

## Once More the Fatal Shore:

### Is it possible to recover human dignity for Asylum Seekers and Refugees?<sup>1</sup>

*The 'Fatal Shore' once more*

The fate of those seeking asylum in Australia on the high seas is reminiscent of an earlier period of arrivals on the fatal shore of *Terra Australis*. Banished from their mother country; sent on a dangerous boat journey half way around the globe; deposited in an alien prison covering over 7 million square kilometres; mistreated and denied fundamental human dignities. The story of convict transportation to Australia, so brilliantly told by the late Robert Hughes' in *The Fatal Shore*, is a salutary reminder that the story of new arrivals down-under has a long and sordid history.<sup>2</sup> The irony of course is that in the twenty-first century the shores of Australia remain as problematic as ever for the seeker of asylum. Under current Government policy—e.g. indefinite mandatory detention, restriction of freedoms to work, 'offshore processing', relocation to other countries, 'refoulement practices'—asylum seekers are treated as criminals like the convicts of an earlier age. Australia represents a fatal shore once more. But this time and with the wisdom of over 200 years of European history in this land, we who trace our heritage to earlier boat arrivals continue to treat new arrivals by boat in inhumane ways; as pariah's and outcasts denied the dignity of people made in the image of God.

*A question of human dignity*

Asylum seekers are those who seek sanctuary and security, a safe place where they cannot be seized, taken hostage or harmed. Like many words in our language it comes from the Greek word *asylon*; *Syle* meaning 'right of seizure'. Accordingly *Asylon* means 'without

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<sup>1</sup> This chapter has grown out of a number of addresses given at the Australian Centre for Christianity and Culture in March and October 2014.

<sup>2</sup> Robert Hughes, *The Fatal Shore: A History of the Transportation of Convicts to Australia 1787-1868* (London: Pan Books, 1988).

right of seizure'; in other words protected and cared for. To seek asylum is to seek protection; to seek a sanctuary. We have a fundamental responsibility to protect and care for those seeking asylum for fear of persecution on the basis of race, religion, nationality, membership of a particular social group or, political opinion. Our humanity is expressed through these dimensions of our lives. Failure to respect and acknowledge these aspects of human life diminishes human dignity; both the dignity of those seeking protection and the dignity of those who refuse or avoid the moral claim of the vulnerable and unprotected. In other words the question of human dignity is not simply the harm we cause to another who seeks protection when we don't respond with compassion. There is also a harm done to ourselves; we act in a way that diminishes our own fundamental humanity.

#### *Good news for human dignity*

The four gospels tell the story of the recovery of human dignity through encounter with Jesus. The stranger, the outcast and the despised are drawn into the web of God's love through recognition and respect.<sup>3</sup> Their life and humanity is restored. Jesus constantly crosses boundaries to search for those in need of healing and sanctuary. You did not hear from his lips phrases like 'sovereign borders'. Rather his focus was the goodness of the sovereign God who reconstitutes borders as places of opportunity for reconnecting people and challenging them to rethink their insularity and open themselves to the alien 'other'. In the gospels people were always breaking into his life, intruders, nameless ones. Out of desperate need they would come through roof tops, thrust through a crowd, call out along the road side making fools of themselves, suffer public humiliation. They risked everything in their desperate search for healing, care and protection. Jesus didn't regard them as 'queue jumpers' or 'illegals'. He had compassion on the people, especially the mistreated and suffering, and especially women and children.

When Jesus was asked what were the two greatest commandments he replied with that well known summary of the law from the Book of Deuteronomy: 'You shall love the Lord your God with all your heart, and with all your soul, and with all your strength,

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<sup>3</sup> See the discussion by Daniel Hardy and David Ford, *Jubilate: Theology in Praise* (London: Darton, Longman and Todd, 1984),

and with all your mind; and your neighbour as yourself' (Luke 10:27). Our humanity is inextricably linked to our relationship with God and our neighbour. And the story of the 'Good Samaritan' makes it abundantly clear that the neighbour is the one in need. It also makes it abundantly clear that those who pass by on the other side; who willfully ignore the neighbour; who see but do not see; are usually those with power and influence to make a difference but choose not to. Why? The reasons are many: fear of tarnishing one's reputation; believing it is beneath one's dignity; fear of what others would say; concern about political expediency and loss of power. This fear of the neighbour is directly addressed in the ancient monastic tradition encapsulated in Antony the Great's statement that our own life and death is bound up with our neighbour's.<sup>4</sup> Our own dignity and personhood, indeed our own salvation, is inextricably bound to those in need.<sup>5</sup> This Christian teaching from the desert on the significance of the neighbour is entirely overturned when it comes to our treatment of asylum seekers who, far from being regarded as the secret for our own life and death, are treated as threats and pariahs; the 'other' unworthy of a dignified welcome. As such they become the new scapegoats; the necessary excluded category caught up in 'the present fashions in identity-building'.<sup>6</sup>

The gospels of Jesus are a manifesto for asylum seekers and refugees; a manifesto for the way we ought to regard such fellow human beings. Moreover the gospels offer a moral framework for our life together as one of hospitality and compassion to the stranger. Jesus' ministry among strangers and outcasts defined his life. Why? In an immediate sense it was in his blood; he came from refugee

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<sup>4</sup> Quoted in Rowan Williams, *Silence and Honey Cakes: The wisdom of the Desert* (Oxford, Lion Book, 2004), 22.

<sup>5</sup> Williams' comments thus on Anthony's words: 'Living in a Christian way with the neighbour, so that the neighbour is "won" – i.e. converted, brought into saving relation with Jesus Christ – involves my "death". I must die to myself' which involves renunciation of an entitlement 'to pronounce on the neighbour's spiritual condition'.... 'If I fail to put someone in touch with Christ, I face another sort of death, the death of my relation with Christ, *Silence and Honey Cakes*, 24-25.

<sup>6</sup> See Zygmunt Bauman, 'Parvenu and Pariah: the Heroes and Victims of Modernity', in *Postmodernity and its Discontents* (Cambridge: Polity Press, 1997), 71-82, this reference, 82.

stock. As a young child Jesus became a displaced person. His parents fled to Egypt to escape the ruthless violence of one King Herod obsessed with the protection of his own identity and power. Jesus was a child refugee. He was taken to a foreign country without passport, with parents who had little to show they could support themselves in another place. Was he an illegal? Did the Egyptian authorities send him to another country to be processed? The sophistications of our own context quickly take on the sense of the absurd. Outsourcing care and protection quickly becomes an abdication of responsibility in a modern carnival of cruelty.

Born in a food trough, Jesus spent his early years as a refugee in a foreign land, cared for and protected. When it was safe he returned to his country of origin. But even then he had to settle in a different place from which he had come for safety sake. His identity was shaped from earliest days as a stranger, asylum seeker and refugee. He died an outcast; an undignified and shameful death on a cross (Philippians 2:8). By his resurrection human beings were raised to their true status as children of God and sharers in the life of God. This meant that hostilities between people were done away and a single new humanity created (Ephesians 2:15). This inclusive community transcended distinctions between Jew and Greek, slave and free; male and female. Jesus established the conditions for the recovery of the dignity of the peoples of the world as children of the same God; bearers of the image of God.

#### *The 'imago Dei' as foundation for human dignity*

Those seeking asylum seek a restoration of their human dignity. However the origins of human dignity and equality are to be located at the headwaters of the Abrahamic theological traditions and the understanding of human beings created in the image and likeness of God. This has roots deep in Israel and Jewish theology, is recognized in Islam and undergoes a particular development in the Christian tradition focused on Christ.<sup>7</sup> The imago Dei provides a theological

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<sup>7</sup> The New Testament refers to Christ as the image of the invisible God (Colossians 1:15). Christ the new Adam, through his life as depicted in the gospels (his life, death and resurrection) shows forth what it means to live in the imago Dei. He is the locus of the imago Dei, the measure by which a true human life is recognized. However the incarnate Christ who bore the image of God went the way of all

basis for human dignity and value (and consequential ideas such as human rights and freedom). When human beings are regarded as creatures – spiritual beings - made in the image of the eternal, loving and generous God human life is invested with great dignity, promise and hope. Further if the imago Dei grounds fundamental human dignity then we are only too aware today that it has to be recovered and reformulated, updated and redeveloped in order to provide some intellectual and practical strength wherever human dignity is being undermined, threatened, ignored or disparaged. And we do not have to look very far. Those seeking asylum is a case in point. Human dignity is so critical in the asylum seeker situation in Australia precisely because it has become such a disposable and undervalued matter.

*Recovering our common humanity*

There are a number of key movements that are required in order to ensure that human dignity of asylum seekers and our common humanity is valued more highly than it is at present.<sup>8</sup>

- 1. First we need to move from treating asylum seekers and refugees as matters of military and defense concern, to treating those seeking protection as a fundamental humanitarian issue for our country. In other words we need to move from a ‘deterrence-militarisation’ framework to a ‘protection-civil’ framework.**

It is remarkable how the plight of the refugee and asylum seeker

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flesh and as he did he lost capacity, his freedom was denied, friends deserted him, he suffered the indignities and violence assigned to societal scapegoats, his life was taken away by cruel deeds. Entombed in death his resurrection by the Father through the Spirit constitutes the restoration of the imago Dei. The image he bore of the Divine was bestowed upon him as pure gift in life, death and beyond. The Christology of the imago Dei has significant ethical consequences for human regard and care for all peoples.

<sup>8</sup> In May 2014 I was privileged to be part of a Roundtable Symposium on Asylum Seekers at Parliament House and the discussion in this part of my paper is indebted to the conversations and subsequent report of that symposium.

has become over the years first a political and then a military matter requiring attention. Asylum seeker operations such as ‘Operation Sovereign Borders’ have been cast in military terms, and Defense personnel are now responsible for operations at sea and overall ‘command’. Now those who have sought protection by travelling to Australia by boat are subject to off shore military operations and enveloped in a cloud of secrecy.

Deterrence—the language of defense—is the operative language. Apparently it is Australia that requires protecting not the strangers to our shores. ‘Without right of seizure’—the semantic origins of asylum—has been turned on its head. Now such people are apprehended and held as criminals but with less rights and essentially unprotected. At the time of writing this paper this right of seizure by the Australian Government through its military operations in relation to 157 Tamil asylum seekers some months ago is being tested in the High Court on the grounds of illegal imprisonment. The stakes are high. We have travelled a long way from the humanitarian open hand of friendship. We need urgently to recover this focus.

## **2. We need to move from an overly legalistic approach to asylum seekers and refugees to an approach that embodies a high moral vision.**

Today those seeking protection are labeled as ‘illegals’ because they come by boat and not by plane. The term as applied to asylum seekers is false and a nonsense yet it is the favoured term of our major political parties. In truth the only illegals are the 50,000 or so people who have come by plane and overstayed their visas.

In an earlier time Australia had *reception* centres for new arrivals but now we have *detention* centres that function de facto as jails. The legal implications are significant. To welcome the stranger requires a move from self-interest to the interest of the ‘other’ and this only takes firm root where there is a robust moral vision for the common good and the dignity of human beings. Of course there will always be a need for strong legal frameworks when it comes to responding to major people movements. But you know there is a problem when you rarely if ever hear about the moral claim of the other and hear far too much about illegals who are treated as objects rather than as people deserving of the highest dignity.

## **3. We need a move from false to truthful language regarding**

## **asylum seekers and refugees**

Policies and political speech that reflects a genuine compassion for the stranger and alien ought to be able to bear the weight of truthful language. If our treatment of asylum seekers and refugees embodies a humane and dignified approach to the stranger at our gates then this language ought to be reflected in our public discourse.

Our current discourse is very different:

- we have ‘illegals’;
- Australian politicians have created or exploited the suggestion that boat people are dangerous criminals from whom we need to be protected.
- we no longer ‘stop the boat *people*’ – we just ‘stop the boats’ (is anyone aboard?);
- we have ‘people smugglers’ which is a nonsense given the purpose of smuggling is to operate undetected. Every single person in one of those boats wants to give themselves up to the competent authorities and declare ‘I am a refugee, please assess my claims.’
- We have ‘queue jumpers’ when there is no queue.

In our public political life we are in urgent need of recovering truthful language.

### *Conclusion*

These shifts in the current approach to asylum seekers and refugees are necessary if we are to treat the stranger who comes to Australia with dignity and respect. We desperately need a new language congruent with a moral vision that gives priority to the protection of those in danger. In the Christian tradition this moral obligation to care and protect asylum seekers and refugees has its spiritual and ethical basis in the long held conviction that this world and all of creation does not belong to us. It comes as gift to us from God. In particular that human beings are made in the image of God. Asylum seekers and refugees are made in the image of God. That is their primary status; before they are asylum seekers, before they are refugees; before they are identified in any way that separates and distances them from us there is something more fundamental. We

share a common humanity and a common identity as image bearers of the Divine life. We welcome the stranger because we can do no less as fellow travellers on this planet. In welcoming the stranger we reaffirm that our life and death is inextricably tied up with our neighbours; that our human dignity stands or falls with that of our neighbours. Our present official policies reinforce Australia as a fatal shore once more; not only for those new arrivals but for those of us who are occupiers of this continent. It will prove fatal for this latter people precisely because it will confirm its inhabitants as prisoners of our own self-interest and as a consequence our moral death.

To welcome the seeker of asylum is a Christ-like gesture in accord with the deepest dimension of our common humanity. Such a response is encapsulated in the following somewhat free rendering of those haunting words of Jesus at the end of Matthew's Gospel. The subject of course is the final judgment (Matt 25:31-46):

<sup>31</sup>“When the Son of Man comes in his glory, and all the angels with him, then he will sit on the throne of his glory. <sup>32</sup>All the nations including Australia will be gathered before him, and the Lord will separate people and governments, one from another as a shepherd separates the sheep from the goats, <sup>33</sup>and he will put the sheep at his right hand and the goats at the left. <sup>34</sup>Then the king will say to those at his right hand, ‘Come, you that are blessed by my Father, inherit the kingdom prepared for you from the foundation of the world; <sup>35</sup>for I was an asylum seeker and you gave me safe haven in your own home; I didn't have a visa or passport but you treated me a child of God; I was a stranger who couldn't speak the language and you welcomed me with the language of love, <sup>36</sup>I was frightened and with barely the clothes on my back and you clothed me with kindness and care, I had lost loved ones in conflicts and persecutions and you comforted me, I was in detention and despairing of life itself and you never gave up until I was freed.’ <sup>37</sup>Then the righteous will answer him, ‘Lord, when was it that we saw you an asylum seeker and welcomed you, or without visa or passport and treated you as a child of God, a stranger of different race and language, sick, afraid and befriended you, in detention and we became an advocate for your plight? And the king will answer them, ‘Truly I tell you, just as you did it to one of the least of these asylum seekers and refugees, you did it to me.’



Stephen Pickard