

# Domestic Politics Analysis on Australia Turning Back Boat Policy

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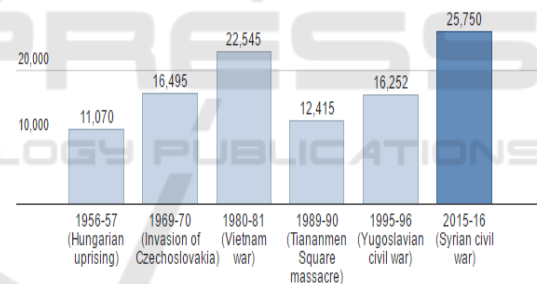
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**Abstract:** In general, foreign policy can be analyzed as a 'two-level game', namely in the form of analysis at the systemic level or domestic politics. 'Turning Back the Boats' policy issued by the Australian government intended to deter and return back refugees to a third country or country of origin, constitute concerns from domestic level towards the foreign policy. Dominant parties in Australia then appeared to give specific statements related to the measures taken by the Australian government. According to Hudson (2007), foreign policy is a continuation of domestic politics by other means. Therefore, 'Turning Back the Boats' policy should be regarded as a reflection and representation that resulted from cooperation, compromise, and coalitions among domestic political parties. Neack (2008) also explained that the stance taken by political parties in the making of foreign policy should not intersect with domestic agendas, so that there will be coherency between political actors that is a mutual opposition in domestic level. Hence, in this paper, the authors aim to further analyze the extent of influence exerted by the dynamics of domestic politics on foreign policy issued by the Australian government.

## 1 INTRODUCTION

Australia's turning back the boats policy in 2013 is part of the Operation Sovereign Borders (OSB), a military response to the high flow of refugees into Australia (ASRC, 2013). In retrospect, refugee flows or mainly boat people have tried to enter the territory of Australia from 1947-1952 where various IDPs (Internally Displaced Persons) from different countries in post-World War II conflict seek asylum, including Australia. The number of refugees from various countries continues to increase, including Hungary, Czechoslovakia, Vietnam, Yugoslavia, to Syria. The Refugee Council of Australia noted that in 2015 there were 11,766 refugees hosted by Australia (Refugee Council of Australia, 2015). Therefore, in this policy it is also regulated on the ship return mechanism of the Australian territory, which includes the provision of resources and transit countries. In addition, to prevent the arrival of boat people who come along with SIEVs (Suspected Illegal Entry Vessels), the Australian military forces will intercept SIEV coming from Sri Lanka and surrounding countries (ASRC, 2013).



Source: 1947-1977 assisted refugee entrant estimates and 1978-2014 refugee and humanitarian visas granted (excluding safe haven visas). Statistics for 2015-16 are projected only.

Figure 1: Australia Refugee Origin 1956-2016. (Source: Mooy, 2015).

Based on the data collection related to the arrival of boat people or refugees, the Australian public expressed disagreement over the presence of the refugees. This is because in the last four decades, the issue of unemployment has increased, so the arrival of refugees has become one of the dominant topics in the Australian elections (Philips and Spinks, 2013). The arrival of these refugees has brought various policy responses and political debates even since the 1970s. Hard-line policies, such as mandatory detention of unauthorized arrivals, have come into force since the reign of Paul Keating, the Prime Minister of the Australian Labor Party. The response to transmigration of refugees from Indochina in the

1970-1980s in large numbers, received support from two Australian bipartisan parties, the Labor Party and the Liberal Party. Therefore, Australia continues to focus on encouraging other countries and international organizations in an effort to stop the flow of refugees from their sources or to organize the process of sending refugees to other areas.

The flow of refugees continues to be one of the biggest problems in post-1998 Australia, the moral panic of illegal migration continues to grow and soon legitimately recognized. The occurrence of a diplomatic deadlock with the neighboring countries of Australia was then resolved with the establishment of Pacific Solution in 2001-2007 (Fox, 2010). This policy focuses on three central strategies. First, the asylum seekers will be transferred to the detention centers in Nauru and Papua New Guinea while their refugee status being determined. Second, the Australian Defense Force begins Operation Relex to intercept the ship carrying the refugees. Third, hundreds of islands are excluded from Australia's migration zones or Australian territory. To date, the principles of Pacific Solution remain the basis of Australia's national immigration policy. The effectiveness of the Pacific Solution policy is demonstrated by the success of the Howard administration to reduce the number of illegal immigrants that come by sea for nearly a decade. In 2001, there were 43 vessels and 5,516 refugees coming to Australia and between 2002-2007 there was a substantial decline with the number of ship arrivals of 18 vessels and 288 refugees coming to Australia by sea.

However, in the era of Kevin Rudd's government in 2007-2010, as Labor's representatives, there were several policy changes compared to policies made by John Howard, representatives of the Liberal party (Philips and Spinks, 2013). In his reign, Rudd tended to focus solely on the measurement of border security in order to avoid human smuggling. This change in foreign policy then became the beginning of high tension debate over the dominant party position in Australia related to the handling of refugees. In contrast to Julia Gillard's reign, as Labor's representative, the policy of blocking the return of refugees was made. Gillard then attempted to propose solutions regionally by establishing a regional process of asylum seekers in East Timor. In Federal Election 2013, Tony Abbott, a Liberal party representative, also stated his position to tighten the influx of refugees with the slogan "stop the boats" as part of his campaign. So seeing the high dynamics of the debate between two major parties in Australia related to the flow of refugees, in this paper the author

will describe transmigration policy of refugees in Australia, namely "turning back the boats". The author will analyze the policy using domestic politics level of analysis that focuses on the dynamics of the policy-making process by major parties in Australia.

## 2 DOMESTIC POLITICS AND FOREIGN POLICY

Domestic politics is an important part of explaining the foreign policy of a country (Fearon, 1998). This is because, foreign policy is shaped by the government with the aim of achieving a complex domestic and international agendas. If systemic theory in International Relations describes the state as a unitary and rational actor, then domestic politics will provide an explanation of how domestic political interaction within a country can contribute to foreign policy. Putnam (1988, in Hudson, 2005), describes the Study of Foreign Policy Analysis as a 'two-level game', where policymakers simultaneously try to 'play' at the level of domestic politics as well as international politics. Analysis of the influence of domestic political dynamics on foreign policy of a country can be identified into two part, namely at the level of elite as well as public opinion. At the level of the elite, the political system can be defined as a set of formal legal institutions that are part of government. In the political system, the political actors involved are not only limited to policy supporters, but also include opposition groups.

Rogowski (1998, in Fearon, 1998) suggests that some propositions of variation in the influence of domestic political institutions can influence the five dimensions of a country's foreign policy, namely the bias of foreign policy, the credibility of commitment to foreign policy, the stability and coherence of foreign policy, the ability to mobilize and project the strengths, and strategies of domestic actors in influencing foreign policy. He also argue that there are a number of domestic considerations that policymakers can use, such as which groups are represented, electoral systems are majoritarian or proportional, large from electoral constituencies, duration of representative tenure, presidential and parliamentary government positions, and veto power in the domestic political system. On the other hand, Hudson (2007) also argue that there are some domestic propositions which may affect some dimensions of foreign policy. These propositions are the closeness of the relationship between political actors and policy makers, the cohesiveness of each

political voice, the number of people represented by each political actor, the degree of dissent between political actors and policymakers, the activism of political actors in foreign policy issues, and the significance response from policy makers.

In domestic politics, there are often two opposition binary parties, like the Labor and Liberal parties in Australia. Both parties have different segments of society categorized because they generally bring different interests, cultures, and even ideologies. For example, the Labor party carries the ideology of democratic socialism that tends to be left, while the Liberal party carries a conservatist ideology that tends to right (Political Australia, t.t.). However, although the distinction between the two is quite obvious, the boundaries between the two also often lack a rigid definition. This is because policymakers at the legislature level are not only considering their own party membership position as policy considerations. Briefly, Leach (1976, in King, 1986) argues that the boundaries between parties in influencing foreign policy often cross each other so that the ideological division of the dominant binary party is not very influential in relation to foreign policy. In traditional studies, two dominant binary parties are regarded as two separate or partially related oppositions.

In foreign policy, however, Bliss and Johnson (1975, in King, 1986) consider that domestic partisan politics should not be included in foreign policy, "Politics stops at the water's edge." Hudson (2007) also states that foreign policy is a continuation of domestic politics in another way so that suboptimal policies that can represent domestic interests must be adjustable. The bipartisan approach in the foreign policy-making process then gives rise to paradox. This is because, the two dominant parties that opposed each other in determining domestic policy, can cooperate in terms of foreign policy. So Hagan (1993, in Kaarbon and Beasley, 2008) assumed that the creation of this coalition could provide conditions for promoting a more aggressive foreign policy because of the 'constraint free'. In addition, according to Neack (2008), the coalition can shape and maintain the political power of government, where domestic goals are then attempted to be achieved through foreign policy but foreign policy decisions remain unrelated to the domestic agenda. Therefore, in relation to Australia's 'turning back the boats' policy adopted in 2013 by the Australian government coalition, the authors argues that the strong enforcement of the policy is possible due to strong support from Australia's dominant parties working

together, compromising and co-ordination in preparing foreign policy.

### **3 GOVERNMENT OPPOSITION PARTY AND THE HANDLING OF REFUGEES**

The Refugee Council of Australia (RCOA) in its summary outline refugee policy coined by three dominant political parties in Australia - the Labor party, the Liberal-National coalition party and the Green party in federal elections in 2013. First, the Australian Labor Party (ALP) or the Labor party since the 2010 election in Australian government institutions have implemented some policy changes related to refugee issues and asylum seekers. The Labor Party focuses on land-holding capacity in Darwin, Pontville, Curtin, Scherger, Northam, and Melbourne (RCOA, 2013). Refugees who have arrived at immigration detention will be facilitated by Bridging Visa in order to join the community so that the Labor party can upgrade Australia's Refugee and Humanitarian program from 13,750 places to 20,000 places per year. The number of humanitarian aid is projected to be progressively added up to 27,000 places. Cooperation with several countries, such as New Zealand, Papua New Guinea, and Nauru, is undertaken to help Australia receive the coming stream of refugees, where all costs will be borne by Australia. The Labor Party also announced it would increase the amount of ten million dollars of funding for regional capacity-building activities, including support for UNHCR (United Nations High Commissioner for Refugees).

Second, the Liberal-National coalition makes promises during federal elections that the coalition parties will form a military-style response to the movement of refugees and asylum-seekers coming to Australia via Operation Sovereign Borders (OSB) (RCOA, 2013). This military response will be followed by direct reporting to the Immigration Minister. Support in the form of providing sources and transit countries, such as Sri Lanka and Indonesia, to ships crossing Australian coastal boundaries will also be provided. The Liberal-National Coalition will also assist and advise on the assessment process and also provide training for Nauru and Papua New Guinea as an offshore destinations destination country. In the Regional Deterrence Framework, the Liberal-National coalition will integrate external interference, detection, and interception of boat arrivals and the

detention of asylum seekers in the locations of third countries where refugee status will be determined. Temporary Protection Visa (TPV) will then be given to refugees who come to Australia at the time of the election. The temporary visas that last for three years are followed by the right to work, access to health services, and other benefits. Unlike the Labor party, however, the Liberal-National coalition will reduce the Refugee and Humanitarian programs from 20,000 places to 13,750 places and not allocate places for refugees who come by boat and seek asylum.

Third, the Australian Greens or green parties contest the attitudes of the Refugee and Humanitarian program, where they will increase humanitarian acceptance by up to 30,000 places, including 10,000 UNHCR recognized emergency receipts from the Asia-Pacific region (RCOA, 2013). There will be at least 3,800 refugees transmigrated from Indonesia, so that 70 million dollars of emergency funding aid per year will be allocated to provide refugee shelters and welfare services. As for the protection of regional refugees, the Green party will appoint the Ambassador for Refugee Protection, which serves as a driver of cooperation in the protection of refugees on a regional basis. So the Green party will then open a safer transmigration path from countries like Malaysia and Pakistan. All asylum seekers will be processed on the beach and allowed to stay in the community together with the right to work. As for asylum seekers who can not work will also provide a reasonable level of assistance. Especially for refugee children, transfer will be made from the Immigration Minister to the Independent Guardian for Unaccompanied Children. In addition, the Green party will form an independent panel of mental and medical health experts to provide a public health monitor. Then a sum of two million dollars will be allocated for the establishment of the panel.

The Labor party caucus has unanimously agreed to oppose the government's planned refugee ban on offshore detainees entering Australia. Bill Shorten, a Labor's leader, considers refugee detention policies to preclude entry of tourists or business travel from other countries to Australia (Karp, 2016). The rejection of the Labor party marks the first division of the bipartisan consensus in refugee policies since Labor's party adopted offshore detention and boat return at a national conference in 2015. Shorten added that Labor's party agreed to avoid the entry of people smuggling as a business practice, but the detention of refugees is considered as a solution that seeks the problem, "We are on a unity ticket with the government to stop the people smugglers, but we are not on a unity ticket to stop the tourists". Similarly,

the Green party, in which Sarah Hanson-Young as Senator of the Green party refused the policy to return the refugees who came to Australia. The emergence of opposition from these parties shows that Australia's foreign policy is not 'constraint free'.

The issue of refugee flows is one of the most contentious areas of policy in Australia, evident in the fragmentation of dominant party positions in response. This is because, among the dominant parties there is a high degree of dissenting opinion so that the compromise can not be achieved. Norman (2013) argues that there are at least three similar policy proposals between dominant parties in an effort to strengthen measures to prevent refugees from gaining ships, but at different intensity levels. First, mandatory detention is mandatory for all irregular maritime arrivals. This detention is necessary to maintain the integrity of Australia's immigration system so that the government operates ten detention centers on the Australian mainland. Second, community detention, which allows removal of vulnerable children and families into community based accommodation while claims are being processed. Thirdly, offshore processing or offshore processing, which is one of the key policies of the coalition party, is due to the possibility of expanding the capacity of offshore processing facilities within one hundred days of Tony Abbott's victory following a federal election.

#### **4 AUSTRALIA GOVERNMENT FOREIGN POLICY DECISION MAKING**

The Liberal-National coalition still rejects the proposals offered by Labor and Green parties. This is because, according to Australian migrant census data, the number of refugees coming to Australia is 32 per cent of the labor force while 45 per cent is not a work-lift (Dutton, 2016). However, only less than 20 percent of refugees collect tax payment forms so that refugee-paid taxes are only about 25,000 dollars while the national average taxpayer is around 50,000 dollars. Considering this situation, the Australian government should be able to provide migrants with homes, jobs, health and integrative services so that it takes a relatively long time to be realized. Therefore, the annual doubling of the Refugee and Humanitarian program as proposed by the Labor party would add to the government \$ 2.5 billion in government expenditures and the Green Party's proposal would increase the government's expenditure by seven



billion dollars. So the proposals submitted by both Labor and Green parties will only add to the risks and endanger the government's settlement of refugees. The 33 percent composition of refugees can not speak English, 17 percent are unable to read, 15 percent have never been in school, and 46 percent have never worked. They have to get appropriate aid prospects to improve the welfare of refugees as well as maintain Australia's security.

Malcolm Turnbull, the Liberal Prime Minister's representative, warned of a possible chaos on Australia's border if Labor's representatives were elected in federal elections 2016 (Massola, 2016). Turnbull also dismissed the fact that ultimately the Labor party had officially changed its policy in 2015 to be linear with the Liberal party to restore the already adopted refugees, assuming the Labor party lacks the power to do so. This is because the Labor party has a track record of 50 candidates, members and senators rejecting the Liberal Party's border protection policy. So even though it has been in alignment with the Green and Independent parties, the Labor party can not make a contradiction to its own rejection. The Labor party's plan to abolish the TPV (Temporary Protection Visa) also means that as many as 30,000 refugees and asylum seekers who come to Australia under the Labor government will then get the right to stay permanently. This can be a strong signal for people smugglers that anyone who enters Australia's territory can stay in Australia permanently so that it can become tool of aggressive human smuggling marketing.

The Turnbull Government made a more aggressive arrangement for refugees and asylum seekers by planning to ban all refugees who come to Australia to obtain all kinds of visas (McKeith, 2016). This more aggressive proposal was announced in October 2016, Turnbull said that the Australian government would ban all refugees and asylum seekers from entering Australia permanently. The government announces that it will introduce amendments to legislation in parliament to amend migration measures, where irregular sea arrivals will be brought back to the home country to make valid Australian visa applications. The new law prohibiting refugees and asylum seekers from living and staying in Australia is expected to affect about 3,000 asylum seekers from Nauru and Manus, who are receiving medical care from the Australian government. Pether Dutton, as Immigration Minister, stated that these new ways must be pursued as Australia is currently working to improve the problems caused by the Labor immigration policy, which resulted in the abundance of boat people who died in the ocean. So Dutton

reiterated that through this new law, all parties concerned with Australia should not provide an option for asylum seekers to come to Australia by boat.

On one occasion to share immigration policy related information along with European countries, Tony Abbot points out that:

"Effective border control is not for the overly sensitive minds, but it is essential to save lives and protect the nations. The only viable option is to stop the boats, and thus, stop the open water casualties – (no wonder that) there has been no ships arriving illegally to Australia, and no one drowned in the sea along the way. By stopping the boats, we can take more real refugees needing protection, since the fate of applicants is decided by Australia, and not by the people smugglers" (Abbott, 2016 dalam March dan Stephanie, 2016).

Turnbull also added to the UN Refugee Summit 2016 that by halting ship arrivals Australia could focus more on providing assistance to refugees (March and Stephanie, 2016). The various responses from the international community regarding Australia's strict refugee policies were resolved by establishing cooperation with the Philippines, Canada and Malaysia. Australia provides an estimated \$ 55 million to support Australia's third-party refugee placement program by Australia.

## 5 CONCLUSION

Despite opposition from Australia's dominant opposition party, the 'turning back the boats' policy remains firmly undertaken by the government. Thus, it can be concluded that domestic political dynamics can not explain the policy of 'turning back the boats' as a form of cooperation, compromise, and coalitions between dominant parties in Australia to formulate foreign policy. There are several factors leading to the inability of the proposition of domestic political exposure in explaining the Australian government's decision on the arrival of refugee flows. First, the dominant parties in Australia, such as the Labor, Liberal-National, and Green parties have a track record of different ideological differences and positions related to domestic and foreign policy. The political parties are still trying to bring the domestic political agenda into foreign policy. For example, there are differences in the proposed refugee settlement mechanisms of each political party and they become one of the emphases of the federal election campaign of each party. So it can be seen that

the political parties can not relinquish domestic interest from the proposed process of foreign policy.

Second, despite the existence of constraints or internal barriers, the government continues to promote foreign policy as proposed by institutions within the government. In fact, there is the issue that opposition parties of government are coalescing to raise the voice of the people to influence the proclaimed foreign policy. This issue then creates a bipartisan approach that allows the dominant opposition parties to compromise on foreign policy unfulfilled. Rejection from opposition parties, such as Labor and Green parties, against the policies taken by the government continue to take place. Representatives of opposition parties, both candidates, members, and senators, have relatively the same position to reject the government's policy-making process. Obstacles and responses from the international community regarding the tightness of border closures by the Australian government also did not make the government begin to consider the proposals presented by the opposition party.

Thirdly, the disagreement between opposition parties and the government does not make the government consider the proposals and arguments brought by the parties. This is indicated by the increasing aggressiveness of Australia in carrying out the detention and return of refugees to third countries or countries of origin. The government seems to criticize and illustrate the worst possibilities when proposals submitted by opposition parties are accepted and implemented. The removal of visa holdings by refugees and asylum seekers is one form of increased aggression created by the government. The refugees and asylum seekers are increasingly prohibited from entering Australia permanently. Regardless of input from opposition parties, the government continues to move to amend the immigration law. In addition, cooperation with other countries, such as the Philippines, Canada and Malaysia, is also increasingly enhanced to avoid settling refugees and asylum seekers within Australian territory. Therefore, it can be concluded that although there are various obstacles from the dominant opposition party, the policy of 'turning back the boats' is still applied and enhanced by the Australian government.

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