were assessed. A solution was found in an old mining accommodation facility in Cooke Point Western Australia, which became Australia’s first purpose-established asylum processing centre.

In October 1991, Ngep Sokkheng and 102 others seeking refuge in Australia were moved from a temporary detention facility in Darwin to the new Port Hedland Detention Centre in

¹⁷³ Ngep Sok Kheng, ‘My Story’, *Transcripts of Interviews with detainees at Port Hedland*, 8 January 1992. Available through the National Council of Churches Australia, ‘Port Hedland — Case Stories’, *Refugee Development Project Archives: 1989–1992*, (Sydney: Australian Council of Churches, 1992).

¹⁷⁴ Joint Standing Committee on Migration Regulations, *Australia’s Refugee and Humanitarian System*, p. 162.

¹⁷⁵ Full record: United Nations General Assembly, *Protocol Relating to the Status of Refugees*, 31 January 1967, United Nations, Treaty Series, 606, p. 267, available at: <http://www.unhcr.org/refworld/docid/3ae6b3ae4.html> [accessed 1 September 2011].

Cooke Point, Western Australia.¹⁷⁶ They were the first of almost three hundred unauthorised arrivals to be transferred from existing facilities across Australia to the new centre in early 1992. The establishment of this facility — specifically opened for the purpose of processing boat people — was a keystone event in the evolution of mandatory detention policies in Australia.

As Alison Bashford and Carolyn Strange have reminded historians, 1989 was not the first instance in which detention without trial was used for the public good.¹⁷⁷ Their analysis places the treatment of asylum seekers, post-*Tampa*, within a long history of Australia's detention practices, particularly wartime internment of enemy aliens and quarantine stations. While internment was an internal policy, however, the detention of boat people in the 1990s was intended to assert the integrity of Australia's borders to asylum seekers who might be on their way. Like White Australia, it was an outward-looking policy based on control and exclusion, though not on racial grounds. Finally, while there are 'critical distinctions between detention centres and criminal imprisonment', and while an equation between the two has led to flaws in the historical treatment of Immigration Detention Centres (IDCs), it does not necessarily follow that the policy of detaining asylum seekers did not have similar social implications to imprisonment.¹⁷⁸

Over the course of this chapter I will detail the evolution of Port Hedland as a specific instance of the broader concept of 'detention'. Where other chapters looked at the causes for the detention of asylum seekers, this chapter focuses on the implications and effects of detention itself. In detaining asylum seekers, the Immigration Department solidified community perceptions of their need to be detained, and provided an environment in which the boredom, uncertainty and insecurity of asylum seekers led to rioting, hunger strikes and

¹⁷⁶ The Darwin camps had since been abandoned, and the Department of Immigration was using a YHA Hostel in Darwin to house them. 'Boat arrivals to be transferred from Darwin', *Department of Immigration Media Releases*, 18 October 1991, pp. 1–2. Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

¹⁷⁷ Alison Bashford and Carolyn Strange, 'Asylum-Seekers and National Histories of Detention', *Australian Journal of Politics and History*, 48, no. 2 (2002), pp. 509–527.

¹⁷⁸ *Ibid.*, p. 511.

absconding, further reinforcing public apprehension. Finally, in establishing a permanent processing facility specifically for boat people, the new detention policy was established politically, publically and legislatively. In this way the detaining of asylum seekers itself became instrumental in the further evolution of mandatory detention in Australia.

While politicians and the media often treated ‘illegal immigrants’ and ‘boat people’ as synonymous, there were important differences in their legal treatment and the circumstances of their detention. Histories of asylum seekers in Australia tend to conflate the treatments of the two distinct terms, seeing them as two different names for the same category of people. Frank Brennan, for instance, writes:

In 1991 the government opened Australia’s first immigration reception and processing centre tailor-made for the mandatory detention of illegals.¹⁷⁹

In doing so, scholars, like Brennan, fail to note that each group was subject to different detention practices and that the evolution of these different practices was very distinct. Moreover, while histories looking at mandatory detention often mention the establishment of Port Hedland in passing, they commonly ignore the original facilities used to detain boat people from 1989. To ‘make sense’ of immigration detention centres in Australia, Amy Nethery has acknowledged that IDCs were used to detain both ‘boat people’ and ‘illegal entrants’ but she fails to recognise that different centres had different uses and served two classes of non-citizens prior to the introduction of mandatory detention in 1992.¹⁸⁰ Nor does she acknowledge that those detained in these different centres experienced starkly contrasting legal treatment.¹⁸¹ Illegal entrants were primarily visa overstayers of European origins, but the term also covered those who had entered the country illegally. Conversely boat people, or unauthorised arrivals, were asylum seekers who had arrived by boat and were deemed, legally, not to have entered Australia.

¹⁷⁹ Brennan, *Tampering with Asylum*, p. 40.

¹⁸⁰ Amy Nethery, ‘A modern-day concentration camp’: using history to make sense of Australian immigration detention centres’, in Neumann and Tavan, *Does History Matter?*, p. 66.

¹⁸¹ *Ibid.*

To show the significance of Port Hedland in the evolution of detention practices in Australia, it is necessary to examine the differing treatments of and detention policies for illegal entrants and boat people and the different sites used to detain boat people prior to the establishment of Port Hedland. Building on the existing attitudes and policies explored in previous chapters, this chapter will examine detention arrangements for illegal entrants and boat people — and the social implication of various detention practices — to show the importance of Port Hedland in entrenching detention policy in Australia, culminating in the 1992 introduction of mandatory detention. Through the process of detention, Australia developed a legal differentiation between those already in the country illegally (‘illegal immigrants’) and those arriving on the nation’s borders seeking asylum (‘boat people’ or ‘border arrivals’). Pragmatically, the Department of Immigration did not have the space or the funding to hold an estimated ninety thousand individuals in detention, particularly since at the time IDCs were already struggling with a caseload of around a hundred people a day.¹⁸²

This different treatment revealed an incongruity in Australia’s treatment of unauthorised boat arrivals and illegal immigrants: there was no apparent reason why the 382 boat people in Australia required detention — when centres were already overfilled — while ninety thousand others were able to remain within the Australian community.¹⁸³ Historians such as Anthony Burke have argued that this was anchored in a mistrust relating to the original status of boat people in Australia. While illegal entrants once had authority to reside in the country, boat people had at no point agreed to abide by the laws and customs of the nation by obtaining a visa.¹⁸⁴ I argue that this different treatment was intended as a deterrent, founded in two intrinsic perceptions explored in the previous chapter: that these arrivals were

¹⁸² Figure of 90,000 comes from a department estimation at the time: Joint Standing Committee on Migration Regulations, *Illegal Entrants in Australia*, p. 12. Department of Immigration, *Review 91*, p. 96.

Gerry Hand, ‘Letter to David Gill’, 4 February 1992. Available through the National Council of Churches Australia, Refugee Development Project Archive, *Port Hedland: Correspondences*, (Sydney: Australian Council of Churches, 1992), p. 1.

¹⁸³ Joint Standing Committee on Migration Regulations, *Illegal Entrants in Australia*, p. 12.

¹⁸⁴ Anthony Burke, *Fear of Security: Australia’s Invasion Anxiety*, (Melbourne: Cambridge University Press, 2008), pp. 4–12.

not genuine refugees, and that more were on their way. At the heart of detention practices was an intention to show the world, and Australian society, that the Government was committed to maintaining the integrity of Australia's borders.

Historical arguments of Australia's preoccupation with its borders are not new and have often been used to account for social and political rejection of asylum seekers. The previous two chapters highlighted the specific historical circumstances that led to boat people being detained for the first time in Australia's history, in opposition to those historical readings that call on nonspecific explanations such as racism or the legacies of White Australia as the source of these detention policies.¹⁸⁵ This approach was particularly important given the policy's stark contrast with the Fraser Government's policy of acceptance and the Hawke Government's attempt to pursue a racially unbiased, multicultural agenda. However, it is now necessary to examine how border control had an intrinsic influence over the detention of boat people in Australia.

Detention is not merely about confinement; it is also about control, deterrence and the exercise of political power.¹⁸⁶ This is particularly apparent when looking at the detention of boat people, which was almost wholly divorced from any intention to confine those concerned. Like Bashford and Strange, existing histories have tended to look at the detention of boat people as a system of confinement to preserve social cohesion.¹⁸⁷ However, the similarities that exist between Australia's historical policies of exclusion and the detention of boat people become more apparent when detention is recognised as an alternative to deportation, rather than as an alternative to resettlement within Australia.

From the 1990s onwards Australians began to favour the immediate repatriation of boat people, particularly exacerbated through widespread doubts about their illegitimacy and

¹⁸⁵ Particularly: McMaster, *Asylum Seekers*.

Mares, Peter, *Borderline: Australia's treatment of refugees and asylum seekers*, (Sydney: University of New South Wales Press, 2001).

¹⁸⁶ This is not a new concept, see particularly: Michel Foucault, *Discipline and Punish: The Birth of the Prison*, (New York: Vintage Books, 1979).

¹⁸⁷ Bashford and Strange, 'Asylum-Seekers and National Histories of Detention', pp. 509–527. Another example of this is found in Nethery, 'A modern-day concentration camp', pp. 65–80.

illegality. The political assumption was that the majority of these arrivals would merely be sent home again, ‘after a lengthy and expensive stay’.¹⁸⁸ Under the two major international agreements concerning refugees — the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees — Australia was obligated to process the claims of any individual seeking asylum on its shores. As such, the Australian Government could not instantly repatriate boat people as it did with illegal fishing vessels, plane arrivals or stowaways. Yet, from the Government’s perspective it was ‘crucial’:

[t]hat all persons who come to Australia without prior authorisation not be released into the community ... The Government is determined that a clear signal be sent that migration to Australia may not be achieved by simply arriving in this country and expecting to be allowed into the community.¹⁸⁹

It was not that boat arrivals posed a particular threat to Australia’s border protection; rather, the necessity of their processing — and therefore the Government’s inability to deport them — made them a visible manifestation of the potential weakness of Australia’s border integrity. Rather than confinement to preserve social cohesion, the detention of asylum seekers was intended to control Australia’s borders, to act as a deterrent to possible future arrivals and, most significantly, to reaffirm the Government’s commitment to protecting the integrity of the nation’s migration program. Unable to prevent arrivals entirely, the Government constructed and utilised holding centres to act as temporary homes while these groups waited for their claims to be assessed.

¹⁸⁸ Parliamentary Debates (Hansard), House of Representatives, 31 May 1990, p. 914.

¹⁸⁹ Parliamentary Debates (Hansard), House of Representatives, 5 May 1992, p. 2371.

Scout Camps and Miners' Quarters: The Development of Detention Practices

They moved us out of the Darwin harbour and we went into the bush about 75km away from the town. We lived in the tent with many kangaroos, mosquitoes and insects. The next morning, when I woke up, I saw they had fenced off our tent site with string. They said, 'no one jump over this line, you must stay inside because you all illegally came into Australia'.¹⁹⁰

Sok Kheng.

In 1989, Australia had detention centres at Villawood in Sydney, New South Wales; Maribyrnong in Victoria; and Perth, Western Australia.¹⁹¹ The primary purpose of these centres was to enact compliance procedures for Australian immigration laws, particularly regarding illegal entrants. Detention centres provided a place for housing illegal entrants until they could be deported or granted legitimate entry into the Australian community. After the Hawke Government's introduction of the *Migration Legislation Amendment Act 1989*, the pressure on these centres rapidly increased. Yet their use was also tightly legislated. Within forty-eight hours of their detention, arrested illegal entrants had to be brought before a magistrate who had the authority to grant release or bail, or to confirm their deportation.¹⁹² As such, the average length of detention for each of these individuals was only sixteen days — a stark contrast to the length of detention for boat people, the longest of which had been two years so far.¹⁹³ Furthermore, while over two thousand illegal entrants were housed in detention centres from 1990 to 1991, on any given day only around one-hundred people were

¹⁹⁰ Sok Kheng, 'Arrival', *Transcripts of Interviews with detainees at Port Hedland*, 4 January 1992. Available through the National Council of Churches Australia, 'Port Hedland — Case Stories', *Refugee Development Project Archives: 1989–1992*, (Sydney: Australian Council of Churches, 1992), p. 1.

¹⁹¹ Department of Immigration, Local Government and Ethnic Affairs, *Review 90': Annual Report 1989–1990*, (Canberra: Australian Government Publishing Service, 1990), p. 96.

¹⁹² In 1992, of 460 arrivals who had been detained since 1989, twenty-four had left Australia, eight had been released into the community and 24 had absconded. The remaining 404 had been in detention since the time of their arrival.

Joint Standing Committee on Migration Regulations, *Illegal Entrants in Australia*, p. 51.

¹⁹³ Department of Immigration, *Review 90'*, p. 96.

detained.¹⁹⁴ These centres provided a largely uncontroversial legislative necessity by fulfilling the detention and deportation requirements of the Hawke Government's legislation.

Yet these centres were not used to hold border arrivals. Until 1991, unauthorised boat people seeking refuge in Australia were detained in temporary holding facilities in Victoria and New South Wales, as well as four temporary camps in Darwin.¹⁹⁵ The issues of illegal entrants and boat people were often inaccurately treated as being synonymous — an inaccuracy compounded by historians failing to distinguish the two. Rather than looking at the contrasting treatment of illegal immigrants and boat people, historians have made very little of the fact that each group experienced a different kind of physical and legal separation.

Existing histories predominately ignore the evolution of detention locations for boat people. In many instances the matter is not discussed at all, or is discussed inaccurately. Peter Mares, for instance, discusses the detention of asylum seekers in Australia in 1991, not realising that he was only referring to 119 of the 382 asylum seekers who had arrived in Australia since 1989:

According to a former department official, they were initially held in semi-secure facilities in the Westbridge migrant hostel in Melbourne. It was a low-security operation and when asylum seekers began to abscond, the government toughened its approach. In 1991 the first remote detention centre was established at Port Hedland, Western Australia.¹⁹⁶

The Westbridge migrant hostel was in Villawood, Sydney, not Melbourne, and was one of many different centres in which boat people were detained. After incidents of absconding, these 119 boat people were transferred from the Enterprise Migrant Hostel in Springvale, Victoria to Westbridge.¹⁹⁷ The particular asylum seekers Mares refers to were only a third of those detained in Australia at the time, the rest of whom were in Westbridge and temporary

¹⁹⁴ *Ibid.*

¹⁹⁵ *Ibid.*

¹⁹⁶ Mares, *Borderline*, p. 68.

Mares has amended the incorrect location of the centre in a more recent edition, but the other errors remain. For the later edition see: Peter Mares, *Borderline: Australia's Response to Refugees and Asylum Seekers in the Wake of The Tampa*, (Sydney: University of New South Wales Press, 2002), p. 74.

¹⁹⁷ 'Transfer of Boat People to Sydney', *Department of Immigration Media Releases*, 30 August 1991, p. 1.

holding camps in Darwin.¹⁹⁸ Like many historians Mares's analysis is weakened by his reliance on memories and hearsay of those involved. By highlighting the differences in existing detention facilities for boat people and illegal entrants, two important aspects of the evolution of detention practices are illuminated: the precarious placement of border arrivals within the existing legislative framework in 1989; and the significance of establishing Port Hedland in the evolution of detention legislation.

* * *

The first three boats to land in Australia in the Second Wave were temporarily housed in three separate facilities. The twenty-six Cambodians arriving in Australia in November 1989 were moved to the Westbridge Stage 2 facility, adjacent to the Villawood Detention Centre. The second arrival of 119 Cambodian and Vietnamese peoples in March 1990 was moved to the Enterprise Migrant Hostel in Melbourne. The last arrival for 1990, seventy-nine border claimants who arrived in June, were held in a temporary facility constructed in a Scout Camping Ground in the Northern Territory.¹⁹⁹ Each of these original detention locations revealed something of the Hawke Government's intentions and perceptions, and of the message the Department of Immigration wished to send internationally.

¹⁹⁸ While 382 asylum seekers had arrived since 1989, not all of these were still in detention. Some had been sent home, and a few had been granted entry permits. Joint Standing Committee on Migration Regulations, *Australia's Refugee and Humanitarian System*, p. 162.

'Macau Boat Arrivals Sent Home', *Department of Immigration Media Releases*, 11 October 1991, pp. 1–3. Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

¹⁹⁹ This information was compiled from various Department of Immigration tables and press statements. Including: Joint Standing Committee on Migration Regulations, 'Table 7.3: Unauthorised Boat Arrivals — November 1989 to March 1992', *Australia's Refugee and Humanitarian System*, p. 162.

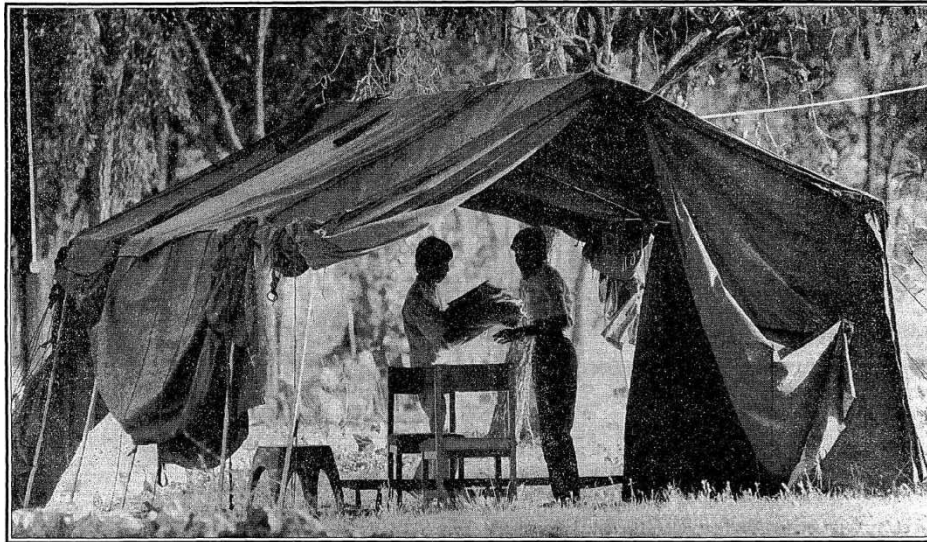
'Improvements to Detention and Processing Centres', *Department of Immigration Media Releases*, 12 August 1992, p. 1.

'Cambodian Boat People to be Moved to New Darwin Location', *Department of Immigration Media Releases*, 18 September 1990, p. 1.

'Cambodian "Boat People" to Remain in Present Location for Time Being', *Department of Immigration Media Releases*, 12 December 1990, p. 1.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

Senate Estimates Committee (Hansard), Senate, 18 April 1991, p. 93.



A photograph of Cambodian refugees in a temporary holding camp just outside Darwin. Photograph by Rick Stevens, cited in Tony Stephens, 'The Loving Fields of Darwin', *Sydney Morning Herald*, 21 July 1990.²⁰⁰

When boats began arriving in 1989, there were 'no facilities in Northern Australia' capable of accommodating the number unauthorised boat arrivals involved.²⁰¹ Although existing infrastructure was scarce, the Government had no intention of releasing boat people into the community.²⁰² Instead, the Government made a clear choice to house these arrivals in two low-security centres, separated from the existing detention facilities that housed illegal immigrants. When the third boat arrived, its passengers were moved into camps outside Darwin, staffed by the Australian Protective Services (APS).²⁰³

The use of an outdoor temporary campsite dated back to the Labor Government's initial detention policies adopted in the 1979 party conference.²⁰⁴ While the press jumped upon this facility, drawing highly exaggerated comparisons with concentration camps, these centres were merely designed to replicate offshore refugee camps within mainland Australia.²⁰⁵ Placing boat people in camp that replicated those offshore, in which they had less chance of gaining resettlement in Australia ostensibly reduced the likelihood that they would pay their

²⁰⁰ Tony Stephens, 'The Loving Fields of Darwin', *Sydney Morning Herald*, 21 July 1990, p. 63.

²⁰¹ Senate Estimates Committee (Hansard), Senate, 18 April 1991, p. 93.

²⁰² Parliamentary Debates (Hansard), House of Representatives, 5 May 1992, p. 2371.

²⁰³ Senate Estimates Committee (Hansard), Senate, 18 April 1991, p. 93.

²⁰⁴ Oakes, *Labor's 1979 Conference Adelaide*, pp. 40–41.

²⁰⁵ Tony Stephens, 'The Loving Fields of Darwin', *Sydney Morning Herald*, 21 July 1990, p. 63.

way onto a boat and undertake the journey to Australia in the first place. Like the camp, security at the other two facilities was provided by the APS, as the Department of Immigration believed they should maintain responsibility for the protection and confinement of boat people.²⁰⁶

Migration officials were acutely aware of how their treatment of border arrivals influenced the likelihood of more boats making their way to Australia. Although there was great effort made to ensure the comfort of boat people upon landing, during initial processing and within the camps, migration officials were also concerned that overt signs of kind treatment would feed back to the overcrowded camps of the Asia-Pacific region and encourage more to make the journey.²⁰⁷ Even at a micro level, there was an intense concentration on deterring offshore asylum seekers from attempting to make their own way to Australia and potentially undermining the security and sovereignty of the nation's borders.

The use of low-security accommodation facilities and camps showed how little concern there was for the risk of absconding, violence or protests. Furthermore, the Department of Immigration's use of starkly different styles of detention facilities compared to those for illegal immigrants reflected their different status under law and within the political context.²⁰⁸ However, using these locations also conveyed uncertainty regarding how long the problem could continue. These facilities were intended as temporary holding locations designed to send an international message of Australia's commitment to border protection and were not intended to be perceived as any form of imprisonment. When boats continued to arrive, there was a need to establish a specific facility to process the asylum claims of their passengers.

Unlike the centres in Villawood, Maribyrnong and Perth, Port Hedland was specifically intended as a single location through which all border asylum claimants could be assessed.

²⁰⁶ Senate Estimates Committee (Hansard), Senate, 18 April 1991, p. 93.

²⁰⁷ Department of Immigration, *Review 91*, p. 61.

²⁰⁸ For firsthand accounts of the facilities used to detain illegal immigrants at the time, see: Peter Mitchell, *Compassionate Bastard: How an ordinary bloke came to manage Villawood Detention Centre and still live with himself*, (Melbourne: Penguin Books, 2011).

After some negotiation, the Department of Immigration had leased and renovated a facility to provide a low-security, yet physically isolated processing centre for boat people.²⁰⁹ Speaking in 2008, the former head of the Department of Immigration Chris Conybeare stated that the centre needed to be ‘quickly available and ... far distant from urban Australia’. He also emphasised the Department’s intention to provide comfortable and culturally sensitive accommodation for recent arrivals.²¹⁰ At the time, Gerry Hand similarly commented that the centre had been chosen for its ‘capacity, facility and relatively low cost to the tax payer,’ also remarking that the Maribyrnong, Villawood and Perth centres had ‘insufficient capacity ... for the numbers involved.’²¹¹ Both Conybeare and Hand’s statements illuminate the significance of Port Hedland as a turning point in the processing of boat people. The establishment of Port Hedland as a centralised facility in which all boat people could be detained signalled the potential for boat people to become a permanent issue in Australia. A centre with the capacity of Port Hedland was not needed specifically for the three hundred boat people detained in Australia, particularly if they were to be repatriated. Instead, this high-occupancy, fully equipped processing facility for boat people was intended to cater for asylum seekers still on their way and yet to come.

It was the desire to detain asylum seekers at the newly established Port Hedland processing centre that saw the introduction of Australia’s first detention legislation for boat people. Several histories have inaccurately called on the *Migration Amendment Act 1992* as the point at which the policy of detention for boat people was formally established within the *Migration Act 1958*.²¹² However, following numerous threats of legal cases, Immigration

²⁰⁹ ‘Processing Centre for Unauthorised Arrivals to be Established at Port Hedland’, *Department of Immigration Media Releases*, 12 August 1991, p. 1.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

²¹⁰ Chris Conybeare, ‘Interview with Author’, quoted in Kelly, *The March of Patriots*, p. 195.

²¹¹ Hand, ‘Letter to David Gill’, pp. 1–3.

²¹² Including: Klaus Neumann, ‘Introduction’, in Neumann and Tavan, *Does History Matter?*, p. 5. J. Olaf Kleist, ‘Refugees between pasts and politics: sovereignty and memory in the Tampa crisis’, in Neumann and Tavan, *Does History Matter?*, p. 83.

Mares, *Borderline*, pp. 75–76.

Brennan, *Tampering with Asylum*, pp. 40–41.

Minister Gerry Hand was forced to enact new legislation in order to move existing border asylum claimants into the Port Headland processing centre.²¹³ This new law, passed in June 1991 though never officially proclaimed, designated boat people as ‘unprocessed persons’. It allowed the Department of Immigration to oversee their detention in designated ‘processing areas’ (not within Australia for legal purposes) and their transportation to and from these areas, until they were given an entry permit or requested to leave the country.²¹⁴ Although Hand had attempted to move these boat people into detention at Port Hedland earlier, he quickly discovered that Australia would require legislative change to enact this intention. Unlike ‘mandatory detention’ under the *Migration Amendment Act 1992*, which only prevented the release of asylum seekers from detention by court order, this legislation established under the *Migration Amendment Act 1991* was the first instance in which the detention of all boat people (though not explicitly labelled as such) was legislated in Australia.

There was no generalised response of boat people to their detention within the centre. While the media focused on some asylum seekers housed at Port Hedland protesting and absconding, or on the unliveable conditions, of those detainees interviewed in 1992 there was no central reaction to their detention. For some detainees, the conditions were unbearably hot and they petitioned the Department of Immigration for permission to visit the nearby beach.²¹⁵ For Negp Sok Kheng, the weather reminded him of home: ‘warm and sunny for six months while cool and wet for the other six months’.²¹⁶ Having fled Cambodia with his brothers and sisters in May 1990, Negp lived at Port Hedland with his brother and had

Dean Lusher, *Yearning to Breathe Free: seeking asylum in Australia*, (Sydney: Federation Press, 2007), pp. 12–13.

²¹³ Parliamentary Debates (Hansard), House of Representatives, 3 June 1991, p. 4597.

²¹⁴ Clause 54B, *Migration Amendment Act 1991 (Cth)*.

²¹⁵ Bill Chapman, *Report on Detention of Asylum Seekers*, (Sydney: Human Rights and Equal Opportunity Commission, 1992), p. 18.

²¹⁶ Negp Sok Kheng, ‘My Story’, *Transcripts of Interviews with Detainees at Port Hedland*, 8 January 1992. Available through the National Council of Churches Australia, ‘Port Hedland — Case Stories’, *Refugee Development Project Archives: 1989–1992*, (Sydney: Australian Council of Churches, 1992).

become a block leader.²¹⁷ Although his interview showed an understanding of the necessity of detention and no particular discomfort in the conditions at the centre, Negp referred to himself as an ‘illegal entrant’, showing that this inaccurately applied term was even used amongst the detainees themselves.²¹⁸ Visiting the centre in December 1991, the acting secretary of the Human Rights and Equal Opportunities Commission, Bill Chapman, reported that conditions were better than those found in the temporary camps in Darwin, but noted that some detainees suffering anxiety and boredom brought on by isolation had caused considerable vandalism ‘and that sharpened implements had been confiscated’.²¹⁹ Although Port Hedland succeeded in providing appropriate temporary accommodation for asylum seekers, it was the detention itself that was causing the most damage to the detained boat people.

From a public perspective, detention was widely regarded as necessary, but criticism arose over its cost and the potential impact of detention upon the wellbeing of detainees. Histories such as that of Bashford and Strange have looked at public opposition to detention, stating that public protests against detention were not historically exclusive about the case of asylum seekers.²²⁰ While there were objections to the detention of boat people at the time, these objections were largely focused on the length of detention, rather than the policy of detention itself.²²¹ Furthermore, the representation of public opposition to detention was often largely exaggerated by the press. On 10 January 1992 for example, the *West Australian* published a report claiming that the Australian Council of Churches (ACC) had offered a severe indictment of conditions at the centre and requested the unconditional release of

²¹⁷ *Ibid.* Negp Sok Kheng (or Sokkheng) is also mentioned in the Human Rights and Equal Opportunities Commission report, which states his position as block leader: Bill Chapman, *Report on Detention of Asylum Seekers*, (Sydney: Human Rights and Equal Opportunity Commission, 1992), p. 9.

²¹⁸ Negp Sok Kheng, ‘My Story’, p. 1.

²¹⁹ Chapman, *Report on Detention of Asylum Seekers*, p. 9.

²²⁰ Bashford and Strange, ‘Asylum-Seekers and National Histories of Detention’, pp. 522–525.

²²¹ These came to a climax in 1992 and 1994 as detention for asylum seekers became increasingly prolonged. Joint Standing Committee on Migration, *Asylum, Border Control and Detention*, (Canberra: Australian Government Publishing Services, 1994), pp. 1–2.

detainees.²²² The ACC was a group that often submitted petitions to Parliament and the Department of Immigration regarding the circumstances and processing of boat people, so the objection was ostensibly within character. However, four days later the Council responded to the article, stating that:

[the] Council has not said conditions in the holding centre are inhumane. Nor have we suggested the Cambodians should be given temporary residence while their refugee status is determined.²²³

The concern of the churches, like many interest groups, was not for the need to end detention, but rather its prolonged length and its potential to seriously affect the mental wellbeing of those seeking asylum in Australia. Similarly, multiple governmental inquiries — such as the Joint Standing Committee’s 1994 investigation into detention practices — found that public criticism was most notably focused on the length of detention and its cost to taxpayers, rather than on the policy itself.²²⁴

While the practices of detention for illegal entrants, boat people and conventional prisons all served markedly different political intentions, it does not necessarily follow that they did not have similar social repercussions. To a very real extent, ‘illegals’ and ‘boat people’ were conflated by society as evidence of the Government’s inability to maintain the integrity of Australia’s migration program. As the Joint Standing Committee commented in 1990:

The control of illegals has taken on a new urgency in recent years because the problem is coupled with, or compounded by, fears of an increased movement of asylum seekers.

The two issues are, and should be seen to be different ... The presence of illegal entrants has come, whether correctly or not, to symbolise the inability of governments to control their borders, and ... to protect the integrity of the immigration programme.²²⁵

²²² John Duffy, ‘Groups want Hand to free Cambodians’, *West Australian*, 10 January 1992, p. 28.

²²³ David Gill, ‘Act Quickly to Help Cambodians’, *West Australian*, 15 January 1992, p. 10.

Original letter: Australian Council of Churches, ‘To the Editor of the *West Australian*’, 14 January 1992. Available through the National Council of Churches Australia, Refugee Development Project Archive, *Port Hedland: Correspondences*, (Sydney: Australian Council of Churches, 1992).

²²⁴ Joint Standing Committee on Migration Regulations, *Asylum, Border Control and Detention*, (Canberra: Australian Government Publishing Service, 1994), p. 1.

²²⁵ Joint Standing Committee on Migration Regulations, *Illegal Entrants in Australia*, p. 12.

Detention of boat people played into this perception of illegal entrants and boat people as two symptoms of the same issue. Looking at the detention of asylum seekers in England, Margaret Malloch and Elizabeth Stanley have examined the manner in which detention itself fostered a social and political distinction between ‘genuine’ and ‘bogus’ refugees.²²⁶ Conversely, in the first chapter I argued that this distinction existed before boat people landed in Australia and had itself contributed to detention practices in Australia. Building on this distinction, the long-term detention of boat people while Australia continued to resettle ‘genuine’ refugees from offshore camps solidified the different social perceptions of the two groups, while also accentuating the ‘model’ refugees of the Fraser era. The effect was twofold. Firstly, the actual detention of boat people reinforced a perception of their potential to harm Australian society. Secondly, by detaining boat people, the Government inadvertently influenced the actions of the detained asylum seekers, who were acting out against what they felt to be imprisonment.

The detention of boat people played into existing perceptions of unauthorised asylum seekers as a threat to social cohesion and therefore undeserving of protection. As Bashford and Strange have explored in relation to modern issues with asylum seekers and historians of internment, the act of separating certain groups or individuals from society can influence a society’s belief in their need to be detained.²²⁷ Similarly, Mungo MacCallum has ironically remarked:

Previously the boat people had been treated as guests, albeit uninvited ones who did not yet enjoy all the privileges of residents. Now they were isolated and locked up. Clearly they must be guilty of something to be treated so like criminals.²²⁸

Along with government rhetoric undermining the credibility of asylum seekers, the Government’s emphasis on the need to detain boat people solidified perceptions of their

²²⁶ Margaret Malloch and Elizabeth Stanley, ‘The Detention of Asylum Seekers in the UK: Representing the Risk, Managing the Dangerous’, *Punishment and Society*, 7, no. 1 (2005), p. 54.

²²⁷ Bashford and Strange, ‘Asylum-Seekers and National Histories of Detention’, p. 514.

²²⁸ Mungo MacCallum, ‘Girt by Sea: Australia, the Refugees and the Politics of Fear’, *Quarterly Essay*, 5, (March 2002), p. 163.

illegality.²²⁹ By establishing Port Hedland, the Government sent a message to the Australian people that a permanent and specially designed facility was needed to process unauthorised arrivals. Furthermore, its deliberate separation from the Australian community emphasised the need to separate boat people from Australian society. The detention policy of the 1990s emphasised the idea of Indochinese arrivals in the 1970s as refugees, and the Second Wave as undeserving ‘economic migrants’. If boat people had held a genuine claim to refugee status, they ostensibly would have been welcomed into the Australian community. This perception was further affirmed as the department began the process of deporting failed applications.²³⁰ As Bashford and Strange argue, processing centres such as Port Hedland differed significantly from prisons.²³¹ However, in their function of separation and confinement they solidified public perceptions that asylum seekers needed to be detained and thus had similar symbolic implications and social effects as imprisonment.

Once detained for a significant period, boat people themselves began to contribute to the perception that their release could jeopardise the social cohesion of Australian society. Instances of rioting, hunger strikes and absconding all fulfilled a social expectation of boat people as illegal and as a threat. Any hint of conflict within detention facilities resulted in extensive press coverage and contributed to negative perceptions of detainees.²³² The Department of Immigration refusing to give in to hunger strikers and indicting the actions of those who promoted such protests contributed to these perceptions.²³³ Ironically, because the

²²⁹ Joint Standing Committee on Migration Regulations, *Australia's Refugee and Humanitarian System*, p. 159.

²³⁰ ‘Macau Boat Arrivals Sent Home’, *Department of Immigration Media Releases*, 11 October 1991, pp. 1–3.

‘Cambodian Refugee Applications Receive Rejection Notices’, 6 April 1992, *Department of Immigration Media Releases*, pp. 1–2.

‘Immigration Minister Will Not Intervene Further in Boat People Departure Issue’, *Department of Immigration Media Releases*, 8 April 1992, p. 1.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

²³¹ Bashford and Strange, ‘Asylum-Seekers and National Histories of Detention’, p. 511.

²³² ‘Refugees to fight expulsion’, *Herald Sun*, 13 November 1992, p. 34.

‘Hunger Strike Enters Crisis’, *Courier Mail*, 11 November 1992, p. 16.

‘Boat people to be deported’, *Sunday Mail (SA)*, 6 September 1992, p. 15.

‘Detainees in Protest Jump’, *Courier Mail*, 5 August 1992, p. 15.

²³³ ‘Immigration Minister’s Final Communique to Hunger Strikers at Port Hedland’, *Department of Immigration Media Releases*, 5 August 1992, pp. 1–2.

facilities used specifically for boat people were low security, these centres inadvertently provided the circumstances for escape or rioting in a way that the main — and far more secure — IDCs did not. From the perspective of those within the centres, their lengthy stay increasingly felt like imprisonment, in turn influencing their reactions to it. When the reactions were funnelled back to the public through the press and the Department of Immigration they responded by increasing the perception that boat people required detaining. Despite the long history of detention — and the increasing belief of the Australian public and polity that it was a necessity — mandatory detention was not officially legislated until 1992.

When thirty-seven asylum seekers sought to overturn their detention in the court in May 1992, the Department of Immigration moved quickly to compile a new law that retroactively prevented such challenges by any unauthorised entrants who had arrived in Australia by boat from November 1989 onwards.²³⁴ The bill specified that all ‘designated persons’ were liable for detention until the individual was ‘granted an entry permit or until such earlier time as an authorised officer directs’.²³⁵ The term ‘designated persons’ was specifically legislated as referring to any persons who had arrived in Australia via boat since 1989 — legislating the same legal demarcation based on mode of transport that already defined detention practices.²³⁶ Those arriving by boat were liable for legally irrevocable detention. In response to objections that the Government was attempting to ensure these people were ‘deprived of their liberty ... to take proceedings before a court’,²³⁷ the Government maintained that the legislation was merely legalising a practice that had been custom in Australia for several

‘Cambodian Hunger Strikers’, *Department of Immigration Media Releases*, 11 November 1992, pp. 1–3.

Available through the Department of Immigration Library, *Department of Immigration Media Releases: 1990–1992*, (Canberra: Department of Immigration, 1992).

²³⁴ Discussed in extensively in committee see ‘Migration Amendment Bill 1992: In Committee’ in: *Parliamentary Debates (Hansard)*, Senate, 5 May 1992, p. 2234.

²³⁵ Senate, ‘Migration Amendment Bill 1992’, *Senate Journal: No. 162 — 05 May 1992*, p. 2268.

²³⁶ *Ibid.*

Migration Amendment Act 1992.

²³⁷ United Nations General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, 999, pp. 171–346, available at: <http://www.unhcr.org/refworld/docid/3ae6b3aao.html> [accessed 1 September 2011], pp. 175–176.

years.²³⁸ While the Government denied that the introduction of this law was influenced by the court case, the timing and speed of its introduction indicated its purpose: to ensure that the detention of boat people could not be undermined.

These new laws therefore reflected the same preoccupation with migration control that had seen the original detention of boat people in 1989. In fact, the only real change apparent in these laws was the specification that boat people could not overturn their detention in court. As legal experts and historians have examined, the migration laws introduced in 1992 signalled the beginning of a new battle about unauthorised asylum seekers between the judiciary and the legislature.²³⁹ In terms of the policy of detention, the only significant impact of introducing mandatory detention was that it further entrenched in Australian law the practice of detaining unauthorised boat people. Conversely, the establishment of the Port Hedland detention centre as a permanent facility indicated the Government's commitment to continuing its detention policy in Australia, and the potential for boat people to become a permanent issue of political management. Despite their legal significance in the development of detention policies in Australia, the laws of mandatory detention were less a shift in Australia's policies towards asylum seekers, and more a symbolic reiteration of past changes. Although the boats that arrived from 1989 marked only the second time in Australian history that asylum seekers made their own way to Australia, these events resonated deeply within the Australian public psyche. The practice of detention played into public perceptions and by 1992, only three years after the practice was introduced, the policy of detention for boat people was already firmly entrenched in the politics, society and laws of Australia.

²³⁸ Parliamentary Debates (Hansard), Senate, 5 May 1992, p. 2248.

²³⁹ For more information on the next shift in Australia's detention policies see: Mary Crock, *Future Seekers II: Refugees and Irregular Migration in Australia*, (Sydney: Federation Press, 2006).
Mary Crock, *Future Seekers: Refugees and the Law in Australia*, (Sydney: Federation Press, 2002).

Conclusion: A Familiar Story?

When the Norwegian vessel MV *Tampa* was refused the right to land in Australian territory as a direct order from the Australian Prime Minister and Parliament in 2001, the history of the nation's relations with asylum seekers changed. This change was not merely in the fears and phobias which were evoked, the sudden prevalence of boat people in the media and the recursive political obsessions with control voiced through polemic government rhetoric. The arrival of the *Tampa* also retrospectively reconceptualised the written history of Australia's refugee and asylum policies. A spate of new histories emerged, situating Australia's new rejection of asylum seekers within the rapid conservative turn of the late 1990s, the racist remarks of Pauline Hanson and her One Nation party and a sudden rekindling of White Australia.²⁴⁰ The history of detention policy in Australia was increasingly clouded by the explosiveness of contemporary issues with boat people and immigration debate. While Howard amplified, and arguably exploited, existing cultural anxieties during the *Tampa* crisis in the lead up to the 2001 election, it is important to understand the deeper origins of these anxieties and their manifestations over Australian history. The evolution of detention for boat arrivals during the Hawke Government forms a significant instance in which these anxieties emerged and governed the formation of migration policy.

The written history of Australia's treatment of refugees and asylum seekers has become increasingly politicised. Through the press, editorials, intellectual and academic commentary, this history has been variously presented and left open to polarisation. Scholars such as Wills, Mares, Marr and Brennan have inadvertently contributed to this reconceptualisation through their overemphasis on the influence of Howard without adequate reference to the

²⁴⁰ These include: Manne, 'The Road to Tampa', pp. 165–174.

Manne, 'Sending them home: refugees and the new politics of indifference', pp. 1–95.

Perera Suvendrini, 'A line in the sea: the Tampa, boat stories and the border', *Cultural Studies Review*, 8, no. 1 (May 2002), pp. 35–42.

William Maley, 'Fear, Asylum, and Hansonism in Australian Politics', *Dialogue*, 29, no. 2 (2010), pp. 10–19.

Corlett, *Following them home: the fate of returned asylum seekers*.

underlying history of detention policies in Australia.²⁴¹ Furthermore, due to the widespread coverage of asylum seekers within the press and intellectual commentary, there is an assumption amongst other historians that the history of the Hawke-Keating detention policies must have also have been extensively examined.²⁴² Within press and intellectual commentary, the political reconceptualisation has been more blatant. In a recent *Herald Sun* article, Prime Minister Julia Gillard called on Australia's history of generosity to refugees and the regressive policies of Howard to rally public support for her new asylum seeker legislation.²⁴³ At the other end of the political spectrum, Australia's Opposition Leader Tony Abbott recently called on memories of the Howard era to prove that the nation can protect the integrity of its borders in an address to the Lowy Institute.²⁴⁴ Simultaneously, commentators fiercely debate the history of refugees in Australia.²⁴⁵ While the history of Australia's refugee policies is so often called upon to justify and explain current policies and debates, a crucial period in this history has been discounted.

In 2007, many of Australia's most eminent scholars of migration history came together to workshop the impact and importance of history in the debate on immigration and asylum seeker policies and from this meeting produced *Does History Matter?*²⁴⁶ Under the editorial scope of Klaus Neumann and Gwenda Tavan, these historians discussed the strong influence that memory and the politicisation of history have had on modern understandings and perceptions of asylum seekers. The articles covered history of detention centres as a

²⁴¹ Wills, 'Un-stitching the lips of a migrant nation', pp. 71–89.

Mares, *Borderline*.

Marr and Wilkinson, *Dark Victory*, (Sydney: Allen & Unwin, 2003).

Brennan, *Tampering With Asylum*.

²⁴² Historians who have espoused this viewpoint include: Neumann, *Refuge Australia*, pp. 12–14.

Bashford and Strange, 'Asylum-Seekers and National Histories of Detention', pp. 509–510.

²⁴³ Julia Gillard, 'Abbott's choice to end horrific trade at last', *Herald Sun*, 26 September 2011.

²⁴⁴ Tony Abbott, 'Protecting Our Borders', *Lowy Institute: Distinguished Speaker Series — The Hon. Tony Abbott MHR*, 8 June 2011.

²⁴⁵ Including: Frank Salter, 'The Misguided Advocates of Open Borders', *Quadrant*, 54, no. 6 (June 2010), pp. 4–8.

Paul Kelly, 'Tony Abbott fails boat test', *The Australian*, 21 September 2011.

Hal G. P. Colebatch, 'The Left Rewrites its History on Refugees', *Quadrant*, 54, no. 10 (October 2010), pp. 23–27.

David Marr, 'The Shape of the Argument', *Overland*, no. 176 (Spring 2004), pp. 5–12.

²⁴⁶ Neumann and Tavan, *Does History matter?*

continuation of wartime internment, the influence of memory during the *Tampa* crisis and the relationship between refugees and multiculturalism. However, the evolution of detention policies under Hawke and Keating was still not sufficiently accounted for. Like those before it, this work still failed to fully analyse the evolution of the Hawke and Keating Governments' policy and legislation, the social attitudes that called for such a policy and the detention facilities through which it was implemented.

As the first instance in which detention for boat arrivals was not merely considered an option but a necessity, the detention reforms of the Hawke Government cannot be omitted from any sensible discussion of this history. Between the Prime Ministership of Fraser and Keating social and political attitudes to asylum seekers changed significantly. By 1992 detention was seen as such an essential aspect of the Australian response to asylum seekers that the power to overturn it was removed by parliament from the judiciary through the mandatory detention laws of the *Migration Amendment Act 1992*.²⁴⁷ The contextual circumstance that called for this momentous migration reform was the fundamental reconceptualisation of the status and legitimacy of boat people. In 1990s Australia genuine refugees continued to be resettled from offshore camps and formed an aspect of the migration program in which Australia could seem to show considerable pride. In its capacity to celebrate the cultures and achievements of refugees, the nation showed how far it had moved from an identity built upon homogeneity and racial exclusivity. Yet there were limits to this generosity and this tolerance. In contrast to the acceptance shown to refugees, those persons who made their own way to the country tapped into a historic preoccupation with border control and were greeted with hostility by the Australian public and polity.

High unemployment levels, preoccupation with illegal immigration and increasing fatigue with Australia's generosity saw the introduction of detention practices for boat people. Social rejections of refugees were compounded by memory and a desire to idealise the nation's protection record without continuing to accept new boat people. This demarcation was

²⁴⁷ *Migration Amendment Act 1992 (Cth)*.

fostered by the political rhetoric of the Hawke Government and the Immigration Department's continued rejections of asylum seekers' applications for refugee status. Through the process of detention and in the establishment of a permanent centre within Australia to process arrivals, the Hawke and Keating Governments entrenched this reconceptualisation. The demarcation between the 'good' or 'genuine' refugees who were resettled from offshore camps and the 'illegitimate' or 'illegal' boat people that emerged fostered attitudes that still colour Australian perceptions towards asylum seekers.

At the heart of refugee and asylum issues in Australia lie two principles that have become deeply embedded in the history of the nation: border protection and humanitarian obligations. With the demise of White Australia, the migration reforms of Fraser, and Hawke's pursuit of a multicultural ideal the idealisation of Australia's humanitarian record could develop. Yet the nation's preoccupation with the control and integrity of its borders remained. To understand the detention of the Second Wave of asylum seekers these two strains of Australia's immigration history need to be reconciled. While Australians were proud of their humanitarian record and largely eschewed racist sentiment, border control was still important. The reconceptualisation of boat people that occurred over this period provided a framework through which border integrity could be justified while seeming to retain an allegiance to diversity and humanitarianism.

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