The Boat as a Prop in Election Theatrics

Constructing Maritime Asylum Seekers as a ‘Problem’
This work is substantially my own, and where any part of this work is not my own, I have indicated this by acknowledging the source of that part or those parts of the work.
Dedication

This paper is dedicated to those who’ve risked a dangerous journey across unforgiving seas, fleeing persecution and untold atrocities. It is dedicated to those same men, women and children who’ve been placed behind barbed wire, without charge, for a period of time unknown. It is dedicated to the awe-inspiring strength of character that those people continue to display, against all odds. Particularly, it is dedicated to those special men detained in Berrima’s Northern Immigration Detention Centre in January 2011, who, so saddened by the heartache caused to Australians by the 2011 Queensland Floods, requested to give what little they received to help the citizens of a nation they hope to one day call home. Finally, it is to the leaders of this nation, in the hope that they may one day actually lead.
Abstract

This article is concerned with the way Maritime Asylum Seekers (MAS) were constructed as a problem and negatively framed during the 2010 Australian Federal Election. It draws upon a comparative study of the representations of MAS in the 2001 and the 2010 election campaigns, through an analysis of election-seeking officials’ rhetoric and use of symbols, and the portrayal of the issue in select newspapers. It asserts that the construction of MAS as a problem has commonly been addressed within a broad ‘securitization’ framework or through explanation of MAS as ‘the other’, but that neither of those frameworks adequately explains that the issue involves pertinent humanitarian obligations. It introduces the concept of the ‘reverse humanitarian’ framework, and suggests that actors have used this framework to demonize and dehumanize MAS within the very framework that is supposed to provide protection. It suggests that the ‘reverse humanitarian’ framework better explains how the election-seeking officials in 2010 constructed MAS as ‘undeserving’ refugees, and also how select mainstream media challenged these constructions. Ultimately what the study shows is that rather than offer leadership on the issue, the election-seeking officials relied on the political opportunities of negatively constructing MAS. Such a finding emphasizes the need for leadership on issues of humanitarian concern.
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Introduction

In the sometimes troubled waters, a public official is not a helpless boat at the mercy of currents and passing storms, for officials help stir up the currents that move them.’ (Edelman 1977:51).

The contagion and suppression of conflict operates as the foundational core of politics (Schattschneider 1966). At any given time, contemporary governments are necessarily confronted by a myriad of conflicts that demand varied levels of attention. Some problems command more attention than others. Such problems may have inherent properties that make increased levels of attention more likely. But frequently too, key actors aim to exploit problems in the name of political expediency. In contemporary Australian politics, Maritime Asylum Seekers1 have been the subject of this exploitation. Election-seeking officials have manipulated latent dramatic elements of the ‘boat’ by imbuing it with extraordinary capabilities. Transformed from being a mere mode of transport, the ‘boat’ has become an enabler of invasion, a harbinger of the ‘other’, and a bearer of the queue-jumping asylum seeker. Fortunately, such hysterical constructions of the ‘boat’ are transient, and their frequency clusters around election campaigns.

What is the problem?

The puzzle with which this paper is concerned is how election-seeking officials construct a certain issue as a problem, where the construction is disproportionate to the problem itself.

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1 For the purposes of this paper, the author has chosen the novel terminology ‘Maritime Asylum Seekers’ to categorize the targeted population in question. This categorization was chosen because it accurately describes the people with whom this paper is concerned, that is, asylum seekers who arrive by boat. This terminology contains an important clarification when considered alongside other common classifications, as it is excludes those who arrive by boat not seeking asylum (ie the captain and crew of the vessel), and also other asylum seekers who arrived by other means. Furthermore, rather than adopt terms common in media and political discourse, such as the pejorative ‘boat people’, ‘queue jumpers’, ‘illegals’, ‘Unauthorized Maritime Arrivals’ or ‘Illegal Maritime Arrivals’, the use of this novel terminology removes the automatic linkages between the problem and a constructed criminality. Instead, this terminology simply aims to present the legal category of people as per Refugee Convention definitions, and establish the mode of transport taken.
The core components of my central argument are straightforward. I suggest that certain issues possess inherent qualities that make them more likely to become politically popular than other issues. I suggest that election-seeking officials purposefully construct the dramatic elements of a problem to achieve their own political ends. I suggest that election-seeking officials look to historical constructions of a problem to guide their own constructions. I contend that these election-seeking officials construct the problems without due regard to the significance of such constructions.

The impetus propelling this study is the paradox between the limited numbers of MAS arriving on Australia’s shores, and the disproportionate attention that they receive. This disproportionate response to MAS is a topic that has provoked a great deal of controversy and commentary (Burnside 2007; Kevin 2004; Koser 2010; Manne 2010; Mares 2002; Marr & Wilkinson 2003). MAS’ dominant place on the political agenda in 2010 is particularly perplexing because, as revealed by the Australian Election Study 2010, it did not rank as one of the most influential vote-determining issues in the election (McAllister 2011).

It is from the deductive inference of the key literature on target populations (Schneider and Ingram 1993, 2005; Donovan 2001;), together with an inductive examination into the intersection of MAS and political reactions, that this paper proceeds. It is held that Australia’s obsession with the MAS belies logic. It is held that, as a targeted population, there are inherent properties that make the construction of MAS as a problem likely. It is held that during the 2010 federal election campaign, just like in the 2001 campaign, the election-seeking officials exploited these inherent properties, expanded the scope of the issue by imposing tenuous links between MAS and other social concerns, and manipulated the issue with the aim to display leadership qualities.
What is the argument?

Previous studies of the ways MAS are constructed in Australia do not provide adequate explanations of the framing techniques adopted in the 2010 federal election campaign. The two typical frameworks recognized, the securitization framework, and MAS as the ‘other’, do hold some explanatory value, but do not allow for a cohesive understanding of the potential ways election-seeking officials constructed the problem. What is more, these approaches take the initial problematizing of MAS as a fait accompli, and ignore the humanitarian obligations that are important in any construction of MAS.

The notion that humanitarianism has been manipulated to ‘erode fundamental principles of refugee protection and maintain the global dominance of the west’ (Every 2008: 211) provides the basis for this framing technique (Chimni 2000; Dauvergne 2000, 2005). The current study is interested in how this framing technique enabled election-seeking officials and the printed press to negatively construct MAS for their own political purposes. This framing technique, entitled ‘reverse humanitarian’, focuses on the construction of the ‘deserving’ and the ‘undeserving’ refugee. It suggests that the way election-seeking officials negatively framed MAS was through negating their ‘deservedness’. The name of the framing technique is derived from the way election-seeking officials have used the humanitarian framework, intended to ensure the rights of MAS, for the opposite purpose, that is, to construct MAS as ‘undeserving’ vis-à-vis more ‘deserving’ refugees. Ultimately, it helps to explain why election-seeking officials tended to focus on the negative, controversial and emotive aspects of the MAS problem, rather than on the individuals’ vulnerabilities and rights.

The application of this ‘reverse humanitarian’ frame is more comprehensive than other framing techniques. It explains why MAS are constructed as ‘problems’. It enables the
researcher to understand how MAS can be situated as a ‘threat’ or ‘burden’ at a security level, whilst incorporating how MAS can be situated as an affront to Australian values, and as a threat to the Australian ethos of a ‘fair go’. Whilst this framework is similar to the criminal justice framework adopted by Michael Grewcock in *Border Crimes. Australia’s War on Illicit Migrants* (2009), it is beneficial to the study of MAS because it places the issue closer to the international humanitarian framework. By analyzing the construction of MAS through this ‘reverse humanitarian’ lens, it is seen that the gap is small between the negative construction of MAS evidenced in the 2010 federal election campaign, and the potential for a more positive rendering of MAS.

The purpose of this paper is to analyze how election-seeking officials during the 2010 election campaign used the ‘reverse humanitarian’ framework to construct MAS. In doing so, I draw on a comparison between representations in the 2010 election and the 2001 election. This comparison is drawn because of the seeming similarities between the negative constructions in both election periods. This study presents a discourse analysis of how the election-seeking officials from Australia’s two major political parties constructed MAS. The main actors in this analysis are Prime Minister John Howard and Opposition Leader Kim Beazley, and Prime Minister Julia Gillard and Opposition Leader Tony Abbott.

In an attempt to assess the dominant construction of MAS in the public sphere, the analysis extended to explore the dominant representations of MAS by one national paper, *The Australian*, and two Sydney-based dailies, *The Daily Telegraph* and *The Sydney Morning Herald*. The aim was to unpack the influence of the printed press to reinforce, challenge or ignore the election-seeking officials’ constructions of MAS in two sample periods: 17/07/2001 – 17/09/2001 and 01/05/2010 – 01/09/2010. These sample periods correspond with the federal election campaigns. The inclusion of this media analysis was compelled by the claim
that during the *Tampa* affair in 2001, mainstream media coverage failed to recognize that the Howard Government manipulated the issue (Ward 2002: 22; Klocker & Dunn 2003). The aim of this analysis was to ascertain whether the election-seeking officials’ constructions of the problem were dominant in 2010, or whether contributors in the mainstream media espoused competing ideas.

The contribution of this paper is that it invites reflection on a critical nexus of democratic governance that is often overlooked due to the progression of the policy stages post issue adoption. One is directed to consider the formative stages in policy making, focusing on the selection and presentation of a problem. Ultimately, this paper seeks to understand the prioritization of a certain problem, where such prioritization focuses on political expediency rather than other appropriate considerations. It grapples to understand the role of the leaders in redressing negative categorizations of groups, and considers whether the leaders in a democracy have any responsibility to construct problems based on fact rather than myth.

The reason that the competing priorities of national security and humanitarian obligations are not overtly addressed is because this paper principally rejects that the construction of MAS as a security threat explains the presentation of the issue. Border security and ensuring an orderly migration program are understood as priorities of an effective Government, and the concept of the securitization of MAS does feature in the following discussion, however I do not see that the securitization of MAS provides a persuasive argument for the construction of MAS during the 2010 election campaign. Similarly, racism and the place of race in the negative construction of MAS are understood to pertain explanatory value, and the ‘artesian basin of Xenophobia’ (Marr 2009: 32) is not ignored. However, the discussion on race is limited to how racism was influential only in the designation of deservedness.
Structure of Analysis

Chapter One explores the literature on the construction of problems, and focuses attention on the nuances of Schneider and Ingram’s (1993; 2005) target population theory. It provides a discussion on the importance of language for framing an issue, and sets out the research design. The following Chapter contextualizes the problem of MAS within a global perspective of displaced peoples, and establishes the international legal framework for protection. Chapter Three addresses how the problem of MAS has been approached historically in Australia. It contextualizes the problem and the Governmental reaction since the first boats arrived.

The following two Chapters outline the case of how election-seeking officials and the media negatively framed MAS in the 2010 election. Chapter Four provides an in-depth analysis of how MAS were constructed as a problem during the 2010 federal election campaign, with reference to the 2001 election campaign. The study aimed to explain the patterns and trends that emerged from the analysis. Chapter five presents the findings of the media representation analysis of a sample study of relevant articles from key Australian newspapers: *The Australian, The Sydney Morning Herald*, and *The Daily Telegraph*.

The Conclusion reflects on the ability of political leaders to set the tone of an issue, and to define the issue in a way that they consider will be politically popular, in this case, without due regard for humanitarian considerations.
Chapter One

Constructing Deservedness

Problems do not exist ‘out there’.
(David Dery 1984: xi).

The profusion of literature delineating the processes apparent in the construction of ‘deservedness’, championed by Schneider and Ingram, provides persuasive reasons for why particular groups or individuals are advantaged and seen to be deserving and entitled, while other groups or individuals are disadvantaged and held to be undeserving and ineligible (1993; 2005). The theory of the social construction of target populations draws upon the foundations of social construction literature. At the most basic level, it advocates that some dominant figure has, consciously, actively or purposefully, framed a group or individual in a certain way, for a certain purpose, but also makes the point that such constructions are mutable.

The social construction of target populations relates to the ‘shared characteristics that distinguish a target population as socially meaningful, and…the attribution of specific, valence-orientated values, symbols, and images to the characteristics’ (Schneider & Ingram. 1993: 335). These constructions are ‘stereotypes about particular groups of people that have been created by politics, culture, socialization, history, the media, literature, religion, and the like…’ (Schneider & Ingram. 1993: 335). Schneider and Ingram categorize the potential social constructions of target populations into four categories, as seen in Figure 1.1 below. The approach adopted in the current study was to situate MAS in this two dimensional
power illustration. Empirical evidence suggested that MAS are similar to other ‘Deviants’, that is, they are negatively framed, and powerless.

**Figure 1.1 Social constructions and political power: types of target populations.**
(Appropriated from Schneider and Ingram 1993).

<table>
<thead>
<tr>
<th>Constructions</th>
<th>Positive</th>
<th>Negative</th>
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<td>Strong</td>
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<td>The elderly</td>
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<td>Business</td>
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<td>Scientists</td>
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<td>Moral majority</td>
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<td>Weak</td>
<td><strong>Dependents</strong></td>
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<td>Children</td>
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<td>Mothers</td>
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<td>Disabled</td>
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These social constructions become important facets in an election-seeking official’s campaign when they can anticipate the reaction of both the target population and others to the policy. The onus is on the public official to convince the public that their construction is connected to the widely held values of the society (Schneider & Ingram. 1993: 335, 336; 2005: 17).

Patterns of problem definition that reflect the presumption that public officials will aim to advantage the positive and powerful groups are likely. By connecting these stereotypes to the values held by the electorate, the officials are able to prescribe benefits to the positively constructed groups and burdens to the negatively constructed group. It is asserted that public officials may oversubscribe burdens to the negatively constructed group without fear of electoral retaliation because ‘the general public approves of punishment for groups that it has constructed negatively’ (Schneider and Ingram 1993: 336). Indeed, this theory goes as far
as to suggest that groups that are negatively constructed are likely to ‘receive burdens even when it is illogical from the perspective of policy effectiveness’ (Schneider and Ingram 1993: 336).

What the current study suggests is that the reasons underpinning the construction of MAS as ‘undeserving’ are themselves constructed. In other words, I suggest that the election-seeking officials manipulated the humanitarian framework, which if taken on its true meaning, would determine that MAS are ‘deserving’ of protections, to construct MAS as ‘undeserving’ refugees vis-à-vis other refugees. How this was possible is discussed further below.

**Do all Issues Become Problems?**

Problems may not exist ‘out there’ (Dery 1984: xi), but some issues, particularly where these issues are linked to a certain group of people (those that are negatively constructed and politically weak), are more likely than others to be constructed as problems, and placed on the political agenda. This paper affirms that whilst key actors, namely election-seeking officials and the print media, play a major role in the construction of popular problems (Stone 1989: 281; Kingdon 2003: 94), there are sometimes inherent attributes of a problem that ensure its political ascendancy. For the purposes of this study, these attributes relate to the ‘facts’ used by the election-seeking officials to determine that MAS are ‘undeserving’ vis-à-vis other refugees. The officials depend on the notion that the mode of arrival taken by MAS is illegal under domestic law, and furthermore they focus on the notion of the refugee ‘queue’ to explain how MAS are not just ‘undeserving’, but they are also denying other needier refugees a place.
Scholars of the formative stages of policy creation have agreed that the conflicts that will typically be defined as integral problems for the government to attend to generally possess noteworthy elements. These elements, so theorized, include the intensity of the problem, the visibility of the problem, the causal links that can be established between the problem and other problems, and the inherent drama of the spectacle (Schattschneider 1960; Stone 1989; Edelman 1977; Hilgartner & Bosk 1988). The popularity of the MAS problem could be explained by reference to the fact that it does possess each of these qualities. However, even though problems may possess enabling characteristics that suggest contagion of the conflict, contagion is not presumed. Indeed, the fate of potential problems relates to a ‘highly selective process’ of competition with other problems for attention and resources (Hilgartner and Bosk 1988: 57). This contention assumes that citizens and public arenas have finite carrying capabilities, and that only a certain quantity of agenda items will be processed effectively at a given point in time (Hilgartner and Bosk 1988: 53; Rochefort and Cobb 1994: 8). The contemporary political landscape, particularly notable during election periods, is dominated by sound bites and newsworthy grabs, which leads to a situation where the most visible problems that ignite the most visible passions are the ones that ascend on the electoral agenda (Baumgartner & Jones 2009: 26). In such an environment, the purposeful use of symbols to promote an issue and construct a problem has become all-important.

**The Impact of Language**

The aim of this study is to present an empirical analysis of the way language and symbols were used in the construction of a problem during a federal election campaign. As propounded by Edelman, language and symbols are held to enable the creation of ‘problematic beliefs in both elites and non-elites that facilitate the quiescent acceptance of a particular social problem’ (1977: xiii, 44).
The study adopted the Chomsky (1989: 269) maxim that election-seeking officials intentionally induced fear of the ‘other’ to ‘whip the domestic population of any country into line’ to support the negative construction and policies proposed. It focuses on the impact of the political leaders’ ability to define the debate, and the dominant discourse published in certain representative newspapers. The importance of analyzing how the problem was constructed in the mass media was based on three key assumptions. Firstly, that the printed press plays a vital role in the dissemination of information to the public. Secondly, that the printed press may influence public sentiments on policy issues by reinforcing, challenging or ignoring dominant government views. Finally, that the media has the potential to frame a problem in a certain way, and to provide leadership on the way that problem should be interpreted (Roy Morgan 2010: 28; Stephanie Diklto 2005: 84; Gamson et al 1992: 37).

**Research Design**

This study engages in a comparison of the constructions of MAS in two different election years, 2001 and 2010. It drew on Klocker & Dunn’s (2003) basic scaffold for latent and manifest analysis of media representations about MAS. Unlike previous studies, the emphasis was on establishing trends evident in the two election periods, rather than a specific analysis of one certain time. The 2001 comparison to the 2010 study was chosen because it featured the most cohesive negative constructions of MAS in any election campaign in Australia’s history. The similarities of MAS arriving in Australia by boat in both election campaigns was that in the two years preceding each election, the rate of arrivals had increased approximately fivefold, to around 5000 people. Apart from this rate of increase there were no other constants in the election campaigns.

The research for the speech analysis of election-seeking officials in 2001 and 2010 was conducted over a three-month period from July/October 2011. The discourse analysis of
speeches and announcements made by the election-seeking officials was achieved firstly by accessing the transcripts of public statements that made any reference to MAS. The launch speeches of each official, the election debate between the leaders, and various other announcements made during the election period were analyzed. The descriptors used to refer to MAS were noted, as was the overall tone of the statement. The main focus was on ascertaining how officials had constructed MAS. That is, whether MAS were presented as a ‘burden’, a ‘threat’ or ‘undeserving’, compared to being a ‘benefit’, or ‘deserving’. The connecting links that the officials made to other social issues was noted, and trends between the way each election-seeking official presented their MAS were addressed.

The media representation analysis was conducted over a six-week period in September/October 2011. A factiva search of three newspapers, The Australian, The Sydney Morning Herald, and The Daily Telegraph was generated to access relevant articles during four-month periods spanning 17/07/2001-17/11/2001 and 01/05/2010-01/09/2010. During the research period, each article was accessed twice, and if there was a difference in coding, this was noted. The newspapers made exclusive use of the descriptors shown in Figure 2.1, and all relevant articles on MAS were compiled.

*Figure 2.1 Descriptors Used To Access Relevant Articles.*

| boat people OR boatpeople OR boat person OR asylum seeker* OR asylum-seeker OR illegal immigrant* OR illegal* OR queue jumper |

**Ascertaining Whether an Article was ‘Trivial’ or ‘Substantive’**

As pictorially demonstrated in Figure 2.2, once compiled, the articles were read and categorized as ‘trivial’ or ‘substantive’. ‘Trivial’ articles were those that made cursory references to MAS. An example of a ‘trivial’ article is one in which asylum seekers or asylum seeker policy was listed as one of many policy issues with no further reference. An article was ‘substantive’ if any further reference was made to MAS. If an article was ‘substantive’, the
main descriptors used to refer to MAS were identified and catalogued. If the article was more than ‘trivial’, yet was concerned with a question of party policy or political viewpoints regarding MAS rather than the issue of MAS itself, it was designated as an ‘other’. The descriptor used was still catalogued as part of the total, but the tone of the article was not assessed.

**Substantive Articles**

If an article was ‘substantive’, and went beyond party policy reference, it was analyzed for its position on three key things. Firstly, whether the article was ‘positive’, ‘negative’, or ‘neutral’. To determine the tone, the descriptors were assessed. If the descriptor ‘illegal immigrant’, ‘illegal’, ‘would-be’, or ‘so-called’ were used, the article was prima facie ‘negative’. If the terms ‘asylum seekers’, ‘boat people’, or ‘refugees’ were used, the article was prima facie ‘positive’. If a combination of the points of reference were used, the article was prima facie ‘neutral.’ Secondly, the language, symbols and themes contained within the article were then analyzed. Any articles that made the connection between MAS and ‘burden’, ‘threat’, ‘uncontrollable’ ‘bad character’, ‘security’, ‘terrorism’, ‘population’, ‘people smugglers’, ‘queue jumpers’, or ‘illegals’ were coded as ‘negative’. Any articles that made the connection between MAS and ‘rights’, ‘legal’ or ‘deservedness’, or aimed to ‘humanize’ the people involved, were positive. Furthermore, if the article was decidedly neutral, but the author aimed to contextualize the issue, through reference to ‘persecution’, ‘the global crisis’, or ‘Australia’s controllable intake’, the article was held to be ‘positive’. Any article that presented both positive and negative features of the issue, without any overwhelming determination between the two, was held to be ‘neutral’. Many of the news reports fell into this category.

Finally, the articles were assessed to see whether they connected MAS to a key party line in the relevant period. For example, in 2001, the connectors were ‘security’, ‘queue jumpers’,
‘terrorism’, and ‘cultural difference’. In 2010, the connectors were ‘security’, ‘queue jumpers’, people smugglers’, and ‘unsustainable population’. If the articles connected the issues, they were analyzed to see whether they supported or challenged the connection. Whether the party, or the individual contributor adopted a key party line was relevant at this time.

**Figure 2.2 Research Design**

1. **Is the article ‘Trivial’?**
   - **Yes** – catalogue article as part of the ‘total articles’.
   - **No**.

2. **Identify the descriptors.**
   - Does the article make a substantive comment or reference to MAS that goes beyond either descriptors or a political viewpoint?
   - **No** – catalogue article as an ‘other’.
   - **Yes**.

3. **Table results.**

   1. Analyzing the descriptor used, the language and symbols presented, catalogue the article as ‘positive’, ‘negative’, or ‘neutral’.
   2. Identify the main terms of reference used by the article, eg ‘burden’, ‘threat’, ‘deserving’, ‘humanized’.
   3. Identify if the article supports/criticizes either major party.
   4. Identify if the article connects MAS to a key party line, eg ‘security’, ‘terrorism’, ‘population’.

**Limitations of Research Design**
The limitations of this research design are threefold. Firstly, whilst the research design was constructed so subsequent researchers could replicate it, and it attempted to be objective in design, the authoritative use of certain terms to designate the tone of the articles is questionable. However, caution was taken when applying meaning, with the most common-sense application of definitions guiding the design. For example, the identification of a ‘burden’ construct was noted when MAS were framed as causing hardship, as per the common understanding of the word. To justify, for the purposes of this study, overall thematic connections rather than the frequencies of such constructions provided the basis of analysis. If further research approaches such a study implementing a similar design structure, these results would in fact be replicable.

Secondly, whilst all articles were read and analyzed twice, at least two weeks apart, only one researcher was involved. The obvious limitation of this is that the analysis is less objective than desirable. Due to the strict guidelines of the research design followed though, the evidence compiled remains useful.

Finally, whilst the aim of the research design was to ensure that specific literary techniques and diction used were analyzed in a consistent manner, this was challenging to achieve with the conflation of the two different forms of articles, namely news reports and opinion pieces. For example, where the terms describing the uncontrollable nature of the MAS’ arrivals such as ‘flood’, ‘wave’, ‘tide’ featured in a news report, depending on the descriptors used, the use of these terms would render the article ‘negative’. This would generally be the case in opinion pieces too, but not if the author contextualized the information. It is acknowledged that discrepancies exist in the research, and for future studies, more explicit guidelines for differentiating the sample data should be utilized.
Chapter Two

Contextualizing the Problem of Maritime Asylum Seekers

‘We’re not dealing with a problem, we’re dealing with people.’
(Neville Wran 2001).

Global Scale of the Problem

To ascertain the way the election-seeking officials and the media constructed MAS using the ‘reverse humanitarian’ framework, the following discussion contextualizes the place of MAS within the global humanitarian challenge. It clarifies the legal basis of important terminology, which becomes instructive when looking at the descriptors used by election-seeking officials and the media to refer to MAS. After establishing the scope of the problem, it outlines the international legal framework that should necessarily guide Australia’s approach to MAS. By situating Australia’s problem with MAS in this global perspective, the disproportional level of attention accorded to the issue is revealed.

Representing a social and humanitarian crisis of immense scale, in 2010, 43.7 million people were forcibly displaced worldwide, the highest number in fifteen years (UNHCR 2010a: 2, 5). Not only is the issue of forcibly displaced persons immense in scope, it is understandably affected by escalations of conflict arising in different regions at different times. Neighbouring countries continue to shoulder the greatest burden of housing those seeking asylum from conflict. The office of the United Nations High Commissioner for Refugees (UNHCR) estimates that three-quarters of the world’s refugees reside in countries neighbouring their
country of origin (UNHCR 2010a: 2). Furthermore, it is estimated that developing countries are host to four-fifths of the world’s refugee population (UNHCR 2010a: 2), with Pakistan housing the most.

The preferred solution to the crisis is voluntary repatriation (UNHCR 2010a: 17). Understandably, in cases where there is a continuation of conflict, repatriation is not always viable. Local integration in the country of first asylum is the second solution for displaced peoples. Often this integration is not possible due to a number of reasons, notably a lack of guaranteed protection for the asylum seeker. In many of the nations of first asylum, asylum seekers are not granted legal status, and are not ensured the right to non-refoulement. The final solution is resettlement, the key ‘responsibility-sharing mechanism’ (UNHCR 2010a: 17) between voluntary states. Representing the most durable of all three solutions, resettlement is a fundamental tool in alleviating the global crisis. However, the UNHCR data suggests that less than 1 per cent of the world’s refugees are resettled in any given year (UNHCR 2009: 10-11; UNHCR 2010a: 30; UNHCR 2010b).

In 2010, it was estimated that 845 800 people submitted individual applications for asylum or refugee status in 166 countries or territories. This represented a slight decrease from the previous year, a decrease that could be explained equally by a backlog of applications or improvements in origin states. The most important destination countries in 2010 were South Africa (which received 180 600 applications), the United States of America (which received 54 300 applications), and France (which received 48 100 applications), followed by Germany, Sweden, Ecuador, Malaysia, Canada, the United Kingdom, and Belgium (UNHCR 2010a, b: 3, 25, 26).

For the same year, Australia received 8250 applications for asylum or refugee status,
representing a 33% increase from 2009, and a continuation of a six-year increase. However, levels of asylum in Australia remained far below the number of applications received by many other industrialized countries (UNHCR 2010b: 6). It is estimated that Australia’s share as a receiving state for asylum seekers is less than one per cent of the total (UNHCR 2011; Refugee Council of Australia 2010).

With such a limited resettlement rate in industrialized nations per year, the problem of forcibly displaced persons seems intractable. Further than being a matter of scale, the problem brings into collision the competing notions of state sovereignty and state responsibility. The issue is typically framed as a zero sum game between maintaining national security and upholding humanitarian obligations. State sovereignty continues to define international relations between states, and plainly stated, every country has the right to ensure the integrity of its national border. Even in the era of globalization, with state borders open to trade, information, and economic integration, the irregular movement of people is framed as a challenge.

Whilst a state has the right to refuse entry to people attempting to access its borders in an unauthorized manner, three important things should be considered. Firstly, it is not illegal to seek asylum; secondly, in accordance with international human rights principles, the state should aim to protect anyone seeking protection; and thirdly, those seeking asylum are generally some of the most vulnerable people fleeing persecution in their country of origin. Rather than being a zero sum game between state sovereignty and state responsibility, the problem of asylum seekers should be framed as a balancing act – movement across borders should be controlled, just as those fleeing persecution should be protected. Historical and regional success stories give credence to the possibility of achieving a workable balance between humanitarian concerns and national security.
**Understanding Key Terminology**

The terminologies ‘asylum seekers’, ‘refugees’, ‘boat people’, and ‘illegal immigrants’ are commonly conflated and used to incorrectly describe the person of interest. Whilst there are obvious legal and theoretical distinctions between asylum seekers, refugees, and illegal immigrants, namely the legality of the first two groups, and the illegality of the latter, the term ‘boat people’ is a social construction that carries no legal weight. Asylum seekers, refugees, ‘boat people’ and illegal immigrants share two common characteristics. Firstly, they are located outside their country of origin, and secondly, at some point they have moved across, or attempted to access, another States’ borders. Due to this movement, which often occurs in unregulated or uncontrollable ways, all four categories of persons activate one of two state frameworks in response – either protection or securitization. In a strictly legal sense, asylum seekers and refugees should activate the protection framework, and illegal immigrants the securitization framework. In practice, many contemporary states have applied securitization principles to all categories at the expense of humanitarian obligations.

The international legal framework for the protection and resettlement of asylum seekers and refugees is based on the premise of voluntary assistance by states that are signatory to varied conventions. Certain key definitions play an integral part in asylum and refugee determinations worldwide. Ultimately, each applicant attempts to identify with the convention and protocol definition of a refugee, convincing the organization (the UNHCR) or the destination country that they adequately meet the requirements of the definitions, and are thereby worthy of protection. For the purposes of this paper, the following definitions are important:

**Refugees**
A refugee is a person who:

owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country… Convention Relating to the Status of Refugees (Refugee Convention). (1951). Article 1A(2).

The Refugee Convention delineates that anyone fleeing persecution is eligible for Refugee status as per the definition above, as long as they are not described in Article 1(F). Those ineligible to attain refugee status include: (a) those suspected of war crimes or crimes against humanity; (b) those who have committed a serious non-political crime outside the country of refuge; and (c) those who are guilty of acts contrary to the purposes and principles of the United Nations.

**Asylum Seekers**

An asylum seeker is a person located outside their country of origin who has sought international protection, but whose claim for refugee status has not yet been determined. Article 14(1) of the Universal Declaration of Human Rights 1948 upholds the rights of asylum seekers, asserting that ‘Everyone has right to seek and to enjoy in other countries asylum from persecution.’ The only point in time that asylum seekers become illegal is when they are denied refugee status and all avenues of review and appeal are exhausted.

**Illegal Immigrants**

Illegal Immigrants are a category of persons who enter or remain in a state without permission. In Australia, there are three dominant subcategories. Firstly, those who attempt to access the nation’s border without the necessary legal documents; secondly, those who obfuscate the obligations of their visa, most notably by working or; thirdly, those who stay beyond the terms designated in their visa (Millibank 1999).
Boat People

‘Boat people’ describes those who attempt to access a state by boat, without legal authority to land. ‘Boat people’ could be refugees, asylum seekers, illegal immigrants, or people smuggler crewmembers. ‘Boat people’ is a term that has gained currency in the Australian context since Indochinese asylum seekers arrived by boat in the late 1970s. The term has been used in official publications since 1977, when it appeared in the Department of Immigration and Ethnic Affairs' annual review. This terminology retains popularity in both government and media representations (Department of Immigration and Multicultural Affairs (DIMIA). 2001: 51).

Guiding Principles of the International Legal Framework

The United Nations Convention Relating to the Status of Refugees (1951), amended by the 1967 Protocol that removed the temporal and geographical basis for eligibility, forms the centerpiece of international legislation codifying the rights of refugees and asylum seekers at the international level. Initially a response to the unprecedented movement of people fleeing the atrocities of World War Two, the Refugee Convention is based on three fundamental principles of non-discrimination – that is, the provisions of the convention are to be applied without discrimination on the basis of race, religion, or country of origin (Article 3); non-penalization – that is, no penalty should be imposed due to their illegal entry or presence if good cause for that illegal entry or presence is shown (Article 31:1); and non-refoulement – that is, no one shall expel (refoul) a refugee against his or her will, in any matter whatsoever, to a territory where he or she fears threats to life or freedom (Article 33:1). The Refugee Convention establishes minimum standards of behaviour for contracting states. These minimum standards guide contracting states to provide certain freedoms, access and benefits, to the same extent, or at least to no less extent, than that accorded to nationals of a foreign country in the same circumstances. These standards span from religious freedoms (Article 4),
to free access to courts of law (Article 16), to the right to engage in wage-earning employment (Article 17), to access to elementary education (Article 22), to applicable provision of documentation.
Chapter 3

Confronting the Global Issue: Australia’s Role as a Destination Country

‘For those who’ve come across the seas
We’ve boundless plains to share.’
Australian National Anthem.

For those who’ve come across the seas, have we boundless plains to share?
The history of people arriving by boat in Australia, and the political reactions to these arrivals, are the concerns of the following discussion. What is noted is the endurance of the ‘reverse humanitarian’ framework as a technique to negatively construct MAS. This brief overview of the history of MAS in Australia tracks the progression from 1975 to 2007 of the increasingly draconian deterrent measures taken to prevent MAS arriving in Australia, as well as the increasingly sensationalized rhetoric used to present MAS as a problem. It is noted that legislative reforms have codified the notion that MAS are ‘undeserving’. What is also noted is that, even with the dominance of this ‘reverse humanitarian’ framework, constructions of MAS are mutable. At certain points in Australia’s history, namely during the Fraser administration (1975-1983), and at the outset of the Rudd administration (2007-8), the approach to MAS was guided by a humanitarian framework, resulting in the re-humanized MAS.

As a signatory to the Refugee Convention, Australia has elected to abide international obligations as a resettlement state for refugees, and as a destination country for people
seeking protection. The assumption that the paper proceeds on is that the *Refugee Convention* outlined Australia’s international obligations at the relevant points in time.

In the fraught security environment of the Asia-Pacific region, Australia is a leader among the very few states that accept refugees. Geographically, only one *Refugee Convention* State – Papua New Guinea – lies between ‘origin countries’ such as Afghanistan, and Australia. The majority of states in South-East Asia, commonly referred to as ‘transit countries’, do house refugees, asylum seekers and other displaced persons, but are unwilling or unable to provide ongoing protection or resettlement opportunities. The UNHCR and the International Migration Organization liaise with the governments of the transit states, with the aim to resettle the people displaced in their borders to *Refugee Convention* States. It is integral to understand the geographical reality that Australia and to a far lesser extent New Zealand, exist as the only practicable resettlement states in the region.

It is widely held that whilst Australia’s refugee resettlement program goes beyond its obligations under International Law (DIAC 2009) Australia resettles less than one per cent of those refugees resettled annually, and receives less than one percent of asylum seeker claims. Furthermore, in terms of Australia’s annual migration intake, refugees and those under the Special Humanitarian Program constitute between 2-8% of the total (Gillard 2010a). Relative to both the global scale and to Australia’s migration program, Australia’s refugee and asylum seeker intake is small.

**Australia’s Migration Act 1958 (Cth)**

Under international human rights conventions and protocols, all people seeking asylum, irrespective of their mode of arrival, have the same protection rights. However, the *Migration
Amendment (Consequential Provision) Act 2001 implemented a distinct ‘hierarchy of rights’ under Australia’s domestic laws. The legislation denoted that if the asylum seeker, in the course of fleeing persecution, passed through another country in which they could have applied for protection, and chose not to, their right to apply for protection in Australia was negated. What this ultimately means is that MAS, unless coming directly from their country of origin, are positioned as less deserving than asylum seekers who come to Australia directly. The creation in legislation of levels of deservedness disregards the often volatile position and unsafe environment that many asylum seekers find themselves in while in transit countries (Human Rights Watch 12, 13).

In legislative parlance, those persons who access Australia’s borders who are not lawful non-citizens in the possession of a visa, even if seeking asylum, are held to be unlawful non-citizens (Migration Act 1958 s14). Those persons claiming asylum via the onshore program entered Australia in one of two ways. The first is entry by legal means, that is, with the possession of some type of visa. In this situation, asylum is claimed at a point in time after entry to Australia. The second is entry by illegal means, that is, the person arrived in an irregular manner, without the necessary visa on arrival. The pattern in Australia over the past decade, similar to many other industrialized nations, has been an increasing fortification of its border protection regime to prevent such irregular movements of people. Like many other states, Australia has implemented deterrent measures to deal with ebbs and flows of asylum seekers seeking protection in the state, but seems to have implemented such measures more zealously than other states (Crock and Ghezelbash 2010: 256; Grewcock 2009; McMaster 2001; Koser 2010: 3).

Australia and Boat Arrivals

25
Historically, the majority of people seeking asylum in Australia arrived by air, with valid or fraudulent documents (Phillips 2010: 6; RCOA 2007). To be sure, the last decade has witnessed a dramatic increase in the numbers of boat arrivals, as seen in Figure 3.1 below. The Department of Immigration and Citizenship's data suggests that in the last three years there has been an increase in boat arrivals from 16 per cent of the total irregular arrivals in 2008-09, to 47 per cent in 2009-10 (Phillips 2010: 6; DIAC 2010.) Between 70-95 per cent of those who arrive by boat are recognized as genuine refugees, whereas between 5-25% of people who arrived by air are held to be genuine refugees (Koser 2010: 6; Phillips 2010: 9).

Figure 3.1 Boat arrivals by financial year 1999-2010.

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Number of Boats</th>
<th>Number of People</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999-2000</td>
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<td>4,175</td>
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<tr>
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<td>54</td>
<td>4,137</td>
</tr>
<tr>
<td>2001-02</td>
<td>19</td>
<td>3,039</td>
</tr>
<tr>
<td>2002-03</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2003-04</td>
<td>3</td>
<td>82</td>
</tr>
<tr>
<td>2004-05</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2005-06</td>
<td>8</td>
<td>61</td>
</tr>
<tr>
<td>2006-07</td>
<td>4</td>
<td>133</td>
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<tr>
<td>2007-08</td>
<td>3</td>
<td>25</td>
</tr>
<tr>
<td>2008-09</td>
<td>23</td>
<td>1,033</td>
</tr>
<tr>
<td>2009-10</td>
<td>118</td>
<td>5,609</td>
</tr>
</tbody>
</table>

Source: Phillips and Spinks (2010); 2008-09 and 2009-10 figures include crew.

Political Reactions

Of importance to the current study, is the historical construction of MAS. Australia has a thirty-five year history of MAS arriving on its shores, but by no means can that period be defined as a continual crisis. Whilst showcasing a compassionate entry scheme for refugees, there is a long history of political caution in providing any benefits to MAS. The ultimate aim of recent Governments has been to stop the arrivals, to shore up the border protection of the nation, and to ensure orderly migration, nominally by seeking protection guarantees as
part of a regional solution. However, this aim does not necessitate a determinedly negative construction of MAS.

Labor Prime Minister Gough Whitlam’s (1972-1975) often quoted tirade that ‘I’m not having hundreds of fucking Vietnamese Balts coming into this country with their political and religious hatreds’ provides evidence that even the idea of potential boat arrivals ‘provoked an incandescent rage’ (Kelly 2009: 191). This rage seemingly dissipated during the years of Malcolm Fraser’s Liberal Government (1975–1983). The first boatload of people seeking asylum, five Indochinese men, landed in Darwin’s harbour on the 27th of April 1976. The people in these first boat arrivals were viewed in a sympathetic way (Viviani and Lawe-Davies 1980: 4; Viviani. 1984: 79; Phillips and Spinks 2010: 5).

Succeeding Fraser, the Hawke administration (1983-1991) reverted to Whitlam’s construction of MAS as an overwhelming problem for Australia. Hawke ultimately initiated the notion of the ‘deserving’ and the ‘undeserving’ refugee. Hawke asserted that MAS were not actually political refugees, rather they were economic migrants whose arrival in Australia demonstrated that they would ‘jump the queue’ (Easson 1990: 78). Paul Kelly goes as far to say that Hawke was a ‘resolute opponent’ to MAS (2009: 190).

The Labor Government under Paul Keating codified punitive measures to curtail what was presented as an escalated problem. One of the most controversial of these measures was the Mandatory Detention of all unlawful non-citizens, under the Migration Amendment Act 1992, which came into force in 1994. This act removed the discretionary basis for detaining unlawful non-citizens, and was applied equally to children and adults. The image of the threatening MAS was bolstered by Keating’s administration, and the implementation of mandatory punishments that looked ostensibly like the prison system emphasized the
‘criminality’ of MAS. The establishment of the mandatory detention system reveals that national security has historically trumped humanitarian obligations in Australia.

Importantly, the establishment of the immigration detention centre system, first in metropolitan regions such as Villawood in Sydney, then in isolated rural settings, such as Woomera in S.A., and finally on islands in the Pacific and Indian Ocean, created an increasing distance between the MAS and the public. A potential effect of this was that the government attempted to place the problem out of sight, and out of mind. Distanced from the Government through the privatization of the centres, with restrictions to journalists and the media within the detention centres, there was a limited possibility for humanizing MAS.

In the spirit of Hawke and Keating, the Liberal Government under John Howard (1996-2007) enacted comprehensive and draconian measures with the aim of stopping the flow of MAS. There was a notable trend during the Howard years away from the notion that MAS were seeking protection under international human rights conventions, to which Australia was a party. The rates of recognition of the refugee status for MAS in the period 1996/7 – 2000/1 was between 84.8 and 97.6 per cent for Afghans and Iraqis (Human Rights Watch 2002). These figures suggest that most of the claims for refugee status abided the Refugee Convention, that is, that the majority of MAS arriving in Australia deserved protection.

Instead during this period, the construction of the ‘undeserving’ asylum seeker became dominant in both a rhetorical and legislative sense (Human Rights Watch 2002: 12, 13). It was the belief of the Government that these asylum seekers, now predominately from Afghanistan and the Middle East rather than South-East Asia, could and should have sought refuge in a nation closer to their country of origin (Human Rights Watch 2002: 4). Rather than wait in a transit camp or seek refuge in a transit country, these asylum seekers engaged
clandestine people smugglers for the promise of freedom. Due to this choice, the
Government, with bipartisan support from the Labor opposition, presented MAS as
‘undeserving’ refugees, unworthy of protection. The official Government line was that the
MAS arriving in Australia were simply people who ‘do not want to wait’ (DIMIA 2002).
During the Howard years, MAS became seen as ‘destination shoppers’, wealthy enough to
pay the fare to arrive in their desired destination country. Howard’s Immigration Minister
Philip Ruddock championed the hard line on MAS, noting that ‘being a refugee does not give
a person a right to select their preferred country of protection’ (Ruddock 2002). In 1999, the
Howard Government introduced Temporary Protection Visas (TPVs), which removed the
possibility of permanent residency for onshore refugees, if, at any stage in their transit to
Australia, they ‘resided…in a country in which they could have sought and obtained effective
protection.’ (Regulation 866.215, Migration Regulations 1994). TPVs closed off family reunion
channels, and prevented the refugee reentry to Australia.

**Tampering with Protections**

Howard’s decision to forbid the 433 asylum seekers rescued by the Norwegian freighter
*Tampa*, from arriving onshore on August 25 2001, denoted an obvious point of distinction to
previous Governmental approaches. Although Howard’s decision received widespread
international condemnation, closer to home, Howard was rewarded in the polls. Enacted with
bipartisan support, the raft of Migration Reform Acts, collectively entitled the ‘Pacific
Solution’, effectively toughened Australia’s response to MAS. The *Migration Legislation
Amendment Act (No. 6) 2001* sought to redress Australia’s ‘generosity’ to MAS, by imposing a
stricter definition of who would fulfill the ‘refugee’ criteria for protection. Howard’s measures
redefined not only Australia’s obligations to refugees, but also transformed Australia’s
migration zone. Under the *Migration Amendment (Excision from Migration Zone) Act 2001*,
Australia sought to redefine the notion of territoriality, by excising existing territory from
the Migration Zone. Christmas Island, the Cocos Island, and the Ashmore and Cartier Islands, were removed from the Australian migration zone. Any new arrivals by boat were to be processed ‘offshore’ in newly established detention centres administered by Australia and the International Migration Organization, removing the right to legal recourse under domestic laws. Overwhelmingly, MAS were constructed as a threat to the security of Australia, and an affront to the integrity of its borders.

The 2007 election, contended by John Howard and Kevin Rudd, was not marred as previous had been by the issue of MAS (Grewcock 2008: 363). On coming to power, the Rudd Government (2007-2010) sought to scale back the draconian measures that had become commonplace under Howard. Rudd ended the Pacific Solution and the restrictive TPVs, but maintained mandatory detention, to be used as a ‘last resort’ (Evans 2008).

**Rudd and the Re-Humanizing of MAS**

Grewcock (2009:280) claimed that the new direction of the Rudd government was overstated, not least for the fact that it remained ‘committed to the externalization of border controls’. But what the Rudd Government did do, at the outset, was re-humanize MAS. Rudd proclaimed MAS as a ‘great challenge of our age’, referred to MAS as the ‘vulnerable stranger in our midst’ and implored that they be treated with humanitarian decency (Rudd 2006). The unfortunate fact was that, with removal of many of Howard’s deterrents, the rate of boat arrivals increased (MacCallum 2010: 9). With depleted accommodation options, these new arrivals placed pressure on the overburdened detention centre facilities, and many more women and children were placed behind barbed wire – a practice that Howard had ended in 2005. The increased rates of arrivals, and the pressure on the detention system culminated in April 2010, when a moratorium on the refugee applications of MAS from Sri Lanka and Afghanistan, and the reopening of the notorious Curtin Detention Centre was announced.
Rudd’s rhetoric and his construction of MAS became increasingly hard lined (Rudd 2009; Evans, O’Conner & Smith 2010).

The Race to the Bottom

A trend that began during the Howard administration, continued under Rudd, and played a big part in the way MAS were framed in the 2010 federal election campaign, was to emphasize the criminal connection of MAS to people smugglers. William Maley suggested that the people smuggling connection has played a vital role in demonizing MAS over the past decade. He asserts that the exchange of large sums of money for freedom, when quoted to the populace, causes ‘resentment on the part of ordinary voters’ (2010:11). People smuggling networks have, in the past decade, become sophisticated, multi-level, transnational operations that are yet another element to contain within the existing problem of MAS arriving in Australia. Both Julia Gillard and Tony Abbott, during the federal election campaign in 2010, drew upon the connection of MAS to people smugglers to underline the perverse and threatening nature of MAS. Both leaders ultimately opined that MAS enabled the people smuggler industry. These sentiments mislead the basic point, that even though people smugglers may deliver the MAS to the shores, their claims for protection are real (Marr & Wilkinson 2003).

Border Security Over Humanitarian Protections

As the preceding exploration reveals, striking a fair balance between border protection and humanitarian responsibilities has been an enduring preoccupation for successive Australian Prime Ministers (Phillips 2010:1; Phillips & Spinks 2010:3; McMaster 2001:125). However, apart from Fraser’s initial positive construction of MAS, and Rudd’s brief dalliance with decency, no Government nor opposition party has presented a cohesively positive
construction of MAS throughout their tenure, let alone brokered comprehensive, just, and effective solutions to the problem in the region.

**Why the Fear?**

Pundits have suggested that the fear of an invasion from the Asian north, particularly if those involved are Muslims, explains the fear of MAS (Maley 2010: 11; Norton 2005: 38; O’Neill 2008: 10). Ultimately the point is made that Australia’s culture of racism leads to the negative framing of MAS. What such assertions fail to grasp is the role that the political leaders and eminent contributors to the printed press and online media play in directing the nature of the debate on public policy issues. Mutable constructions of MAS over the past thirty-five years give credence to this notion. Rather than providing a justification for the negative framing of MAS, discourse analysis of the way political leaders have constructed MAS at two points over the last decade suggest that this fear was not necessarily racially-based. Instead, the issue was presented using a ‘reverse humanitarian’ framework, in which the MAS were negatively constructed because they abrogated the Australian value of a ‘fair go’. The point that this paper makes is that MAS were dominantly constructed in this ‘reverse humanitarian’ framework as ‘undeserving’ refugees that had usurped the place of ‘deserving’ refugees.
Chapter Four

‘Political Opportunities’ or ‘People’?
How the election-seeking officials constructed MAS as a problem in 2010.

‘We will decide who comes to this country and the circumstances in which they come.’
(Prime Minister John Howard 2001).

‘How appalling it is that this is where the long-running debate on asylum seekers has taken us – to an unedifying exchange of incendiary labels like ‘red neck’ and hollow slogans like ‘turn the boats around’, with nobody asking how we can move the nation forward.’
(Prime Minister Julia Gillard 2010a).

What this analysis was most interested in was how the election-seeking officials in 2010 actively demonized and dehumanized MAS, after a period of governance under Prime Minister Kevin Rudd that had effectively re-humanized and re-legitimized MAS from 2007-2010. It is found that similar techniques observable in the 2001 election campaign became popular once more. The officials again adopted a threat discourse, emphasizing that they were ‘tough on border security’, and would protect Australia’s right as a sovereign state. The officials linked MAS, where possible, to wider social issues. In 2001 attention was focused on cultural differences between ‘us’ and ‘them’, where ‘them’ categorized ‘Muslim’ MAS, in 2010 attention was focused on the contribution of MAS to Australia’s unsustainable population increase. In both elections, the underlying constructions were of the ‘deserving’ and the ‘undeserving’ refugee, and all election-seeking officials implemented a ‘reverse humanitarian’ framework to justify their attention on the issue.

The intriguing aspect was that even though the context surrounding the two election campaigns was so different, MAS ascended as a dominant issue, and similar framing
techniques enabled this. This study attempted to grapple with reasons underlying this ascendance. The exploration draws on relevant party speeches and announcements made by the election-seeking officials before and during the election campaigns in 2001 and 2010. The ultimate aim was to understand how and why the election-seeking officials employed the dichotomous notion of the ‘deserving’ and ‘undeserving’ refugee to construct MAS. What this study revealed is that the impact of leadership over public policy issues such as asylum seekers and immigration, where priorities like national security and humanitarian obligations can come into conflict, is inherently important.

In both campaigns the ALP leaders expressed that there was near bipartisan support with the Coalition where MAS were concerned, but in both campaigns, the Liberal-Coalition leaders denied this similarity. Regardless of this denial, the construction of MAS as a threat to Australia’s national security and the Australian way of life was consistent across both major parties in 2001 and again in 2010. In both election campaigns, the leaders proposed increasingly draconian policies to deal with MAS, and their constructions of MAS became similarly more sensationalized.

In the two years preceding both election campaigns, the rate of MAS arriving in Australia had increased notably. Apart from these increases, the context in which the elections took place were dissimilar. For example, sitting Prime Minister John Howard was seeking reelection for a third term in office, whereas Prime Minister Julia Gillard had become acting Prime Minister only the month prior to calling the election. As explored in the historical overview of MAS in Australia, in the lead up to, and during the federal election campaign in 2001, dramatic focusing events including the Tampa affair, the terrorist attacks on the US on September 11, the tragic sinking of the SIEV X, and the ‘Children Overboard’ crisis
combined to ensure the dominance of the issue in the public sphere. The 2010 federal election featured no similar focusing events, but for the continued arrivals of MAS.

**Why were MAS constructed as a ‘problem’?**

In both 2001 and 2010, the election-seeking officials framed the arrival of MAS as a problem that was exponentially significant for Australia. There was a general trend to overstate the scope of the unauthorized arrivals. In the 2001 election campaign, both Prime Minister Howard and Opposition leader Beazley focused attention on the increased rate of arrivals, and suggested that MAS were taking advantage of Australia’s generosity. Similarly, in the 2010 election campaign, both election-seeking officials claimed that the attention directed to MAS was appropriate due to the high rate of arrivals. Gillard cited the ‘increase in unauthorized people movements in our region and around the world’ as a central reason for placing MAS on the political agenda, and Abbott opined the loss of Governmental control of Australia’s borders (Gillard 2010a).

To be sure, as elucidated in the historical overview, the number of arrivals by people on boats had risen sharply in the two years preceding 2001 and 2010. However, this study suggests that in both the 2001 and 2010 federal election campaigns, MAS were constructed as such an intractable problem because such a construction provided a political opportunity. This opportunity was that it enabled the election-seeking officials to display the strength and competency of their leadership by promising the populace that they would be able to protect Australia’s borders from irregular arrivals.

**Deserving and Undeserving**

The tiered nature of Australia’s refugee and humanitarian program is represented by the concept of a front door/back door arrivals system whereby if one arrives via the front door
they are legal, whereas one who arrives via the back door is illegal. This front door/back door dichotomy is the enabling factor in the construction of the ‘deserving’ and the ‘undeserving’ refugee. ‘Deserving’ refugees access Australia through the offshore program. They apply for refugee status generally when in a transit camp, and stay until they are resettled in a destination country. ‘Undeserving’ refugees access Australia through the onshore program. They take whatever mode of transport available to them (most notably the boat, more recently accessible through the people smuggling network), attempt to reach a destination country and apply for refugee status.

In 1996, the Howard government implemented a system that linked the onshore and offshore components under one total humanitarian quota – a practice uncommon in other destination nations. In practice, the Government determines the number of people that each stream will accept that year, in essence setting a sub quota for each stream. For the year 2009-2010, of the total 13,750 quota, 6,000 places were held for offshore applications, and the other 7,750 were to be filled by ‘Other Humanitarian’, that is, onshore applications and those eligible through the Special Humanitarian Program. The grants by category for 2009-2010 were as follows: 6,003 refugees, 3,233 Special Humanitarian, 4,534 Onshore (Evans. 2010; DIAC Fact Sheet 60 2011). The Government therefore has the potential to alter the number of places available in each subsection, each year. However, by linking the two streams together and presenting it as a set quota, the idea was created that any person processed through the onshore stream took the place of a person who would have potentially been processed that year from the offshore stream (Crock, Saul & Dastyari 2006: 18).

Consistently over both election periods, the concept of the ‘queue’ was used to demonstrate that MAS took advantage of the Australian ethos of a ‘fair go’. More than any other concept, the notion that MAS were ‘queue jumpers’, and were therefore ‘undeserving’ refugees regardless of the determination of their claims, endured as the most captivating negative
construction. The research suggested that the ‘queue jumper’ rhetoric appealed because it enabled the election-seeking officials to demonize MAS within the very framework of humanitarian justice. In other words, although MAS were possibly fleeing persecution, each irregular arrival into Australia displaced a person, also fleeing persecution, who was patiently waiting in the transit camps.

Gillard emphasized the dichotomy between the ‘deserving’ and ‘undeserving’ refugee, claiming adamantly that MAS were ‘undeserving’. The rhetoric that Gillard employed to describe the problem of MAS was not as emotively charged as the other three election-seeking officials’, but the basic premise was the same. Gillard stated that MAS should not receive an ‘unfair advantage and be able to subvert orderly migration programs’. Gillard went further to explain that the ‘unfair advantage’ that MAS effectively received was over the people in Australia’s Special Humanitarian Program, and potentially over hardworking Australian citizens who were ‘doing it tough’. Gillard emphasized that MAS would not receive ‘special treatment’, nor would they receive an ‘inside track to special privileges.’ Ultimately, Gillard’s message was that MAS ‘cannot buy their way into Australia’ (Gillard 2010a).

The attempt made by Gillard to contextualize her presentation of MAS did assuage the overall dehumanizing construction. Gillard contextualized MAS by framing the debate with statistics and facts. Gillard situated Australia’s limited role as a receiving state for MAS, acknowledging that in 2009, Australia received only 0.6 per cent of the world’s asylum seekers. By outlining that MAS made up less than two per cent of Australia’s annual migration intake, and admitting that, even at the then rate of arrivals it would have taken over 20 years to fill the MCG with MAS, Gillard’s construction offered the potential for perspective on the issue. Furthermore, Gillard attempted to explain the interplay of push and
pull factors as a way of justifying the increased rate of arrivals over the recent months (2010). The effect of contextualizing the issue as part of the wider global challenge of displaced persons, was that it enabled Gillard to emphasize that there was no easy solution to the problem. The importance of emphasizing this was that it tried to make sense of the increased arrivals under the previous Labor Government.

Of particular interest, on several occasions during the 2010 campaign, Abbott differentiated people who arrived illegally by boat seeking asylum to those who arrived by plane who later overstayed their visa or applied for refugee status. If the person had arrived by plane, they were held to be ‘deserving’ through Abbott’s inane logic. Abbott structured his view as follows: it is inhumane to suffer a dangerous journey by sea in a leaky boat with the intention of arriving illegally in Australia. People who arrive on planes are different, and not illegal, because they arrive legitimately and they do not risk their safety on the way, indeed, ‘No one dies coming to Australia by plane’ (Abbott 2010f). The underlying point that Abbott was trying to make was more referential to the ALP’s failed policy than a real distinction between MAS and other people who may or may not be ‘illegal immigrants’, but in making the point, Abbott’s construction completely denied Australia’s obligatory role to protect people fleeing persecution as a signatory to the Refugee Convention. In essence, Abbott demonized MAS using the ‘reverse humanitarian’ framework.

‘Asylum Seekers’ or ‘Illegals’ – the Use of Descriptors to Refer to MAS

As explained previously, there are legal definitions of ‘refugees’, ‘asylum seekers’, and ‘illegal immigrants’ understood in international law that denote the difference of each category of persons. The study revealed that the election-seeking officials did not apply these definitions, but instead, used the terminology interchangeably – conflating the legality and illegality of the MAS. Descriptors such as ‘asylum seekers’, ‘refugees’, and ‘boat people’ direct attention
to the legality of the person, and provide prima facie support for their deserving inclusion in society. Descriptors such as ‘illegals’, ‘illegal immigrants’, ‘would-be asylum seekers’, and ‘illegal asylum seekers’ direct attention to the illegality of the person, and de-legitimate their claim for protection (O’Doherty & Lecouteur 2007: 2).

All four election-seeking officials emphasized that MAS were breaking the rules. ‘Illegal entrants’, ‘illegal immigrants’, ‘illegal boat people’ were used interchangeably with ‘asylum seekers’ and ‘boat people’. The effect of the election-seeking officials using this descriptor in both 2001 and 2010 was to frame the issue of boat arrivals in a law and order issue, where MAS were illegitimate or criminal, because their arrival in Australia was illegal. The way the public officials referred to MAS was influential in constructing MAS as undeserving. The impact was that by descriptor alone, MAS were demonized, dehumanized, or both.

**People or Products?**

To dehumanize MAS, Abbott adopted an effective strategy in 2010. Rather than speak about the people on board the boats who were arriving on Australian shores, often seeking asylum, Abbott made almost exclusive reference to the boat that was arriving. By referring constantly to his promise to ‘stop the boats’, Abbott’s ran a campaign that essentially detached the legal rights of MAS from the illegal way their boat arrived in Australia (Abbott 2010a-d). Because Abbott rarely referred to the people on the boats, but the vessels arriving on Australian shores, he emphasized the scale of the problem, and avoided the necessity of situating the issue of asylum seekers within the necessary humanitarian perspective.

In contrast, Prime Minister Julia Gillard, attempted to present a ‘tough’ but ‘humane’ approach to MAS. In public announcements, Gillard frequently used the descriptor ‘asylum seekers’ when referring to MAS, and she used her public platform to reflect upon the
difficulties of this problem with consideration. Gillard’s ‘Moving Australia Forward’ speech, delivered to the Lowy Institute Sydney on the 6th of July 2010, outlined her policy approach to MAS and was notable for the way it contextualized the problem. However, within the same speech, Gillard drew upon the people smuggler’s business model to situate MAS as a product for a criminal enterprise. Gillard referred to people smuggling as a ‘business model’, and a ‘trade’ (2010a). People smugglers were presented as ‘evil’, and the MAS as their ‘clients’ (2010a). Gillard constructed MAS as a commodity, and referred to them as a ‘product to sell’ (2010a).

Her competitor Abbott adopted a similar line. He claimed that it was imperative for the Australian Government to retake control of the part of the immigration policy that was ‘subcontracted out’ to the people smugglers under the Labor Government (Abbott 2010d). The issue of people smuggling was more pronounced than in the 2001 election campaign. The dominant image of MAS that was constructed was as the profit-enabling product rather than as the people on the leaky boats, or the victims of the criminal enterprise. Secondly, by presenting MAS as an integral part in the people smuggler's trade, Gillard defined the problem of MAS as inherently connected to a criminal trade, rather than as a humanitarian problem that Australia had a responsibility to alleviate.

**Something to be Feared**

Of all four election-seeking officials, Prime Minister Howard offered the most cohesive and sustained explanation of the security imperatives for restricting the chances of MAS arriving on Australian shores, that was, the fundamental right of Australia to protect its borders (Howard 2001). Due to the notion that MAS' arrivals threatened the integrity of Australia’s borders, this can be situated as part of the threat discourse that built up the image of MAS as ‘undeserving’. In the 2001 Election Debate, one month after the September 11 terrorist
attacks in New York, Howard situated the issue of defending Australia’s borders as a core component in ensuring the secure future for all Australians (Howard 2001). Opposition Leader Beazley repeated these sentiments, and claimed that ‘we have to ensure that people do not come into this country illegally’ (Beazley 2001).

In 2010, Gillard’s framing of MAS as a potential threat to Australia’s borders was superceded by Abbott’s determinedly militaristic representation. Abbott referred to the flow of MAS as a ‘small armada’ (Abbott 2010e) and suggested that Australia had exposed itself to a ‘peaceful invasion’ by MAS (Abbott 2010a, e). Such metaphorical connection of the MAS vessels, warships and invasions effectively connected MAS to the military. If an ‘armada’ of boats was on the way, Australians rightly had reason to fear. If MAS were going to lead an ‘invasion’, even if this was ‘peaceful’, preventing this from happening was obviously a priority.

In 2010, like 2001, the election-seeking officials forged links between MAS and domestic issues that held political salience. The effect of this was that in both 2001 and 2010, MAS were presented as a threat and/or a burden in terms of both national affairs, and in domestic issues. In 2001, MAS were specifically connected to terrorism and family values, under the wider issue of cultural difference. In 2010, MAS was connected to cost-of-living pressures related to overpopulation. Gillard and Abbott, like Howard before, adopted the so called ‘dog whistle’ technique, whereby their rhetoric sounded reasonable and reasoned, but enabled the listener to interpret the discourse in other ways. Gillard consistently connected the issue of MAS to the Australia’s unsustainable population. By doing this, the link was forged between MAS and the cost-of-living pressures faced by Australians as well as the failure of Australia’s infrastructure to cope with such pressures (Gillard 2010a; Crock and Ghezelbash 2010: 176). The publicity stunt of boarding a coastal patrol vessel off Darwin with the member for Lindsay, David Bradbury, is the most extreme example of the ‘dog whistle’ in action during
the 2010 election campaign. Attempting to demonstrate the security of the borders, with Bradbury's presence, Gillard was concurrently attempting to reassure his electorate that she could protect them from MAS (Carlton 2010).

‘Framework of Decency’
Ultimately, apart from Gillard’s attempt to contextualize MAS, at no point in time during the election campaign did the election-seeking officials adopt a humanitarian framework to construct MAS. Even though Australia played a leading role in promoting the establishment of the Refugee Convention and the international framework for the protection of refugees in the post-war period, and had upheld the minimum standards and obligations of the Refugee Convention under previous administrations, the very existence of any guiding framework was ignored in both election campaigns.

Rather than refer to Australia’s obligations under the Refugee Convention, in 2001 Howard specifically advocated that the way Australians should approach the issue of MAS was ‘within the framework of the decency for which Australians have always been renowned’ (Howard 2001), an approach mirrored by Gillard in 2010 (Gillard 2010b). More than anything, what this constructed 'framework of decency' promoted was the dichotomy between the 'deserving' and 'undeserving' refugee.

MAS as a proxy for strong leadership.
What the study of the key public speeches and announcements revealed was that the election-seeking officials targeted MAS using an effective ‘reverse humanitarian’ framework. MAS became ‘undeserving’ people who presented a threat to society. Due to the decidedly similar way that the officials constructed the problem in 2010, it seemed as though they adopted the approach taken in 2001 to negatively frame this target group.
The research suggests that the election-seeking officials in 2010 recognized the political opportunity that the negative framing of MAS enabled in 2001, and that they sought to replicate it. The Australian Election Survey revealed that in 2001 ‘education’, ‘unemployment’, ‘health and medicare’, were more important issues to voters than ‘refugees and asylum seekers’ when respondents were asked to rank the ‘issues of most concern’ (Bean et al. 2002). A potential explanation why the Gillard and Abbott campaigns were focused on MAS rather than these other vote determining issues relates to the notion that by targeting and overburdening these ‘undeserving’ refugees, both election-seeking officials saw their opportunity to display the credibility of their leadership.

That the election-seeking officials would protect the masses against the vulnerable (undeserving) few supposedly displayed the strength of their resolve and the responsibility of the government. Analyzing their audience’s reception of the negative constructions is important for election issues, but it must first be ascertained whether the election-seeking officials’ constructions were the only dominant ones during that time. The following section, a discourse analysis of core media representations in newspapers during the election campaigns, suggests that the moral ‘leadership’ on the issue came not from the election-seeking officials.
Chapter Five


‘...in refugee policy we are dealing with human beings, we are not talking, as so much of the discussion suggests, about the best place to store or dispose of surplus bales of wool.’ (Sheridan 2001d).

‘Australians are also quite right to be worried about the security implications. Afghanistan, from which the biggest number of illegals come, is a country riven with Islamist extremism.’ (Sheridan 2010b).

This chapter looks at how three key publications, Australia’s most widely read national broadsheet The Australian, and the two most widely read Sydney-based publications, The Daily Telegraph (henceforth Telegraph) and The Sydney Morning Herald (henceforth Herald) constructed the issue of MAS during the 2001 and 2010 Australian federal election campaigns. The analysis of newspaper contributions during the sample periods was a necessary addition to the overall study, as it determined whether the publications provided points of difference or similarities to the election-seeking officials’ overwhelmingly negative construction of MAS. Furthermore, it assesses whether MAS were presented as ‘deserving’ or ‘undeserving’ in the printed press, and what the implications of such a determination are for the role of media in democratic nations.

Previous studies of the ways MAS have been constructed in the media have revealed that the printed press generally presents polarizing points of view (Mummery & Rodan 2007). With this in mind, six questions guide the current analysis: 1. What were the main descriptors used to refer to MAS; 2. Did the publications abide by the Australian Press Guidelines; 3. Are
the representations of MAS ‘positive’, ‘negative’, or ‘neutral’; 4. Are the representations of MAS consistent within the publication throughout the period; 5. Is the representation of MAS consistent with either major party’s representation; and 6. In what ways were the representations of MAS similar or different in the 2001 sample compared to the 2010 sample.

**Sample Selection**

The past decade has seen a meteoric rise in access to the internet and online media. It is acknowledged that the rise of social media has transformed the way in which people access and are exposed to news and information. The trend in contemporary media studies has been to include analysis of this online platform, however, the current study refrains from such inclusion, with the intention of producing comparable frames of reference across the two sample periods.

The sample of newspapers selected for the study was based on their dominance over readership at a both the national and state level, their diversity of political viewpoints, the difference in ownership, and the different format. *The Australian* and the *Telegraph* are incorporated newspapers of the Murdoch press’ News Limited. *The Australian* is the most widely read national broadsheet, with circulation of 135,000 copies Monday-Friday (Roy Morgan 2011; Audit Bureau of Circulations (ABC) 2010). Generally viewed as a conservative publication, *The Australian* features regular opinion pieces from contributors who showcase more liberal sympathies. The *Telegraph* is a Sydney-based paper available predominately within NSW, the most highly populous state in Australia. The *Telegraph* has a circulation of 354,893 copies Monday-Friday, making it the most widely distributed daily during the week (ABC 2010). Unlike *The Australian* and the *Herald*, the *Telegraph* follows a tabloid format and is renowned for its conservative sympathies. The *Herald* is a Fairfax incorporated newspaper. The *Herald* is the *Telegraph*’s competitor in the Sydney market, with a circulation of 200,194
copies Monday-Friday (Roy Morgan 2011; ABC 2010). The Herald is renowned for offering more liberal sympathies, but due to the conservative credentials of some of the papers regular columnists, such as Miranda Devine, the opinions it presents portray an array of ideological viewpoints.

As I was interested in the line that the newspaper took when constructing MAS, the sample included news reports and opinion pieces from regular and occasional contributors, but not letters to the editor. Public opinion featured in the sample only when the ‘voters voice’ was included in an article. Rather than differentiating news reports and opinion pieces, these were looked at collectively to ascertain the dominant tone and point of reference.

The sample period spanned four-months before, during, and immediately after the federal election campaigns in both 2001 and 2010. The 2001 sample begins on the 17th of July 2001 and ends on the 17th of November 2001, one week after Election Day. The 2010 sample begins on the 1st of May 2010 and ends on the 1st of September 2010, in the week following Election Day. This time frame was chosen in reference to key events and relevant policy changes before the election was called in 2001. Due to the focus on the construction and framing of the issue rather than the impact that this had on the voting outcomes, this sample period is appropriate. Previous studies of the framing of MAS during the 2001 election campaign have differentiated the sample selection according to key events and dates. In contrast, the current study takes the results collectively, with the aim of addressing tenor and themes over the four-month period rather than at certain points in time.

There were a total of 1338 articles analyzed in the sample. The 2001 sample comprised 881 articles: 282 from The Australian, 256 from the Telegraph, and 343 from the Herald. The
2010 sample comprised 457 articles: 263 from The Australian, 72 from the Telegraph, and 122 from the Herald.

The Findings
The study revealed the extent of variable views published within each newspaper over both time frames. Key contributors for all three newspapers in both sample periods adopted the dominant lines espoused by election-seeking officials at the relevant times. In both sample periods, MAS were overwhelmingly framed as a ‘threat’ or as a ‘burden’ by adopting the ‘reverse humanitarian’ framework. The frequency of articles that conformed to the securitization approach adopted by the election-seeking officials was greater in 2001, whereas the construction of MAS as a ‘burden’ was greater in 2010. In both sample periods, MAS were framed as being a burdensome rather than a beneficial inclusion to society.

In both the 2001 and the 2010 samples, the Herald, and to a lesser extent, The Australian and the Telegraph, aimed to present an alternate frame for representing MAS that challenged the election-seeking official’s negative frame. They did this in two main ways. Firstly, the newspapers aimed to humanize MAS by attributing them with characteristics that effectively individualized or re-humanized them. This was achieved by presenting personal narratives of individuals that often involved descriptions of persecution in their homeland, and by retelling the details of tragic events and traumatic experiences individuals had suffered. Secondly, many articles across the sample selection sought to contextualize the problem of MAS by comparing Australia’s limited intake to that of other nations, by lamenting the scale of the worldwide refugee situation, and by making reference to Australia’s moral and legal obligations. In effect, articles of this persuasion created a stark point of difference to the construction of MAS presented by election-seeking officials. Comparing the two sample
periods, the overall trend was that more articles in 2001 humanized MAS, but more articles contextualized MAS in 2010.

In both sample periods, contributors to the newspapers challenged the election-seeking official’s policies and framing of MAS. Where the Telegraph adopted the Liberal party’s overwhelmingly negative tenor at both relevant times, the results from the Sydney Morning Herald and The Australian reveal that the broadsheets were more critical of the way the major parties presented the MAS as an issue. Overall, both broadsheets were cautious about appraising the office-seeking official’s position, and numerous sustained critiques of these official’s framing techniques featured during the sample period. Notably, in the 2001 sample, contributors to all three newspapers opined the politician’s shameful use of the threat discourse for political gain. Critiques included rampant condemnation of the office-seeking official’s appeal to xenophobia, and also to events that were manufactured into crises to maintain the negative momentum until Election Day. In 2010, whilst similar critiques featured in the Herald and The Australian, they were in no way as sustained as in the 2001 sample.

Descriptors
As established when analyzing the ways in which the election-seeking officials constructed MAS, the terms used to describe these people are important. References that include the term ‘illegal’ effectively criminalize the person, their behavior, or both. Furthermore, depending on the context, such references potentially dehumanize, demonize, and de-legitimize MAS. Unlike the freedom enjoyed by the election-seeking officials to espouse their views and policies regarding MAS in whatever way they deem appropriate, publications in Australia have certain guidelines to follow, as set out by the Australian Press Council’s ‘General Statement of Principles’ (APC 2011).
As a response to complaints about the way MAS were referred to in the printed press, guidelines were introduced in 2004. ‘Guideline No. 288: Asylum Seekers’, which amended the 2004 Guideline, advised that in reports concerning MAS, the use of the descriptor ‘asylum seeker’ is generally understood and provides a fair and accurate meaning of the people in question, whereas the descriptor ‘illegal(s)’ is held to be inaccurate in many instances, and a term that connotes criminality (APC 2009). While the Guidelines omit reference to ‘boat people’, the constant use of this terminology to describe MAS, and the way it is often used in conjunction with ‘asylum seekers’, suggest that its use is acceptable. However, the exclusive use of the term ‘boat people’ in publications can effectively remove the connection to legality and the right to seek asylum.

What was found in this study was that the descriptors used as the point of reference for MAS were largely acceptable and neutral across both samples. Indeed, the most common terminology used over both sample periods was ‘asylum seekers’, ‘boat people’, or ‘asylum seekers/boat people’. Two key trends were noted. The first was that some contributors across both samples incorrectly conflated descriptors, or misused the legal classification of ‘refugees’. The effect of this was that it either undermined the integrity of the article, or it brought ‘refugees’ into disrepute and undermined the legitimacy of their claim.

Secondly, there was a definite retreat from the use of the pejorative terms ‘illegal’ or ‘illegal immigrants’ or ‘illegal asylum seekers’ to describe MAS indicated between the 2001 and the 2010 sample. In 2001, almost 1 in 5 articles across the sample used one of the three ‘illegals’ descriptors. The breakdown between the newspapers in 2001 is seen in Figure 5 below, for 2010 in Figure 6. Contributors in the Telegraph were twice to three times as likely to use such terminology. In 2010, only 1 in 20 articles across the sample used an ‘illegals’ descriptor. Interestingly, The Australian was as likely as the Telegraph to carry such
terminology. The use of such terms were almost exclusive to two regular contributors in *The Australian*, namely Foreign Editor Greg Sheridan, and Janet Albrechsten. The references in the *Telegraph* were largely attributable to conservative columnists Andrew Bolt and Piers Akerman, whilst the two references made in the Herald featured in news reports that did not differentiate between people arriving by boat.

![Figure 5.1 Descriptors: 'illegals', 'illegal immigrants', 'illegal/boat people/asylum seekers/boat arrivals' 2001](image)

<table>
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<th>Source:</th>
<th>The Australian</th>
<th>Daily Telegraph</th>
<th>The Sydney Morning Herald</th>
</tr>
</thead>
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<tr>
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<td>% of references</td>
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<td>37.5%</td>
<td>9.3%</td>
</tr>
</tbody>
</table>

![Figure 5.2 Descriptors: 'illegals', 'illegal immigrants', 'illegal/boat people/asylum seekers/boat arrivals' 2010](image)

<table>
<thead>
<tr>
<th>Source:</th>
<th>The Australian</th>
<th>Daily Telegraph</th>
<th>The Sydney Morning Herald</th>
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<tr>
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</tr>
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<td>8%</td>
<td>2%</td>
</tr>
</tbody>
</table>

**Tone of the Articles**

Figure 5.3 displays the results for the tone of the sample articles in both 2001 and 2010. As is shown, there were almost twice as many ‘substantive’ articles in 2001 compared to 2010. The percentage of articles that were negative in tone was quite consistent in both sample periods, with almost 39% negative in 2001 and 36% negative in 2010. The general trend evident in these ‘negative’ articles in 2001 was to refer to MAS as a threat to national security, as an economic burden, or to emphasize the incompatibility between the ‘Muslim’ MAS and Australian citizens. In 2010, the trend evident in these ‘negative articles’ was to refer to MAS predominantly as a burden on the economy, on the detention centre system, or as connected to the idea of an unsustainable population. The dichotomous notion of the ‘deserving refugee’ and the ‘undeserving refugee’ was prevalent across both sample studies.
More articles in the 2001 sample presented a ‘positive’ tenor regarding MAS, with 30% of the total. The most common way this was achieved was by humanizing the individual or group, constructing personal narratives of trauma or hope, or by contextualizing the extent of the issue of displaced persons both nationally and internationally. In the 2010 sample, only 18% of the articles were positive in tone. Reasons for this noticeable change seems attributable to two key points. Firstly, in 2001, external crises such as the Tampa affair, the US declaration of the War On Terrorism, the ‘Children Overboard’ fiasco, and the sinking of Siev X, led many contributors to report and opine on MAS with sympathy. That this victimization of MAS was not so strong in 2010 could be justified by the fact that no great tragedy or event occurred to generate such concern. Secondly, in 2001, the disgust and shame over the way the office-seeking officials’ dehumanized, demonized, and sensationalized MAS was far more pronounced than in the 2010 sample. This could be due to the notion that in 2001, being tough on borders translated to dramatic policy changes that effectively denied thousands of MAS the right to seek asylum in Australia during the election campaign, where in 2010, being tough on borders barely translated past electioneering slogans.

<table>
<thead>
<tr>
<th>Source</th>
<th>Total articles +/-</th>
<th>Positive</th>
<th>Negative</th>
<th>Neutral</th>
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<td>45</td>
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<td>Sydney Morning Herald 2001</td>
<td>343</td>
<td>143</td>
<td>72</td>
<td>70</td>
<td>38</td>
</tr>
</tbody>
</table>
Dominant Constructions

As explored in the previous chapter, in both 2001 and 2010, the implementation of the securitization discourse enabled the election-seeking officials to frame MAS as a threat to the security of the nation, as well as to an affront to the Australian way of life. Concurrently, certain regular and occasional contributors rallied against these constructions. The frequency of such articles, whilst not as numerous, suggest that the publications played an invaluable role in offering a different point of view to the election-seeking officials.

Natural Disasters

In both sample periods, MAS were presented as a threat to national security. This was achieved by reference to the constancy with which the boats were arriving on Australian shores. Reference to this constant flow of vessels made the issue seem uncontrollable. MAS were held to have undermined Australia’s sovereign right to decide whom to include and exclude from its territory.
In terms of representing the scale of the issue, newspaper columnists in both samples, and across all three newspapers adopted descriptors such as ‘wave’, ‘flood’, ‘tsunami’. This was noticeable in the news reports as well as the opinion pieces. The use of this natural disaster diction, which effectively emphasized the uncontrollable and destructive nature of the arrivals, rather than merely commenting on their scale, was more intense in 2010 with the inclusion of descriptors such as ‘armada’. The *Telegraph* featured the most outrageous headlines, for example ‘Record Armada of Boat People’ (Toohey 2010), and ‘Invasion – Boat People Armada Sails for Australia’ (McPhedran 2010). Concurrently though, the newspapers across both samples aimed to contextualize the amount of arrivals, both in terms of Australia’s wider migration program, and as a percentage of the global flows of asylum seekers. In effect, this amounted to an information campaign, where facts and statistics rather than emotive language provided the basis of opinion pieces.

**Please Join the ‘Queue’**

Where this information campaign effectively faltered, was in reference to the concept of a refugee ‘queue’. It is here that the similarity between the election-seeking officials and the media was most apparent, in that both adopted the rhetoric of the ‘reverse humanitarian’ framework to depict the image that MAS were ‘undeserving’. Conservative columnist for *The Australian*, Janet Albrechtsen (2010), compared ‘illegal immigrants’ arriving in Australia to ‘those voiceless refugees waiting in camps…’ encouraging sympathy for the people in camps, and antipathy for MAS. In an article entitled ‘Excuse Me, But What Is A Right Type of Migrant’ (*Telegraph*: 2010), controversial columnist Andrew Bolt demonized MAS as people who ‘barge in’ to Australia. Piers Akerman, also for the *Telegraph*, was consistent in his tirade against ‘queue jumpers’ in ‘Even Our New Australians Want to Stop the Boats’ (30 July 2010), and in ‘Afghan Refugee Embraces Timor Solution’, Tom Allard (2010) for the *Herald*...
gave a voice to an Afghani refugee waiting for resettlement in Jakarta, emphasizing the unfairness of wealthy ‘boat people’ taking his place in Australia.

Importantly, it was evident that in both 2001 and 2010, a couple of contributors for *The Australian* and *Herald* newspapers attempted to expose the myth that MAS were ‘queue jumpers’, and to inform the public about the nature of displaced people movements. For example, *The Australian* Editor-at-large Paul Kelly, in ‘We Of Never Never Land’ opined that Ruddock purposefully constructed the notion of the ‘queue’, and outlined the potential flexibility in the way the Government effectively controlled the size of this ‘queue’ each year (8 September 2001). And in ‘Some Ifs, But Timor Could Be A Solution’, academic Ben Saul opined that ‘Queues are often non-existent, inaccessible or pointless where resettlement never follows.’ (9 July, *Herald*). However, the prevalence of these factual and informative articles was far less than the articles affirming the concept of the ‘queue’.

**Economic Burden**

The burden of MAS arrivals was a core area of concern in both 2001 and 2010, though it was more pronounced in the 2010 sample. References were made not only to the burden in a purely monetary sense, but also to the burden of the increased arrivals on the detention centre system, and to the burden on infrastructure provision in metropolitan suburbs. For example, when reporting on the 2010 budget, the *Herald’s* immigration correspondent Yuko Narushima (2010a) wrote an article entitled ‘Costly exercise: asylum seekers’ private jet flights cost $5.6m’. The article reported that the plane used to move MAS from Christmas Island to mainland detention centres was the same plan hired by celebrities. Rather than directing attention to the fact that it was Government that controlled these funds, the article suggested that MAS had some choice in this ludicrous expenditure. In this vein, *The
Australian featured a raft of articles concerning the detrimental impact that expanded detention facilities had on the surrounding communities and landscapes. Journalist Paige Taylor frequently wrote about the impact of the detention system on the indigenous population of Leonora in WA, and the environmental concerns of the Christmas Island residents. Indeed, many articles across both sample periods, but noticeably more in the 2010 sample placed the blame of the MAS burden on the MAS themselves rather than on the inept Government policies that created the burden.


In 2001, the election-seeking officials drew on unfortunate external events as vivid explanatory points of reference. MAS were constructed as a definite ‘other’ in society and connections were made between MAS and ‘terrorists’, ‘gang rapists’, and ‘Muslims’. A major point of difference between the two sample periods was that in 2001, MAS were constructed as a threat to Australian values because of the cultural difference emanating from their ethnicity and religion. Perhaps exposing societal progression, the 2010 sample period was far less likely to differentiate MAS on the basis of their ethnicity or religion. Instead, the articles that presented MAS as an ‘other’, focused attention on the welfare benefits that MAS received compared to Australian citizens. In both sample periods, the overarching categorization was of MAS as ‘undeserving’.

External events such as the gang rape committed by Lebanese Muslim youths in areas of Western Sydney, and the ‘Children Overboard’ fiasco enabled MAS to be deplored as ‘gang rapists’, and ‘child abusers’. The tenuous links forged between MAS and ‘gang rapists’ and ‘child abusers’ were specific to the 2001 sample, but the underlying sentiment was one of cultural difference. The motivating factor was not the supposed bad behavior, but that the perpetrators were ‘Muslim’, and therefore they held different cultural values to mainstream
Australian. Contributors from all three newspapers made the connection between the ‘Muslims’ arriving boat, and crime on the Sydney streets. For example, two days before the Election, in an article entitled, ‘Victims Are Screaming, But No-One Hears’ (Herald, 8 November 2001), conservative columnist Miranda Devine crafted a connection between the rule-breaking Tampa ‘illegal immigrants’ with recent events in Sydney such as gang rapes and other violent crimes. In a tactic redolent of the Telegraph’s approach to reporting, Devine constructed this criminal connection with gumption.

The distinct ‘other’ was created in the Telegraph by typically situating its news reports and many opinion pieces within a crime and justice frame – MAS were denoted as being of ‘middle eastern appearance’, or of ‘middle eastern origin’. Both of these descriptors are commonly used in criminal justice rhetoric when referring to persons of concern. Rather than adopt this frame, the Herald and The Australian were far more likely to refer to the MAS’ specific country of origin. Only a couple of contributors championed John Howard’s notion that the cultural differences of MAS were so profound, given that they would risk their children’s lives to evoke sympathy, that they were totally incompatible with Australian society. The majority view from the 2001 sample was that the ‘other’, as created by the election-seeking officials, was a dangerous construction that undermined the Australian ethos of multiculturalism.

On the concept of the Muslim ‘other’, the 2010 sample revealed great contrast with 2001. Only a select few regular columnists, namely Andrew Bolt of The Daily Telegraph, Greg Sheridan of The Australian, and Miranda Devine of the Sydney Morning Herald constructed a racial frame of reference in 2010. Interestingly, in a comparison across the three newspaper samples, The Australian contained the most frequent references to the Muslim ‘other’. For example, British contributor Melanie Phillips wrote that the populace in both the UK and
Australia had come to the end of their tether with multicultural acceptance. In both nations, Phillips suggested; the inability of the Muslim to assimilate had caused untold social cleavage (‘Politicians Finally Hear the People Say ‘Enough’ 3 July 2010). In ‘Too Laid Back About Immigration’ author Ayaan Hirsi Ali suggested that it was near impossible for Muslims to integrate into Australian society, and that they would rather impose their Islamic ideas and culture on the nation (7 August 2010). And Greg Sheridan argued in ‘A Firmer Hand on Illegals, But Still Not A Solution’ that the fear of ‘people self-selecting from Afghanistan to live in Australia’ was certainly not racist given the security risks of Islamic extremism (2010b). These articles aside, connecting the issue of cultural integration, Muslims, and MAS was not dominant in the 2010 sample. Further research of the printed press revealed that a greater number of articles within the given time frame referred to ‘Muslims’ and ‘cultural difference’, typically concerned with the freedoms, appearance and dress, and cultural integration.

The greatest trend across all three newspapers in the 2001 sample period was the concerted effort made to humanize the Muslim ‘other’. The emphasis was on the importance of acceptance rather than on exposing the cultural differences. What was notable in the media sample at the time, and a line that was repeated in the 2010 sample, was that many contributors sustained critiques of the election-seeking officials’ negative construction on the basis of race. For the Telegraph, author Geraldine Brooks, wrote an exploratory article entitled, ‘Living Behind the Veil of Islam’, which distinguished MAS as ‘people fleeing terror and extremism…’ (6 October 2001), and regular columnist Mark Day (2010a) espoused that the officials were ‘Buying Votes With Our Good Name’. For the Herald, Adele Horin (2010) opined that the ‘Race Card is a Great, Big Attack on Everything That Makes Us Great’, and Narushima (2010b) reported that the ‘Refugee Battle Revives Xenophobic Fears’. For The Australian, Mike Steketee (2010) suggested that ‘Hanson’s Ghost Still Haunts Our Refugee
Policy’, and Sally Neighbour (2010) challenged the notion of Muslim’s culture being incompatible with mainstream Australian culture in ‘Sceptics Challenge Hirsi Ali – Election 2010’.

**Terrorism**

Certain media representations in the sample period drew the connection between MAS and terrorists. The basic contention was this: if you were unable to verify the identity of the person, there was no justification to exculpate their potential connection to terrorist organizations. As discussed in the previous chapter, in 2001, Prime Minister John Howard relied on this construction, whilst Opposition leader Kim Beazley questioned its validity. In 2010, Prime Minster Julia Gillard refrained from forging this link, whilst Opposition leader Tony Abbott made cursory reference to the possibility. In 2001 some contributors forged the link between MAS and terrorists, and others vehemently denied the connection.

The *Telegraph* provided a sounding board for Defence Minister Peter Reith, Immigration Minister Phillip Ruddock, and Prime Minister John Howard, enabling them to express their concerns about the unknown ‘others’ aboard the leaky vessels en route to Australia. Immediately after the September 11 terrorist attacks, reporter Malcolm Farr (2001) asserted in an article entitled ‘Terrorist Link With Boat People – Reith – Act of War – Australian Victims’ that the connection was undeniable. On the same day, in ‘Making Sense of the Irreconcilable – Act of War’, David Penberthy (2001) opined that the ‘Afghans on the Tampa could well be every bit as… deranged as a suicide bomber.’ On September 17, vigilance was called for against the ‘illegal immigrants’ in ‘Australia Must Now Stand Firm – Act of War’ (2001a).
A *Telegraph* article dated 13 October entitled ‘Vindication of Our Line in the Sand’ (2001b), declared that an assumption against the link was a ‘dangerous myth.’ It was this myth that columnist Mark Day, who concurrently contributed articles for *The Australian*, attempted to expose. More than merely denying the link between terrorism and MAS, Day suggested that the construction was manufactured for the political opportunity it delivered the Liberal party. In an article entitled ‘When Fear Galvanizes the Nation’, Day opined that the connection was ‘absolute nonsense. It is ill-founded and stupid’ (2001c). In ‘Don’t stir the melting pot that’s working’, Day suggested that the link between MAS and terrorists was completely illogical, but asserted that the link was so popular because it masked a deeper societal fear – that of the ethnic ‘other’ (2001b).

Unlike the *Telegraph* articles, the dominant line from both *The Australian* and the *Herald* presented a challenge to the terrorist link. While a few articles from both broadsheets made the connection, and defended Howard’s stand, for example Tim Blair’s ‘Beware the Terrorists in Refugee Clothing’ (2001) and Padraic McGuinness’ ‘Terror’s Shockwaves Echo in The Waters of The Pacific’ (The *Herald*, 13 October 2001), the frequency of articles questioning the viability of the terrorist link was great. For example, on 13 September 2001, Stephen Romei for *The Australian* humanized the ‘boat people’ as victims of repressive rule fleeing for their lives in ‘Fearful New Age of Vulnerability – War of Terror – Blame and Consequences.’ On the same day, foreign editor Greg Sheridan likened punishing the ‘boatpeople’ for the terrorist attacks to ‘assigning responsibility to Jews who fled Hitler’s Germany for the crimes of Nazism.’ Drawing this historical comparison enabled Sheridan to express how extreme he felt the Australian reaction to be. He claimed that ‘Nothing would be more foolish than to think it’s smart to keep out the Afghans because they are in some mysterious way linked to Islamic politics...’ (‘US Should Now Take Careful Aim’. 13 September 2001. *The Australian*). On the 14th of September, the *Herald’s* Michelle Grattan linked ‘boat people’ to
the victims of the Taliban (‘John W. Goes All The Way With George W’), on the 18th of September, former Prime Minister Malcolm Fraser opined that MAS were victims fleeing oppression and terror (‘Stumbling On A Path of Inhumanity’. Herald). And on the 9th of October, The Australian’s Matt Price called for Australians to ensure they are fighting the terrorists, and not the ‘peace-loving boatpeople, Muslims, Afghans and Arabs within our communities’ (‘Nations must Hold Firm to Defeat Terror’).

In 2010, after a decade of occasional terrorist attacks worldwide at the hand of Al-Qa‘ida or other Islamic fundamentalist organization, the issue of whether MAS were terrorists was not so prevalent. Perhaps with the tyranny of time, the connection was more difficult to construct. That being said, a couple of news reports from The Australian during the sample period connected MAS to terrorism. For example, on the 14th of July 2010, Stephen Fitzpatrick wrote that the Indonesian authorities ‘believe’ to have ‘captured a senior Afghan al-Qa‘ida-linked figure posing as an asylum-seeker trying to reach Australia.’ (‘Asylum Seeker Linked to Al-Qa‘ida’). No supporting evidence was provided, and no further reporting during the sample period elucidated the facts of the matter.

**Unsustainable Population**

Rather than focus on cultural differences, the resounding domestic issue that the election-seeking officials attempted to connect MAS with in 2010 was Australia’s potentially unsustainable population. The printed press’ reaction to this tenuous construction in 2010 was similar to the reaction against the MAS and ‘child abuser’ link in 2001. The construction did not gain great purchase, but furthermore, columnists ridiculed its very suggestion, and exposed it as a part of a vote-winning ploy (George Megalongenis ‘Not Immigration: Population Explosion? It’s Already Happening.’ The Australian. 10 July 2010). The newspapers’ engaged in a common-sense campaign that denied any link between MAS and
the population boom. Rather, the dominant line from the sample was that the government should refrain from deflecting attention away from their failings to provide adequate infrastructure (‘The Politics of Population, The Herald, 5 August 2010). Many articles focused attention on the ordinary migration intake, and situated MAS as a very small and ultimately controllable part of the humanitarian category.

**Mutable Constructions of Deservedness**

An unexpected trend noticed in the construction of MAS from 2001 to 2010 was a perceptible hardening of opinions. It seemed as though regular contributors had grown weary of the issue, or that the publications’ aimed to prevent an outpouring of xenophobic sentiment. An example of one regular contributor’s change of tone, use of descriptor, and overall construction of MAS supports the claim that opinions hardened in 2010.

*The Australian*’s Foreign Editor Greg Sheridan wrote extensively on the issue of MAS over both sample periods, with eight substantive opinion pieces expressing his views in 2001, and seven in 2010. The collection of articles in 2001 represents Sheridan’s humane approach when he addressed the issue of MAS. In an article entitled ‘Playing to Darkest Fears of The Psyche – The Refugee Crisis’ (2001a), Sheridan wrote that MAS were ‘used as pawns for the political advantage of the Government’. In ‘Inflammatory Denial of Human Dignity’ (2001b), Sheridan humanized MAS, rejected the farcical notion of ‘wealthy queue-jumpers’, opined the conditions in detention centres as producing ‘the most consistent and shocking human rights abuses’ in Australia, and claimed that ‘we have an obligation to respect their human dignity.’ In ‘A Tragedy Caused by Western Policy’ (2001c), Sheridan explained the situation in Afghanistan, claiming that the very idea that the people fleeing the Taliban were not genuine refugees was ‘ridiculous.’ And in ‘PM Scores Points With A Popgun’ (2001e), Sheridan held Australia accountable for undermining the *Refugee Convention*, which he noted as ‘the most
fundamental of elements of the postwar international order.’ These articles are testament to Sheridan’s compassionate and sympathetic viewpoint, and also to the shame he felt due to Howard’s construction of MAS.

The near-decade gap engendered an adamantly hardened construction of MAS. Where shame had once been felt because of Howard’s tough stance, the shame Sheridan felt in 2010 was due to Gillard’s weakened stance. His 2001 ‘asylum seekers’, ‘refugees’ or ‘boat people’ became ‘illegal immigrants’ in 2010. In ‘No Need to Lead From the Front on ETS Action’ (2010a), Sheridan applauded the Howard Government’s record on stopping the ‘flood of illegal immigrants’ – displaying the scare tactics he had admonished in 2001. In ‘U.N. Convention Misunderstood, But It’s Not Working Anyway’ (2010c), Sheridan demeaned the Refugee Convention as a ‘quasi-legal mechanism’ with ‘destructive consequences’ – a marked change of opinion to 2001. And in ‘Weighty Topics Simply Avoided in Leaders’ Debate’ (2010d) and ‘Why Labor Can’t Stop the Boats’ (2010e), Sheridan stated that a higher number of boat arrivals would confirm the ‘queue-jumper effect’ – a volte-face from his 2001 stance.

The way Sheridan developed his tougher line on MAS is not an adequate depiction of the extent of change evident from the 2001 to 2010 media sample, but it does display the basic trend. Overall, the evidence from the 2010 sample reveals that humanizing personal narratives were far less frequent, and that the victimization of MAS was not as profound. This was evidenced through the less emotive presentation of information. Possible explanatory factors of this change could be that unlike in 2001, there were no dramatic events, focusing points, or controversial Governmental changes that highlighted the tragic elements of the issue. In this way, the data of 2010 read very differently to 2001, with more of a focus on the election-seeking officials’ rhetoric, construction of the problem, and proffered solutions than on the people in the boats.
Overall, while there were many differences in the media's portrayal of MAS in 2001 and 2010, the dominance of the ‘reverse humanitarian’ framework was evident, and the themes of security, threat, and burden endured across all three newspapers. As explored in relation to the election-seeking officials’ construction of the problem, the things that changed were the specific issues to which MAS were linked. Interestingly, the dominant trend in 2001 and 2010 was that printed press delivered a relatively consistent line to that of the election-seeking official in terms of the broader concerns of security and border protection, but actively admonished most connections made to specific issues, denoting these links as tenuous at best.

In ‘Scapegoating Boat People A True Blue Australian Tradition’, academic Mary Crock stated that ‘Conservative politicians have become adept at exploiting the popular (almost acculturated) fear of outsiders as an electoral weapon’ (The Herald, 10 August 2010). The evidence across both sample periods suggested that the sample newspapers’ effectively recognized the detriment of the election-seeking officials’ negative construction of MAS, and sought to present an alternate view.

Each newspaper, except the Telegraph in the 2010 sample, featured sustained critiques from eminent columnists and contributors that established a humanitarian and moral perspective, and questioned the punitive policies of the election-seeking officials. At times when the election-seeking officials presented almost bipartisan negative constructions of MAS, the contribution of the mass media was that it provided a counter point to the major constructions, nominally through the presentation of a humanitarian framework. In this way, through the dissemination of information, the mass media displayed moral leadership at a time when the election-seeking officials did not.
Conclusion

‘Stop selling our national character short. We are better than this. We are so much better than this.’
(Gillard. 2010a)

Unlikely Similarities

This study has revealed the way election-seeking officials have constructed MAS predominately through a negative reinterpretation of the humanitarian framework, whereby such a construction denotes the MAS as ‘undeserving’ of the protections of the state. This ‘reverse humanitarian’ framework uses the principles of humanitarianism to repudiate the legality, the legitimacy, and the very humanity of MAS. This study has demonstrated that election-seeking officials and contributors in the printed press used this framework as a primary means through which to deny the legitimacy of MAS in the 2010 federal election. I suggest that fear and a potential lack of border control were concepts exploited for electoral advantage by election-seeking officials. Rather than assuage the fears of the nation, the humanitarian issue was conflated with national security and immigration concerns to the detriment of the integrity of each issue.

On Constructing Deservedness

The study revealed that the most influential way MAS were positioned as ‘undeserving’ in both 2001 and 2010 was through the use of the symbolic ‘queue’. Through the symbol of the ‘queue’, and rhetoric denoting MAS as ‘queue jumpers’, MAS were demonized as taking the place of ‘deserving’ refugees. Furthermore, this construct of the ‘queue jumper’ was positioned to abrogate the values of fairness and present an affront to the typically Australian pursuit of a ‘fair go’. The voices of a couple of contributors in the printed press tried to clarify the concept of the ‘queue’, however, in both 2001 and 2010, the notion that the ‘undeserving
refugee', in self-selecting their destination country, ‘jumped the queue’, to take the place meant for ‘deserving refugees’. The concept of an orderly queue that all asylum seekers and refugees join in anticipation of orderly resettlement, does not equate with the chaotic asylum reality (Phillips 2010: 4; UNHCR 2009; UNHCR 2010; Maley 2010). Furthermore, as was discussed, Australia’s onshore and offshore programs were linked under the Howard Government. The Australian Government controls the total quota of people who it accepts as part of its humanitarian program annually, and thus has the power to change the quota. Whilst the concept of the queue continues to play a role in justifying draconian rhetoric against MAS, it is a construction of the Government that can be changed at any time.

The Media Influence
The interplay of the election-seeking officials’ discourse and the sample printed press revealed that whilst MAS were actively demonized or dehumanized by the election-seeking officials, as a response, certain eminent contributors across the sample newspapers actively tried to contextualize and re-humanize MAS, but this was less common in the 2010 sample compared to the 2001 sample. They did this by placing MAS in the humanitarian framework, focusing on personal narratives of persecution, or contextualizing them as part of a much larger problem. What this showed was the continuing role that the print media plays in the dissemination of information to shape policy problems.

The ‘Reverse Humanitarian’ Framework
As was shown, the impact of using the ‘reverse humanitarian’ framework was that it tried to distance the problem of MAS and Australia’s response from the global issue of displaced persons and the international human rights framework. The consequence of such distancing is that it effectively misrepresented the problem. Stated plainly, MAS have a right to seek asylum, and are ‘deserving’ of international protections. The complication necessarily comes
when ascertaining Australia’s obligations. Under International law, Australia has adopted the 
Refugee Convention, and various related protocols, and abides many of the guiding principles. However, the progression of Australia’s domestic laws over the past two decades has been to distance itself from such obligations. The divergence between Australia’s acceptance of international guiding principles and its draconian domestic laws has created an impasse. At this junction, the competing priorities of national security and humanitarian obligations meet, but they need not be mutually exclusive. The 2010 federal election campaign clearly revealed the promotion of national security at the expense of humanitarian obligations.

Ultimately, what this study affirms is that whilst leaders have the potential to set the tone and tenor of the debate about MAS, and to guide the development of the problem to exact an effective and just solution, in the 2010 federal election campaign, we witnessed a triumph of political expediency over humanitarian concerns. In other words, the election-seeking officials were prepared to sacrifice a few for the votes of many.

What is needed to move the debate on asylum seekers forward, is leadership. On this issue I am adamant that the negative construction of MAS is led from the top, rather than from the sentiments of the masses. The leader needs to stand up and reposition the issue of MAS in a true humanitarian framework. They have the potential, and the platform to educate the populace, to redefine the fears and foes. The leaders can establish that, relative to other nations, MAS present a limited and potentially controllable feature of Australia’s immigration intake. The leaders can refrain from positioning the arrival of leaky boats as a threat to Australia’s national security. The leaders can reframe the debate on MAS by confirming that MAS are ‘deserving’ of protection rather than ‘undeserving’ refugees. With a transformed level of deservedness, the construction of MAS as both a negative and weak target population could be altered. Ultimately, the leaders can make a conscious decision to
stop exploiting the people on boats for electoral advantage. Rather than pander to the constructed fears of the nation, with empty promises to stop the boats, these vulnerable people fleeing persecution deserve to be re-humanized.

This study attempted to grapple with notions of deservedness, and drew upon the literature of target populations to ascertain the mutability of such constructions. It emphasized the notion that some problems are more likely than others to become popular, in this case, it was due to the emotive appeal that the election-seeking official presented. Further research into what, if any, impact the intensively negative constructions of MAS during election campaigns has after the Election Day is necessary. The consequences of any continued impact of these negative constructions of MAS, particularly in a multicultural nation like Australia, could be profound. As Gillard noted in her ‘Moving Australia Forward’ speech (2010a), Australian politicians should refrain from empty sloganeering and the simplification of difficult problems. Reflecting on the overwhelmingly negative construction of MAS in the 2010 federal election campaign, it is certainly hard to tell whether ‘We are better than this’.
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