

# Sydney stalked by terror

‘The lies are exposed and suddenly their supporters have vanished, or so it seems. In fact they have simply moved on to the next big invention.’

He said did not always agree, saying: "I don't have a clear response to what Fred has

PM bounces

## Majority of race victims too afraid

CHAPTER

# 3

Current political context

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## CHAPTER 3 CURRENT POLITICAL CONTEXT

**Over the past 18 months, debates in the media about September 11, the international 'war on terror', the prospect of US-led attacks on Iraq, the Tampa dispute, Australia's policies regarding asylum seekers, and the ongoing debates about law and order in Sydney, have had the cumulative effect of generating a 'moral panic' in Australia. The central feature linking, simplifying and blurring these debates is race, encompassing concepts of ethnicity, culture, religion and nationality. Print, radio and television news media representations have increasingly drawn on race as the explanation for or cause of conflict, deviant behaviour or social problems.**

### Setting the scene

As chapter 2 illustrates, the demonising of particular racial groups is not new in Australia. Historically, it has been non-white racial or ethnic minority groups who are portrayed as posing a threat to the nation and to 'ordinary' Australians. There have been familiar assertions of 'us' and 'them', of who is different and therefore 'un-Australian'. In many media portrayals over the past 18 months, 'Arabic', 'Middle Eastern' and Muslim have become connected with 'criminal' and 'terrorist' in often unsubstantiated and damaging ways. In the opinion of the ADB, this contributed to a heightened level of racial vilification and racist hate crime in Australia in this period.

'Border protection' and Australia's approach to asylum seekers was central to the campaigns of the major political parties in the lead up to the Federal election in October 2001. Law and order policy debates in NSW State politics in this period were underpinned by the linking of crime and ethnicity. Rhetoric that drew on fear – of otherness, of difference, of change – was reflected in media commentary, government policy and public debate.

What has also characterised this time has been an often unquestioning acceptance of Federal and State government agendas by many in the media.<sup>1</sup> This is reflected in the lack of investigation of the myths and facts surrounding particular events, such as government deception regarding the 'children overboard' matter, and the concentration on stories that draw on fear, such as the gang rapes in New South Wales. There was a disproportionate focus on certain issues given their broader social or political significance, and a lack of focus on other matters of importance.<sup>2</sup>

The media play a crucial role in the way that people view the world and their place in it. Australians turn to the mainstream media to gain information, analysis and reasoning about events that happen locally and globally on a daily basis. Through the media, the reader or viewer can feel connected, or disconnected, to the broader community or society.

The experiences and values of those who work in the media influence the way they portray issues. The interests and views of editors and media producers shape which issues are represented as having news currency. Journalists make decisions about the angle or focus and sources or spokespeople of a news story. Politicians, police, advertisers, corporate interests and powerful individuals can also influence the construction and production of news.<sup>3</sup>

News media, while drawing on traditions of objectivity or fact, have the power to marginalise and construct racial or ethnic minority communities as 'other'. The media can articulate and transmit

pervasive and negative narratives, images and ideas about racial and ethnic minorities that can have a significant effect on the collective beliefs and myths of mainstream Australia. These narratives can then be used in an attempt to explain, justify, rationalise and resolve contradictions and problems in society. Whether this power is used wilfully or inadvertently, the damaging effects it can have for racial and ethnic minority communities are the same.

However, it is virtually impossible to isolate the ways in which media coverage of current events, political commentary and rhetoric, and community attitudes interact. There is no clear linear causality to the creation of news and political discourses. In many respects, recent events demonstrate the ways meaning produced in the media is often interdependent and interwoven with political agendas and community perceptions. This dynamic underscores the analysis in this chapter as we examine specific examples of the ways minority racial and ethnic communities in Australia are characterised in the media.

## Race and media discourse

The focus of this chapter is on discourses of race, and the divisive impacts that can flow from media portrayals that draw on such discourses to 'make sense' of news stories. Audiences are positioned through the language and images that are used in news reports and the way that issues are characterised or contextualised. Political leaders understand this, and carefully construct their communication through the mass media using professional staff whose responsibility it is to convey ideas or policy in particular ways, and to give them the desired impact and currency.

Stories are shaped and particular communities are marginalised at given points in history. Media stories often use race as a way of constructing a simple binary opposition, a normal us to a strange or different them. Here we highlight the ways in which the other of the moment is constructed through media and political discourses. We examine three key contemporary debates to illustrate this. The first is the portrayal of asylum seekers who arrived by boat in 2001. The second relates to the characterisation of the perpetrators of the gang rapes that took place in Sydney in 2000. The third is of the representation of the Muslim women's gym that was granted an exemption from the *Anti-Discrimination Act* in 2002 by the NSW Attorney-General.

The notion of discourse has been increasingly used as a means of 'reading' or analysing practices or expressions in the media that reflect deeply held societal values and beliefs. Discourse analysis demonstrates how the social, historical, cultural or political contexts of language influence the content and structures of news reports. In this way, media discourses contribute to and shape social relationships and the balance of power in society.<sup>4</sup> As Foucault has said:

Each society has its regime of truth, its 'general politics' of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true.<sup>5</sup>

Media discourses convey views, both explicit and implicit, about racial and ethnic minorities with whom the broader community may have no direct experience. As a result, the media plays an important role in shaping attitudes and understanding of those groups. Events are explained in racial terms which may legitimise prejudice and discrimination against particular minority groups.<sup>6</sup>

Media reports can racialise a particular story not only by directly referring to a specific group of people, but also through other coded references to certain racial or cultural groups which have developed. Such codes have developed around issues such as immigration, welfare, youth gangs and urban crime, where the race of targeted groups is not specified, but yet is understood by the audience because of discourses which have developed over time in the reporting of particular issues. We examine this in relation to the recent gang rapes in New South Wales considered later in this chapter.

The public view of crime is shaped by the media, as most people do not have a first-hand experience of crime. There is a substantial body of research that demonstrates that the media over-

reports or disproportionately focuses on the alleged criminal activity of non-white Australians.<sup>7</sup> This can lead to the perception that people from racial or ethnic minority backgrounds are the source of problems or disorder in society.

Such discourses about racial, ethnic or cultural difference are presented as part of a shared 'common sense'. This common sense is created by both media commentary and political rhetoric, and is then given authenticity through being continuously reaffirmed in media reportage. It is important to challenge notions of common sense, truth or fact in media reporting of race-related issues. These notions are underpinned by values and beliefs that are given power through being made 'normal'. Counter views are then characterised as untrue, irrational or deviant. This is demonstrated in the debate about asylum seekers that we discuss below.

Australians as a media audience are not a homogenous or uncritical mass. All of us are influenced by our backgrounds, identities and experiences in the way that we interpret media reporting of issues. Nonetheless, the overwhelming force of racialisation of media and public discourses makes resistance to common sense explanations difficult. Audiences learn to notice and identify differences that relate to race, and to discount other factors. The diversity between groups of people who are 'othered' is also overlooked. In addition, there is a lack of critical analysis by the media of the ways in which racial or cultural differences are used to explain conflict or problems.

Political leaders and media commentators often draw on fear as a tool for community bonding or solidarity, and groups who are racially and culturally different are a common target. In particular, threats to the security of the nation from external or internal sources are regularly racialised. This construction of a racialised other is a key means of giving a sense to many Australians of belonging, as being normal while other groups are different. The 'we' found in the mainstream media is pervasive, the law-abiding, hard-working, 'fair go' Australians as opposed to 'them', the 'others' with 'un-Australian' values and beliefs.

Global events and influences are often given meaning through familiar lenses. As this report goes on to discuss, local manifestations of broader changes are often represented through familiar reasoning about racial and cultural difference.

## The intersection of local, national and international debates

In the last 18 months, media reports of sexual assaults in western Sydney were linked to the story of the *Tampa* refugees, which then became linked to the representation of events in the US on 11 September 2001. The common feature connecting these stories was that people represented as Middle Eastern or Arabic and Muslim were involved. As a result, 'a very localised story about crime, a national debate on immigration policy and then a global or international debate around terrorism'<sup>8</sup> became connected in the public mind.

The fact that there was no logical basis for linking these stories drew little comment. Racially inflammatory reporting and racist reactions, and what has been described as 'Islamophobia'<sup>9</sup>, established the news currency of making these links, and fuelled such stories. Particular communities were demonised. What has been described as a moral panic<sup>10</sup> ensued about law and order, national identity and border protection.

The political and media representations of the link between asylum seekers, criminals and racial and ethnic minority communities were evident before September 11. In August 2001, NSW Premier Bob Carr 'had called for tightening of immigration policies to reduce ethnic crime on Sydney's streets'.<sup>11</sup> This was followed by a meeting between Carr and the Federal Minister for Immigration Philip Ruddock, after which it was announced that visa applicants to Australia 'would be questioned over military experience'.<sup>12</sup> Carr stated that people 'with previous military experience or experience with firearms' were one of three 'risk categories' of migrants who should be singled out for possible exclusion.

Carr was quoted as saying: 'One of my main concerns has been with people with military experience and seemingly no other skills ending up in Australia'<sup>13</sup>, and that 'ethnic crime gangs' were 'causing mayhem on the streets'.<sup>14</sup>

The Police Commissioner, Peter Ryan, was quoted as saying: 'You've got to remember in China, most young men are conscripted for the army, therefore most have military experience. They then become immigrants to other countries.'<sup>15</sup> Commissioner Ryan did not mention that exactly the same situation applies to young men from Greece or Switzerland.<sup>16</sup>

Despite the significance of the meeting and a clear intention to promote a shift in policy, there was no mention in media reports of evidence supporting the assertions of links between crime and non-white immigrants or refugees made by Carr or Ryan.

In *The Sydney Morning Herald*, on the same page as the report of this Ruddock and Carr meeting, was an article entitled: 'Authorities brace for more arrivals as ailing asylum seekers end horror voyage'.<sup>3</sup> On the same day,<sup>4</sup> *The Daily Telegraph* placed a story about a police 'anti-gang' squad next to articles with the headlines: 'Leaky boat lands 348: Human cargo arrives with more on the way' and 'The illegal armada is coming'.<sup>5</sup>

In his opinion piece entitled 'Migrant Failure Stories Inspired over the Tampa', in *The Sydney Morning Herald* on 5 September 2001, Paul Sheehan made links between immigration policy and local unemployment and crime. He stated that Australians were not happy about 'the way a large Muslim population has been brought into this country with barely a shred of consultation or consent'. He based his view on the overwhelming public support for John Howard's handling of the Tampa crisis. He went on to argue that 'it cannot be a coincidence that the least cost-effective immigration/refugee stream in the past 15 years, in terms of high unemployment, high welfare dependence and high crime, has come from the Middle East, particularly Lebanon'. This is the common sense approach in operation.

The ADB sees this as an illustration of the inter-relationship of public opinion, political rhetoric and media discourse, and the role that media commentators play in contributing to a negative portrayal of an entire community. No evidence of either unemployment statistics or crime rates is provided by Sheehan in this article to support his statements. No mention is made of the long history of Muslim immigration to Australia, which dates back to the nineteenth century.<sup>6</sup>

The *Tampa* crisis was framed in terms of fear and invasion by the Federal Government. News reports also angled their representations of the issues in this vein, heightening and inflaming community fears about racial and cultural difference well ingrained in the Australian psyche. This community response is then cited by Sheehan and others as justification for the pillorying of Australian Lebanese Muslims.

The events of September 11 exacerbated these connections in media reports, in government rhetoric and in the public mind. The attacks on the World Trade Centre seemed to give momentum and even legitimacy to local debates that demonised 'ethnic gangs' and promoted more punitive law and order policies and practices. Scott Poynting made the astute observation that the headline 'Act of War' on the front page of *The Daily Telegraph* on 12 September 2001 was exactly the same phrase that headed that page on 2 November 1998, when *The Daily Telegraph* reported the shooting of bullets at Lakemba police station, allegedly by an ethnic gang.<sup>21</sup>

Three days after the attacks in the United States, David Penberthy wrote an opinion piece in *The Daily Telegraph* entitled 'Making sense of the irreconcilable':

Whatever tiny shred of goodwill that still existed in this country towards Muslim Australians probably disappeared at the same time the first hijacked passenger jet smashed into the World Trade Centre.

Those who seek to portray John Howard as a bigot for his stand on the Tampa now find themselves with something smaller than a minority; equally those who accuse Premier Bob Carr of flirting with race politics through his stand on crime are free to meet in a telephone booth and talk amongst themselves.

This galvanising of public opinion is not rational. ...

In the minds of most Australians, all of these issues have merged into one.

A series of events has overlapped, the result of which is blanket, unprecedented hostility to anyone who would seek to defend Islam and its adherents.

It explains why, as the Lebanese gang rape scandal started to unfold, there was such acrimony directed towards [Mufti of Australia] Sheik Hilaly, over his call for a seat in State Parliament to be found [in the Labor Party preselection process in the electorate of Auburn] for a Muslim, not to mention his absurd suggestion that because the gang rapists were Australian born, their criminal actions reflected more on their new homeland than on their ancestry. ...

It explains why, when the Tampa arrived in Australian waters, carrying 434 people from Muslim Afghanistan, most Australians did not want to hear any stories from those on board. They just wanted them to go away.<sup>22</sup>

The Australian public is asked to 'make sense' of the linking of Lebanese Australians, Afghani asylum seekers and the terrorists who attacked the World Trade Centre. Penberthy acknowledges that there appears no rational basis for making those assertions. No evidence is presented to justify those linkages. Indeed, the author acknowledges the connections are not rational. And yet, reinforces that this is a process of the Australian public making sense of events. The author frames the view of 'most Australians' as justified and understandable. He places in opposition to this 'Muslim Australians', those who criticised John Howard's stance on the *Tampa*, those who criticise Bob Carr for his flirtation with race politics through his stance on crime, and Lebanese Australian gang rapists.

A letter to the editor in *The Sydney Morning Herald* summed up the ironies in the portrayal:

Only two weeks ago, the idea was being circulated that the illegal immigrants taken from the *Tampa* and transferred to an Australian warship were all possible rapists.

Now we hear these people are terrorists with the knowledge to fly Boeing aircraft.

As there has been no other contact by these refugees with educational facilities, could the Government please explain why it is allowing our defence personnel to train rapists to become pilots?<sup>23</sup>

Opinion leaders such as politicians or media commentators play an important role in identifying and shaping the boundaries of legitimate discourses in media debates. This is the case particularly in relation to what is considered common sense differentiation on the basis of race, and what is racism.

The discourse about racism is one which creates the inclusionary and exclusionary boundaries of citizenship and nation. The discourse is not closed. It is constantly being challenged and negotiated. The parameters of what are defined as racist behaviour and what is defined as 'acceptable' social comment must be constantly re-drawn. The media provide a process whereby the divisions between inclusion and exclusion are drawn, as well as an arena in which the boundaries between what constitutes 'racism' and what constitutes 'social comment' are maintained.<sup>24</sup>

The Tampa and the attacks on the World Trade Centre were also used as a justification for attacks on Australia's policies regarding immigration and multiculturalism. John Stone, former Secretary to the Treasury and National Party senator, wrote an opinion piece in *The Australian* on 26 November 2001 headed, 'We only want those prepared to be like us'.

Our immigration policy must be fundamentally rethought so that it is built around cultural assimilation.

The September 11 terrorist attack on the US is rightly said to have changed the world. But Australians' world had already begun to change a fortnight earlier when the Prime Minister ordered the Tampa to leave Australian territorial waters off Christmas Island, taking with it the illegal immigrants it had rescued off Indonesia.

Since September 11 our chief focus has been on Washington's (and its allies') response. But before the Tampa episode and World Trade Centre attack are played out, Australians must fundamentally rethink the stupidities which, for 20 years now, have dominated our immigration policies and, along with them, our official policies of multiculturalism (read "non-assimilation"). ... Australia's immigration policies during the 30 or so years after World War II initiated by the Chifley Labor government and carried on by successive Coalition governments - were enormously successful. Those policies essentially comprised two requirements. First, that the new Australians we were welcoming would assimilate into the mainstream and, second, that those we were choosing (chiefly, then, from war-torn Europe,) would be culturally capable of, and disposed to, doing so.

By the mid-1970s, Australia had emerged from that process a more cosmopolitan, broader-minded, more outward-looking and in most respects better country than before. Shortly thereafter, the Fraser government accepted a relatively small number of refugee boatpeople fleeing the Vietnamese communist dictatorship. This was a principled consequence of our own earlier, entirely honourable contribution to resisting their oppressors, and was accepted as such by a generous Australian people. The much wider extension of that decision which then followed, by both Coalition and Labor governments, and which opened our doors to all and sundry

irrespective of cultural background, was not in the national interest, however well-meaning it may have been.

Fatally compounding that error were the official multiculturalism policies imposed along with it. Abandoning the previous assimilationist approach, official policy strongly encouraged the “separate development” of different cultures on an equal footing side by side within our boundaries. In Geoffrey Blainey’s famous phrase, the nation of tribes – a concept so internally irreconcilable that it only has to be stated to be seen as a contradiction in terms – had arrived. Worse still, as Blainey’s phrase reminds us, these errors were then effectively shielded from almost all effective public criticism by the elitist thought police in our universities and in the media. This shutting down of debate – with charges of racism, no matter how gross, quickly hurled at any critic – was aided and abetted by a conspiracy of silence between both sides of politics. And the result? The previously supportive attitude of most Australians towards a large, nation-building immigration program – an attitude which, until about 20 years ago, I shared – has been transformed to one of widespread hostility, demands for scaling back the size of the program, and increasing inter-ethnic suspicion and distrust within our previously cohesive society.

Note that I have nowhere referred to race. In that future debate, any reference to race should be immediately challenged; not race, but culture is the issue. So that there be no (honest) mistake, let me repeat that. Our future immigration policy should have nothing to do with immigrants’ skin colour or ethnicity. It should have everything to do with whether those concerned are capable of assimilating into Australia’s basically Judeo-Christian culture, and disposed to do so. Note, again, that reference, not to Australia’s predominantly Judeo-Christian religions, but to the associated culture. Unlike Americans, we are not a particularly religious people; yet we all live within a core culture shaped by, and part of, a Western civilisation having its origins in Judeo-Christianity.

In that coming debate, another distinction will be essential – that between respecting another person’s right to adhere to some other culture, and respecting that culture equally with our own. All the past brainwashing to the contrary notwithstanding, all cultures are not equal and it is ridiculous (and, since September 11, much more obviously dangerous) to keep insisting that they are. The most sensitive aspect of that future debate will be our attitude towards further Muslim immigration – towards which, I must openly say, I have the gravest reservations (while noting that the calls for Australians to refrain from harassing our existing Muslim community are, of course, entirely proper). . . .

Big business is again calling for an increase in our immigration program. It should understand that there can be no hope of that unless the policies of the past 20 years or so are fundamentally rethought. The election result has confirmed that, in spades. In the end, it is the crucial relationships between cultural compatibility and national cohesion which will lie at the heart of our future debate.

This opinion piece highlights the way that cultural difference replaces biological difference in public rhetoric and government policy about race. Stone asserts that ‘all cultures are not equal’ and singles out Muslim people in particular in regards to restricting future immigration. His ‘entirely proper’ support for ‘calls for Australians to refrain from harassing our existing Muslim community’ is undermined by his relegation of people on the basis of race and religion to being culturally inferior to and incompatible with other Australians.

Stone indicates that culture, not race is the issue, and that ‘skin colour or ethnicity’ should not determine immigration policy. However, he states that such policy should be determined by whether ‘those concerned are capable of assimilating into Australia’s basically Judeo-Christian culture, and disposed to do so’. The ‘national interest’ is not served by multiculturalism, which has undermined ‘our previously cohesive society’. As detailed in chapter 2, replacing race with culture does not challenge the underlying premise that groups of people are characterised by fixed, immutable qualities which then form the basis for government policy on multiculturalism and immigration.

People who challenge such boundaries of what is considered legitimate political discourse or the assumptions that underpin them as racist are marginalised as being elites, radicals, special interest groups or unrepresentative by those who claim to speak on behalf of ‘mainstream’ Australia. This is starkly portrayed by conservative opinion leaders suddenly being characterised as radical.

Recent media debates that have been racialised have also reflected the increasingly globalised context with which issues are debated and given meaning. There is a sense that our identity, at an

‘...All the past brainwashing to the contrary notwithstanding, all cultures are not equal and it is ridiculous (and, since September 11, much more obviously dangerous) to keep insisting that they are’

individual and national level, has become more uncertain than in previous generations.<sup>25</sup>

Globalisation of the media has also meant that cultural representation (along with implicit or explicit signification of issues of 'race') has often become fragmented, then recombined and reconstituted. ... All of these factors, in turn, are re-presented in the media.<sup>26</sup>

Much has been written about the way the Gulf War in 1991 became a media event in the way it was constructed and viewed by the United States, Australia and other western countries. 'Wars which might once have brought terror to the real stomachs of actual people have become media events. The armies, the victims, the aggressors become largely absent performers while technology wages war through and around them'.<sup>27</sup> Baudrillard's book *The Gulf War Did Not Take Place*<sup>28</sup> reflected on the way that the media representation of the war became the only reality there was.

The Gulf War was a key example of the way that international events can manifest in local interpretations of certain groups as dangerous to the Australian identity, and to violence motivated by this ideology.<sup>29</sup> The particular role of the media in the portrayal of Arabic Australians at this time has been analysed as laying 'the cultural, social, political and ideological framework within which hate crime occurs'.<sup>30</sup>

The media plays a crucial role in providing a framework for understanding change, and a means to order and make meaning of events and experiences.

## Asylum seekers

### Tampa

On 25 August 2001, Australian authorities alerted the *MV Tampa*, a Norwegian cargo ship, to a ferry sinking between Australian and Indonesian waters. On August 26, the *Tampa* then rescued 438 mainly Afghani and Iraqi asylum seekers from the ferry. The following day, Prime Minister John Howard said those on board were the responsibility of Norway and Indonesia. Therefore, Australia would not give the *Tampa* permission to enter Australian waters and disembark the asylum seekers at Christmas Island. 'This is a very difficult and sad situation', Howard told Parliament. 'From the very beginning, Australia has sought ... to balance against the undoubted right of this country to decide who comes here ... our humanitarian obligations as a warm-hearted, decent international citizen'.<sup>31</sup>

The Australian, Norwegian and Indonesian governments debated the issue over the following days, culminating with John Howard announcing a solution to the crisis. The asylum seekers would be split into two groups, with 150 mainly women, children and families taken to New Zealand and the rest to be taken by ship to Nauru in what became known as the 'Pacific Solution'. The so-called '*Tampa* crisis' heralded a significant shift in Australia's response to its international human rights obligations.<sup>32</sup>

The government's response to the asylum seekers aboard the *Tampa* and the following 'Pacific Solution' were key themes in the Coalition's 2001 election campaign. News reports and images of the asylum seekers were tightly controlled via the Australian military, under direction from the government.<sup>33</sup> Media coverage of these events predominantly reflected the government's political spin on the issues.

The Federal Government prohibited media contact with asylum seekers on board the *Tampa*, on Christmas Island, on Nauru, and in detention centres. The only visit allowed by the media to Woomera was a 'government media-managed tour' where journalists were made to sign contracts saying they wouldn't speak to any of the detainees or show their faces.<sup>34</sup> By denying media access to the asylum seekers, the government was able to control the information presented to the public. They were the primary source of information about the circumstances of the asylum seekers, and the information was described by some commentators as often vague and contradictory.<sup>35</sup>



## Children overboard

During the federal election campaign, on 7 October 2001, Immigration Minister Phillip Ruddock told the media that asylum seekers had thrown their children overboard from a boat in Australian waters off the west coast 'with the intention of putting us under duress. [It was] clearly planned and premeditated. People wouldn't have come wearing life jackets unless they intended some action of this sort'.<sup>36</sup> John Howard stated that: 'We're not a nation that's going to be intimidated by this kind of behaviour'.<sup>37</sup> Foreign Minister Alexander Downer stated that: 'Any civilised person would never dream of treating their own children in that way'. Before the circumstances of any of those seeking asylum were assessed, Howard stated: 'Genuine refugees don't do that'.<sup>38</sup>

In response to calls for evidence, on 10 October, the then Defence Minister, Peter Reith, stated on radio that asylum seekers had thrown their children overboard in an attempt to blackmail the navy into bringing them onto Australian soil: 'The fact is the children were thrown into the water. We got that report within hours of that happening... we have produced the photos'.<sup>39</sup> On 8 November, Howard stated: 'Asylum seekers wearing life-jackets jumped into the sea and children were thrown in with them. Such tactics have previously been used elsewhere, for example, by people smugglers and Iraqi asylum seekers on boats intercepted by the Italian Navy. ... I don't regret ever saying that people who throw children overboard aren't welcome in Australia'.<sup>40</sup>

The Report of the Senate Select Committee on a Certain Maritime Incident<sup>41</sup> indicated that government officials knew the claims were false on 10 October. The Prime Minister's Department was told on that day by Defence Strategic Command: 'There is no indication that children were thrown overboard'.<sup>42</sup>

Both before and after the release of the photos, Mr Reith and his office had been made aware by defence officials that they were not of children who had been thrown overboard, but of children who were being rescued after the boat sank on October 8.

The photos were released to the media at the time after repeated queries about whether the 'child overboard' incident actually happened, and the affair was exploited by the Government to paint asylum seekers in a bad light.<sup>43</sup>

The photos of asylum seekers in the water wearing life jackets, including children, were actually taken from video footage by Navy personnel after the boat had sunk. The still images of children in the water were taken out of context, shown on national television during the election campaign and misrepresented as evidence of asylum seekers throwing their children overboard.

The children overboard story was clearly portrayed in terms of us and them. John Howard's often repeated statement of 'I don't want people like that in Australia. Genuine refugees don't do that' and 'I don't want, in Australia, people who would throw their own children into the sea, I don't',<sup>44</sup> delineated the otherness of people on board. Howard's position undermined their legal right to seek asylum, and prejudged their experiences of persecution and their motivations for seeking asylum.

The majority of media reports immediately picked up the government's language in portraying the issue. 'There are frightening reports that illegal immigrants have thrown their own children overboard to try and gain entry into Australia'.<sup>45</sup> The editorial of *The Daily Telegraph* on 13 October 2001 stated: 'Criticism that Australia lacks compassion since the introduction of the Border Protection Act should not foster guilt over our revulsion at those who care so little for their own children.'

Piers Akerman wrote:

As for those who threw their children into the sea on Sunday, the malcontents who trashed the *Manoora* – it must be made absolutely clear that not only is such behaviour totally unacceptable but will in fact mitigate against any future consideration for admission into Australia.<sup>46</sup>

Groups such as asylum seekers who are stereotyped by the media are those who also have little or no power to control, resist or produce counter images in the public domain. All Australians are reliant to a degree on media practitioners' investigation and portrayal of issues and political rhetoric.

Although in the minority, some media commentators have reflected on the government's political spin on the *Tampa* incident, and the implications of drawing on fear as a political tool. For example, in August 2002 Hugh Mackay wrote:

By September the Government's careful manipulation of the *Tampa* incident had ensured that illegal immigration would become the issue of the 2001 election campaign ... and the rest is history.

But that history was not just of an election victory achieved by a government trading on the fears and insecurities of an electorate spooked by Tampa and September 11. The real story of *Tampa* is the story of Howard's rehabilitation. ...

Let's be clear what this is about. Bombarded with propaganda about a 'crisis' involving a potential flood of illegal immigrants from Afghanistan - most of them Muslims and some of them possibly even terrorists - voters have rallied behind Howard and his Immigration Minister, Philip Ruddock. ("Knowing Mr Ruddock is doing his job means I can sleep soundly in my bed," is how one of our research respondents put it.) ...

So the surge of support for Howard ... has been based firmly on his Government's handling of the detention of asylum seekers and its almost hysterical emphasis on border protection. If you've been puzzled about this, simply replace "border" with "Howard" in the phrase "border protection", and it all makes sense. ...

The dark side of the present situation is that by engaging in the politics of fear - blatantly manipulating propaganda about asylum seekers to dehumanise them and heighten our hostility towards them - Howard and his colleagues have given us permission to sink to new depths of intolerance and prejudice. When we are encouraged to pillory the refugee, other prejudices are also unleashed: anti-Asian, anti-immigration, anti-Muslim, anti-Aborigine.

We'll ultimately feel worse about ourselves as a result of all this because we are denying expression to some of the most noble values that lie within our culture. Yes, the rehabilitation of Howard has been achieved, but have we paid too high a price for it?<sup>47</sup>

In chapter 2 we considered the ways in which immigration issues have emerged as significant in past political debates. However, the 2001 federal election was a turning point in the racialisation of immigration policy. Asylum seekers arriving by boat were represented as a threat to the nation. Once this threat took hold in the public mind, border protection was high on the agenda of both political parties.

On the crest of community support for Howard's stance on asylum seekers, the Labor Party distributed a leaflet during the election campaign that Labor was committed to establishing 'an Australian Coast Guard to conduct Australia's coastal surveillance, including in relation to illegal immigration and drugs issues'; to overhauling 'our border protection laws as they relate to vessels, persons and goods entering Australia to make sure they can deal with contemporary threats'; and to establishing 'an integrated national security policy by broadening the focus of our Cabinet National Security Committee so that it also covers strategic law enforcement policy (drugs, terrorism, border protection)'.<sup>48</sup>

Post September 11, the justification for border protection policies expanded to encompass responding to terrorism. Terrorists and asylum seekers became interwoven in public discourses and in the public mind, despite the fact that many asylum seekers were fleeing from the very regimes that harbour terrorists.<sup>49</sup> For example, the editorial of *The Daily Telegraph* on the 13 October 2001, in discussing events on the boat involved in the children overboard incident, stated: 'While on board, SAS members were able to place under surveillance a suspected agent of the Osama Bin Laden terrorist network'. No subsequent reports about arrests appeared.

Media portrayals of asylum seekers during this period had resonances with past debates about immigration and refugees in Australia - of 'waves' or 'floods' of 'aliens' arriving by boat. For example, a reporter on the ABC's *7:30 Report* stated during the *Tampa* crisis that 'whatever the outcome of this stand-off, it could soon be caught in the wake of another wave of boat people already heading to Australia',<sup>50</sup> and an article in *The Sydney Morning Herald* stated:

Terrorists and asylum seekers became interwoven in public discourses and in the public mind, despite the fact that many asylum seekers were fleeing from the very regimes that harbour terrorists.

The image is permanently fixed in the Australian memory. A Norwegian freighter, with its wretched cargo, stalled in the grey seas to our north. Two desperate stand-offs. One involving the crew and the sodden passengers. The other, an explosive diplomatic confrontation between a European naval power, a struggling Asian nation and an Australian Government suddenly emboldened to stop the human flotsam washing up on its shores.

...

The Immigration Minister, Philip Ruddock, at the centre of the *Tampa* crisis, has no regrets about the way the Government played the issue - or of the international and domestic consequences.

He says the Government's decisive handling of the matter saved Australia from a security and policy crisis and massive social disruption. If the SAS had not stormed the *Tampa*, the flood of boat people would have reached 12,000.<sup>51</sup>

As set out in chapter 2, the discourse of invasion and threat to the nation is a familiar one. However, the legal rights of asylum seekers who arrive by boat have greatly diminished in recent years.

Asylum seekers who arrive by boat are often from countries such as Afghanistan or Iraq where there is no Australian diplomatic representation, and no standard process by which to lodge an application for refugee status. Most refugees are not able to travel through conventional channels because they cannot obtain a passport from the government that is persecuting them, or they are fleeing from.<sup>52</sup> In 2000, most asylum seekers arriving in Australia by boat came from Afghanistan, Iraq or Iran.<sup>53</sup> There are considerable barriers faced by refugees from such countries to apply for a visa to enter Australia 'lawfully'.

Since 1999, asylum seekers who are granted refugee status after arriving in Australia by boat are only entitled to a Temporary Protection Visa (TPV), not permanent residence. People on TPVs are not eligible for many of the settlement supports available to other refugees in Australia and cannot apply to bring family members to Australia. The Human Rights and Equal Opportunity Commission has argued that TPVs may be inconsistent with the *Racial Discrimination Act*, due to the fact that Iraqi and Afghani refugees are substantially more likely than other asylum seekers to be granted only a TPV upon establishing their refugee status in Australia.<sup>54</sup>

It is utterly inconceivable that if those of European ancestry – for example white Zimbabweans – were fleeing to Australia from persecution or tyranny, they would be treated in the way we routinely treat Iraqi or Afghan refugees. Is it conceivable that a white Zimbabwean who arrived in Australia would be defamed as a selfish, wealthy queue-jumper? Is it conceivable that a white Zimbabwean male found to be a bona fide refugee would be forbidden, forever, from reuniting with his wife and children? I think not.

Yet the connection between racism and the asylum seekers goes deeper still. In recent times three quite different events have raised questions in Australia about Arabs, Muslims and those formerly living in the Middle East. ... As a result of the scrambling together in the public mind of these three totally unconnected issues, in contemporary Australia, in recent times, a powerful and disturbing anti-Muslim, anti-Arab, and anti-refugee wind has blown up.<sup>55</sup>

The linking of Muslim, Middle Eastern and Arabic with criminal, terrorist and illegal immigrant in certain media portrayals has had a powerful effect.

## Dehumanising of asylum seekers

Language is a crucial tool for legitimising political agendas. The language used in some media reports and commentaries in recent times has undermined the basic right of people escaping persecution to claim asylum in this country.

The seductive and material power of language in the representation of deviance can be seen in the binary logic deployed in relation to asylum seekers and refugees: bogus/genuine; refugees/'boat people'; law abiding/criminal; legal/illegal; good/evil. Such logic insists on the polarization of the subject and provides communal comfort in removing ambivalence through the forced choice of either/or.<sup>56</sup>

The language and sentiment of such portrayals had very real effects on those seeking asylum. This debate drew on fear of racial, cultural and religious differences, and provided justification for the mandatory detention and harsh treatment of asylum seekers.

Asylum seekers have been consistently referred to as ‘illegal immigrants’, ‘human traffic’, ‘boat people’ and ‘queue jumpers’ in the media. When the Tampa was turned back from Australian waters in August 2001, the people on board were referred to as a ‘shipment’, ‘boatload’ and ‘cargo’. Journalist Nadya Stani has highlighted how the language used to describe asylum seekers in media reports shapes public perceptions. She found that there was a focus on:

people smugglers, mafia-type operations, queue jumping, assaults on our shores, the national emergency, and the middle-class status of the refugees. All can be sourced to government statements. It was also the language of fear, and, say refugee advocates, it undermined the possibility of any public sympathy.<sup>57</sup>

The vast majority of articles analysed by Stani used the language of ‘illegal immigrants’, ‘people smugglers’, ‘queue jumpers’ and ‘invasion’. There was a greater focus on the means by which asylum seekers came to Australian territory rather than reporting on what they were fleeing from. Her analysis shows that this characterisation can be traced to information given to the media by the Department of Immigration and Multicultural Affairs and its Minister, Philip Ruddock, in numerous press releases and interviews.<sup>58</sup> This demonstrates the way that some media reports simplistically regurgitated much of the political spin surrounding these issues.

Asylum seekers were condemned as ‘un-Australian’, and their exclusion from Australia was justified by describing them as ‘queue-jumpers’. As Michael Clyne has pointed out:

the term ‘queue-jumpers’ is as misleading as it is emotive. Not only does it wrongly presume that there is a queue the asylum seekers could have joined. It sets against them two large groups within the community – those for whom the queue is a cultural and moral imperative for all matters involving competition, and those who are waiting for relatives to be admitted on the family reunion scheme. It certainly doesn’t acknowledge that the humanitarian quota wasn’t nearly reached last year, or that family reunion has a separate quota.<sup>59</sup>

Once in detention, asylum seekers are portrayed as a homogenous, threatening group. ‘DETAINEES DECLARE WAR’ was the front page headline of *The Daily Telegraph* on 1 January 2003, after a series of fires were lit in detention centres around Australia. Articles on following pages were headed by: ‘National riots’, ‘Specialist team in control at Woomera’, ‘Under attack’.<sup>60</sup>

Through such representations, those seeking asylum became criminalised as perpetrators rather than victims. Instead of understanding the actions of asylum seekers as seeking Australia’s protection, political and media framing of the issue convinced Australians that it is ‘us’ that need protection from ‘them’. As a result, Australians believed that ‘they’ were being unfair to ‘us’ and that ‘they’ were depriving our nation of its sovereignty.<sup>61</sup>

Political leaders and the media commentary focused on the racial, cultural and religious differences of asylum seekers. More complex questions about Australia’s responsibilities under international human rights conventions, immigration and population policy, and our geographic, economic and political relationships in a globalised world were largely ignored. Instead, the primary discourse revolved around invasion, sovereignty and fear. A humanitarian issue became racialised. The portrayal of the threat to the security of the nation had implications not only for the asylum seekers on board, but also for Australians perceived to be Middle Eastern or Arabic and Muslim.

The government exercised considerable control over media or public access to asylum seekers. This significantly undermined the capacity for more complex portrayals of the experiences of people seeking asylum in this country. On 17 April 2002 at the Senate Select Committee on a Certain Maritime Incident, Brian Humphreys, Director General of Communications Strategies in the Government’s Public Affairs and Corporate Communication Unit, stated: ‘Immigration had concerns about identifying potential asylum seekers and so we got some guidance on ensuring there were no personalising or humanising images’.<sup>62</sup>

Julian Burnside QC<sup>63</sup> later wrote:

The press were not allowed anywhere near the ship. Despite repeated requests from lawyers and others, no Australian was allowed to speak to any of the refugees. The physical circumstances meant that no images of individual refugees were available. At best, film footage showed distant images of tiny figures under an awning

on the deck of the ship. By the same technique, the stories of the refugees were suppressed. ... Although the misery of the refugees' situation was obvious enough none of them could be seen as human beings.<sup>64</sup>

Burnside's analysis of this tactic was that by prohibiting media contact with the asylum seekers, 'the Government was able to advance its cynical objectives with dishonest rhetoric, wholly unimpeded by facts. ... Howard's crucial aim was achieved: the refugees were not seen publicly as individual people for whom Australian citizens could have human sympathy'.<sup>65</sup>

In this way, the majority of Australians were not exposed to the realities of the environments which asylum seekers had fled and their experiences of detention centres in remote and harsh conditions in Australia. From such a distance, it is difficult to engender a sense of compassion for the asylum seekers. With that came a preparedness by Australians to allow the government to undermine people's right to seek asylum under international law.

The lack of stories which gave a face to the experiences of asylum seekers such as those aboard the SIEV-X stands in stark contrast to, for example, the media portrayal of the victims of the Bali bombings. The backgrounds of all the Australian victims in Bali were detailed, and the loss their families experienced were highly personalised by all major media organisations.<sup>66</sup>

## Criminalisation of asylum seekers

On 12 October 2001, *The Daily Telegraph* headline was: 'TERROR AUSTRALIS: Bin Laden groups in our suburbs'. The article which followed described raids on homes in western Sydney by the Australian Federal Police and ASIO.

More than a dozen men from Egypt, Jordan and Tunisia currently applying for refugee status, have been identified as having connections or membership with radical Al-gama Islamiya, Al-Maqdesi, Al-Dawa and Al-Nahda groups.

The editorial that day was entitled: 'Entry is a privilege not a right', and alleged there were 'up to a hundred operatives in Sydney' suspected of raising funds for 'bogus charities that have been found to have links to terrorist networks'. No subsequent arrests have been reported.

On 1 December 2002, a very small article appeared on page 31 of *The Sun Herald* headed 'Boat people 'no threat'' that stated:

Not one of the thousands of boat people who arrived in Australia last financial year was considered a security risk or possible terrorist, it has been revealed.

ASIO assessed thousands of 'unauthorised arrivals' - those who came by boat or plane without visas - but found no concerns about any of them. ...

ASIO assessed 2,281 unauthorised arrivals in 2001-02, including those caught up in the Tampa incident. But the organisation's annual report said 'no prejudicial assessments were issued'.

The results undermine claims about terrorist groups trying to smuggle members into Australia by boat.

As we discussed above, asylum seekers have been linked with terrorism and crime by political leaders and media reports during and after the 2001 election campaign. On 14 September 2001, Peter Reith stated that 'the clamp down on border protection went 'hand in hand' with efforts to combat terrorism'.<sup>67</sup> Philip Ruddock warned on 17 September 2001 that asylum seekers entering Australia by boat were a potential security risk, and that some had criminal records.<sup>68</sup> As has been highlighted earlier in this chapter, the prevailing discourse about asylum seekers was reflected in the policy platforms of both major parties in the 2001 federal election campaign.

In August 2001, Sky News reported the building of new detention centres for 'illegal immigrants', including one in the Northern Territory on an existing naval base. Part of that report quoted a spokesperson for the Department of Defence stating that they would be taking 'appropriate steps' to ensure that 'defence facilities and the defence people living and working on the base are protected'.<sup>69</sup>

Refugees and asylum seekers have been criminalised by media portrayals. As stated by Sharon Pickering:

Ideologies of racism have long been considered some of the most fundamental in the production and reproduction of 'common sense' and 'normality' in the press. ... deviancy can play an important part in the construction of racial 'common sense'.

...the inherent deviancy of asylum seeking in media discourses and the implied need for deterrence is heavily encoded in assumptions about race. Sometimes this is explicit in terms of 'us' and 'them'. ...

It is not just those seeking asylum, however, that can be read as the subject/object of such deviant discourse. Such discourse is also readily transferable to wider ethnic communities. In shoring up the illegality of race, ethnicity becomes interwoven with criminality on a wider scale. ... Ethnic communities can quickly be rendered homogenous, unfamiliar and strange within such discourses.<sup>70</sup>

Once it has been 'demonstrated' that crime is imported with certain racial or ethnic minority groups, the source of the problem becomes multiculturalism, immigration policy and inadequate border protection. Crime prevention then becomes synonymous with immigration control and combating cultural difference.

The following exchange took place on 2SM between host Howard Sattler and a caller on 24 January 2002:

**Caller:** These people ... the places they come from are usually Muslim countries like Indonesia and that. These people should be turned around at sea and put back ... where they come from and if they do somehow make it to this country whether it be by plane, whether it be by boat, whether they come in carrying brief bags or what, they should be sent straight back. We've got too many of them here now and I think a poll would prove that. People would say we've got far too many of them here. ... it should go back to the point system we had. On their suitability and compatibility to us, whether they'll integrate and assimilate. Well, clearly a lot of these people would be on minus 10 out of 10.

**Sattler:** I take issue with people who bag us and say we're racist and callous and uncaring. I notice that one of the comments has been made by a Professor Zubrzycki who's been called the father of multiculturalism and he's had a real shot at John Howard and Philip Ruddock and says some of Ruddock's predecessors, Ian Macphree or Arthur Calwell, the first immigration minister, had offered leadership. Now if I'm not wrong, and you'd remember, Arthur Calwell is the bloke who presided over the white Australia policy didn't he?

**Caller:** Yeah well most people if they had a vote would go back to that. He was down there checking them out ... to see if they had blue eyes and blonde hair when they arrived here. I don't say we have to go back to that but we should be very discriminatory in our immigration intake. An analogy would be like saying look the foxes are compatible with chickens or wolves with sheep. They're clearly not, like these people are not compatible with us, they hate us.

**Sattler:** Anybody who sews their child's lips up is incompatible with us, let me tell you that.

**Caller:** Well that's just one of the traits they do. But look their unemployment levels here, their crime levels are way in disproportion to their numbers. They just will not, won't and can't integrate and assimilate with us. Why the hell do they allow 90% of them? I wonder what these gutless 500,000 people that left One Nation to go to back to the Liberals would think about that. What would be the percentage that One Nation would allow in here? It would be far less than 90%.

Conventional notions of biological difference have become replaced with rhetoric about cultural incompatibility. Asylum seekers are linked with unemployment and crime, and cultural difference is alleged to be the cause. For the anonymous caller, the non-white asylum seekers or migrants become foxes and wolves, whereas 'we' are characterised as the chickens and sheep, preyed on and vulnerable to those who will not assimilate. Professor Zubrzycki's criticisms of Howard and Ruddock have been turned around so that it is he who is portrayed as racist and ill-informed.

One of the strongest resonances in relation to the criminalisation of asylum seekers that arrive by boat is their mandatory detention in prison-like facilities. Asylum seekers, although not convicted of any criminal offence, are held in prison-like detention centres and subjected to dehumanising actions.<sup>71</sup> The distinction between prisons and detention centres is increasingly blurred by their staffing by employees of a 'global punishment industry'. In some circumstances, detainees can be transferred to and held in State prisons, without charge, for extended periods of time.<sup>72</sup>

As stated earlier, asylum seekers in detention are predominantly from countries such as Afghanistan and Iraq.

The prisons that hold [asylum seekers] are run by private companies whose operations are protected by commercial confidentiality, by federal legislation and by police at their perimeters. Public accountability for the implementation of public policy in this high profile area disappears into the detail of publicly protected private arrangements.

If the details of one individual or family do emerge, as they did for the Bakhtiari family, they are contested in forensic detail in the media with respect to the rights and wrongs of their individual asylum claim. The general issue of whether men, women and children should be incarcerated and, if so, under what conditions, simply because they sought asylum whilst on Australian territory, is swept aside.<sup>73</sup>

Ali Bakhtiyari is a refugee who was on a TPV in Australia.<sup>74</sup> Mr Bakhtiyari was 'investigated' by *The Australian*<sup>75</sup> which 'revealed' in August 2002 that no-one in the village from where he 'claimed' to be recognised or remembered him.

Below we have reproduced two editorials discussing Mr Bakhtiyari in their entirety as they amply demonstrate the power of this kind of common sense, authoritative narrative. These editorials were published some 12 months after the *Tampa* and children overboard incidents, during which time stories of individual asylum seekers were rare. These editorials illustrate the ways in which the media have taken up the role of the courts in questioning the veracity of individual claims for asylum.

The editorial in *The Weekend Australian* of 17-18 August 2002 was headlined: 'What if Ali Bakhtiyari is not a refugee?' It stated:

Those eager to declare a jihad against asylum-seekers have no right to use the case of Ali Bakhtiyari as a weapon against all refugees. This newspaper's inquiries cast doubt on Mr Bakhtiyari's origins and right to retain refugee status. But no matter what inferences are drawn, they don't support those who tar genuine refugees. Most asylum seekers are decent people. They deserve decent treatment.

With Mr Bakhtiyari's children and wife having been denied refugee status, *The Australian* approached with an open mind the task of trying to verify Mr Bakhtiyari's own story and the Immigration Department's belief that he fled Pakistan, not Afghanistan.

Our reporters interviewed Mr Bakhtiyari in Sydney, with an interpreter present. We asked him to locate on a map the village of Charkh where he claimed he had lived. Armed with his answers, details he had given the department about his claimed birthplace of Chaper, a photograph of Mr Bakhtiyari and a list of contacts supplied by his supporters, a reporter set out from Kabul on a 280km trip to the villages. *The Australian* reported on Wednesday that no one recognised Mr Bakhtiyari's picture, nor had anyone heard of him. Refugee advocates claimed it was the wrong Charkh. Yet they declined to point out their suggested alternative on a map. A search of the UN database in Kabul also failed to find the village they cited.

It would have been just as newsworthy had our investigations supported Mr Bakhtiyari's story. *The Australian* does not claim to know the truth. Only Mr Bakhtiyari does.

A month ago the refugee lobby used two Bakhtiyari children as publicity weapons against government policy. Now supporters of mandatory detention are using this newspaper's reports about Mr Bakhtiyari to return fire. Both sides should stop using asylum-seekers as pawns. While this newspaper has tried to present balanced reports of the boatpeople debate - including news-breaking articles about the *Tampa*, Pacific solution and children overboard claims - this editorial column had demanded a more decent, sustainable approach to border protection. ...

Asylum-seekers should be treated decently while their claims are assessed quickly and fairly. Those few who are rejected should be deported, where possible, to deter other rorters. But genuine refugees deserve our protection and respect until it is safe for them to return home. If that never happens, they should have every chance to contribute to this land of opportunity. Australia is a nation of immigrants who came here seeking a better life.<sup>76</sup>

There are some particularly interesting twists in this narrative. The first is the assertion, as fact, that *The Australian* has approached the task with 'an open mind'. The editorial asserts its objectivity, and states that it supports the rights of 'genuine' refugees. Yet, the very nature of this investigation and the narrative constructed in this editorial undermines that proposition. It is clear that *The Australian* has taken on an investigative role that is the role of the courts. In court proceedings, the parties have their

own representatives, they are entitled to present evidence and such evidence is subject to cross-examination and there are rules of evidence that are designed to ensure fairness between the parties. No such safeguards exist where journalists take it upon themselves to investigate the veracity of any individual's claim for asylum.

In van Dijk's critical linguistic analysis, editorials often express the ideological stance of the owners and managers of the newspaper, and are addressed not only to the reading public but also to the economic and power elites of society.<sup>77</sup>

A *Daily Telegraph* editorial, in discussing the same issue, stated:

If any part of the court actions mounted on behalf of Ali Bakhteyarei and his family to remain in Australia are being subsidised by the taxpayer, those cases should be abandoned immediately.

Since 1999, Mr Bakhteyarei has been the beneficiary of a generous system of welfare, grants and legal aid. It is time this assistance was stopped.

With the support of the Refugee Action Collective, an organisation that dances to the tune of the violently-inclined International Socialists, Mr Bakhteyarei and his family have become notorious.

Two of Mr Bakhteyarei's sons were in a mass escape from the Woomera detention centre and were paraded before the British Consul-General in Melbourne last month in an orchestrated bid for asylum. His brother-in-law - who arrived illegally with Mr Bakhteyarei's wife and five children in 2001 - was the man who threw himself onto razor wire last January.

It is clear Mr Bakhteyarei is not a refugee nor are any members of his family. It is also clear they have abused the immigration system by telling blatant untruths and abused the goodwill of the Australian people by maintaining a discredited campaign to stay in the country.

An illegal boat arrival three years ago, Mr Bakhteyarei was issued with a temporary protection visa on the basis that he was an Afghan and had been persecuted by the Taliban. Later investigation produced conflicting evidence and the Government has moved to withdraw the visa.

In the meantime, Mr Bakhteyarei has launched a case before the High Court for visas for his family on the basis he was issued with one. He also has mounted a case in the Family Court for the two boys to be released from Woomera to live with him, a move that could strengthen their residency claims.

Enough is enough. All evidence from Immigration Department interviews point to the family being from Pakistan, not Afghanistan. An Immigration Department investigation concluded he was most likely a plumber from Quetta.

Unofficial investigations by newspapers have confirmed this. A trip to Quetta established Mr Bakhteyarei was well known as a tradesmen [sic] in the city who 'went abroad in search of a good future'.

There was no such recognition in the village Mr Bakhteyarei had told *The Australian* newspaper was his home. In fact, no one knew him in Chaper, the village he claimed to be his birthplace, nor Charkh, the village from which he claimed to flee to Pakistan to avoid persecution.

This, of course, is easily explained by the Refugee Action Collective. Despite Mr Bakhteyarei pointing out Charkh on a United Nations map, *The Australian* had gone to the wrong village. Right.

The case is a sham and a disgrace. The relentless support by groups such as the Refugee Action Collective for residency for the Bakhteyareis ahead of genuine refugees is nothing short of appalling.

If the Bakhteyarei are Afghan, both the new government and the United Nations want them to return home. If Pakistani, there are no grounds for asylum.

Either way, they have no place in Australia. If they had any pride, they would simply go. Instead they continue to abuse the system, damaging the cause of genuine refugees.<sup>78</sup>

Clearly, many different issues are being raised in this editorial. The article paints a picture of the 'notorious' Mr Bakhtiyari and his family manipulating the generosity of the Australian people. This editorial also illustrates the way the audience is positioned as benevolent mainstream Australia in contrast with the dishonest and abusive Bakhtiyari family and their supporters on the radical fringe.

Like *The Australian*, the editorial asserts that Mr Bakhtiyari is not a 'genuine' refugee, but in more blatant terms. The right to pursue the legal avenues of appeal open to Mr Bakhtiyari are attacked. The editorial suggests that the administrative decisions of the Immigration Department should not be subject to judicial review, rather that the conclusions of the Immigration Department, backed by the investigations of *The Australian*, ought to be sufficient to deny Mr Bakhtiyari and this family their legal rights.



Soon after these editorials, Alexander Downer quoted the Bakhtiyari case as an example of the need to separate ‘genuine’ refugee applicants from the bogus, the ‘illegals’.<sup>79</sup> He also states that ‘people smugglers’ often train asylum seekers in what to say in order to be granted refugee status, implying that asylum seekers are criminals with pre-meditated stories designed to take advantage of Australia’s legal processes. These editorials provide justification for government claims of ‘illegal immigrants’ rorting the system.

The ADB is not in a position to comment on Mr Bakhtiyari’s refugee status, however there is no indication in either of these editorials that Mr Bakhtiyari has been given the opportunity to put his side of the story. The ADB notes that the Minister for Immigration, in an interview with John Faine of ABC radio on 23 August 2002 when discussing media coverage and information regarding Mr Bakhtiyari’s claim, stated that ‘there are principles of what is called natural justice which the courts would apply. We’re obliged to put that information to him, we’re obliged to have comments from him on those matters...’ (www.minister.immi.gov.au/media/transcripts/transcripts02/abc\_230802.htm)

## Political rhetoric and media reporting

Although the media was restricted in its access to asylum seekers, journalists, media commentators, editors and producers did have a choice about the discourse used to portray events and the adoption of government rhetoric justifying the treatment of asylum seekers. Some commentators have criticised the media’s failure to fully interrogate government claims about and representations regarding asylum seekers, and for an acceptance and complicity with the government’s agenda.<sup>80</sup>

Much of the language used by journalists in the reporting of the asylum seekers issue was consistent with the government line. As highlighted above, the media’s primary focus on the means by which asylum seekers arrived in Australia rather than their reasons for seeking asylum was uncritically consistent with the information and arguments provided by government ministers and departments. Journalist Margo Kingston has reflected on this characterisation:

I think the major factor was the overt criminal activity of the people smugglers. There was a focus on that, so you didn’t have in a way the romantic images of people getting on these little tin boats and dying and starving, you know, it was an organised thing, it was a criminal thing. The media focused on that aspect and ignored everything else, that we were very simplistic and that we had... a short term memory loss on the Iraq war, that probably because it wasn’t a visual war that was just gone, and ignorance about what’s happening in Iran with these people - I mean a refusal to go to the source of the problem, which is the failure of the international community to assist Iran to resettle these genuine refugees from Iraq and Afghanistan, so we ran a very ignorant line there. And I do think, thirdly, a conservative feeling at the moment in the wake of One Nation, of ... in a way being exhausted by this rise of conservatism and picking one’s topics.<sup>81</sup>

Even where media reports did challenge government policy regarding asylum seekers, the language was still couched in rhetoric that dehumanised and criminalised those who arrived in Australia without a valid visa. For example, a Channel 10 news item in August 2002 stated that a report by the Australian National Audit Office had found that ‘illegal immigrants are pouring through our airports because the government is too focused on boat people’. ‘The government is waging a multi-billion dollar battle to stop human trafficking. Their main target is boat people. But in the last ten years, more illegal immigrants have arrived through Australian airports’.<sup>82</sup>

The boundaries of what is considered to be legitimate political discourse and what constitutes common sense have shifted over the last 18 months.

This is the point at which humanitarianism has to be tempered by commonsense. As Howard says, they are taking advantage of the decency which characterises Australian behaviour. If they are permitted to do this, there will be a huge incentive for the people smugglers who are profiting from this trade to bring more and more boatloads from every country in the world where the relatively wealthy - the cost of the journey eliminates any poor would-be travellers - decide they would be better off in Australia.<sup>83</sup>

The boundaries of what is considered to be legitimate political discourse and what constitutes common sense have shifted over the last 18 months.

These shifts have been supported by media and political commentators' capacity to draw on public antipathy towards elites as a means to discredit and silence dissenting voices and to legitimise racism. The 'multicultural industry' or 'human rights industry' are common targets of some media commentators, who set themselves up as taking the common sense position in contrast to the 'bleeding heart elites' in a politically manufactured battle-ground. On 8 September 2001, Michael Duffy wrote:

The elite gets all the benefits of refugees and poor immigrants and none of the drawbacks.

To take an example: areas of western and southwestern Sydney for years have been suffering from criminal ethnic gangs.

But the elite of Sydney lives far away, in predominantly Anglo-Celtic enclaves, so they are rarely victims of the crime and social problems caused by their continuing advocacy of more poor immigrants from cultures very different to our own.<sup>84</sup>

Two months later, two days before the election, Miranda Devine quoted a pollster as saying:

I would suspect that the recent events in outer Sydney, particularly the gang rapes, the drug problems and the most recent bashing of the small boy ... [will] deeply offend Australians' sense of decency and honesty. In fact, it is our belief that the backlash against the Tampa illegal immigrants was founded on anger at their breaking the rules.<sup>85</sup>

Where the media have sought to interrogate the implications of government policies regarding asylum seekers, they have often been accused of bias by government. For example, when *Four Corners* ran a story of asylum seekers inside the Villawood detention centre taken from video footage provided by one of the detainees, the government and certain media commentators condemned the program as 'biased' and containing 'factual errors'.<sup>86</sup> Bias and misrepresentation of fact become the claims made against journalists who move outside the shifting boundaries of common sense.

## 'Gang rapes'

The series of gang rapes that took place in 2000 in Sydney became the source of wide-ranging debate from mid 2001. In particular, allegations that the rapists were Lebanese Muslim Australians, and their targets were 'Australian' women received particular attention.<sup>87</sup> At the time the rapes occurred, police notified the media of a race element to the crimes.

Almost one year ago, when the youths were first charged with this crime, a *Daily Telegraph* court reporter was telephoned by police contacts and told of their upcoming court appearance.

She was told that the rapes were being perpetrated on Australian women and the victims were asked if they had Arabic blood or Arabic boyfriends and that this was part of an increasing trend.<sup>88</sup>

However, it was not until July 2001 that New South Wales print, radio and television media picked up and ran with the racial dimensions to the story.<sup>89</sup> The attacks became major news when they were angled as a story about Lebanese, Arabic or Muslim gangs targeting white Australian women, quoting comments allegedly made by the perpetrators. On 29 July 2001, *The Sun Herald* carried stories with the following headlines: '70 Girls Attacked by Rape Gangs', 'Police Warning on New Race Crime' and 'Caucasian women the targets'.<sup>90</sup>

The next day, Alan Jones stated on air:

Let's not mince words here - these are racist attacks against ordinary Australian girls carried out by out-of-control Lebanese Muslim gangs who hold us and our police service in contempt... Now they are showering their contempt for Australia and our police on these young girls.<sup>91</sup>

Alan Jones implied that the media had not been informed of the rapes, and that the police and the NSW Government had attempted to cover up the crimes.

We now know that these rapes have been going on for almost a year, but until now we have heard nothing about them. If [*The Daily Telegraph* journalist] John Kidman hadn't broken the story, how long would it have taken Commissioner Ryan to step forward to warn parents of potential victims, the dangers their daughters face on the streets of Sydney?<sup>92</sup>

Miranda Devine, among others, greatly exaggerated the numbers of rapes that had taken place. She too alleged that there had been a ‘conspiracy of silence’<sup>93</sup> regarding the rapes.

Why did it take two years and as many 70 rapes<sup>94</sup> for us to be made aware of what appears to be a home-grown form of systematic ethnic cleansing by a group of men said to be of “Middle Eastern” extraction? How many girls and young women have been sacrificed because no-one wanted to offend ethnic sensibilities or inflame racist feelings in the community?<sup>95</sup>

The police had apparently been providing information to the media since September 2000.<sup>96</sup> However, the Sydney Olympics were dominating news coverage at that time, and the story was not further explored.

The issue was covered extensively at the time of the sentencing of the perpetrators in mid 2002. The media portrayals were dominated by a focus on the broader implications these crimes had for the Lebanese/Muslim communities in Australia and for multiculturalism and immigration policies. Statements allegedly made by the perpetrators of the rapes that indicated they were targeting white Australian women were seen to legitimise the intense focus on the racial backgrounds of the perpetrators, and justify the criminalisation of the entire Lebanese and Muslim communities. In particular, *The Daily Telegraph* newspaper and talkback radio in Sydney debated the racial aspects of the case in an extensive and inflammatory way.

## Criminalisation of ‘ethnic’ communities

As discussed in chapter 2, the linking of criminal gangs to particular racial or ethnic minority communities has a long history in Australia. The representation of the gang rapes by the media continued this tradition.

On 8 August 2001, the columnist Mark Day wrote an opinion piece in *The Daily Telegraph* that declared that ‘Tolerance needs a reality check’ and that gang crime in Sydney was mainly an ‘ethnic phenomenon’.

Tolerance does not extend to pack rape, home invasions, heroin pushing, extortion, fraud, smuggling, shoot-ups and standover gangs... We are importing the problem [in the form of] immigration officials ... welcoming members of the Southern Lebanon Army ... with no qualifications other than being trained to use machine guns, or Pacific Islanders, who know nothing other than how to wield a machete.<sup>97</sup>

On the letters page in following days under the heading of ‘Tolerance wearing thin’, one letter from Currumbin Waters in Queensland stated: ‘It is a fact that gangs of Asians, Pacific Islanders and Arabs are terrorising Sydney’.<sup>98</sup>

The Lebanese community in particular was identified in association with the alleged rapists and singled out as the source of problems. NSW Premier Bob Carr identified ‘Lebanese gangs’ as responsible for recent trouble around Canterbury-Bankstown: ‘We, backed by the community, will win this one. And people trying to destroy the Australian way of life will not succeed’.<sup>99</sup>

The following exchange took place on Alan Jones’ breakfast program:

**Caller:** When is somebody going to come out and actually say how much bad stuff is coming out of a relatively small area from people who should never ever have been brought into this country. I mean, I’ve got a lot of regard for Lebanese people. I’ve got a Lebanese relative, I’ve had beautiful Lebanese neighbours, Dr Marie Bashir is an absolutely fine and wonderful person but there were people who were brought out here who should never have been brought here and they just, some of the things that have happened by people... it’s just incredible the amount of crime coming out of a small number of migrants.

**Jones:** Yes, absolutely. You’re quite right. And they have to know and the message has got to get through, hopefully through Ken Maroney and the kind of stuff that John Brogden is talking about. They have to suddenly know that the system is more powerful than the criminal.

**Caller:** Yeah right, Alan but...

**Jones:** Well, there has got to be an element of fear. These people are just treating us with disdain.

**Caller:** Yes, and we’re not supposed to talk about it.

**Jones:** No, we're not supposed to talk about it. They have to know that we are prepared to talk about it and we are prepared to do something about it.

**Caller:** My understanding is they come from a relatively small number of towns.

**Jones:** Yes and where is... we heard, we heard Keysar Trad [from the Lebanese Muslim Association] yesterday saying, you heard that, much ado was about the fact there was a bias against the Muslim community or sections of the Muslim community. Well we don't have a bias against the Muslim community, the Anglo Saxon community, or any community, we have a bias against behaviour.<sup>100</sup>

This widely broadcast 'conversation' highlights the way that crime and ethnicity become linked in a common sense way, as if it is a fact that has been known but covered up. After delineating 'these people' from 'us', Jones proceeds to claim that there is no bias against the Muslim community in particular, but against behaviour. And yet the whole exchange has been about a 'conspiracy of silence' allegedly hiding the links between Lebanese and/or Muslim immigrants (with a few exceptions) and crime and disdain for 'us'.

Philip Clark, Radio 2GB: 'There is a significant issue of Lebanese gang crime in south-west Sydney. Now, this is not a new issue. It's been discussed for some years now. Police will tell you. And we've been saying, 'Well, look, let's call a spade a spade'.<sup>101</sup>

These statements highlight the way that certain discourses are portrayed as stating the truth in a common sense fashion, drawing on comments by political leaders and police for veracity. Yet the NSW Bureau of Crime Statistics and Research issued a press release on the 22 August 2001 that stated:

...the recorded rate of sexual assault in Bankstown has remained stable since 1995, mostly remaining under 10 offences per month.

The only change to this pattern occurred in the month of June 1999, when 70 incidents of sexual assault were recorded by Bankstown police.

These offences were not committed by members of a gang. Police advise... that they were mainly committed by a single individual (Lesley Ketteringham) who has since been charged, convicted and imprisoned for committing a number of wilful and obscene exposure offences.<sup>102</sup>

Here we see the same pattern whereby political rhetoric, media commentary and public opinion are strongly interconnected. Media reports raise public anxiety about crime, and link its causes to certain racial or cultural factors. The moral panic that crime reporting often feeds strengthens popular perceptions of society as crime ridden.<sup>103</sup> Public reactions to media-fuelled moral panics about ethnic crime and youth gangs then legitimise or fuel political leaders and the media themselves pushing for harsher law and order legislation or policies under the banner of community safety.

There are also examples of journalists who blatantly name race and religion as the cause of criminal behaviour. In July 2002, Janet Albrechtsen wrote a column in *The Australian* that stated:

French and Danish experts say perpetrators of gang rape flounder between their parents' Islamic values and society's more liberal democratic values, falling back on the most basic pack mentality of violence and self-gratification.<sup>104</sup>

ABC's *Media Watch* traced these words back to an article in *The Times* in December 2000.

*Media Watch* also found that Albrechtsen twisted the words of this article to racialise its arguments. The original article stated:

Jean-Jacques Rassial, a psychotherapist at Villetaneuse University, said gang rape had become an initiation rite for male adolescents in city suburbs.<sup>105</sup>

Albrechtsen's version stated:

Pack rape of white girls is an initiation rite of passage for a small section of young male Muslim youths, said Jean-Jacques Rassial, a psychotherapist at Villetaneuse University.<sup>106</sup>

Albrechtsen's insertion of 'white' and 'Muslim' in this context criminalises a section of a minority community for the actions of a few. The 'evidence' of experts becomes used to justify what appears to be an attempt to inflame fears about 'ethnic crime' and in turn, about immigration and multiculturalism.

Economic or social factors are rarely explored by the media when examining the causes of crime. Rather, simplistic links are made between race or ethnicity and the causes of criminal behaviour. Criminal behaviour is attributed to ethnic gangs, which in turn becomes characterised as an attack on civil order and the 'Australian way of life'. Andrew Jakubowicz, commenting on the media representation of the gang rapes, stated:

...Yes, it is inevitable that we would notice cross-cultural violence. What's interesting is, what sort of cross-cultural violence we notice, and what we don't notice. When it's 'our women' being attacked by 'their men', we notice it deeply. When it's their young men being failed by the education and employment systems, we don't notice and we don't care.<sup>107</sup>

The Federal Government Committee to Investigate Conduct of Migrants in the 1950s noted:

If an Australian commits a misdemeanour, responsibility for it is attributed to him individually. If a migrant commits a similar misdemeanour it is usually reported in such a way that the fact that he is a migrant, rather than the crime itself, is featured and responsibility for the offence is thus shared by the whole migrant population.<sup>108</sup>

The parallels with the characterisation of Indigenous Australians is clear. Indigenous Australians have long been represented in the media in connection with criminality and threats to national identity and social order. Chris Cunneen has argued that one of the most important inclusionary/exclusionary boundaries in contemporary Australian society is between citizenship and criminality.

Aboriginal and Torres Strait Islander people were originally excluded from citizenship through racist doctrines of biological inferiority. In the contemporary period such exclusion operates through the association with criminality and civil disorder. Aboriginal people are posited as a criminal threat to the integrity of the nation through the projection of aggression and disorder. The projection allows the history of violence against Indigenous people in Australia to be removed and forgotten. In its place, white society appears safe, contented and civilised.<sup>109</sup>

It serves governments well when media coverage of crime is racialised, because attention is diverted from the inadequacies of government policies and programs in addressing the underlying causes of criminal behaviour.

Well let's take a step back and look at the perpetrators of these crimes. Now they have either come to Australia at a very young age, or they were even born in Australia. Now by calling them Asian gangs I think is actually misleading because they are, after all, a product of Australian society, and that's the key issue. If you say 'an Asian gang' it's very easy for the rest of Australia to sit back and say it's the Vietnamese problem, and I don't have any active role in changing that, I don't have any responsibility. And it's the same thing for governments. Governments can easily say it's culture, it's not a social problem, it's not the fact that through our policies we've neglected Cabramatta, it's not the fact that the unemployment rate there is double that of the national average. It's easy for people to escape and use scapegoats by using race instead of looking long and hard at themselves to see what they can actually do to change and improve the situation.<sup>110</sup>

When political leaders and the media criminalise groups on the basis of race, the rights of individuals within that community are subsumed in the process. The denial of such rights is often justified when individuals from marginalised communities do not co-operate with police.

...people who find themselves, their families, their neighbours and friends targeted in an aggressive police 'crackdown', and bearing the brunt of racial hatred fomented by 'white-thinking' ideologues, might be disinclined to cooperate with police and state leaders. Denied their citizen's rights – including of assembly, freedom of movement, and assumption of innocence until proven guilty – they are nevertheless hectorated about their civic responsibilities.<sup>111</sup>

On a *Four Corners* program in 2002, the criminalisation of the Lebanese and Muslim communities were highlighted:

**DR JAMAL RIFI:** Well, I think [the Lebanese-Australian community] have been portrayed in totally negative terms, and the whole debate has been one-sided. Even the media always actually targeted these issues from one point of view. And it is like,

When political leaders and the media criminalise groups on the basis of race, the rights of individuals within that community are subsumed in the process

'Those ethnics, those Lebanese, those Muslims are the troublemakers, while we, the Anglo-Saxon communities, are the good doers.'

**PAULA ABOOD:** At the moment, it's hip to hate an Arab.

**NADER HAMDAN:** There's a lot of ignorant people in the media, writing for newspapers, on the radios. And we got to hear it, we got to see it, we got to watch it all the time.

**YOUNG MAN:** What does the media say? 'Lebanese rapists', 'Lebanese Muslim terrorists'.

**YOUNG MAN:** People like to generalise.

**DR JAMAL RIFI:** We can talk about a percentage of criminals in the communities, which is fine. But the problem is we are criminalising a whole community.<sup>112</sup>

## 'Rape menace from the melting pot'<sup>113</sup>

On the 18-19 August 2001, *The Weekend Australian's* front page headline stated: 'Rape menace from the melting pot'.<sup>114</sup> In this story, NSW Police Commissioner Peter Ryan stated that 'a particularly defined cultural group of attackers' were targeting 'a very clearly defined cultural group of victims'. Premier Bob Carr rejected a 'paroxysm of political correctness' which objected to such definitions'.<sup>115</sup> This clearly demonstrates the sorts of codes that have developed where even without mentioning particular racial groups, the public discourse around youth gangs and crime in Sydney make it apparent to most audiences which communities are being alluded to.

The use of racial, cultural or ethnic background is often justified as a valid means of distinguishing or identifying individuals or communities in media stories or by political leaders, rather than being discriminatory. However, in many current debates, race or cultural or ethnic background is used – directly, or in a coded way – as an explanation or justification for behaviour or conflict, and in turn for government policy. This explanation or justification then becomes mobilised in news stories to stereotype or demonise certain groups on the basis of race.

As we have discussed in relation to asylum seekers, this kind of logic is pushing the boundaries of what is considered legitimate political debate. As we discussed in chapter 2, the rise of Pauline Hanson as a political phenomena acted as a precursor to the space later taken by the Liberal-National Coalition government and to some extent the Labor Party. The racialisation in reporting of crime is portrayed as common sense differentiation on the basis of race, rather than racism.

In an interview with Campbell Reid, editor of *The Daily Telegraph* newspaper, Nadya Stani highlighted the fact that of the sample of 20 articles published in *The Daily Telegraph* over a three-week period in August 2001, only two pieces problematised the link to race and ethnicity in the gang rapes. She put to him:

The rest of the stories made claims that Sydney was dominated by ethnic crime, that the attacks were racially based, that all of those arrested were of the Muslim faith ... and that young women were too scared to go out in Sydney's west as a result. Now isn't that just fear-mongering and racial stereotyping?

Mr Reid responded with:

It could be fear-mongering and racial stereotyping if no-one had been attacked. The fact of the matter is police were warning young women, schools were warning young men, parents were going to the schools to protect and take their children home by car instead of allowing them to use public transport. All of that was happening before *The Telegraph* started reporting this case. So yes, it would be fear-mongering if there was only fear, but there was beyond fear in this. There had been attacks.<sup>116</sup>

What is significant in this dialogue is that Reid purports to emphasise the fact that the media was simply reporting the fear arising from the gang rapes. Yet it is clear that there was a delay in reporting the issue until it was considered newsworthy. It was not an issue about public safety.

The environment in August 2001 was a very different one from August 2000. In August 2000, Australia was in the grip of Olympic fever. In August 2001, we were in the midst of a growing moral panic about Arabic or Middle Eastern and Muslim asylum seekers.

Much of the media commentary framed the issue in terms of support for or condemnation of the actions of the rapists. As a result, to query the racialisation of the coverage was to support the rapists. As Campbell Reid stated:

Do we owe responsibility to the feelings of the community from which the rapist came, or do we owe a responsibility to the victims of this crime? In my mind it's very clear: we owe responsibility to the victims of the crime.<sup>117</sup>

Reid's approach establishes a false dichotomy which sets the whole Lebanese Muslim community against the victims, and places himself as an advocate for the latter rather than as the editor of a newspaper providing a thorough analysis of the story at hand.

There is no doubt in my mind at all, that the partnership between the Daily Telegraph in Sydney and talkback radio shock jocks, was designed to generate as much heat as is possible in the situation. ...in the political environment in which we live at the moment, there are some community groups that are fair targets for anybody who wants to lash out at them. The combination of Islamic refugees with Islamic youth has meant that the conservative heartland of Australia is now feeling absolutely terrorised by the rising of some sort of domestic Islamic threat, and they are reacting to that as though it was the 12th century and they were the Crusaders. ... But the core fear I guess in mainstream Australia of its borders being penetrated, and its women being seized by swarthy foreigners, goes back 150 years. I mean you could almost get the same dialogue occurring, or the same narrative occurring in the *Daily Telegraph* today that you would find in *The Bulletin* in the 1880s about the Chinese.<sup>118</sup>

The issue here is not that there ought never be an analysis of the race dimensions of a crime, but that the media and political leaders consistently called on Lebanese and Muslim leaders to account for the actions of the perpetrators. In doing so, the media portrayals and political rhetoric criminalised entire communities.

## Gender implications

The gender implications of the crime became lost in much of the media coverage. As Paula Abood stated:

Rape is about power. It's always been about power. It still is about power. It's about control and violence against women — against women from all backgrounds. So, I actually reject the notion that ethnicity really has anything to do with it.<sup>119</sup>

As academic Paul Tabar has pointed out:

It is a shame that we have to be racist in order to recognise the rights of raped women. It seems to me the fact the rapists are an 'ethnic other' explains both the exceptional space given to the rape victims and the magnified outrage manifested by the dominant culture.<sup>120</sup>

In discussing the unusual media and public response to these crimes, criminologist Kerry Carrington stated that in most sex crimes the victim is blamed for the attack.<sup>121</sup> However, in this case the attackers were considered 'animals' and entirely outside of the moral boundaries of the mainstream Australian community: '...this crime is a signifier for not just a violation but an invasion, an invasion of their moral boundaries: 'they come here and they rape our women'.<sup>122</sup>

The alleged comments made by some of the perpetrators of the gang rapes such as 'Aussie pig' and telling a victim she would be sexually assaulted 'Leb-style'<sup>123</sup> were taken as a justification for the racialised coverage. For example, when questioned about the NSW Government's stance on the racialisation of the gang rape issue by a journalism student writing for an Arabic language newspaper, Mr Carr reportedly became angry and said:

I'm sorry, I'm emotional because I met one of the victims yesterday, and I just find an appalling insensitivity in the questions you're asking about the plight of these victims. ...

You're saying the Government is somehow responsible. The cause of the unease in the community, and you must face up to it, is what these violent rapists said when they committed the crime - they projected race into this argument.<sup>124</sup>

With the racial background of the perpetrators becoming the predominant angle for media reporting on this issue, more complex causes for their behaviour were not explored. In one of the few critiques of the media coverage on ABC Radio National's *Media Report*, Andrew Jakubowicz made the following observation:

There are two questions then about whether these are racial rapes... Is there something about the general Lebanese Muslim culture that drives young men to rape Anglo Australian women? The answer to that is quite clearly no, there's nothing specifically cultural about it. Is it the case that adolescent thugs, looking for easy targets to play out their stuff on would pick women from outside their own community? The answer is yes, they clearly would.<sup>125</sup>

Those attempting to critique or counter the racialised media coverage that occurred in relation to these crimes faced the difficulty of being perceived to be supporting the perpetrators.

...those who care equally about misogyny and racism are left in an invidious position by the gang-rapes of 2000: attack the racists, and you risk defending the rapists; attack the rapists, and you risk siding with the racists.<sup>126</sup>

There currently exists no statistical evidence regarding the racial or ethnic identity of offenders of particular crimes in New South Wales. In September 2002, the NSW Bureau of Crime Statistics announced that police would be recording the country of birth and parents' country of birth of offenders. The Bureau's Director, Don Weatherburn, said:

Once we've got sufficient data we will be in a position, for the first time, to make some sort of informed judgement about whether our Lebanese people are over-represented in different kinds of crime.<sup>127</sup>

Whatever the outcome of this data, it appears that many politicians, media commentators and editors are concerned with making simplistic and unhelpful links between race and criminality, rather than investigating or representing the more complex causes of crime.

## Environment that allows prejudicial categories

Media coverage of the sentencing of the defendants in the gang rapes trials brings into focus the ways in which political rhetoric, media commentary and community attitudes intersect. As we have previously set out, these intersections rarely follow a neat, linear pattern of causality.

The front page of *The Sunday Telegraph* in August 2001 carried the headline: 'True justice', and stated that the 'NSW Government has bowed to public pressure by increasing the maximum sentence for gang rape to life'. Given the analysis outlined above, it is not surprising that the community's anxiety around ethnic crime was so heightened at this point in time. The editorial on the same day was headed by 'Our community demands justice' and referred to 'community concerns' that included the 'vexed question of the relationship between crime and ethnicity; the terrifying stories of gangs of youth pack-raping Sydney teenagers; and lenient sentences being dished out for a range of serious crimes'.<sup>128</sup> Community opinion, as shaped and measured by the media, then legitimises and fuels the NSW Government's law and order agenda.

There are obvious parallels here in the ways in which the role of the judiciary in determining the legitimacy of asylum seekers' claims are substituted with trial by media. Here, the role of the judiciary in determining appropriate sentencing is undermined by media-fuelled community anxiety and retribution.

Certain journalists and media commentators continued to represent the gang rapes issue as if there had been a conspiracy of silence around talking about the issue. The implication was that there was not only a covering up of the crimes themselves, but about the broader problems with non-white immigration and multiculturalism. On 17 July 2002, around the time of the sentencing of the perpetrators, this conversation took place on Alan Jones' breakfast program:



**Jones:** Clive, good morning.

**Caller:** Good morning Alan. I haven't got an opinion on Telstra, my phone works and I don't know enough about it. But I have got an opinion on the Muslim problem.

**Jones:** Yeah...

**Caller:** And that's exactly what it is. They can call it what they like but it's the Muslim problem. On Friday night I'm going to go and see the Roosters play Canterbury. I take my grandson, this is to the football, but I won't be taking him on Friday night and that's a disgrace, an absolute disgrace. And the reason that I won't be taking him is because there's every chance that some lunatic in a blue and white jumper of Mediterranean appearance is going to cause trouble.

**Jones:** Yes, a very good point Clive. And look, you're 100% right for speaking about it, that's the first thing instead of pretending it doesn't happen. Since that interview I did with Keysar Trad I had to just dedicate a whole hour and a half yesterday to answering emails from people who were saying thank God someone is saying it as it is and has brought it out into the open. The only thing is it's far worse than anything you said.<sup>129</sup>

The culmination of media interweaving of local, national and global events becomes 'the Muslim problem'. The caller's nonsensical linking of this Muslim problem with a 'lunatic in a blue and white jumper of Mediterranean appearance' causing trouble at the football is affirmed by Jones as 'a very good point'. Again, this is linked to the need to speak up about it, tell it 'as it is' and bring it 'out into the open'. Talkback radio commentators and callers are speaking the truth, and any attempt by a minority community representative to put an alternative view is portrayed as attempting to cover up that 'truth'.

Later that morning, John Laws made the following statements:

This is our country. This is a country that we have worked hard and our forbearers have worked hard to create. We've created it with strength of character. We've created it with goodwill, and we've created it with hard work, and we don't want people who have different points of view, to the point of view we have in Australia in relation to how we live our lives coming here and simply destroying it. And that's why I really want somebody to come clean. I want somebody to be brave enough to ring me up and say, yeah that's the way it is. We just hate white women. We just hate, or the reverse. But somebody's gotta come clean about this ...

It's our country and up until now we've enjoyed freedom of speech. We should be able to continue to enjoy it.<sup>130</sup>

Laws uses a very similar rhetoric to Jones that refers to the need to 'come clean'. The 'we' in this discourse is differentiated from 'people with different points of view' who are allegedly coming here and destroying our way of life. Laws then makes the other the source of the racism, as haters of 'white women'. Laws' use of the concept of freedom of speech here raises interesting questions about who has access to enjoy that freedom, and whether such freedoms should be balanced with restrictions regarding the racial vilification of racial or ethnic minority communities. These questions are discussed further in chapter 4.

The majority of journalists, editors and media commentators do not perceive that their professional practices or values may be influenced by racist assumptions. Racism is still viewed as overt acts or statements of extreme views of racial superiority. However, institutional racism within the media industry, racism embedded in its policies, practices and professional culture, can manifest in less overt but equally damaging ways. Research has repeatedly demonstrated that racial or ethnic minority groups have in the past, and continue to be, portrayed negatively or stereotypically by the media; most often as a problem or a threat.<sup>131</sup>

Racial or ethnic community leaders or organisations are perceived as less credible sources in shaping media stories. They are called on to defend their communities rather than to identify the agenda for addressing the impact of the criminalisation of their communities. Many journalists or media commentators from minority racial or ethnic backgrounds also experience discrimination in recruitment, promotion and story assignments.<sup>132</sup>

The media is the filter for all information in the mainstream, and people read, people see the news completely through the media, because a lot of the people don't know any of the victims, don't know any of the perpetrators of these crimes. So their only source of information is through the media, and if the media leads the reader, the viewer to a certain path, that's the agenda that will be driven that day.<sup>133</sup>

Tabloid newspapers and talkback radio have become the barometers of public opinion for governments.

The popular media in particular see themselves as representing the hopes and fears of the common man, usually man, usually white, usually Anglo-Australian... The common man is supposed to be going through a period of extreme anxiety about the social and moral order in which he lives. The media sees its role as trying to defend that moral order. In this particular case, outsiders who had no purchase on the empathy or sympathy of the media were caught in a fairly heinous act, series of heinous acts, but no more heinous than acts which occur continually throughout Australia, and rarely generate anything like the sort of energy that we see here. It's only in the case where the media does not feel that people are part of their community that they feel obligated to talk about individuals as expressing some zeitgeist of the whole community.<sup>134</sup>

The media clearly did not feel that the perpetrators of the gang rapes were part of their community, and in their portrayals, criminalised entire communities in Australia.

## Muslim Women's Gym

Given the media environment set out above, it is not surprising that people perceived as Arabic or Middle Eastern and Muslim have had so little purchase on the empathy of 'mainstream' Australia. This creates a context in which issues which are not newsworthy in themselves become so, due to their connection with the demonising of such communities on the basis of race.

This is the environment in which we find ourselves when *The Daily Telegraph* and talkback radio take up the story of the Muslim women's gym.

On 13 August 2002, *The Daily Telegraph* ran an article about a Muslim women's gym that had recently been granted an exemption by NSW Attorney-General on recommendations from the NSW Anti-Discrimination Board (ADB). The article was entitled 'Women exercise right to work out', and began by stating: 'A gym exclusively for Muslim women has opened to give them a space to feel 'safe and comfortable'.<sup>135</sup> The article detailed criticism from a non-Muslim woman who was 'turned away for not being Muslim', and mentioned that the gym 'has special dispensation from the [Anti-Discrimination] board to accept only Muslim women'.

The article did not explore the context of the need for such a facility, and the article implicitly drew on previous debates around 'special treatment' for minority racial or ethnic minority communities. It was placed on the same page as an article about meat and poultry being 'specially prepared under 'halal' guidelines for the booming Islamic market'.<sup>136</sup>

What ensued was extensive debate on talkback radio and a barrage of letters to the editor of *The Daily Telegraph*.

...it is incongruous when Muslims complain about being treated unfairly when they make every effort to isolate themselves from the rest of the Australian community. ...

Multiculturalism can succeed only when immigrants and their offspring meet their obligations to (try to) assimilate and to learn the prevailing language. Such elitism and political correctness serves to engender and foster (illegitimate) resentment, division and misconception.<sup>137</sup>

One quote in particular makes explicit the environment in which this story was made newsworthy:

Are adherents to [Islam] going to integrate themselves into our pluralistic freedom-loving society? No way. This has been graphically shown by recent events such as the gang rapes, the apartheid-like requirements of the Muslim women's gym and the celebrations of the murderous attack on the USA last September.<sup>138</sup>

*The Daily Telegraph* chose to focus on this exemption, among many others, because of the environment that was resoundingly anti-Arabic and anti-Muslim. The story generated a vehement response due to this environment, which *The Daily Telegraph* then fuelled by running an 'opinion poll'. On 15

Tabloid newspapers and talkback radio have become the barometers of public opinion for governments.

August 2002, *The Daily Telegraph* ran a 'Vote-line' poll: 'The Anti-Discrimination Board has granted an exemption for a muslim women-only gym. Does this discriminate against others?'<sup>139</sup> The following day, the results of the poll were published. 471 people, 98% of those who called, said 'yes'. 11 people, or 2%, said 'no'.<sup>140</sup>

Such opinion polls highlight the ways in which media coverage of certain issues shape and interact with community attitudes. By asking a question framed in a particular way and publishing such results, the suggestion is that this represents public opinion, which in turn justifies the newspaper's focus on this issue and others – including the gang rapes and asylum seekers. Below the results of this poll was the question for that day: 'The ringleader of the south-west Sydney rape attacks has been sentenced to 55 years jail. Is this penalty too severe for his crimes?'

On 22 August 2002, *The Daily Telegraph* ran a follow up story on the Muslim women's gym. This article was placed alongside another article entitled 'Muslims must open doors and look to the future', which focused on the need for the Muslim and Lebanese communities to repair their image after the sentencing of the perpetrators of the gang rapes. There is a clear editorial decision about the linkage of these articles which reflects the environment, and makes abundantly clear how the Muslim women's gym became a 'story'.

*The Daily Telegraph's* follow-up article, 'There's just no room left at the gym', stated:

Since *The Daily Telegraph* published a story on Soul Fitness last week, our letter pages and talkback radio have run hot with debate over whether the gym should be allowed to continue operating as a Muslim-only facility.

Most of the comments were negative, with some describing the gym 'multiculturalism gone mad'. ...

'It's a small community gym, completely funded by the Muslim community – no Government funding has been asked for or taken,' [the proprietor] Mrs Melligi said. ...

'We can't keep up with demand in the local community – 13 per cent of the local population is Muslim and there's no [other] health service.'

Mrs Melligi told *The Daily Telegraph* some of the gym's members had been harassed after the story was published and picked up by talk-back radio.

'It's the safety of the members I'm worried about,' she said. 'Even if you present a positive view it has a negative effect.'<sup>141</sup>

What is interesting about this piece is that it is a media institution reflecting on the news worthiness of its own creation. It then derives its authenticity from the truth of 'public opinion' when it describes the response as overwhelmingly negative. At best, it identifies the consequences of this kind of journalism: the harassment of Muslim women.

The article was accompanied by an image of a Muslim woman, captioned: 'Exclusive... a member of the Soul Fitness gym in Punchbowl'. The woman pictured was actually the proprietor of the gym, and the image, correctly named, had accompanied the original article on 13 August. This illustrates the way that images of the other become generic – the image of a woman in a hijab is used to illustrate the article without regard to her particular role as the proprietor of the gym.

In response to the article of 13 August, the ADB approached *The Daily Telegraph* to provide a piece which explained the role of exemptions under the ADA. The ADB offered, and *The Daily Telegraph* agreed to, the provision of a 700 word article. The ADB provided the article on 15 August. The piece was finally published on 22 August, reduced from 700 to 250 words, entitled 'What's all the fuss about?' and credited 'by Chris Puplick, President of the Anti-Discrimination Board'.

The editing of the ADB piece, without the consent of or consultation with the President, meant that it lacked any analysis of the exemption process, and provided no context for the granting of such an exemption. Its message was simplified to anti-discrimination legislation being based on the premise that we need to take 'positive steps to overcome disadvantage so that we all get a chance on a level playing field. Sometimes this means taking positive steps to ensure equal access'.

The piece questioned exactly who was being discriminated against, given that one gym out of 500 was aiming to address the particular needs of Muslim women. The Board recognised that there were genuine difficulties in Muslim women's access to the other 499 gyms in New South Wales.

A practising Muslim woman chooses to dress in a particular way, and has special considerations when exercising. ...

All religions and cultures have their specific requirements and practices.

On the same day, Alan Jones made the following comments:

And look there's been a bit of publicity lately, now hang onto your seatbelts here...about Australia's first Muslim women-only gym called Soul Fitness, it's at Punchbowl...it's got 350 members. Its critics have made comments including that it's multiculturalism gone mad and others said what's wrong with women from different religious backgrounds, are we a threat? Now it's just not women-only, it's Muslim women-only.

Do you have a problem with that? If you dare to criticise something like this you'll have every do-gooder and his dog accusing you of being a racist...<sup>142</sup>

Remarks like this are made in a context where dissenting opinion is characterised as marginal. As we have seen, the same sorts of strategies have been employed in relation to criticism of the government's policy on asylum seekers. Here again we see reinforced a shifting of the boundaries of legitimate political debate.

The Muslim women's gym issue became a media event, created by *The Daily Telegraph* and talkback radio. The responses or views of the proprietors of the gym, other Muslim community organisations or spokespeople and agencies such as the ADB became sidelined and slotted into familiar narratives of 'special treatment' and 'multiculturalism gone mad' in the process. Muslim women were portrayed as having power at the expense of the disempowered majority. Attempts by the Board and other spokespeople to counter *The Daily Telegraph's* misrepresentation of the issue was characterised as misguided elites mistakenly supporting a privileged minority, disconnected from the common sense of the mainstream community.

## Why this story?

The environment that gives this story news currency is reflective of the anti-Arabic and anti-Muslim sentiment woven through so much of the commentary about local, national and global issues of the day.

A journalist told the Royal Commission into Aboriginal Deaths in Custody that:

Racial stereotyping and racism in the media is institutional, not individual. That is, it results from news values, editorial policies, from routines of newsgathering that are not in themselves racist or consciously prejudicial. It results from the fact that most news stories are already written before an individual journalist is assigned to them, even before the event takes place. A story featuring Aboriginals is simply more likely to be covered, or more likely to survive sub-editorial revision or spiking, if it fits existing definitions of the situation.<sup>143</sup>

Media outlets make strategic choices about what to include and exclude, and the angle of the coverage reflects their particular perception of an event. The Muslim women's gym story is a perfect illustration of how 'routines of newsgathering' are racialised.

Certain stories get media attention when they appear to pose a significant threat to the values, assumptions and beliefs that underpin white Australian identity. In this vein, a relatively minor event or example, such as the Muslim women's gym, can trigger a major response that reflects a deeper state of political and cultural tension, uncertainty and anxiety.

As we have identified above in relation to the ADB's attempt to bring context to the issue, there was little analysis of the way that racial or ethnic minorities experience disadvantage in their access to public life. Recognising this makes a nonsense of arguments which position the granting of exemptions under anti-discrimination law as discriminating against the mainstream, rather than acting as a counter-balance to the disadvantage experienced by minority communities.

To understand that this story was a media creation, we need to understand the role of exemptions under anti-discrimination law.

Exemptions are granted under the *Anti-Discrimination Act 1977*(NSW) [ADA] for a wide range of programs and services, designed to meet the specific needs of particular groups. It is interesting to

note that exemptions have been granted for a range of services, including women-only refuges and recruitment services for people aged over 40.

The purpose of such exemptions is to achieve equality between a disadvantaged group and those who are not disadvantaged by addressing past or present disadvantage experienced by particular groups in our community. These measures are not discriminatory, in that they aim to redress disadvantage. Other exemptions have been granted for services such as a men-only sexual health clinics, which recognise that there are circumstances where services can be provided most appropriately by members of the same gender.

In March 2002, the ADB received an application for an exemption under the ADA by Soul Fitness to provide a service for Muslim women only. The proprietors stated that they wished to operate a health and fitness centre in Punchbowl specifically designed to meet the needs of Muslim women. They intended to offer a variety of training, equipment and services, as well as appropriate music and images, child-minding and prayer facilities. They also intended to employ female staff at the centre, including staff that could speak Arabic to assist gym users.

The proprietors of Soul Fitness put forward a range of information in support of the granting of an exemption to allow them to run a fitness centre for Muslim women only. This included the following arguments:

- Muslim women (a large number of whom are from the Middle East) are amongst women with the highest incidence of diabetes, high cholesterol, heart disease and obesity;
- many Muslim women come from non-English speaking backgrounds and they experience a language barrier when seeking help in relation to their health;
- Muslim women are limited by dress codes based on their religious belief from wearing minimal exercise gear or undressing in front of other women, and as a result, many Muslim women do not attend mixed gender or women-only gymnasiums; and
- the Department of Sport and Recreation support Soul Fitness' proposal due to the lack of such facilities that cater specifically for Muslim women.

In the past, the ADB has recommended that the Attorney General grant a number of exemptions for women-only fitness centres. These women-only centres are designed to meet the identified special need for women to have access to facilities, programs and support that cater to their specific health and fitness needs.

The proprietor requested that an exemption be granted to allow Soul Fitness to run their centre for Muslim women only. Much of the media coverage has been focused around the idea that an exemption was granted for a Muslim women's gym. This is not correct. The exemption was granted for a women-only gym.

Religion is not a ground of discrimination under the ADA. However, the definition of race under the ADA includes 'ethno-religious origin'. The ADA recognises that it may be necessary to provide 'special needs programs and activities' targeted towards people of a particular race (including ethno-religion) who have experienced past or present disadvantage in their access to public life. As a result, it is lawful to provide such programs or services, and no exemption is required. Hence, there was no need to apply for an exemption for the gym to be for Muslims only.

In addition, there remains a lack of clarity generally about whether Muslims are covered by the term 'ethno-religious origin'.<sup>144</sup> In these legal proceedings it is the Government of NSW, through the Department of Corrective Services, which is challenging the proposition that Muslims are covered under the legal definition of ethno-religion. It is interesting to note that when the ADA was amended in 1994 to include ethno-religious origin in the definition of race, it is clear that Parliament intended that this definition include Muslims, Sikhs and Jewish people.<sup>145</sup>

It is interesting to note that when the ADA was amended in 1994 to include ethno-religious origin in the definition of race, it is clear that Parliament intended that this definition include Muslims, Sikhs and Jewish people.

The ADB made a recommendation to the Attorney-General regarding the application. The Attorney-General granted Soul Fitness an exemption from the ADA to run a women-only gym, consistent with the ADB's advice.

## Special treatment – 'multiculturalism gone mad'<sup>147</sup>

As we have illustrated, *The Daily Telegraph's* coverage of the Muslim women's gym in August 2002 became a media event because it tapped into an environment of anti-Arabic and anti-Muslim sentiment. The language of this coverage mirrors attacks in the 1980s and 1990s regarding what has been termed 'special treatment' for Indigenous Australians and non-English speaking migrants and refugees.

It is important to analyse the ways in which arguments about 'special treatment' have again been used as an attack on anti-discrimination laws. What is interesting about this characterisation in its current form is that arguments which challenge access to equal opportunities for disadvantaged groups are disguised as a defence of traditional Australian values, and contextualised in the language of democratic liberal principles. Although characterised differently, this has echoes of the language of assimilation from earlier debates.<sup>147</sup> The essence of this is emergence of the new racism, which we examined earlier.

Following the stories outlined above, on 23 August 2002, *The Daily Telegraph* headed page 12 with 'Community divided in growing racial debate'. Under this heading was an article entitled 'Brogden raises the race stakes: the argument over race, crime and religion has new combatants – Bob Carr and John Brogden.' This article appeared alongside two opinion pieces by Piers Akerman and Rachel Morris, with head shots, and the headline for these two pieces was: 'Can a community which clings to its sense of a separateness become a functional part of a broader Australia? Here are two views'.<sup>148</sup>

Piers Akerman's piece was entitled: 'Separate parts do not make a whole', and stated:

Anti-Discrimination Commissioner [sic] Chris Puplick has inadvertently identified the Catch 22 of minority politics.

Discrimination is fine, he wrote yesterday, if people who feel disadvantaged are the ones doing the discriminating.

Positive steps, he says, can be taken through discrimination to ensure we all get an equal chance on a level playing field. Mr Puplick is doing no more than recite the mantra of victim religion. ...

However, any group that actively discriminates against others solely on the basis of religion is likely to attract attention.

Why? Because Australia prides itself as an egalitarian society - and accepts that all are equal.

It is obvious some Muslim leaders don't like Australian culture. They say they want to live like Australians but they really mean like Muslims in a closed Muslim society within Australia.

Should we permit Mr Puplick to discriminate in favour of those whose narrow views are totally opposed to our heterogeneous culture? I think not.

This argument illustrates the common sense rhetoric that Australia is an egalitarian, heterogeneous society. That is, that there is a level playing field and that anyone who asserts that this is not the case is playing the victim. The assumption that the provision of a particular service targeted to meet the needs of Muslim women necessarily means that Muslims want to live 'like Muslims in a closed Muslim society' is unsustainable. Such characterisations are designed to heighten people's fear of a breakdown in the social fabric, resulting in a 'nation of tribes'.<sup>149</sup> We have seen these fears manipulated by political and media commentators at various times in Australian history, particularly in relation to Asian immigration in the 1980s.<sup>150</sup>

Akerman's article justifies *The Daily Telegraph's* created media event by claiming that any group that 'actively discriminates' against others on the basis of religion is likely to attract attention. Ironically, it is then mainstream Australia who is discriminated against, and the source of this racism and exclusion becomes racial or ethnic minority groups with 'victim religions'.

What anti-discrimination law says is that this is not discrimination. Exemptions exist precisely because there is not a level playing field. To fail to provide for the special needs of Muslim women will result in further exclusion from access to facilities which promote their health. The fact that the issue is about one gym out of about 500 does not rate a mention.

Debates about equality in relation to issues of race have been prevalent in recent decades.<sup>151</sup> The arguments about 'special treatment' and 'reverse racism' have been used to demonise and marginalise voices that challenge the institutional racism in Australian society.

It is a more difficult task to identify the more coded assumptions about racial or cultural difference embedded in media reporting. Rachel Morris' article, entitled 'When paranoia reigns supreme' is a good example of this:

The man on the end of the phone was adamant.

'You know what this all means? This is the first step in the Muslimisation of Australia... you'll be wearing a headscarf - what do you think about that?' I noted his concerns, thought about how I could use that nice dusty pink scarf I picked up at Grace Bros, and ended the conversation.

This exchange (the first of many) took place on Tuesday last week - the day a story appeared about Soul Fitness, the Muslim Women's Gym in Punchbowl.

I thought Muslim women had a right to exercise in a space they feel comfortable in. Clearly I was wrong. Most outrage has centred on 'assimilation' of the Muslim community and 'reverse racism'.

We have women-only gyms because some women don't feel comfortable in a room full of sweaty blokes, men-only support groups and women-only refuges. Fernwood Ladies Fitness Centres are women only.

The Shoalhaven Neighbourhood Centre's men-only support group - granted an exemption in 1996.

Do we hear outrage about the men-only exclusive Tattersall's Club in the city where women are allowed as guests or on ladies' nights?

It's not about changing to accommodate a minority, it's about accepting a minority and what they have to offer our society.

This article, placed alongside Akerman's article, we assume is proffered as an opposing or balancing point of view. What is interesting about this is that while it does provide a counterpoint to Akerman's views, it does so within a very narrow framework. It does not actually address the context of the media-created debate, and plays down reactions to *The Daily Telegraph* coverage of the issue. While the article provides some context for the granting of the exemption, a single opinion piece such as this does little to counter the many other articles, images and headlines run by *The Daily Telegraph* that contained negative and ill-informed coverage of the gym and Australian Muslims. This article ultimately supports an approach to minority racial or religious cultures that states that the mainstream society does not have to change to accommodate other beliefs or cultures, but should just accept or tolerate them for what they have to offer. The newspaper continues to define the parameters of the debate through presenting the varying views of two of its own journalists.

The debate over the media as sites for conflict and struggle between majorities and minorities has significantly polarised between demands for equality and demands for differentiation. In the most simplistic terms the tension lies between those who seek to integrate minorities with the 'mainstream', and those who seek to isolate the minority experience so that it can be explored and exposed.<sup>152</sup>

An exchange on talkback radio between Alan Jones and a caller demonstrates this point:

**Caller:** Mate, just in regards to the Muslim women gym only...I just want to know what would happen if we had an Australian English speaking women's gym and that only...

**Jones:** Yeah, and said when the Aboriginal woman came to the door, no you can't come in here...

**Caller:** That's right.

**Jones:** ...or then the Muslim woman come in and you said you can't come in here and they'd say ooooh, you're picking on us because we're Aboriginal or because we're Muslim.

**Caller:** That's exactly right. It's sort of implicated that the worst thing to be in Australia is a white English speaking Australian.

**Jones:** Well it's time I think we spoke...you're helping by talking about it. We're not going to cop that sort of stuff. We don't mind who comes, but we're all equal here. We're all equal here and you're dead right. If some Anglo-Saxon outfit decided to book out the gym or whatever and an Aboriginal woman arrived at the door and was

turned away because she's Aboriginal, and you're not Anglo-Saxon, all hell would break loose! Well why doesn't the other side of the coin provide the same story?<sup>153</sup>

*The Daily Telegraph* editorial on 23 August 2002 analysed the debate the newspaper had created. This piece is a good example of the ways in which arguments which challenge equality for minority cultures are couched in the language of democratic liberal principles.

At first glimpse, the idea of a gymnasium for the exclusive use of Muslim women might seem an enlightened and compassionate idea. For why should a class of people – those, such as Muslim women, who are constrained by cultural dictates to a set of tight social mores – be denied the boon which free access to fitness facilities can provide?

Why should those women, because they must wear a certain style of dress, be excluded from the opportunities for exercise and sociability which membership of a gym can provide?

Well, why indeed? But the question begs another, does it not? Why should we accept that 'culture' can exclude some people from the benefits which our society has to offer?

And that is, of course, a big question. Our society is riven already by bastions of exclusivity and they twist through all tiers and all communities. Some people are disquieted not unreasonably by the idea of male-only enclaves such as the committee of the AJC, most Rotary clubs, groups of city sports clubs such as Tattersalls and so on.

Why do these anachronistic institutions survive in a society which is moving steadily away from the remnants of medievalism. Some are uneasy also at the idea of other exclusive groups such as the Masonic Lodge, the generic gentleman's club, and even certain secret aspects of Aboriginality.

In the free and open society of which we believe we are members, surely it is our ambition to pull down the exclusive pens and compounds which worked in the past to restrict us. Surely the strong current of community sentiment is flowing in the direction of greater rather than fewer social freedoms.

So let's demolish those barricades which lock the majority out of places such as the inner sanctum of the city retreat, the club board, the religious retreat.

And while we're at it, let's try hard to persuade Muslim women – and men for that matter – that they are welcome to work out in any old gym, and that they don't need to hide themselves away, and they don't need to keep others not of their faith locked out. Let's move forward towards openness and understanding, rather than backwards in the direction of secrecy and exclusivity.

And if that involves breaking the great taboo of the small 'l' liberal generation of 1970s – the making of value judgements – then so be it.

Let's say it once loudly and clearly. We are all part of one community, and our common goals and aspirations must outweigh our differences.

Let's not create more barriers to understanding and inclusivity.

Let's celebrate and encourage diversity, because it keeps us strong.

But when we draw the shutters on certain aspects of our society, such that some may not see beyond the veil, we imperil our most cherished freedoms.

Multiculturalism should provide us with a clear window through which all the cultures in our community can be seen and appreciated.

If the windows are shuttered, then multiculturalism is a failure.<sup>154</sup>

The editorial, the voice of reason and authority in the newspaper, portrays its objection to the Muslim women's gym as reflective of its progressive, enlightened approach: 'Surely the strong current of community sentiment is flowing in the direction of greater rather than fewer social freedoms'.

It likens the provision of such facilities to other 'exclusive' clubs such as the Masonic Lodge or Rotary. Clearly these examples are not analogous. Provision of access to a single health facility in order to meet the health needs of Muslim women is not an exclusive club comparable in function to clubs designed to maintain and develop networks of business and community leaders.

The language used in the editorial positions Muslims as less progressive than mainstream Australian society. The Muslim community is portrayed as heading 'backwards', as hiding themselves away and locking others out. Rather than countering the discrimination that works against Muslim people being able to 'work out in any old gym', this editorial buys directly into it. The metaphor of the 'shuttered windows' that prohibit some from seeing 'beyond the veil' presents Muslim women as a symbol of the failure of multiculturalism.



The statements of being part of ‘one community’, against creating ‘more barriers to understanding and inclusivity’ and seeing through a ‘clear window’ are resonant of assimilationist arguments throughout the 20th century.

## Auburn Pool

Amidst the talkback radio debates about the Muslim women’s gym, the use of Auburn pool by a Muslim school drew attention. Noor Al Houda Islamic College booked Auburn Pool for a series of swimming classes for girls from the school, and during these classes, the pool was open only to women for an hour each day.

Examining the detail of talkback dialogue reveals the way that community outrage about certain issues is inflamed by media commentators. On 22 August 2002, while voicing his objection to the Muslim women’s gym, Alan Jones stated:

...as I understand it, it's not just this gym that has Muslim women-only sessions. I believe there's a swimming pool somewhere around Auburn that allows Muslim women to swim in their full robes! Do you know anything about that?<sup>155</sup>

Later in that show, Jones had this exchange with a caller:

**Caller:** Alan, I have a particular interest in this fiasco at the Auburn swimming pool, as I was born and raised in Auburn. And I've been back several times, this is quite a few years ago and I've seen the dramatic change that has taken place. However, I rang Auburn Council when I first heard about this Muslim women-only session...

**Jones:** Muslim women only in the pool...

**Caller:** Yes. In their robes...

**Jones:** What? The pool's closed down for everyone else?

**Caller:** Oh...for a certain period each week.

**Jones:** What? The pool is closed, it's a public pool...it's closed to everybody else except Muslim women?

**Caller:** That is correct. Yes.

**Jones:** Auburn pool?

**Caller:** Yes, indeed. Now, the officer...

**Jones:** WHAT???

**Caller:** Yes that's true.

**Jones:** And they go in there and dive in in all their clobber!

**Caller:** Yes, that is true. I rang the council and the officer I spoke to was quite helpful and he confirmed this but he said it's not council's doing, we lease the pool out. He didn't know the name of the lessee, but he did give me a contact number. He said he would get the public relations officer of council to call me back and I haven't had that call. I've got the details...

**Jones:** Well just hang on there and give them to us would you?

**Caller:** Yep

**Jones:** Thank you Lawrence. Thank you. Anyone else know anything about that? It's quite extraordinary. A public pool that is actually for a certain period of the time closes down to other members of the public but it's open to other sections of the public. And if it's open to Muslim women, do they dive in in all their clobber? And what's that do for the hygiene question? For other people using the pool? Let's be honest, it's got nothing to do with race or anything else.

Jones' outrage is palpable. This outrage taps into broader debates about Muslims in connection with asylum seekers and gang rapes. There appears to be no preparedness to accept that public pools are commonly closed for a range of reasons, including school carnivals and swimming lessons. An ordinary event became an extraordinary story because it involved a particular community.

A week before Alan Jones focused on this issue, John Laws had interviewed the manager of the Auburn Pool regarding complaints made about the pool being closed to men for one hour for Muslim schoolgirls to have swimming lessons. In this interview, the pool manager explained that as a result of community consultations in 1999, it was clear there was a need for swimming lessons for Muslim women. It was a program which required the pool to be closed for one hour over ten days in winter.

**Laws:** We've got the centre manager of Auburn Pool on the line. Good Morning.

**Pool Manager:** Hello.

**Laws:** Good Morning. You wanted to talk to me I believe?

**Pool Manager:** Not really. Your station rung us and we've just heard on the radio this morning about the complaints that have been going on about the pool being shut for one hour.

**Laws:** Yeah...

**Pool Manager:** And we just want to basically clear up any questions that you have for us.

**Laws:** OK, well is it going to be closed for an hour today?

**Pool Manager:** Well, we've actually because of what we've heard on the radio this morning and some of the complaints we've got, phone calls today, we've actually... we don't want to put the kids in any danger whatsoever.

**Laws:** Well, the kids shouldn't be put in danger and they wouldn't be put in danger if they weren't put into a pool that has been closed to all other people except those children for religious reasons.

**Pool Manager:** Yeah well, one of the phone calls we got here today was basically saying that there was a march coming down at the centre at 11.50 and if they weren't allowed in then...

**Laws:** I'd forget that.

**Pool Manager:** And we don't we just don't want to put the kids in that circumstance.

**Laws:** Well that's very good I wouldn't like to see them put in that situation either but you could take that with a very large grain of salt I would think but let's make it very clear that the kids aren't going to be there today.

**Pool Manager:** They wont be, no.

**Laws:** So the pool...

**Pool Manager:** We've actually had to cancel their learn-to-swim program.<sup>156</sup>

What is interesting in this example is that the classes had already been cancelled as a result of complaints made on talkback radio. These complaints exaggerated the alleged detriment to the broader community and were given fuel. As a consequence the classes were cancelled and there were fears about the safety of children. The voices of the school or representatives of the Muslim community were never given air in the debate.

Those communities who are subjected to such constant demonisation are also those least able to counter stereotypes in the media.

An event soon after the Muslim women's gym furore illustrates succinctly the power differentials regarding which voices are heard in the media. In September 2002, a large group of boys from a Catholic school went on a post HSC rampage through Bondi. A number of letter writers to *The Sydney Morning Herald* wondered if Carr would use the 'race card' in identifying and shaming the students and their families. Astute writers wondered what the public response would be if the rampage had been conducted by a group of Muslim boys from a Bankstown high school.

Perhaps inspired by this, *The Daily Telegraph* columnist Michael Duffy wrote a 116 word piece (2 small columns) on what he called 'another distressing case of an ethnic gang rampaging through Sydney'.

This time it was the predominately Irish students of the Catholic Waverley College in the eastern suburbs. The problem is cultural as well as racial. Irish Catholics have traditionally resented mainstream society and, as a result, their men have a reputation for drunkenness and their holy men for child abuse. In this case the largest gang seen in this city for years - some 70 drunken youths - terrorised an old woman and did up to \$80,000 worth of damage to property. It is time that Australia seriously re-evaluated its immigration policies regarding Irish Catholics.<sup>157</sup>

These sentiments were almost identical to much of the media coverage about the Muslim community over the last few months, such as the examples set out earlier in this chapter. It was clear the piece was satirical. This was confirmed by the editor of *The Daily Telegraph* and Duffy himself later that week.<sup>158</sup>

The response from the Irish community was forthright, indignant, assured. The ADB fielded about forty calls from Irish Catholic community representatives, including the Vice President of the St Patrick's Day committee and the Irish Consul-General in Sydney, who was preparing to brief the Irish Ambassador.

The community was outraged. They would not countenance any suggestion that the piece was satirical, and would not view the piece as a response to the criminalisation of the Arabic and Muslim communities over the last 12 months.

*The Daily Telegraph's* editor published a very contrite response, and pleaded that no offence was intended. Duffy himself wrote an explanatory piece later in the week, explaining that, given his own Irish Catholic heritage, the piece was indeed satirical.<sup>159</sup>

The contrast could not be more stark. The perceived vilification of a community that is, after all, part of the Anglo-Celtic mainstream, provoked the kind of response that only serves to accentuate the need for institutional, material and educational support to minority communities under siege.

## Impacts of media representation

### Pillorying/criminalisation of communities

The perpetrators of the September 11 attacks were young Middle-Eastern Muslim men. Bin Laden's followers are young Middle-Eastern Muslim men. So it is young men of Middle-Eastern Muslim background who will be targeted in Sydney, many of them Australian citizens, who were born here.<sup>160</sup>

As we have illustrated, this portrayal and many more like it, are characterised by the media as understandable and even a matter of common sense, given world events. Although here this is a recognition that many people being targeted are actually Australian citizens, their ethnicity or culture is perceived to denote their loyalties and their values.

As demonstrated in chapter 2, debates about crime in Australia have long been racialised – from the Italian mafia connections to the 'Asian triads'.<sup>161</sup> Debates in New South Wales around the gang rapes and the Muslim women's gym have seen sustained and heated attacks on the Arabic and Muslim communities. This has created the impression that these communities have a higher involvement in criminal activity and willingly exclude themselves from mainstream Australian society.

Increasingly, the political and media portrayal of the criminal behaviour of certain individuals has become attributed to cultural factors.<sup>162</sup> The taint of criminality is then extended to all people of that background, and negative stereotypes feed community prejudices and in turn provide justifications for racialised reporting.

There have been many examples in Australian history where media commentators, political and opinion leaders have developed a discourse that excludes a particular group in the 'national interest'.<sup>163</sup> For example, see the discussion in chapter 2 on the government and industry campaign about land rights in the 1980s.

Discourses in the media that use race in a discriminatory way draw on words, images, texts and explanations that create a binary positioning of people in the world as white and non-white. They reinforce individual beliefs and behaviours, collective ideologies, the formation of public policies, institutional processes, practices, and decision-making. Discourse is language put to social use, even if this may be invisible to those who use such discourses.<sup>164</sup>

Racism in the media can manifest as stereotypical or consistently negative portrayals of Indigenous or non-white individuals or communities, or in their invisibility in mainstream stories. It is reflected in their lack of representation at all levels of media organisations. It is reflected in the attitudes and practices of those who hold power in those organisations, and in the reproduction of Eurocentric values and images. It can also manifest as the racialisation of social or economic problems.

Increasingly, the political and media portrayal of the criminal behaviour of certain individuals has become attributed to cultural factors.<sup>162</sup> The taint of criminality is then extended to all people of that background, and negative stereotypes feed community prejudices and in turn provide justifications for racialised reporting.

Systemic racism underpins Australian society - the laws, rules and norms which are woven into the social fabric and result in the unequal distribution of economic, political and social resources. While the codes of conduct of media outlets may state their commitment to non-discriminatory reporting practices, this systemic racism underpins much of the way that the reporting of news is framed and reproduced. This is interwoven with public debates and community attitudes.

The National Inquiry into Racist Violence raised a number of concerns relating to the media portrayal of Aboriginal people that are as relevant today:

Discriminatory reporting in relation to crime stories was cited as being particularly likely to generate a climate conducive to racist violence. Terms such as 'black terror' and 'black crime wave' clearly convey a sense of racial hostility and threat. Other examples included stories where a person's ethnic and racial origin was only mentioned if the person was Aboriginal or Islander. Aborigines in many rural areas complained that local media reinforced racist attitudes and generated fear in their reporting of race issues.

The question of balance arises not only in relation to the presentation of individual stories, but in regard to the predominance of negative reporting on Aboriginal people. While the role of the media in exposing injustices or highlighting the problems faced by Aboriginal communities is a most important one, there were many complaints about racist portrayals and the lack of media coverage of positive developments within Aboriginal communities.<sup>165</sup>

As demonstrated by the analyses above relating to asylum seekers, the gang rapes and the Muslim women's gym, stories that demonise or criminalise the other of the moment are more likely to be considered news than positive stories.

## Violence

A climate where the boundaries of political and media discourse shift to allow, even condone, the demonising of certain racial and ethnic minority groups arguably promotes violence against those communities – both discursive and physical.

A mosque in suburban Brisbane was badly damaged in an arson attack after September 11, and was described by the judge convicting the perpetrator as racially motivated.<sup>166</sup> Community organisations reported that Arabic and Muslim Australians experienced a 'wave of racial hatred', including jeering, swearing, spitting, verbal abuse and physical attacks.<sup>167</sup> Muslim women and girls had their hijab ripped off. Organisations received hate calls and mail, pornographic material, anthrax and bomb threats.<sup>168</sup> Cars with religious ornaments were vandalised, and anti-Arab and anti-Muslim graffiti appeared on businesses, mosques and churches.<sup>169</sup> Soon after the Bali bombing, a Muslim cleric's home was attacked in Sydney's western suburbs.<sup>170</sup>

...the general climate created by ongoing debates about immigration policy and quotas can and does lead to actual violence and harassment against easily identifiable immigrant groups such as Arab Australians.

In such cases, the ideological and political construction of the dangerous Other manifests itself in real violence against those who are seen as posing an existing threat to the nation and who are identified as such in the so-called respectable political and media commentary relating to immigration.<sup>171</sup>

The tone of media reporting of such issues varies across different media outlets. News reporting can use either coded or overt references to race and culture to define the debate. At the end of the day, in the sheer volume of media coverage - some reportage and some created media events - the nuances are lost and the impact is the same.

On a lunchtime talkback session on 2GB on 11 July 2002, Chris Smith debated multiculturalism with various callers.

**Caller:** I look at things like multiculturalism and think it's a massive big joke because these people don't mix with us people. They get their own little communities on the outside and they just want to poke fun at us. ... Now when these people come to our country they should be given the rules. They should be given a list and sit down and read the whole thing. If you don't like it... we are predominantly a white Anglo-Saxon Christian-based country.

Now I've got friends, a lot of my friends have got young children getting ready to go to school. And a lot of my friends are saying at the moment that we've been hearing lots of things about kids not being able to sing Christmas carols and things like this because it upsets the Muslims. My friends have basically said that when their kids go to school if they can't sing a Christmas carol, they will burn every Muslim house down in the area to get the Muslims out because this is our country and if we can't sing a Christmas carol in our country like we've been doing for 200 years, what is wrong with this country?

**Smith:** Exactly, you won't get an argument from me on that point. And anyone who wants to argue the other way is nonsensical and has no understanding or belief or support for what's happened in Australia for so many years. That's exactly the kind of traditional cultural stuff we should be supporting. ...

Multiculturalism was a scheme that was brought in but we never had a back-up scheme. Where was the scheme to say well now we've got everyone in this country and they're all from different corners of the globe and aren't we going to live happily ever after, that's wonderful – but where are the schemes to make ME understand the good parts of a culture like the Muslim race for instance.<sup>172</sup>

As we have set out in this report, the way issues are reported or debated in the media has a direct impact on the way that certain racial or ethnic minority groups are treated. Joseph Wakim has highlighted a significant correlation between incidents of violence against Arab Australians and the way in which the Gulf crisis was reported by the media. According to Wakim, 'the nature and content of racist attacks clearly echoed the anti-Arab themes in the media'.<sup>173</sup>

As is often the case, an almost symbiotic relationship in the discursive practices of political leaders and the various media outlets, evolved to create a general political and social atmosphere which can only be said to have fed the violence against Arab communities and institutions in Australia.<sup>174</sup>

This analysis has particular resonance with regard to events over the last 18 months.

## Gendered nature of impacts

Debates that are racialised around citizenship and nation are also gendered. Discourses about the protection of national borders and national identity, cultural values and morals are often framed in terms of the protection of women, using militarised language of war and sovereignty. For example, calls for the removal of women and children from detention centres draw on the paternalistic protectionist rhetoric, precisely because they fail to address the underlying humanitarian concerns, and question the necessity of mandatory detention.

The attacks on the Arabic or Middle Eastern and Muslim communities have been gendered in a particularly contradictory way over the last 18 months. There has been consistent criticism of the ways in which Islam oppresses women, which has often been used as justification for anti-Muslim or anti-Arabic sentiment or behaviour. Ironically, the targets of such behaviour have often been Muslim women.

As stated by Nada Roude of the Muslim Women's Association:

Whenever Islam is attacked we find that Muslim women are used as a way of showing that Islam is an oppressive religion. And so a lot of the stereotypical images about Islam often use Muslim women as a target to attack Islam.<sup>175</sup>

In many cartoons and articles, the veil or hijab becomes the symbol for Islam. It is reasonable then, to draw a connection with the fact that women wearing the hijab then became targets for acts of racial hatred.<sup>176</sup> Journalism academic Tanja Dreher believes the media have 'made veiled Muslim women a definitive image and therefore a target for anti-Islamic sentiment'.

If you go back through the newspaper coverage and also the television footage, the image of the veiled woman occurs again and again and again, both in Bankstown, then in terms of the Tampa and the refugee story more generally, and again in terms of the war in Afghanistan.<sup>177</sup>

At the time of the Gulf War, 'the brunt of racial attacks was disproportionately borne by women, notably Muslim women and girls wearing the hijab. Early indications are that this trend continued to be significant following the events of September 2001'.<sup>178</sup>

Roshana Sultan, Deputy Chairperson, NSW Premier's Youth Advisory Centre wrote that:

I grew up thinking that Australia was one of the most tolerant societies, but to see a uni student walking down the street just in tears because she had been attacked because she wears hijab was just terrible. Like that to me it was frightening. I'd never been scared in my own country before as much as I was since September 11.<sup>179</sup>

Nada Roude detailed the upsurge of abuse experienced by the Muslim community:

The Muslim community in New South Wales has been receiving quite a range of threatening calls and abusive calls from various levels... we're seeing a huge increase in the number of complaints that are coming from families expressing concern about harassment and stalking from members of the Muslim community, particularly women, because they're easy targets and they're easily identified.<sup>180</sup>

Other than this report on ABC Radio National's *The Media Report*, there was little media reporting of the issue of violent attacks on the Arabic and Muslim communities. In one exception, in *The Sunday Telegraph* on 16 September 2001, there was a small article entitled 'Muslim backlash' that reported that Muslims were being 'abused, threatened and attacked, with one mosque alerting police to a firebomb threat. Many reports have come from women, targeted because of their headscarves'.<sup>181</sup>

However two days later in *The Daily Telegraph*, Piers Akerman, in a piece entitled 'Opening our doors to a wave of hatred', wrote:

The terrorist attack on the US should provide a wake-up call to Australia to re-examine its policy of multiculturalism.<sup>7</sup>

When we look within Australia we find a separatist clique unsure whether it follows religious or cultural practices.

A beard, a scarf, a headdress or the length of a sleeve or dress are all important to some of these people and the supporters of multiculturalism tell other Australians that they are the ones who must exhibit tolerance when they are spat upon or cursed for wearing ordinary clothing in keeping with the dominant culture.

It is the Muslims who must show tolerance to others here and in other Western nations otherwise they will always be separate.<sup>182</sup>

In this twisted analysis, it becomes ordinary Australians who are 'spat upon' or cursed by 'these people' and supporters of multiculturalism.

## Environment that allows discrimination and vilification

There have been real and measurable impacts of public discourses that demonised Arabic or Middle Eastern and Muslim people. Much of the analysis in this report points to the ways in which the boundaries of what constitutes legitimate political discourse have shifted over the past 18 months. We have demonstrated the ways in which race is often used as an explanation for social and economic problems and as a means for people to understand the increasingly complex societies in which we live.<sup>183</sup>

Unemployment can be blamed on new immigrants taking jobs.<sup>184</sup>

Fear of crime can be blamed on Aboriginal or 'ethnic' gangs who are predisposed to criminal behaviour and do not abide by 'our' laws or standards of behaviour.<sup>185</sup> Employers can justify not hiring someone on the basis that they will be too 'culturally different' and will disrupt the harmony of the workforce.

Unemployment and crime are economic and social problems that can not be simply explained as inherently linked to issues of race. However, such problems have been increasingly racialised in mainstream media debates in Australia.

In late 2002, there has been a belated yet important intervention by political leaders, both here and overseas, calling for greater tolerance towards Muslim people. For example, after the bombing in Bali, John Howard said that it had served to remind us 'of the great tolerance of the Australian

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people'.<sup>186</sup> 'Let us preserve the open, tolerant, harmonious, outward-looking, generous Australian society for which Australia is so widely respected',<sup>187</sup> he stated. In the NSW Parliament, Bob Carr appealed for tolerance after the Bali bombing and a subsequent attack on the home of the Imam at Rooty Hill mosque.<sup>188</sup> Carr was quoted as saying that the challenge in the days and weeks after the bombing was to hold on tightly to the diversity and tolerance which he described as 'the modern Australian miracle'.<sup>189</sup>

While the role of political leaders in promoting an environment which reduces discrimination and harassment of minority communities is crucial, there remain concerns about the contradictory nature of these messages. As Randa Kattan of the Australian Arabic Communities Council has stated:

To combat racism, active leadership is needed. However, statements by various political leaders and other leaders were not helpful in turning the tide around. On the one hand we heard the calls for tolerance toward Arab and Muslim Australians. Yet on the other, we heard how asylum seekers threw their children overboard, a blatant lie. We heard the half hearted, inconsistent and loaded messages. We also heard the deafening silence when our community was being battered.

Sadly, the opportunities to get political mileage out of the moral outrage and the fear that had been whipped up against Arabs, Muslims, people of Middle Eastern appearance, and refugees was not missed by many.<sup>190</sup>

It is important to analyse a concept such as tolerance in the current climate. Calls for tolerance speak to the mainstream Australian community, and emphasise who is in a position to tolerate, and who is tolerated. The notion of tolerance carries with it a sense of begrudging acceptance of difference. It does not engender a willingness to respect or embrace diversity. This is a manifestation of the new racism, one which shuns the expressions of cultural diversity as incompatible with the mainstream social fabric. As journalist Andrew Stevenson has stated:

There's no warm embrace in tolerance, no equality, no welcome and no acceptance. The word comes from the Latin *tolere*, to bear or endure. The word is imbued with the sense of putting up with pain and trouble. In its most positive meaning, it's a gift extended by the powerful to those less so - the corollary being that something so extended can be withdrawn. We're not talking of a right but a privilege. No doubt you would choose to be tolerated rather than condemned - and no doubt intolerance can be extremely damaging - but does tolerance deserve to be rated as one of the great human virtues?<sup>191</sup>

Calls for tolerance alone cannot neutralise the impact of racialised political commentary. Take for example John Howard's response to Fred Nile's calls for Muslim women to be banned from wearing the chador in public because of the risk they may be terrorists concealing weapons. Nile had previously called for an inquiry into the impact of female Muslim students wearing the hijab in State schools, suggesting it should be banned in the interests of 'discouraging divisiveness and promoting unity and tolerance'.<sup>192</sup> When questioned about his position in response to Nile's calls, John Howard stated that he did not always agree with Nile, saying: 'I don't have a clear response to what Fred has put' but 'Fred speaks for the views of a lot of people'.<sup>193</sup>

Asked in an interview if it would be better if Muslim women 'were less conspicuous at this time' by not wearing the chador, Howard replied: 'Well obviously, consistent with their religious beliefs'.<sup>194</sup> In an interview with John Laws, Howard then stated: 'Sometimes you don't have a flat yes or no on something like this. Different people of goodwill will have a different view'.<sup>195</sup>

Geoff Kitney's commentary on this issue in *The Sydney Morning Herald* compared Howard's response with his failure to take a strong stand on Pauline Hanson's comments on race and ethnicity, and his defence of 'her right to say things which were 'an accurate reflection of what people feel''.<sup>196</sup> Kitney's piece went on to illustrate the ways in which Howard has contributed to pushing the boundaries of legitimate debate around race:

With Nile, as with Hanson, there was no hint in Howard's reaction that he felt any personal sense that they were taking his newly created licence to speak more freely too far.

His reaction on both occasions gave oxygen to extremist views.

It says a great deal about how things have changed since the Hanson controversy first flared international debate that the reaction to Howard's response to Fred Nile was neutered in the media...

This reflects the extent to which Howard has shifted what might be called the 'normal curve' of Australian

public discussion on race and ethnic issues. And by giving the authority of the leader of the nation to a more strident dialogue, Howard has given a cloak of respectability to a divisive and venomous fringe.

This was unwise at the time of Hanson's emergence. In the new environment of a heightened sense of fear created by the terrorism threat to Australia, when sensitive and healing national leadership is needed (and was being provided by Howard since Bali) it is positively dangerous.<sup>197</sup>

The media plays a crucial role in legitimising divisive and extreme views such as Nile's by giving his comments prominent news space, and by asking Howard for a response to those views.

## Disempowerment

There has been much debate amongst the Arabic and Muslim communities about how to respond to the environment in which they find themselves. Given the hostile environment, it is not surprising that it was difficult for community representatives to respond to the barrage of media reportage that demonised and criminalised their communities. The complex and illogical linkage of issues that made it particularly difficult for communities to respond – for example, the ways in which Arabic or Middle Eastern and Muslim Australians and asylum seekers became portrayed as terrorists. This environment positioned communities to carry the burden of trying to engender more balance in media reporting and among opinion leaders. It was a very difficult environment in which to propose stories with positive images that promoted a better understanding of Muslim and Arabic communities.

So too, it was an environment that was not conducive to documenting the impacts of racial harassment, vilification and violence against Arabic and Muslim Australians. When heard in the media, the voices of Arabic and Muslim community leaders were perceived as less credible sources in shaping media stories, and were called on to defend their communities rather than to identify the agenda for addressing the impact of the criminalisation of their communities.

This can be contrasted with the Irish Catholic community in voicing their concerns about a single media representation which they considered discriminatory. The Irish Catholic community had the power to affect media institutions and confidence in making those views heard. Indeed, both their expectations were fulfilled and their confidence justified given the contrite apology from *The Daily Telegraph*, despite the clear assertion that the piece was satirical.

The effect of the demonisation of the Arabic and Muslim communities in Australia has had a direct effect on the preparedness and ability of some community leaders to continue to attempt to counter the barrage of racialised representations.

The National Inquiry into Racist Violence identified that communities who were subjected to racial vilification, abuse and harassment were often reluctant to speak out for fear of making things worse.

Some Asian informants felt that in time harassment would diminish as people became used to them and that the best tactic was to bear the present stoically and silently. They did not want to appear as people who could not succeed in settling into their new environment. The South Australian Indo-Chinese Association said:

It is very important to keep this issue low key: mass media reporting of it in a sensationalist way makes Asians feel that they are discriminated against and encourages Australians to join in. ...

The most significant restraint upon the collection of evidence was the fear of reprisals.<sup>198</sup>

The ADB's 2001/2002 Annual Report noted that the increase in incidents of vilification and harassment of Arabic and Muslim communities in Sydney was not reflected in the statistics of formal complaints. The ADB received many enquiries from people who had been harassed or vilified, however many did not lodge a formal complaint. Commonly, there was a fear of exacerbating tensions and making communities an ongoing target for racial abuse or harassment.

In the two weeks after the Bali bombing, police reported that there had been around 40 attacks on Muslims in New South Wales. NSW Police Commissioner Ken Moroney called on people to come forward if they had suffered violence or abuse:

By and large these attacks have consisted of racial vilification, they also consisted of pulling the headdress



from young Muslim women, and in a number of instances spitting at or upon these women. Now there is clearly a very strong law in terms of racial vilification.

There are laws in relation to assaults on people or providing threatening or intimidating behaviour, and I've instructed my commanders to increase their level of vigilance and visibility on the streets with a view to detecting those responsible.<sup>199</sup>

While it is commendable that the Police Commissioner has taken a strong stance against vilification against the Muslim community in New South Wales, his comments highlight some of the difficulties in countering racial vilification.

Although acts such as those the Commissioner mentions may be unlawful, there are limitations to providing effective and appropriate redress for victims under racial vilification legislation. Damaging and violent acts of racism are perpetrated 'on the streets' by individuals, however it is also important to consider the impact of institutional racism on racial and ethnic minority communities. Institutional racism in the media contributes to an environment where negative stereotypes and blame for social problems targeting certain communities becomes normalised as fact or common sense.

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