

The Systemic Violence of Politics - Two Performance Works that Examine Australia's Election Rhetoric and Asylum Seeker Policy

Dr Melissa Laing. AUT University

Filling the Melbourne Cricket Ground

In the introduction to his book *Violence* Slavoj Zizek writes that “the obvious signals of violence are acts of crime and terror, civil unrest, international conflict, But we should learn to step back, to disentangle ourselves from the fascinating lure of this visible ‘subjective’ violence, violence performed by a clearly identifiable agent.”¹ He goes on to suggest that ‘subjective’ violence is only one of a triumvirate that includes ‘symbolic’ violence and ‘systemic’ violence, the violence of representation, and the violent consequences of the “smooth functioning of our economic and political systems.”² The symbolic and systemic expressions being what Zizek deems objective violence “the violence inherent to the normal state of things.”³ Zizek’s proposition allows us to recognise that the everyday ideological acts that construct community and identity are coupled with oppositional and exclusionary tactics that create discourses of violence.

Focussing on the interplay between symbolic and systemic violence occurring around seeking asylum in Australia it examines what is commonly positioned as legitimate violence, that which arises from or is sanctioned by the state. The overt forms of violence can be seen in the practices of blockading boats and the extended detainment of asylum seekers, yet legitimising these practices takes place through a normalising discourse and essentialised representations of Australian and asylum seeker identity, security that lead to the construction and enforcement of state legislation. The extreme negativity towards asylum seekers is one side of an issue that ideologically splits

¹ Slavoj Zizek, *Violence* (London: Profile Books Ltd, 2009), 1.

² Ibid.

³ Ibid., 2.

Australia, not down the middle, rather into majority and minority positions. In 2000 Pauline Hansen, leader of the One Nation political party memorably suggested that instead of allowing asylum seekers to land in Australia “We go out, we meet them, we fill them up with fuel, fill them up with food, give them medical supplies and we say, ‘go that way’.”⁴ While this Hansen represents a far right stance, more moderate politicians enacted policies which came close to realising this suggestion. On the other end of the divide are those who believe that Australia should take a position of generosity that matches its self image as a cosmopolitanism culture embodying ideas of “tolerance, openness and hospitality,” within a dialogue of global citizenship.⁵

Why is the rhetoric of security, identity, and control mobilised so strongly, so violently against the asylum seeker? It is because their existence performs a symbolic violence against the nation-state. The very seeking of asylum demonstrates that a nation-state can fail in its Hobbesian contract to protect its citizens in return for their obedience. This failure in turn suggests the possibility of failure in any other nation-state. As Giorgio Agamben in his collection of essays *Means without End*, wrote “If the refugee represents such a disquieting element in the order of the nation-state, this is so primarily because, by breaking the identity between the human and the citizen and that between nativity and nationality, it brings the originary fiction of sovereignty to crisis.”⁶ The invasion of the other that is the asylum seeker, is not an invasion of sovereign territory by another state, an uncivilised other who will steal the stolen land and replace one state with another. Rather it is the invasion of sovereign territory by its void, its outside, and it is against this outside that the symbolic violence and systemic violence against the asylum seeker mobilises.

⁴ Pauline Hansen, Daily Telegraph, 15 February 2000 quoted in David Marr and Marion Wilkinson, *Dark Victory* (Sydney: Allen & Unwin, 2003), 45.

⁵ Simon Critchley and Richard Kearney, 'Preface', in Jacques Derrida, *On Cosmopolitanism and Forgiveness*, trans. Mark Dooley and Michael Hughes (London: Routledge, 2001) The conflict between conditional and unconditional hospitality and its attendant ideas of control and generosity is eloquently explored by Jaques Derrida in his *Essay On Cosmopolitanism*.

⁶ Giorgio Agamben, *Means without End, Notes on Politics* (Minneapolis: University of Minnesota Press, 2000), 20.

In discussing this issue I reference five performances that make the symbolic and/or systemic violences visible: the 2001 and 2010 Australian Federal elections; the *Select Committee for an inquiry into a certain maritime incident* (2002); Version 1.0's *CMI (A Certain Maritime Incident)* (2004); and boat-people.org's *Muffled Protest* (2010). Each performance not only illuminates a form of violence, they also represent conflicting opinions on what constitutes personal and political integrity, ethical behaviour, and national identity, presenting different ideological positions on being Australian. In order to understand the context of these performances a brief outline of recent Australian history and immigration policy in relation to spontaneous asylum seekers is needed. This illuminates a public, institutional and political response to the rupture of the asylum seeker's arrival, located within a historic politics of (in)security that has lead to an at times almost virulent rejection of the asylum seekers' legitimacy, moral standing and un-ignorable request for the generosity of hospitality.

Since 1976 there have been four major waves of asylum seekers arriving by sea, generally via Indonesia. These asylum seekers are officially designated Irregular Maritime Arrivals (IMA), and colloquially known as 'boat people'.⁷ The first group were Vietnamese nationals fleeing after the fall of Saigon, and arrivals tapered off in 1982. The second wave took place between 1989 and 1998 and was comprised of nationals from Cambodia and later Southern China. The number of individual arrivals per financial year ranged from 78 to

⁷ Throughout this paper I will use the term asylum seeker, except where explicitly referring to the use of the phrase boat people. However it must also be recognised that the term asylum seeker has also taken on a pejorative inflection in many countries. The office of the UNHCR recently released a paper in which they advised that the term Asylum would also be avoided by their office as it had become associated with illegal migration becoming "a shorthand for a limited number of policy issues, most notably those of irregular movements, border controls, abusive applications for refugee status, as well as the return and readmission of asylum seekers whose claims to refugee status have been rejected." Jeff Crisp, "NEW ISSUES IN REFUGEE RESEARCH, Research Paper No. 155, Beyond the nexus: UNHCR's evolving perspective on refugee protection and international migration," (Geneva: Policy Development and Evaluation Service, UNHCR, 2008), 1.

1071.⁸ The third wave of asylum seekers predominantly originated in the middle east and Afghanistan and began in 1998. The volume of arrivals were unprecedented for Australia, with 4175 individuals arriving by seas between 1 July 1999 - 30 June 2000 and 4137 1 July 2000 - 30 June 2001. The number of boat arrivals were minimal between mid 2002 and mid 2008 but exponentially increased again, reaching 5609 in mid 2010. This rise signalled a fourth wave of asylum seekers from Afghanistan, Sri Lanka, Iraq and Iran. These waves coincide with major regional upheavals or untenable local situations in the countries of origin. Despite these periodic increases Irregular Maritime Arrivals are usually the smallest group of asylum seekers lodging or attempting to lodge claims for asylum onshore in Australia. It was only in 2010 that the number of claimants neared those arriving by air.⁹ In the context of Australia's general migration programme the numbers are small. Acknowledging this in a 2010 speech at the Lowy Institute in Sydney, the current prime minister Julia Gillard said "in the context of our migration program, the number of asylum seekers arriving by boat to Australia is very, very minor. It is less than 1.5 per cent of new migrants, and indeed it would take about 20 years to fill the great MCG [Melbourne Cricket Grounds] with asylum seekers at present rates of arrival."¹⁰

The response to these waves of boats demonstrates steady erosion of tolerance fueled by a deep "fear that any trickle off boat people meant a flood was on the way."¹¹ This fear has been expressed by both majority parties.¹²

⁸ The following statistics were taken from Phillips, Janet, and Harriet Spinks. 2011. Boat arrivals in Australia since 1976. February 11. <http://www.aph.gov.au/library/pubs/bn/sp/boatarrivals.htm>. (accessed 10 June 2011) The Department of Immigration and Citizenship reporting is from 1 July to 30 June the following year

⁹ Janet Phillips, "Asylum Seekers and refugees: what are the facts," Department of Parliamentary Services Social Policy Section (Canberra: Commonwealth of Australia, 2011).; Systems, Program Evidence and Knowledge Section of the Department of Immigration and Citizenship (DIAC). "Asylum Statistics Australia 2010 - 11 (First Six Months)." Canberra: Department of Immigration and Citizenship (DIAC), 2011.

¹⁰ Julia Gillard, "Moving Australia Forward " Lowy Institute 06 July 2010.

¹¹ Marr and Wilkinson, *Dark Victory*, 90.

Journalists David Marr and Marion Wilkinson, in their book chronicling the 2001 election, *Dark Victory*, wrote “Gough Whitlam was Prime Minister when the first Vietnamese took to the boats in 1975. He told his Cabinet he was ‘not having hundreds of fucking Vietnamese boats coming into the country.’ Bob Hawke branded the next wave of boat people queue jumpers and threats to Australia’s immigration policy. ‘Let no one think we are going to stand idly by and allow others, by their autonomous action which reflects perhaps some unhappiness with the circumstances in which they find themselves in their own country ... to determine our immigration policy’”¹³ These two statements are illustrative of what political theorist Anthony Burke has described as a history of anxiety in Australia linked to a vision of invasion by sea from Asia enshrined in the very idea of Federation. In 1888 New South Wales Premier Henry Parkes put forward the argument that Federation would protect the colonies against “the countless millions of inferior members of the human family who are within easy sail of these shores.”¹⁴ In a later speech he referred to the danger of invasion by “stealthy lodgement in some thinly-peopled portion of the country.”¹⁵ Already at the founding of the nation of Australia, a suspicion of unsolicited boat arrivals is built into the national imagination and the fabric of Australian politics. The connection between territorial security, and the integrity of the Australian identity, then considered synonymous with British culture and ethnicity, has lingered down the years. Burke writes in his book ‘Fear of Security, Australia’s Invasion Anxiety’ “In this [the Australian politician’s] world

¹² Australia has four main political parties. The Australian Labor Party (ALP), the Liberal Party, The National Party of Australia & The Australian Greens. In Federal elections the Liberal Party and National Party run in Coalition.

¹³ Marr, David, and Marion Wilkinson. *Dark Victory*. Sydney: Allen & Unwin, 2003. 90 Gough Whitlam was Prime Minister 1972 - 1975, Bob Hawker was Prime Minister from 1983 – 1991. Both were with the Australian Labor Party. Australia is a signatory to the 1951 Convention relating to the Status of Refugees (1954) & the 1967 Protocol (1973)

¹⁴ Henry Parkes, “Speech at the Federal conference in Melbourne” 13 February, 1890, quoted in Anthony Burke, *Fear of Security, Australia’s Invasion Anxiety* (Melbourne: Cambridge University Press, 2008), 28.

¹⁵ Henry Parkes, “A Government suitable for the altered conditions of Australia, presented at the 1891 National Coalition,” in Neville Meaney (ed), *Australian and the World: A Documentary History from the 1870s to the 1970s* (Melbourne: Longman Cheshire. 1985).

view, security is imagined on the basis of a bounded and vulnerable identity in perpetual opposition to an outside - an *Other* - whose character and claims threaten its integrity and safety.”¹⁶

This world view seems to be held by both majority parties, Labor and the Coalition. It was the Labor government in 1992 under Paul Keating that first introduced legislation for the mandatory, indefinite detention of arrivals without visa's including asylum seekers arriving on boats. The Coalition Government under John Howard (1994 - 2007) introduced the Temporary Protection Visa, which conferred a limited and insecure term of asylum and removed the option of family reunion.¹⁷ They also enacted policy that linked the capped offshore refugee quota to onshore applications, explicitly positioning asylum seekers arriving on boats as taking places away from 'legitimate' UNHCR refugees. In 2001, at the height of the third wave, the Coalition government determined that they would stop the flood and to that end excised territorial islands from the migration zone, deployed the navy in Operation Relex to turn back boats filled with asylum seekers and pursued a policy of off shore processing called 'The Pacific Solution.' Howard famously said their policies were about “having an uncompromising view about the fundamental right of this country to protect its borders. ... we will decide who comes to this country and the circumstances in which they come.”¹⁸

¹⁶ Burke, *Fear of Security, Australia's Invasion Anxiety*, 4.

¹⁷ Janet Phillips, Elsa Koeth, and Elibritt Karlsen, “Background Note Seeking asylum: Australia's humanitarian program” (Parliamentary Library, Parliament of Australia, 2011 [cited 13 July 2011]); available from <http://www.aph.gov.au/library/pubs/BN/sp/SeekingAsylum.htm>.; Susan Kneeborn "The Australian Story: Asylum Seekers Outside the Law." In *Asylum Seekers and the Rule of Law. Comparative Perspectives*, edited by Susan Kneeborn, 171 - 227. (Cambridge: Cambridge University Press, 2009). 178

¹⁸ Federal election campaign policy launch speech, John Howard, Prime Minister of Australia (1996-2007). 28 October 2001 sourced from <http://museumvictoria.com.au/immigrationmuseum/discoverycentre/identity/identity-blog/nov-2010/what-was-your-response-to-john-howards-election-speech-we-will-decide-who-comes-to-this-country-/> (accessed 12 July 2011)

The full text was: “This campaign more than any other that I have been involved in, is very much about the future of the Australia we know and the Australia we love so much. It is also about having an uncompromising view about the fundamental right of

While the Labor Government under Kevin Rudd (2007 - 2010) reduced detention measures and closed the processing centres in Nauru and Manus Island they otherwise didn't liberalise the immigration policies pertaining to Illegal Maritime Arrivals. However, this superficial liberalisation, followed by a 4th wave of Asylum seekers meant that Labor was perceived of as soft on the issue. When maritime arrivals became an election year issue Julia Gillard word "Another boat on the way. Another policy failure" said in 2003 while in opposition would come back to haunt her as prime minister.¹⁹ The party, under the leadership of Julia Gillard (2010 - present), responded by proposing the reintroduction of offshore processing, and in May 2011 announced an imminent and subsequently much condemned deal with Malaysia.²⁰ This list of incrementally hardening policies mars the humanitarian work that the Australian Government does undertake in collaboration with the United Nations High Commissioner for Refugees (UNHCR). Australia is rightly proud of the fact that it is one of the few countries who both provide funds to the UNHCR and resettles refugees under UNHCR protection, a process that allows it to exercises choice and control over incoming refugees.²¹ As we can

this country to protect its borders. It's about this nation saying to the world we are a generous open hearted people taking more refugees on a per capita basis than any country except Canada. We have a proud record of welcoming people from 140 different nations. But we will decide who comes to this country and the circumstances in which they come."

¹⁹ Laurie Oakes, "Which shadow minister plays politics with boatpeople?" *The Australian*, 20 October 2009, <http://www.theaustralian.com.au/news/which-shadow-minister-plays-politics-with-boatpeople/story-e6frg71f-1225788507350>. (accessed 30 July, 2011) The article quotes from a press release by Julia Gillard issued on 23 April 2003 titled "Another boat on the way. Another policy failure."

²⁰ Michelle Grattan. "Malaysia Solution." *Sydney Morning Herald*, May 29, 2011. <http://www.smh.com.au/opinion/politics/refugee-nightmare-plays-out-for-gillard-20110528-1f99x.html> (accessed 30 July, 2011); Kirsty Needham and Tom Allard. "Gillard left red-faced by refugee vote." *Sydney Morning Herald*, June 16, 2011. <http://www.smh.com.au/national/gillard-left-redfaced-by-refugee-vote-20110616-1g4wo.html>. (accessed 30 July, 2011)

²¹ According to the report "UNHCR Projected Global Resettlement Needs 2011," (Geneva: United Nations High Commissioner for Refugees (UNHCR), 2010) there are currently 25 countries who are currently resettling refugees, or have indicate an interest in doing so. These are: Argentina, Australia, Brazil, Bulgaria, Canada, Chile, the Czech Republic, Denmark, Finland, France, Iceland, Ireland, Japan, the

see, over the last thirty five years politicians have both publically spoken of asylum seekers in negative terms, and enacted hard line policies. They have linked the idea of boat arrivals to a loss of sovereignty over Australian territory and control over the determination of Australian immigration policy. We can also see that much of the discourse around 'boat people' isn't about 'them' it is about the identity of Australia

Two major oppositional tropes are mobilised in the discussion of maritime arrivals. Firstly the idea that Australia is an ethical, fair and humanitarian nation is opposed to an idea that asylum seekers are not. Assertions that they do not care for their children, disadvantage others by jumping the queue, and receive social welfare benefits where others 'do it hard' have been publically made. Secondly the need to exercise control over borders and migration process and securing people and territory from harm is justified against the threat of an uncontrollable, unstoppable flood of people who show the border and security apparatus to be porous and insecure. What these tropes in represent is what sociologist Ghassan Hage has termed a paranoid nationalism. A nationalism that defines the other by what we reject from our own self. These tropes also reveal an unapologetic hypocrisy at work in the construction of national identity and security.

Three performances of a lie, 2001 – 2004



Version 1.0, "CMI (A Certain Maritime Incident)," (Sydney: Performance Space 2004)

Photo: Heidrun Lohr

The asylum seeker debate reached its apotheoses in the 2001 elections when what Hannah Arendt called the modern political lie was perpetuated.²² This lie, that the asylum seekers on board a vessel intercepted at seas had thrown their children overboard, dominated the political and media forums in the first days of the 2001 election campaign. Arendt distinguishes the modern lie from the traditional political lie through its totality, writing "As every historian knows, one can spot a lie by noticing the incongruities, holes, or the junctures of patched up places."²³ However, the modern political lies are "so big that they

²² Hannah Arendt, "Truth and Politics," in *Between Past and Future* (New York: Penguin Books, 1968). For further discussion of the Arendt essay Truth and politics in relationship to the 2001 election please see Paul Miller's *Truth Overboard: What does it Mean for Politicians and Statesmen to Assume Responsibility for their Words of Mass Destruction?*, *Borderlands e-journal* 3, no. 1 (2004) http://www.borderlands.net.au/vol3no1_2004/miller_truth.htmhttp://www.borderlands.net.au/vol3no1_2004/miller_truth.htm. (accessed 20 July, 2011)

²³ Arendt, "Truth and Politics," 253

require a complete rearrangement of the whole factual texture - the making of another reality."²⁴ In making this reality the liar deceives themselves as well. Arendt is not condemning lying in politics, rather she is qualitatively distinguishing between the traditional lie of politics and the total lie now possible in modern society.

The traditional lie in politics rests in the manipulation of opinion and representation. In contrast to a factual truth which does not allow debate, and as such is hostile to politics, opinion can be discussed and negotiated. Facts prove intransigent when seeking to shape society, yet opinions and representations, freed from their burden of proof and/or truth make society malleable. This manipulation of facts and events to suit the opinions and needs of politics is often justified in politics in the terms of the interest of the state. Arendt writes that the liar "says what is not so because he wants things to be different from what they are - that is he wants to change the world" going on to write that "truthfulness has never been counted among the political virtues, because it has little indeed to contribute to that change of the world and its circumstances which is among the most legitimate political activities."²⁵ For politicians 'denial, obfuscation, and misleading statements' are part of normal political practice.²⁶ Indeed, as Paul Miller points out, in the Australian parliament to openly state that that an individual member of parliament, or even the entire Government is a liar is unparliamentarian, and revealing the routine substitution of opinion for fact is effectively forbidden.²⁷

In the case of the assertion so readily believed, that children were thrown overboard, we can see the culmination of the decades long practice, outlined earlier, of positioning the asylum seeker as fundamentally different,

²⁴ Ibid.

²⁵ Ibid. 250 - 251

²⁶ Select Committee for an inquiry into a certain maritime incident, A Certain Maritime Incident 23/10/ 2002, 119.

²⁷ Paul Miller, "Truth Overboard: What does it Mean for Politicians and Statesmen to Assume Responsibility for their Words of Mass Destruction?,"

incompatible with Australia. This assertion performed a violence against the character of the asylum seekers that resonated with the Australian public's existing perception of asylum seekers and justified their hostility. As Arendt wrote all total lies "honor an element of violence; organized lying always tends to destroy whatever it has decided to negate (...) the difference between the traditional lie and the modern lie will more often than not amount to the difference between hiding and destroying."²⁸ Instead of obscuring the humanity of the asylum seeker the assertion destroyed it.

The initial assertion that "a number of children have been thrown overboard" was first publically made by the Minister for Immigration Phillip Ruddock at a press conference on October 7. Ruddock was reported as saying "I regard these as some of the most disturbing practices that I have come across in the time that I have been involved in public life - clearly planned and premeditated (...) I am assured they came with life jackets on. It was clearly their intention to do this."²⁹ On October 8, 2001, John Howard is reported to have said : "I don't want people like that in Australia. Genuine refugees don't do that; they hang on to their children"³⁰ by *Herald Sun* journalist John Hamilton. On Radio 702 he told Jon Faine "I certainly don't want people of that type in Australia. I really don't."³¹ The construction of negative opinion was not limited to the government. Labor leader Kim Beazley explicitly linked asylum seekers with the criminality of people smugglers by telling the Age on the 8th of October 'It is not unhumanitarian to try to deter criminals'³²

²⁸ Arendt, "Truth and Politics." 252 - 253

²⁹ Mark Forbes and Ian Munro, "Taping over the truth," The Age, Saturday 10 November 2001. Sourced from <http://www.offshoreaccount.com.au/news/2001/11/10/taping-over-the-truth/> (accessed 10 August, 2011)

³⁰ Ibid.; also referenced in Michael Clyne, "Words Excusing Exclusion," in *Seeking Asylum in Australia: 1995-2005* (Monash University, Melbourne: 2005); Marr and Wilkinson, *Dark Victory*; Miller, "Truth Overboard: What does it Mean for Politicians and Statesmen to Assume Responsibility for their Words of Mass Destruction?."

³¹ Forbes and Munro, "Taping over the truth."

³² Clyne, "Words Excusing Exclusion."

The effectiveness and believability of the briefly lived reality in which asylum seekers threw children overboard was aided by the political climate towards asylum seekers in Australia in 2001, at height of the 3rd wave. This is illuminated by three pivotal prior events that year: a swing towards the political party *One Nation* by traditional Coalition voters in the 2001 Queensland State elections held on 17 February;³³ the rescue of 438 asylum seekers from the sinking Indonesian boat KM Palapa by Norwegian containership the Tampa on August 26; and the September 11, 2001 attacks in the USA

The swing towards the One Nation Party, and its leader Pauline Hanson, illuminated the ground swell of popular opinion against migration, particularly 'boat people'.³⁴ This message was reinforced by the MacKay Report July 2001 titled *MIND & MOOD*, an annual survey on the 'mind and mood' of Australians. Reporting that the mood of Australia was "tougher, more brittle and more self-protective than ever" it flagged a high level of anxiety about migration and asylum seekers, stating "some of the most ugly and vicious outpourings of hatred occurred in discussion of boatpeople/illegal immigrants."³⁵ The report concluded by predicting that "such matters have the potential to overwhelm (...) in the coming Federal Election campaign."³⁶ The focus on migration and the issue of boat people in the 2001 election did eventuate, leading analyst Ian McAllister to say "For the first time in four decades, the main issue in a federal election was border protection, not the economy."³⁷

³³ Scott Bennett.. *Queensland Election 2001 (Current Issues Brief 15 2000-01)*. Parliament of Australia, Parliamentary Library, April 3 2001. <http://www.aph.gov.au/library/pubs/cib/2000-01/01cib15.htm>. (accessed 17 July 2011)

³⁴ Ian McAllister, "Border Protection, the 2001 Australian Election and the Coalition Victory." *Australian Journal of Political Science* 38, no. 3, November (2003): 445 - 463.; Graeme John Hugo "Australian Immigration Policy: The Significance of the Events of September 11." *International Migration Review* 36, no. 1 (2002): 37 - 40.; Adrienne Millbank, "The Detention of Boat People." In *Current Issues Brief Canberra: Department of the Parliamentary Library*, 2001.

³⁵ "The Mackay Report. *Mind & Mood*, July 2001," (Sydney: Mackay Research Pty Limited, 2001).

³⁶ Ibid.

³⁷ Ian McAllister, "Border Protection, the 2001 Australian Election and the Coalition Victory," 446

That this surge of public opinion was marked by John Howard and the Coalition Government can be seen in the use of the 'Tampa' incident to demonstrate to the Australian people that Coalition was responsive to the mood of the electorate. After the rescue of 438 asylum seekers from the sinking Indonesian boat KM Palapa by Norwegian containership the Tampa on August 26 the government both denied the Tampa entry to harbour at Christmas Island and refused to disembark its rescued passengers. This was in contravention of international practice, which holds that "persons rescued at sea should normally be disembarked at the next port of call."³⁸ The government eventually had the ship boarded by the SAS and the asylum seekers transferred to a naval ship for transfer to Naru where the Australian Government had hastily negotiated an offshore processing facility.

The Tampa incident was pivotal in the construction of the legal and symbolic position of the asylum seeker, provoking legislative changes to excise territory and retrospectively legalise the government's actions as well as leading to Operation Relex II, a Navy operation launch on September 3rd, 2001 intended to "prevent, in the first instance, the incursion of unauthorised vessels into Australian waters such that, ultimately, people smugglers and asylum seekers

³⁸ "Background Note Concerning the competence of the United Nations High Commissioner for Refugees (UNHCR), in relation to rescue at sea matters. Prepared for COMSAR 6, Working Group 1," (United Nations High Commissioner for Refugees (UNHCR), 2002).

Alexander Proelss in his article Rescue at Sea Revisited: What Obligations exist towards Refugees? published in the Scandinavian Institute of Maritime Law Yearbook 2008 points out that "When addressing the flag and coastal States' obligations with regard to persons in distress, it should be noted that neither Art.98 LOS Convention [United Nations Convention on the Law of the Sea of 10 December 1982] nor its counterparts in SOLAS [International Convention for the Safety of Life at Sea of 1 November 1974] and the SAR Convention [International Convention on Maritime Search and Rescue of 27 April 1979] contain any explicit reference to a duty to disembark persons rescued at sea. While it cannot be denied that some kind of general understanding exists under the rules of maritime *courtoisie*, that rescued persons should be disembarked at the next port of call, scholars disagree as to whether this practice is reflected in terms of hard law."

would be deterred from attempting to use Australia as a destination.”³⁹ The terror violence attacks in the United States of America on September 11 and the ensuing war on terror occurring in such proximity to the Tampa ‘crisis’ reinforced border control and security as an election issue. In his analysis of the 2001 Australian Election Study conducted directly after the November election McAllister concluded that “while the two events were discrete, many voters saw them as different dimensions to a single underlying concern about border protection.”⁴⁰

It was in the context of these events that what is now officially known as a Certain Maritime Incident and colloquially as the children overboard affair, occurred. On October 6 the HMAS *Adelaide* intercepted a boat about 100 nautical miles north of Christmas Island, so outside of Australian territorial waters. “‘There was every expectation’, according to the *Adelaide’s* Commander Norman Banks, ‘that this was a SIEV [Suspected Illegal Entry Vessel] bound for Christmas Island’.”⁴¹ When the Navy boarded the vessel to turn it away from Australia “Fourteen unauthorised arrivals jumped or were thrown overboard. At this crucial moment Commander Banks sighted a man fitting a child with a life jacket and holding him up at the railing. This child was not thrown overboard. The boat was escorted out of the contiguous zone by the HMAS *Adelaide* at 10.29 am on the 7th of October and eventually towed toward Indonesia. At just before 5.00 pm on Monday the 8 of October, the vessel started to sink and the Navy personnel began a rescue at sea. Once

³⁹ A Certain Maritime Incident 13 - 14. Operation Relex II ran between 2001 and 2006 , ‘Sitting behind’ both operations and surveillance was an extensive inter-agency intelligence capability. Reflecting the whole-of-government nature of the border protection strategy. Relex then became Operation Resolute in 2006, also run by a joint civilian-military task force the Border Protection Command. The ADF contributes Royal Australian Navy ships, Royal Australian Air Force aircraft and patrols from the Australian Army's Regional Force Surveillance Units as required.

⁴⁰ McAllister, "Border Protection, the 2001 Australian Election and the Coalition Victory." 461 - 2

⁴¹ Select Committee for an inquiry into a certain maritime incident A Certain Maritime Incident 23/10/ 2002. 31. The report quotes Commander Norman Banks testimony at the hearing. *Transcript of Evidence*, CMI 156-157. HMAS *Adelaide* was deployed on Operation Relex

all the 223 passengers and crew of the were on board the Adelaide they were transported to Christmas Island and on the 10th of October transferred into the custody of the Australian Federal Police.

What occurred parallel to this drama at sea was its sensationalisation on shore discussed above. In response to evidence that there was no substance to the allegations the Senate convened a *Select Committee for an inquiry into a certain maritime incident*. The inquiry, which held hearings between 25 March and 30 July 2002 and tabled its final report on the 23rd of October 2002, was mandated to investigate “the so-called ‘children overboard’ incident.”⁴² Its scope also included issues directly associated with it, including the role of the Commonwealth agencies and personnel such as the Australian Defence Force and the People Smuggling Task Force as well as the handling of information by the Federal Government, the nature of the ‘Pacific Solution’ and the sinking of SIEVX. It concluded that “The story was in fact untrue.”⁴³

In 2004 Version 1.0 presented their theatre work *CMI (A Certain Maritime Incident)* at Performance Space, Sydney (26 March-11 April, & 13-17 October 2004) and The Street Theatre, Canberra (19-23 October, 2004).⁴⁴ Version 1.0 predominantly makes documentary theatre, a close cousin of verbatim theatre, but one that is less reliant on actual words spoken. Though in the case of *CMI* producer David Williams wrote “the verbatim-ness of this performance project was critical, both politically and artistically. The reality that these were the *actual words* spoken by our representatives, speaking on our behalf, needed to be foregrounded in the performance act.”⁴⁵ Accordingly the performance drew its spoken text from the transcripts and reports of the *Select Committee for an inquiry into a certain maritime incident*, as well as media appearances

⁴² A Certain Maritime Incident iv.

⁴³ Ibid., xxi

⁴⁴ CMI (A Certain Maritime Incident)

http://www.versiononepointzero.com/index.php/projects/cmi_a_certain_maritime_incident/ (accessed 04 July 2011)

⁴⁵ David Williams, "Political Theatrics in the 'Fog of War'," *Australasian Drama Studies* 48, no. Apr (2006).

by Peter Reith, the Minister for Defence in 2001. From 2188 pages of transcript, representing approximately 140 hours of testimony, the script and performance of CMI is distilled down to a prologue and four acts taking 97 minutes and five different groups of actors: senators, the military, government bureaucrats, private individuals and the performers themselves.

CMI interrogates three performances through the vehicle of theatre: the initial election performance of a government determined to prove it was tough on boat people; the later performance of an inquiry into the incident; and the representation of the earlier performances by Version 1.0. Through this they reflect on the various symbolic strategies and systemic practices at play when asylum seekers become a lever in politics, underscoring the dominant ideological positions that appear in the course of the inquiry.

In the prologue to the performance the elephant in the room is introduced; the possibility that elected officials deliberately lied to the Australian public as part of a cynical strategy to win votes. It is the deliberate nature of this lie that is still contested, in February 2002 John Howard claimed he and his ministers acted in good faith on information received asserting “the original statements made by Ministers regarding children being thrown overboard were based on reports and advice received. They were provided in good faith to ministers by serving officers of the defence forces and were used in good faith by ministers.”⁴⁶ However the majority finding of the Select committee was that that “through a combination of denial, obfuscation, and misleading statements, the media, senior officials and the public were deliberately and systematically deceived about the evidence for and the veracity of the claim.”⁴⁷ Before going on to state that “The Committee finds it particularly galling that none of the individuals concerned, nor the executive they served, has been held

⁴⁶ Hansard, Questions without Notice, House of Representatives 14-20 February 2002, quoted in Miller, “Truth Overboard: What does it Mean for Politicians and Statesmen to Assume Responsibility for their Words of Mass Destruction?”

⁴⁷ A Certain Maritime Incident. 119.

accountable for their disregard for the integrity of the public record.”⁴⁸

CMI summarises the Howard Government's perpetuation of the lie and subsequent avoidance of responsibility or consequence for it in one short scene. The actor, a young child wearing a white business shirt and an Australian flag tie playing former Defence Minister Mr Reith, awkwardly redelivers a statement made during an ABC radio interview on the 10th of October, 2001 made when Reith released 'evidentiary photographs' of children in the water. The child [as Reith] firstly asserts "Well, it did happen. The fact is the children were thrown into the water" before, when challenged stating "well you are now questioning the veracity of what has been said. Those photo's are produced as evidence of the fact that there were people in the water"⁴⁹ The simple disjunction between content and the actor it is spoken by, between Mr Reith, a politician who was at the time in his early 50's and the child actor render the content ridiculous, and its truth claim without authority. At the end of the scene the statement is revealed to be a rehearsal, testing Reith's [the child's] ability to pass a lie detector test. Even though speaking another's words the child's test returns a negative result, and the "whole factual texture - the making of another reality" that Arendt calls the modern lie is shown to also be the lie of theatre.

In using a child at the beginning of the performance Version 1.0 is signalling that they are not creating a narrative theatre, where the company seeks to perpetuate another reality where the actors became synonymous with their characters, rather they are consciously keeping the 'performance' visible and in doing so making the performative nature of the incident and inquiry visible. In addition to incorporating the business of theatre, wardrobe changes, technical support etc. into the body of the performance, a slide projector is used to signal identity changes by each actor and about 17 minutes in a series

⁴⁸ Ibid. 119

⁴⁹ Version 1.0, "CMI (A Certain Maritime Incident)," (Sydney: Performance Space 2004). The photographs were later determined to be from the rescue on the 8th of October

of overhead projector presenting the audience with the statement: “WE KNOW THAT YOU KNOW WE ARE NOT REALLY THE SENATORS WHO TOOK PART IN THE CMI SENATE INQUIRY. STEPHEN IS A LOT SHORTER THAN SENATOR COOK AND DEBORAH WHO PLAYS SENATOR FAULKNER IS ACTUALLY A WOMAN. WE FOUND THAT OUT AFTER THE AUDITION”⁵⁰

Version 1.0’s dramaturgy for CMI utilises what Rancière identified as “models for connecting the presentation of facts and forms of intelligibility that [blur] the borders between the logic of facts and the logic of fiction.”⁵¹ By taking as its text a political undertaking which attempted to define the logical progression of knowledge and action in time throughout the Certain Maritime Incident, a pursuit of causal arrangement of events which their empirical disorder resists, the play recognises what is demonstrated by the process of the inquiry, that “the real must be fictionalized to be thought.”⁵² Arguing that what politics and art have in common are their abilities to perform “*material* rearrangements of signs and images, between what is seen and what is said, between what is done and what can be done” Rancière asserts the fictional and aesthetic characteristic of politics and the political characteristics of the arts, both of which disclose the relationships, commonalities and exclusions of society.⁵³ As we can see by the deliberate malapropism created by the child [Reith] speaking the adults words, Version 1.0’s performative strategies aim to produce new meaning and effect from the text. They reveal and amend the pre-existing relationships between modes of being, saying and doing that were performed in the Inquiry. Their contradiction and/or amplification of textual meaning through deliberate parody and comedic interjection is integral to the making visible of symbolic and systemic violence that the play effects.

⁵⁰ Version 1.0, CMI (A Certain Maritime Incident)

⁵¹ Jacques Rancière, *The Politics of Aesthetics*, trans. Gabriel Rockhill (London: Continuum, 2004), 38.

⁵² *Ibid.*

⁵³ *Ibid.*, 39.

The construction of causal relationships is revisited in Act 2 from a different angle focussing on the attempt to establish a pattern of behaviour that justified the principle of the lie, even if it did not occur in that instance. Rear Admiral Smith, is led through an extensive exchange in which he/the actor states “Children were used by some people, and not all, as a means of applying moral pressure on out people” later saying “I saw our culture and our values, the things for which we stand, being exploited.”⁵⁴ The emotive even condemnatory nature of the content is contrasted with an aloof unemotional manner. The absurdity of ascribing intentionality to pattern of conduct involving individuals holding children over guardrails is demonstrated when Smith affirms that the intention for undertaking the journey played no part in determining the treatment of ‘unauthorised arrivals’ “Our mission was clear. Claims from the UAs were not factors to be taken into account in terms of how we conducted that mission.” This mono directional application of power and interpretation is amplified by the absence of the asylum seekers from the proceedings. An absence that also marked the entire of Operation Relex, which had a blanket ban on any photographs of asylum seekers, which would serve to humanise them. The play CMI is also applying a similar process of taking words and actions and placing them in interpretative, causal relationships to establish a pattern of conduct. The creation of a theatrical narrative from a formal hearing amplifies certain readings above others.

CMI does not just address the symbolic violence engendered through the deployment of the trope of the callous, exploitative, and self interested asylum seeker who would throw a child overboard. It also addresses the systemic and subjective violence at play within the militarisation of border control against the asylum seeker. Beginning with the unprecedented use of the SAS, the special forces unit of the Australian army, against the Tampa this militarisation extended into Operation Relex II. In 2011 border control remains militarised under Operation Resolute, which consolidates previous Australian Defence

⁵⁴ Version 1.0, "CMI (A Certain Maritime Incident)."

Force operations against Irregular Maritime Arrivals, illegal exploitation of natural resources and smuggling and security patrolling. The militarisation of the border was signalled in 2000 by the White Paper on national security *Defence 2000* in which illegal immigration is actively linked to national security. The deployment of guided missile frigates against small boats, turning them back before they could reach Australia combined with indefinite detainment of those who had arrived or been rescued were intended to discourage future asylum seekers. As Anthony Burke writes, a logic of “*deterrence*, a concept developed during the Cold War to shape nuclear and conventional military strategy, was shaping Australian policy toward the plight of vulnerable human beings.”⁵⁵

The subsequent prominence of terrorism after the events of September the 11th that year also led to politicians and journalists raising the spectre of terrorists among the asylum seekers. According to Peter Mares this link was made within 48 hours of the World Trade Tower attacks by Australia's Defence Minister Peter Reith who warned ‘that the unauthorised arrival of boats on Australian territory ‘can be a pipeline for terrorists to come in and use your country as a staging post for terrorist activities’.”⁵⁶ Mares also reports Prime Minister John Howard “telling Brisbane's Courier Mail newspaper that ‘[y]ou don't know who is coming [on the boats] and you don't know whether they do have terrorist links or not ...’”⁵⁷ As discussed earlier, such assertions have resurfaced in 2010, albeit with more factual basis, with newspapers such as the Australian reporting “Asylum-seeker linked to al-Qa'ida” on July 14, 2010 and “Tamil asylum-seekers identified as Tiger terrorists” on August 16, 2010.⁵⁸

⁵⁵ Burke, *Fear of Security, Australia's Invasion Anxiety*, 213.

⁵⁶ Peter Mares, "Reporting Australia's Asylum Seeker "Crisis " *Media Asia* 29, no. 2 (2002)71 - 76. Reith quote sourced from Australian Associated Press 13.9.2001

⁵⁷ Ibid. Howard quote sourced from Dennis Atkins, "PM links terror to asylum seekers", *Herald Sun* (Melbourne) 7 November 2001.

⁵⁸ Stephen Fitzpatrick, "Asylum-seeker linked to al-Qa'ida " *The Australian*, 14 July 2010. <http://www.theaustralian.com.au/news/nation/asylum-seeker-linked-to-al-qaida/story-e6frg6nf-1225891385695> (accessed 25 July 2011); Paul Maley, "Tamil

CMI highlights the political deployment of the military by the government through a number of performances including Vice Admiral Shackleton's 'fog of war,' Commander Banks' professionalism, and the interplay between the senators and military personnel testifying. Like Reith's statement in the prologue Vice Admiral Shackleton's 'fog of war' statement is rendered unusual through its means of performance, where the statement, originally made on the 20th of February 2002 to the Senate Defence, Foreign Affairs and Trade Committee, is read from a beer coaster in a deepened and slowed voice to dramatic backing music. The fog of war is described as "related to the reality that everything is real but it is not real. ... You are dealing with millions of shades of grey ... The commanding officer has to make hypotheses, judgments and calls based on what he sees at the time."⁵⁹ The content of the speech is worthy on two grounds, firstly it specifically positions the encounter between SIEV IV and the Adelaide as an engagement in a war. If Shackleton's statement is accepted that the encounter caused a fog of war we must also accept the concept that the operation was indeed a war, which confers on asylum seekers as an entire class a coherence and community that does not exist. It creates from this constructed grouping a political enemy against which one fights to preserve territory and a way of life. The inherent conflict at play in this construction, is brought to light by the regular foundering of unseaworthy boats regularly requiring the Navy to transition from a force of deterrence to one of rescue. This shift in mission from combat to rescue was described by Commander Banks in the following words "Whilst we could not understand their plight, we had to treat them as refugees. I was particularly proud of that shift in attitude of the ship's company when this situation developed into a humanitarian assistance task."⁶⁰

asylum-seekers identified as Tiger terrorists," The Australian, 16 August 2010.
<http://www.theaustralian.com.au/national-affairs/tamil-asylum-seekers-identified-as-tiger-terrorists/story-fn59niix-1225905600592> (accessed 25 July 2011)

⁵⁹ Version 1.0, "CMI (A Certain Maritime Incident)."

⁶⁰ Ibid.

The 'fog of war' statement, is significant for the duration of the play and inquiry in another manner. It created an admission by the Chief of Navy that a commanders perceptions of an engagement may not be factually accurate and are dependent on interpretation. The speech itself, and the manner in which it is played read as an exercise postmodern contingency at its most evasive. Emphasising this Admiral Shackleton testimony in *CMI* is marked by discussions around the fallibility of witnessing, the role of interpretation and the fictional nature of recollection suggesting an artifice of testimony underpinned by a perpetual doubt. Finishing with the words "It is never absolutely wrong; it is never absolutely right" the fog of war statement was repeatedly used throughout the inquiry to cast doubt upon claims for a factual truth that would allow the inquiry to come to a definitive position.⁶¹

Commander Banks refuted the suggestion that he was operating in a 'fog of war', asserting that "The fog of war relates more to a threat to the ship or to people. There was no threat to *HMAS Adelaide* or to our people during that event. We were in control of the situation."⁶² Banks, describing himself as a career professional who was "unashamedly apolitical" mobilised the traditional separation between the military and politics that very operation he was involved in, *Relex*, broke down. What Banks laid claim to is "personal truthfulness, guaranteed by impartiality, integrity, independence," qualities which Arendt says are compromised the moment the truth teller enters the political realm.⁶³ This claim was reflected in the performers embodiment of the asserted impartiality of the military through characteristics of reserve and control even when chasing the spinning committee table or giving his responses to pointed questions under the barrel of a gun.

CMI is bracketed at the beginning and end with the tragedy of *SIEVX* - a boat which sank killing 353 people on 19 October 2001, just south of the

⁶¹ Ibid.

⁶² Ibid.

⁶³ Arendt, "Truth and Politics." 250

Indonesian island of Java. At the start of the performance the audience entered the theatre by stepping over naked bodies laid out as dead, at the conclusion a computerised voice reads out SIEVX survivor testimonies while a performer's naked body is cleaned and prepared as in a mortuary. During the inquiry questions were raised about "the extent to which Australian government agencies knew of the vessel's departure, its unseaworthy state and what actions were taken or not taken in response."⁶⁴ These questions were posed by Tony Kevin, a former diplomat who is literally pushed off the stage by the committee table during the last act as the Senators try to force him to withdraw the implications of his questions, that Australia may bear some culpability for there deaths. Kevin's reasoned testimony occurs directly following a hyperactive scene of Chinese whispers on phones in which Chris, a Version 1.0 performer makes a hypothetical phone call to the Federal Police in Jakarta in which he says "how come they're not attacked by pirates more often? How can we interfere with the boats somehow? Ha, ha, ha." This call was based on a report from a Federal Police officer in Indonesia, documented in the book *Dark Victory*.⁶⁵ By bracketing SIEV IV, an incident that did not end in immediate loss of life, with the overwhelming loss of life of SIEVX Version 1.0 brings forth the consequences of a set of policies of deliberate hostility, of turning away unseaworthy boats and only performing a rescue at sea when no other option is left.

⁶⁴ Certain Maritime Incident 197

⁶⁵ Version 1.0, "CMI (A Certain Maritime Incident)."; Marr and Wilkinson, *Dark Victory*.

Pandering not Dog Whistling - 2010



Boat-people.org, *Muffled Protest*, 31 July 2010, Photo: Tanja Milbourne

Five years on from verbal and physical gyrations of *CMI* Burke's description of Australia as "a bounded and vulnerable identity in perpetual opposition to an outside" was evocatively and wordlessly presented to the Australian public in *Muffled Protest* by Boat-people.org organised in the days before polling for the 2010 election. *Muffled Protest* asked people to assemble at a given point and instructed them to "[s]tand silently and at 4.30pm slowly wrap your head in the flag."⁶⁶ Seventy people took part in the Muffled Protest on Saturday, 2 August, 2010 on the Opera House Stairs in Sydney. Events also occurred in Federation Square, Melbourne (31 July, 2010) and Forest Place, Perth (20 August, 2010). These actions were spectacles created to contest the spectacle of the asylum seeker mobilised in the election. That they were

⁶⁶ Sarah Rowbottan, "PVI collective facilitate Muffled Protest the day before the election in Forest Place, Perth " in Performing Lines WA media release Wednesday 18 August (Perth: Performing Lines WA, 2010).

wordless spectacles is important, in that they demonstrated the use of words to construct the asylum seeker myths and the failure of words to adequately contest them. Where *CMI* almost gleefully pulled and pummelled the statements of politicians, the military and bureaucrats *Muffled Protest* refused the verbal.

Looking at the 2010 election, announced on the 17th of July and occurring on the 21st of August, we can see it was marked by an upswing in anti asylum seeker rhetoric used as a tool of electioneering. It has been suggested that this was driven by polling results which showed majority support for tougher stances on asylum seeker policies. Andrew Markus wrote in Mapping Social Cohesion, the Scanlon Foundation Surveys Summary Report 2010 “A consistent finding was the high level of support for a tougher policy, by an average in excess of 60% of respondents in six polls conducted in the period March-July 2010. Polls also indicated a higher level of support for the policies advocated by the Liberal Party than those of the government, although the difference in the rating of the two parties narrowed in July as the Labor government adopted more stringent policies.”⁶⁷

These policies can be seen in the various speeches and public statements that the majority party leaders made in the lead up to the election. However, Dr Kim Huynh, speaking on a panel titled Asylum seekers, immigration and citizenship as part of the 666 ABC Canberra and ANU 'Beyond the Spin' 2010 election series asserted there was a difference between the 2001 election, and the 2010. He said “There is some progress here as far as I am concerned,...The Labor Government right now panders to people prejudices ... as opposed to fear mongering, stirring up prejudice as in the past.”⁶⁸ In the

⁶⁷ Andrew Markus, "Mapping Social Cohesion, the Scanlon Foundation surveys summary report 2010," (Melbourne: The Monash Institute for the Study of Global Movements, Monash University, 2010).

⁶⁸ Genevieve Jacobs et al., "Beyond the Spin 2010 election forum - Asylum seekers, immigration and citizenship," in 666 ABC Canberra and ANU 'Beyond the Spin' 2010 election series (Australian National University: 2010). 30:00 min

2010 election both parties fell back on an issue whose parameters have already been established over the last 35 years, whose fears have already become ingrained and as such do not need to be generated anew. To demonstrate the use of this issue I will briefly look at two textual political performances a speech by Prime Minister and Australian Labor Party leader Julia Gillard and the release of the Coalition's policy document on asylum seekers.

In her speech at the Lowy Institute, Sydney on 6 July 2010 shortly before she declared the general election Julia Gillard utilised many of the standard tropes around asylum seekers and Australian Identity outlined earlier. The ideas condoned and even endorsed in her speech are that: asylum seekers are queue jumpers, Gillard saying, as I quoted earlier "no-one should have an unfair advantage and be able to subvert orderly migration programs."; that asylum seekers receive unfair advantage when in Australia, a misperception she implicitly endorses rather than corrects in her statement "hardworking Australians who themselves are doing it tough want to know that refugees allowed to settle here are not singled out for special treatment." Going on to say they "can't abide is the idea that others might get an inside track to special privileges."; Gillard evokes the idea that asylum seekers employ moral blackmail against the Australian humanitarian impulse, asserting "the reality that to avoid being turned around boats are sabotaged, raising safety of life at sea concerns for Australian customs and border protection and defence personnel, as well as the asylum seekers on board."; As well as endorsing the idea of deterrence, asserting that must be rendered unpalatable and unsalable, suggesting that off shore solutions would "ensure that people smugglers have no product to sell. Arriving by boat would just be a ticket back to the regional processing centre."; summing up by citing her "commitment to secure borders."⁶⁹

⁶⁹ Gillard, "Moving Australia Forward ".

Released on the same day was the Coalition party's 'Real action plan for restoring integrity and fairness to refugee decision making' which begins with the statement "Only the Coalition can be trusted to protect the integrity of our borders."⁷⁰ In it the Coalition links seeking asylum with criminality stating they would prioritise off-shore applicants "rather than those who seek to take their place by arriving illegally, whether by boat or other means. In particular this means attacking the criminal business of people smugglers and denying them a product to sell."⁷¹ Like Gillard they speak to the perception that asylum seekers are taking advantage both by proposing a "mandatory work for benefits scheme for all protection visa holders" and asserting that they "would give priority to resettlement of refugees who have made off shore applications to Australia's refugee and humanitarian visa programme."⁷² The policy also lends implicit endorsement to former Liberal Party MP Wilson Tuckey's comment in 2009 "If you wanted to get into Australia and you have bad [terrorist] intentions, what do you do? You go on a system where nobody brings their papers, you have no identity, you have no address."⁷³ In their policy they assert "A Coalition Government will make a presumption against granting refugee status to any applicant who is believed to have deliberately discarded their identity documentation prior to presenting themselves to Australian authorities."⁷⁴

Scott Morrison, the Coalition Shadow Minister for Immigration and Citizenship went further in his media release "Restoring Sovereignty and Control to our Borders - Policy Directions Statement" on 21 July 2010. The very title positions

⁷⁰ "Only the Coalition can be trusted to protect the integrity of our borders". (Liberal Party, 2010); available from <http://www.liberal.org.au/Latest-News/2010/07/06/The-Coalitions-real-action-plan-for-restoring-integrity-and-fairness-to-refugee-decision-making.aspx>. Accessed 30 July 2011)

⁷¹ Ibid.

⁷² Ibid.

⁷³ Australian Associated Press, "Tuckey Warns of terrorists among asylum-seekers," The Australian, 22 October 2009. <http://www.theaustralian.com.au/politics/tuckey-warns-of-terrorists-among-asylum-seekers/story-e6frgczf-1225789835837> (accessed 25 July, 2011)

⁷⁴ Only the Coalition can be trusted to protect the integrity of our borders.

the asylum seeker as endangering the sovereignty of Australia. He amplifies the idea of (dis)advantage by saying “every place provided to a person who has arrived illegally by boat is a place denied to another person in potentially greater need, seeking to come to Australia by legal means.”⁷⁵ He also invokes the comforting idea of the ‘goodness’ of Australia maintaining that “Australia is a generous country, yet Australians do not like to have their generosity abused or taken for granted.” Finally he explicitly links the rise in arrivals to a weakening of policy, asserting that “the Labor Government began the process of rolling back the strong border protection regime they inherited from the Coalition. Since then, there have been 147 illegal boat arrivals carrying 7010 people at the date of publication.”⁷⁶ Effectively he states that any generosity led to exploitation, and calls for Australia to harden its borders and hearts.

Muffled Protest was responding to the positioning of the asylum seeker as an enemy presenting a mortal danger to the integrity of the Australian nation-state. It replied to the speaking and therefore creation of a particular negative visibility for asylum seekers and through this a homogenised unified Australia by activating silenced bodies in space. As an action, independent of its art context, boat-people.org intended it to be a way for those disappointed by the hostility of the election to present “an expression of dismay:... A statement of ambiguous, personal and silent declarations that quietly linked borders and interventions, the edge and the interior, under the flag.”⁷⁷ As an artwork it utilised “bodily positions and movements, functions of speech, the parcelling out of the visible and the invisible” to create meaning.⁷⁸ These elements are what Jacques Rancière described as the characteristics that the arts have in common with politics, both of which revolve around “what is seen and what

⁷⁵ Scott Morrison, Restoring Sovereignty and Control to our Borders - Policy Directions Statement, Wednesday 21st July 2010 (Scott Morrison, 2010); available from <http://www.scottmorrison.com.au/info/pressrelease.aspx?id=520>. (Accessed 30 July 2011)

⁷⁶ Ibid.

⁷⁷ Katie Hepworth, Deborah Kelly, and Boat-people.org, "boat-people.org," *Local-Global* 8 (2010) 44 - 49.

⁷⁸ Rancière, *The Politics of Aesthetics*, 19.

can be said about it, around who has the ability to see and the talent to speak, around the properties of spaces and the possibilities of time.”⁷⁹

What was made visible through people willingly covering their heads with the Australian flag and standing in silence is both the creation of a consenting public to a particular political construction of Australian identity through the symbolic violence against the other, and the isolation of each individual within this political community scared of the outside. Using the Australian flag, “available at all good \$2 shops” to cover and deindividualise the wearer, effectively made each head wrapped wearer blind and insecure in their environment.⁸⁰ Indeed, this insecure individualisation finds a corollary in Anthony Burke’s analysis of the Howard Government in the late 1990’s in which he concluded that they “sought to break and dissolve the bonds which linked individuals with broader social obligations and forms of collective social organisation, and put in their place a more selfish and atomised citizen-subjectivity, attuned to self interest first and suspicious of the claims of others. ... with cuts to foreign aid and a harsh approach to refugees it sought to weaken a sense of obligation to outsiders.”⁸¹ In contrast to this deliberate isolation of the individual from ethical behaviours and ideas of generosity, community and hospitality, both Muffled Protest and earlier boat-people.org actions invite “critical participation as well as moments of community.”⁸² Its silence allowed the work to accrue other meanings, referencing broader uneasy attitudes to migration as evidenced in the 2005 Cronulla race riots on the 11 December when “about 5,000 young Australians converged on Sydney’s Cronulla beach, many draped in Australian flags, (...) chanting ‘Kill the Lebs’.”⁸³

⁷⁹ Ibid., 13.

⁸⁰ Rowbottan, "PVI collective facilitate Muffled Protest the day before the election in Forest Place, Perth".

⁸¹ Burke, *Fear of Security, Australia’s Invasion Anxiety*, 180.

⁸² Kelly Hepworth, et al, "boat-people.org."

⁸³ Nahid Kabir *The Cronulla Riot: How One Newspaper Represented The Event* presented at the TASA / SAANZ Joint Conference 2007 <http://www.tasa.org.au/tasa-conference/past-tasa-conferences/2007-conference/> (accessed, 10 August 2011)

Pushing against a totalising nationalist rhetoric at work in both the 2001 and 2010 elections Boat-people.org use highly symbolic sites to stage their protests in. Federation Square in Melbourne and the Sydney Opera House are locations built to provide iconic gathering points in the respective cities. The Sydney Opera House, a symbol of national pride, has been the site of multiple protests on topics including the treatment of refugees, Australia's involvement in the USA led war on terror and government policy on climate change.⁸⁴ Federation Square, although not as internationally iconic was named to celebrate the 2001 Centenary of the Federation of Australia and as such is strongly linked to the exclusionary discourses that accompanied Federation discussed earlier in the paper. Like the Sydney Opera House, and Forest Place in Perth, it has become a site for protest.

If the live actions lean on the politicised and iconic history of the locations they were performed within, the exhibition of the documentation as artwork drew on the history of the site it was first shown in, Cockatoo Island. Located in the middle of the Sydney Harbour Cockatoo Island was both a prison (from 1839 to 1869 and 1880 to 1909) and the site of the New South Wales Navy repair and shipbuilding yard. As a place it speaks to both the history of Australian colonisation by boat and the militarisation of its border protection. Boat-people.org's ongoing activism is informed by Kokatha Senior Woman Rebecca Bear-Wingfield's, reminder that the non-indigenous audience members at dLux Media's TILT (Trading Independent Lateral Tactics) conference, Sydney, October 2001 were all 'boat people.' Deborah Kelly, one of the spokespeople for the collective wrote of "the realization forced by this name calling, the

⁸⁴ In 2003 a large "No War" slogan was been painted on the roof of the Sydney Opera House within hours of Australia committing to the USA-led war in Iraq. "Opera House defaced in war protest," The Age, March 18 2003, <http://www.theage.com.au/articles/2003/2003/2018/1047749763708.html>. On December 15 five environmental activists climbed the Sydney Opera House to hang a banner on one of the sails of with the message: "Stop the politics, climate treaty now". Glenda Kwek, "Opera House targeted climate protest," Sydney Morning Herald, 15 December 2009, <http://www.smh.com.au/national/opera-house-targeted-for-climate-protest-20091215-kssl.html>.

accusation rang like a bell. Of course! Pretty well everyone in this country who's not indigenous is a boat-person, or their ancestors were. Boat-people.org has been working since then to keep ringing that bell. Remember who we are? How we got here; what our ancestors fled? We are ALL boat-people. It's not a solidarity metaphor, it's lived history. So, we are trying to be a kind of antidote to amnesia."⁸⁵

Despite the five year gap between CMI and Muffled Protest and the nine year gap between the events they respond to both works address the same proposition that "Australia has no refugee 'problem' but rather a hospitality problem, being troubled by what sociologist Ghassan Hage has termed 'paranoid nationalism'"⁸⁶ However, what do they offer in the place of paranoid nationalism? Neither work offers a specific solution to the symbolic and systemic violence against maritime arrival seeking asylum. Indeed negative opinion towards the invading other is so institutionalised in Australia that radical policy change on the question of asylum seekers is only offered by minority parties such as The Greens.⁸⁷ What CMI and Muffled Protest offer instead is a mirror to the Australian public and politicians that asks them to look not at what they have done, but rather what they, in this doing, have become. At how the self defined values of Australia, which include "respect for the equal worth, dignity and freedom of the individual, (...) equality under the law, (...) equality of opportunity and peacefulness (...) a spirit of egalitarianism that embraces fair play, mutual respect, tolerance, compassion for those in need and pursuit of the public good"⁸⁸ are distorted in responses to 'boat-people.' They ask us to see the distortion present in John Howard's statement

⁸⁵ Deborah Kelly quoted in Christine Evans, "Asylum Seekers and "Border Panic" in Australia," *Peace Review* 15, no. 2 (2003) 163 - 170. p 168

⁸⁶ David Williams. "Performing Refugee Policy in Politics and Theatre." *Research in Drama Education: The Journal of Applied Theatre and Performance* 13, no. 2 (2008): 199 - 204. 202

⁸⁷ A party who received 11.7 percent of the vote in the House of Representatives and 13.1% in the Senate in 2010

⁸⁸ "Life in Australia," Department of Immigration and Citizenship (Canberra: Commonwealth of Australia, 2007), 1. Accessed from http://www.immi.gov.au/living-in-australia/values/book/english/lia_english_full.pdf

"We are a humane people. Others know that and they sometimes try to intimidate us with our own decency."⁸⁹ In the end these works convey a sense of violence done to the national identity in the name of security. A destruction, not just of the moral character of the asylum seeker by the total modern lie, but also of Australia's moral character and integrity. And in doing so they attempt reform the visible, sayable and thinkable in Australian politics.

⁸⁹ John Howard, on TV show 'A Current Affair', on the 28th of August 2001 quoted in Version 1.0, "CMI (A Certain Maritime Incident)."