‘Politics is the art of the possible’, but is Malcolm Turnbull likely to change the Government’s hard-line approach to asylum seekers?

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When Malcolm Turnbull was sworn in as Prime Minister in September 2015, some commentators queried whether a change in leadership might prompt a policy shift in the Government’s handling of asylum seekers (including offshore processing and third country settlement). This Flagpost examines Turnbull’s statements in Parliament on some of the key debates surrounding asylum seekers that have occurred since he entered Parliament in 2004 as an MP in the Howard-led Coalition Government, to when he was Leader of the Opposition and as Prime Minister.

Only one month after being sworn in as Prime Minister, Turnbull rose in Parliament to clearly articulate that ‘we recognise that our border protection policy is tough; we recognise that many would see it as harsh. But it has been proven to be the only way to stop those deaths at sea and to ensure that our sovereignty and our borders are safe. This is not a theoretical exercise... There was an experiment undertaken under the Labor government. Mr Rudd himself regretted it and sought to change it. The fact is it was done, it happened, it was a mistake, people died’.

But has Turnbull consistently held this view? Ten years ago when then Liberal MP Petro Georgiou agitated for significant reform to Australia’s policy of mandatory detention, Turnbull expressed delight towards the legislation subsequently introduced into Parliament and considered the rest of the reform package announced by then Prime Minister Howard to appease Georgiou to be ‘a great step forward’. However, he did not join Liberal Party
‘moderates’ in crossing the floor to vote against legislation in 2006 which would see all maritime asylum seekers being subject to offshore processing on Christmas Island or Nauru.

As Leader of the Opposition in 2009, Turnbull asserted that ‘it should not ever be controversial to state, as a matter of policy and principle, that Australians have the right to decide who comes to this country and the manner in which they come’. He observed that ‘the object of government policy should be to eliminate people-smuggling so that, as far as practicable, there are no unauthorised maritime arrivals of people seeking asylum in Australia’. He further argued in 2009 ‘when we are in government we stopped the boats. They stopped. We protected our borders. We complied with our international obligations, and our borders were secure’.

By 2012, when the Coalition in Opposition was being led by former Prime Minister Tony Abbott, Turnbull was reaffirming his view expressed in 2009 that the largest factor that impacted on the rate of maritime arrivals was ‘pull factors’ or in other words, Australia’s domestic policy and not as the Labor Government was contending, ‘push factors’ (the number of refugees in the world requiring protection).

Turnbull was also expressing the view in 2012, when both major political parties had reached an impasse on offshore processing, that ‘there are no measures deployed by governments in the battle against people-smuggling which are particularly palatable. All of them have great difficulties, contradictions and painful choices associated with them. They all have aspects which are cruel, but it is our jobs as legislators and it is the Prime Minister’s job as the head of our government to reach a balance between ensuring that there is a complete end to people-smuggling on the one hand, which could obviously be achieved with the cruellest imaginable measures, and on the other hand for Australia to maintain its duty as a compassionate and generous country respecting its obligations under the convention’.

In noting that ‘politics is the art of the possible’ in 2012 and urging the Government to reinstate perhaps not all but the bulk of the Howard Government’s policies, Turnbull acknowledged that if the policies did not work there would be a basis to come back and argue that the balance between the humanitarian part of the equation and the desire to ensure border protection should be re-examined. As he explained in 2009, ‘there are two goals to be achieved here. One is to be compassionate and welcoming to refugees in generous acknowledgement of our international obligations…the other goal is to ensure the processing of the refugee intake is orderly, fair and just so that the integrity of the system is not able to be compromised or thwarted by those who seek to circumvent the rules. And, as we have learned over the decades, across governments of both parties, it is not always easy or straightforward to strike an effective balance between the two’.

Though there are many who believe the Government’s policies are working and have struck the right balance, there are many who would disagree. Irrespective, it appears on this issue the Prime Minister is staying true to his consistently held view by ruling out any substantial change.