

Refuge, detention and the failure of evangelical identity

Social Issues briefing #010 , 21/5/2004.

[F]alse claims about asylum seekers have been made over a number of years. They have created an uncharitable and harsh view of asylum seekers in the minds of many Australians. They have not been challenged, because the ALP has agreed with the policy. As more Australians understand the reality of what has happened, more will demand a change of policy.

[Former Liberal prime minister Malcolm Fraser. (For link, see 'Sources,' below.)]

The Human Rights and Equal Opportunities Commission (HREOC) has released their report into detention called *A Last Resort?* The Commission acknowledges that Australia has a legitimate right to develop and maintain an immigration system. However, it has found that Australia's immigration detention laws, as administered by the Commonwealth and applied to unauthorised arrival children, create a detention system that is fundamentally inconsistent with the 1990 *Convention on the Rights of the Child (CRC)*, to which the Australian Government is a signatory. Detention is not being used as a measure of last resort, for the shortest appropriate period of time, and subject to independent review; best interests of children are not a primary consideration in all actions concerning them; and children are not provided with an environment that assists their health, development and dignity in light of recent trauma. Instead, our centres were found to be cruel, inhumane, degrading and mentally harmful.

The HREOC recommends that children in immigration detention centres be released by June 10th 2004, into 'home-based detention' and by Ministerial grant of humanitarian visas and bridging visas. The Commission also recommends that Australia's immigration detention laws urgently be amended to comply with *CRC*, including a presumption against the detention of children for immigration purposes, and the establishment of an independent tribunal to deal with the fate of children within 72 hours of any initial detention. This framework should aim for detention of children to be used only as a measure of last resort and for the shortest appropriate period of time, with the best interests of the child and the preservation of family unity as primary considerations, and with special attention given to the 'Pacific Solution'. Robert Manne summarises the report as follows:

The most important conclusion of *A last resort?* is that between 1999 and 2003 the Howard Government treated asylum-seeker children in "a cruel, inhuman and degrading way". It is a radical conclusion from a conservative Human Rights Commission. By the time the conclusion is reached, the evidence that has been presented is simply so overwhelming that no balanced reader is likely to doubt its truth.

The arguments against mandatory detention, especially for children, are straightforward enough. They are laid out by Fraser, Manne, and the HREOC—none of whom can be considered especially left-wing. But perhaps the most puzzling aspect has been the relative absence of evangelical Christian comment. On the face of it, we would expect evangelical Christians to have been the natural enemy of these developments. After all, we value justice, enjoy children, and want people from all over the world to have a chance to hear the Christian gospel.

Of course, there have been some helpful comments. At his inaugural press conference, the then-new Anglican Archbishop of Sydney, Peter Jensen, made headline news when he said that "the Federal Government could improve its game in this area" and that we need to "ask ourselves how we are treating the alien and the stranger in our midst." But on the whole, there has been no sustained evangelical commentary or campaign, and on the whole, the application of any real pressure upon the Government has been from secular people and organisations such as Manne, Fraser, the HREOC and the *Children Out Of Detention (ChilOut)* organisation. Fraser hopes that "As more Australians understand the reality of what has happened, more will demand a change of policy." But will evangelical Christians be among them?

The purpose of this briefing is to ponder what might have prevented evangelical commentary and action. What makes it so difficult for us to object to our government's practises in this area? Our reactions are quicker and more focussed when it is proposed to ban Christian schooling, or to

advance our own health using the corpses of the unborn, or to legislate for same-sex ‘marriages’. Why not so when children are locked in prison for several years? The following possibilities deserve our attention.

- Perhaps the problem is a simple lack of information. If so, the HREOC report—a thorough investigation by a reputable government agency—has definitively outlined the situation, at least as it pertains to children. The way is open, then, for us to rise up. But informal conversation around churches suggests that this won’t happen. The hindrance would seem to lie elsewhere.
- Perhaps we simply struggle under a sense of helplessness, a lack of clarity over what to do. Years of political inaction, in a popular culture that is suspicious and bored of government and in which, as children, we learnt only the bare rudiments of the operation of government, have left us unclear on what to do. If so, then here is a problem requiring our long-term attention: after all, Adolf Hitler rose to power using entirely legitimate democratic processes and without a clear, effective challenge from Christians along the way. But until we give this matter such attention, a clear and simple start is (as always) to write to the relevant government officers, whose addresses are now available on the internet and which appear below.
- It is easy to suspect, though, that the problem goes deeper (particularly if it turns out that few of us write such letters). Perhaps we think, with apostles Peter and Paul, that governments are simply and only to be respected and obeyed. It is easy to forget, though, what the apostles say government is *for*: in Paul’s phrase, the ruler is “an avenger who carries out God’s wrath on the wrongdoer” [Romans 13:4], and for Peter, rulers exist “to punish those who do evil and to praise those who do good” [1 Peter 2:14]. Christians actually stand in an uneasy relationship to government: on the one hand, we support leaders as a good gift from God, but on the other hand, we remind leaders that their authority is to enforce God’s good, on God’s behalf. Evil government action is outside the bounds of what Christians are called to support.
- Or perhaps we are ‘dualistic’, to borrow from the technical language of theology. (In dualism, evil is not a weak force that God has overthrown, but is such a strong force that we can only flee from it.) Perhaps we are so aware of the heart’s evils that we think nothing can be done for the wayward hearts of our leaders. We remember Paul saying that “the present form of this world is passing away” [1 Cor. 7:31], and since our ‘core business’ is to work with God in his reconciliation of the world through Christ [cf. 1 Cor. 3:9 & 2 Cor. 5:18-21], we conclude that this is our *only* business. However it seems that neither Peter nor Paul agree with this conclusion. There *is* other business flowing from God’s ‘core business’. Like Paul, Peter says that “the heavens will be set on fire and dissolved”—but then exhorts us to be found “without spot or blemish, and at peace,” a way of life fitting to our destination, “a new earth in which righteousness dwells” [2 Peter 3:8-14]. For Peter, the passing of the heavens leads to an *increase* in righteousness here, not to its demise. Likewise Paul exhorts that “as we have opportunity, let us do good to all people,” even if the emphasis is to be upon “the family of believers” [Gal. 6:10].
- We might also find that Paul’s emphasis upon “the family of believers” is misapplied and misunderstood. Most Christians are deeply absorbed in the affairs of family: their own family (soccer, maths coaching, music practise, tax returns, wedding anniversaries ...) and the church ‘household’ (music rosters, Bible studies, flowers, morning teas, setting up, packing up ...). Is it possible that amongst all this, we have actually *lost* our true identity? After all, we might expect our own similarities with the refugees to be so overwhelming that we cannot help feeling for them. We too were outsiders, welcomed into the kingdom of another. We too are the undeserving recipients of the kindness and grace of another. We too have been rescued from a filthy gutter, washed clean, and adopted—even married—into a new family. [Cf. Ezek. 16:1-14; Titus 3:3-7; Eph. 2:1-10; & 5:25b-27 & Rev. 19:7-9.] We are those who would most be expected to know what grace, generosity, hospitality and

welcome might look like. Like the thief on the cross, the one released from just punishment is most able to see the wickedness at work when the innocent are punished [Luke 23:40-43].

- But instead, perhaps an endless round of church and family activity has left us thinking that we are the true insiders. Perhaps we have become the kind of people who would have argued against the Gentile Cornelius' inclusion [Acts 11:2-3], or into the kind of people who remember the small things of morality but who "have neglected the more important matters of the law—justice, mercy and faithfulness" [Matt. 23:23]. Most sadly, then, perhaps we have allowed our gospel identity to be subverted by talk-back radio commentators and the like, so that to belong, as an insider, is to be Australian, and Christian, and not a Muslim refugee. When we hear ourselves repeating, with the crowd, that 'we must be protected from them', then we know that we have lost all sense that the Kingdom of God should really have been protected from us.

Some slight improvements have been made by the government (cf. Social Issues briefing #008). But recent Social Issues briefings have flagged the way the human heart corrupts us; and if the hearts of Americans corrupted them at Abu Ghraib, perhaps it is time to confess that as Australians, our hearts have corrupted us at Nauru, Baxter, Woomera, Villawood, Port Hedland, Christmas Island, Maribyrnong, and Port Augusta.

But thankfully, we are also those who know that even with the most grievous and heinous failures, God never hardens his heart against the cry of repentance. Jesus' unnerving story [Matt. 18:23-35] of the man who tried to get a piffling debt repaid to him might reflect the hard-hearted posture many of us seem to have taken toward genuine refugees and their children. But we can avoid that man's hardness of heart by drinking deep from the picture of the King's first encounter with the man:

The servant fell on his knees before him. 'Be patient with me,' he begged, 'and I will pay back everything.' The servant's master took pity on him, cancelled the debt and let him go.

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Sources:

- Malcolm Fraser, *The Age* March 27 2002; available at http://www.chilout.org/information/big_lies_of_border_protection.html
- Human Rights and Equal Opportunity Commission report on children in detention: http://www.hreoc.gov.au/human_rights/children_detention_report/index.htm
- Robert Manne, "The politics of suffering children," *The Age* May 17th 2004; online at <http://www.theage.com.au/articles/2004/05/16/1084646067810.html>
- Transcript from the Archbishop's first media conference in which he talks about refugees: <http://www.anglicanmedia.com.au/index.php/article/articleview/45/1/25>
- Further comments from Archbishop Peter Jensen about asylum seekers: <http://www.anglicanmedia.com.au/index.php/article/articleview/48/1/25/>

Addresses:

(Remember—posted letters are always better than email.)

An easy way to write to your MP:

Go to http://www.ajustaustralia.com/thingsyoucando_writealetter.php for a page that will help you write a letter to your local MP. You simply pick your MP or your electorate. (If you don't know either, there's a link to <http://www.aec.gov.au/esearch> where you can find out.) You then choose from one of two form letters. Your letter is then formatted ready to print, but you are able to change the letter into your own words, which you SHOULD DEFINITELY do. (Use ideas from this briefing and from #008 if needs be, but do not use exact turns of phrase. Don't be afraid to say something like 'I know a God who welcomes all who turn to him. Let's be like that, and welcome all who turn to us Australians.') If you just want details about your electorate and your MP, simply go to <http://www.aec.gov.au/esearch>.

Write also to the senior leadership:

Minister for Immigration (Senator the Hon Amanda Vanstone)

Suite MF 40

Parliament House

Canberra ACT 2600

Email: <http://www.minister.immi.gov.au/contact/index.htm#email>

Fax: (02) 6273 4144

Prime Minister (The Hon John Howard MP)

Minister for Foreign Affairs (The Hon Alexander Downer MP).

both at:

House of Representatives

Parliament House

Canberra ACT 2600

PM's fax: (02) 6273 4100

and email: <http://www.pm.gov.au/email.cfm>

Foreign Minister's fax: (02) 6273 4112

and email: A.Downer.MP@aph.gov.au

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