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IMMIGRATION — A BATTLEGROUND WITHIN THE AUSTRALIAN DEMOCRATS

John Coulter

The National Executive of the Australian Democrats and the elected members of that party have a history of finding it hard to represent the wishes of the party's members on the questions of population and immigration. In 1996 John Coulter analysed the problem (see People and Place vol. 4 no. 3) and reported how it was that at last, in 1995, the members were able to persuade the elite to accept the immigration policy that the members preferred. Since then the party elite has regrouped and, through a number of procedural manoeuvres, appear to have outflanked the members again. This leaves the party with an inadequate immigration policy and its reputation for internal democracy tarnished.

Just as in the general community, a hard fought debate has been going on for many years within the Australian Democrats over a population/immigration policy for Australia. While most members agree that the present population of just over 19 million is not living sustainably in and on the Australian environment, prejudice, ideology, and ignorance cause many to deny any link between population growth and environmental deterioration. Others claim that if only measures were put in place to reduce the per capita environmental impact, then the present, or even a larger population, could be accommodated without causing further damage. While this claim is theoretically true, in practice there is no indication that the significant life-style changes that this per capita reduction would entail are about to be implemented. Indeed, prevailing government, commercial and economic practices promote more, not less, per capita environmental demand. Meanwhile Australia has a very high rate of population growth compared with most industrialised countries and immigration continues to contribute almost half the increase.

BACKGROUND

The political origin of the Australian Democrats lies in disillusionment with the

two old political parties, a disillusionment which, if anything, is stronger today than when the Democrats formed in 1977. The party's organic origin lies in two other groups, the Australia Party and the Liberal Movement. Over a number of years the Australia Party had developed policies around the themes of environmental sustainability and social justice/ fairness but had been unsuccessful in every parliamentary election. In 1977 many Australia Party members joined the emergent Democrats. Although much of the structure and administration of the new party came through Liberal Movement members — its other root — its policies were very much those of the Australia Party and among these policies was a commitment to environmental sustainability.

These policies contained a recognition that population size is one of the two determinants of human environmental impact, the other being the average impact of each person. In 1978, a year after the formation of the Australian Democrats, a document setting out the policies of the new party contained the following:

Australia already has a population large enough to effectively put its mineral and agricultural resources at the service of the world. Increase in the population of this affluent country

with its high energy — and resource — consuming life-style, increases the rate at which the world's resources disappear...

And under policy items the same policy document said that:

to conform to the goal of a sustainable national economy, the present trend to a stabilisation of the Australian population will be encouraged.

The context here was that in the mid-seventies, the years immediately preceding the adoption of this policy, the Department of Immigration had been admitting just over half the number of immigrants presently entering Australia. The 1978 document also makes it quite clear that with respect to immigration there should be no discrimination 'on the grounds of race, skin colour, or religious or political beliefs'.

This latter point is important as throughout the 1970s and 1980s those who opposed any restriction on immigration often accused those who advocated limits of being racist. Fear of being so called, even — as the above policy makes clear — quite unfairly, bred timidity in many in the party, and outside it, toward speaking out on the size of the immigration intake.

By the early 1980s the party spelled out its commitment to sustainability in more detail.

Its stated objectives included;

2. To accept the challenges of the predicament of humanity on the planet with its exponentially increasing population, disappearing finite resources and accelerating deterioration of the environment.

4. To seek the transition to a sustainable economy, in equilibrium with world resources and ecosystems, with a minimum of dislocation by planning the necessary changes in good time,

and by increasing public awareness of problems ahead.

These remain among the objectives to this day.

Population policy was also made more explicit:

To stabilise Australia's population as quickly as possible, investigating the sustainability of that population and then adjusting the population size until sustainability is reached.

This policy placed priority on bringing the country's population size into balance with the ability of the Australian environment to indefinitely sustain that population. However, these general statements left unaddressed the detailed proposals as to how population was to be either stabilised or adjusted. By the late 1970s fertility rates were already falling below replacement. Given this, it was clear that population would eventually stabilise if it were not for immigration. Further, although fertility is difficult for governments to influence, the immigration intake is a matter for constant government review and control. The general nature of the party's policy caused those who wanted more specificity to concentrate on developing a more precise immigration policy and to try to get members to adopt it.

However, the general nature of the policy of the early 1980s was seen by some as an advantage. This group included those who:

- did not want to be called racist, no matter how unfairly
- did not want the racist slur used against the party, no matter how unjustifiably
- wanted a larger immigration intake for ideological or personal reasons
- adhered to some combination of the above.

The general terms in which the policy

was framed was an advantage to them as it allowed them simultaneously, but inconsistently, to espouse ecological sustainability and a large immigration intake.

THE IMMIGRATION POLICY OF 1995

Policy formation within the Democrats has always been the prerogative of members through postal ballots. Between 1990 and 1995 three policy ballots were held on the specifics of immigration intake. Each produced essentially the same result. Each sought an immigration intake equal to emigration with priority given to a non-discriminatory refugee intake. But members who opposed a more specific immigration policy successfully challenged the first two ballots on technical grounds. The third was unchallenged and became policy in 1995. Nonetheless, opposition by the dissenters did not cease and some among the parliamentary representatives failed to adhere to, or to promote, the democratically membership determined policy.¹

Democrat parliamentarians have a guaranteed right to hold and express views different from policy and to vote in parliament against policy and according to conscience. However in exercising this right the party places a responsibility on them. When such a vote is exercised, the member is required to explain the party policy and to explain why he or she holds a different view.

The Immigration Policy formally adopted in August 1995 contained the following:

INTRODUCTION

Australian Democrats Immigration Policy is an adjunct to the Population Policy and should be read also in conjunction with the Environment Policy. The latter takes as its principle guide the urgent need to

establish in Australia a pattern of ecologically sustainable relationships between the human and the natural Australian environment.

This policy was balloted in August 1995 and replaces all other policies in this area.

OBJECTIVE

To implement and manage a non-discriminatory immigration program governed by the need to limit Australia's population to an environmentally sustainable level.

POLICY

- i. Australia's migration levels (immigrants [including refugees] less emigrants) shall not exceed that number that will allow the population of Australia to be stabilised at a level which is consistent with an indefinitely sustainable environment.
- ii. Until a sustainable population is achieved, a low level of immigration will be continued with the annual number of immigrants (including refugees) set so as to not exceed the number of permanent departures of the previous year.
- iii. Refugees will be given the highest priority in immigration
- iv. The processing of applications and the selection of new migrants will be non-discriminatory.
- v. High quality post arrival educational and orientation services will be provided.
- vi. Recognition of qualifications, linked with the right of reciprocity for Australian qualifications, and based upon careful assessment of course content, curricula and requirements, and professional and trade experience will be provided.
- vii. Money saved from a smaller

immigration intake will be spent on a greatly expanded foreign aid program recognising that a dollar spent here produces more human welfare than when spent bringing and settling a migrant in Australia.

Clauses I and II made the link between sustainability and the immigration intake quite specific, clause III made it clear that priority was to be given to refugees, and clause IV that there was to be no discrimination in the selection of potential migrants. Clause VII lay to rest the claim that the policy was inhumane. This is important. Anyone who has bothered to compare the per capita cost of immigration with the per capita cost of welfare measures such as health and education in Third-World countries cannot help but be impressed with the enormous human welfare benefits to be gained from such a shift of resources.

It is a mistake to believe that Australia's current immigration program is fundamentally shaped by humanitarian values. From 1992-1993 to 2000-2001 the formal program has varied between around 70,000 to 80,000 per annum though in 2000-2001 it is likely to reach 93,000. The humanitarian program is additional. It has been set at around 12,000 per year. Of these 12,000 humanitarian places around 4000 have been reserved for people who are selected off-shore on the grounds that they meet the Geneva Convention definition of a refugee.² Until recently the other places have been filled by people who do not meet this definition but who have been selected under the Special Humanitarian Program and the Special Assistance Program. Now, however, these latter places have increasingly been taken up by asylum-seekers claiming refugee status on-shore.

Whether the non-refugee

humanitarian entrants are included in the 'refugee' figures or not, the humanitarian component of the formal program is small. If we add in permanent arrivals who are not included in the program (mainly New Zealanders), the proportion selected on humanitarian grounds is even smaller. For example in 1999-2000 there were 92,272 permanent settler arrivals;³ a humanitarian sub-program of 12,000 is only 13 per cent of such an intake.

The 1995 immigration policy set out above is manifestly more humanitarian than the status quo. Nonetheless, to appear politically correct, or for any of the reasons given above, opposition to this eminently defensible policy continued within the party after 1995. But dissident Democrat members have never explained how an even larger population is to be made sustainable. Just as Malcolm Fraser has called for an Australian population of 50 million and has *asserted* that such a population is sustainable, so these members have never joined the environmental *debate* and explained in detail how such a large population is to be made environmentally sustainable. They have not used facts and reasoned argument to attempt to revise the policy openly, rather, procedural processes have been used to undermine it.

THE STRANGE ADVENT OF THE FIVE-YEAR RULE

In February 1998 a motion was passed through the National Executive (NE) of the party which caused all policies more than five years old to be no longer policies of the party. Well before the five years limit, (August 2000) the spokesperson on immigration, Senator Bartlett, claimed that the 1995 immigration policy was no longer the policy under this new five-year rule. Senator Bartlett has since defended the size of the present immigra-

tion intake and is well known not to support reducing the current immigrant intake. But the constitutionality of the National Executive's (NE) action in independently deciding on the five-year rule has been challenged.

The Constitution of the party says that;

9.1 Policies shall be formulated with the maximum participation of members and shall finally be determined by the direct and equal say of the membership by a voluntary postal vote.

It appears that the NE has belatedly accepted that it may have exceeded its powers and has called for a membership ballot on this five-year rule. This ballot is yet to be held. It is this writer's belief that the rule will not be accepted by the membership, not least, because the process of policy formation through postal ballot is slow. Under such a five-year rule the party would never have a full suite of membership-determined policies. This would leave the NE or the parliamentarians free to make policy on the run and would move the party away from being a member-driven party.

After the five-year decision was made all policies were withdrawn from the Website. Against each policy heading the Website simply said 'Under Review' but then included statements by parliamentarians that, under the Constitution, cannot carry the imprimatur of the party. However, it is very likely that many reading this web page would have been misled into thinking that the statements were party policy or were consistent with it. Lack of policies on the Website led to criticism of the party by non-members but, more significantly, new party members were denied access to policies determined over the years by their older compatriots. Those seeking

hard copy of policies were often told that policy documents had been lost from computers and were not available.

THE DEVELOPMENT OF THE NEW POLICIES

Into this policy vacuum the party inserted new policy conveners who, without reference to or knowledge of what had gone before were expected to formulate new policies across a wide range of matters, not just population and immigration. Noteworthy among other contentious issues during this time was taxation. Balloted party policy made it quite explicit that acceptance of a goods and services tax (GST) was inconsistent with both party philosophy and policy. The party had strongly opposed a GST during the 1993 election. Abolition of this taxation policy under the five-year rule and denial of access to policies allowed parliamentary leader, Senator Meg Lees, to embrace the GST in 1998. But it then caused her to lose the leadership of a much-angered party.

This usurping of membership control by some in leadership positions has been as much a cause of dismay as the specific policies which have been ignored or overturned. Besides commitment to environmental sustainability, a high priority of Democrat members has always been adherence to grass roots democracy and there is widespread concern that this adherence has been greatly loosened.

Within the Democrats the parliamentary portfolio holder is not the person who formulates policy. The process of policy formation is as follows. A policy convenor solicits input from members and, from this, drafts a document that is published in the National Journal of the party. This is to elicit further member suggestions for possible inclusion in the policy. Membership input is edited into a

series of questions which are then put to a postal ballot of all members. The result of this ballot then becomes the policy of the party.

In the present instance those charged with writing the new policies seem to have been under no instruction to start with existing policy, it being assumed at the time that the five-year rule had abolished almost all policy. Policy items were solicited by the policy convenor from members. I engaged in a considerable correspondence with the convenor writing the 'new' immigration policy arguing for inclusion of the clauses that had previously been approved by members and which formed part of the 'old' policy. Other members wrote to the National Journal of the party supporting this inclusion. Correspondence petered out when it became clear that the convenor did not share the philosophy behind existing policy, or the policy detail.

Before the suite of seventeen policies (a small fraction of all policies, but interestingly including immigration but not population, environment [see the 1995 policy above] or taxation) were put to members in 2001 a new policy coordinator, Rod Bennison, was appointed. Rod had been on my staff for one year when I was a senator. I knew he, too, did not share a belief in or support for the existing immigration policy. Nonetheless I engaged him in lengthy email correspondence (some letters running to 14 pages) arguing for retention of the existing policy and for it to be re-presented to members, along with any new items for ratification or rejection. I also argued that, as immigration policy was a subset of population policy, the latter should be balloted first. It will be noted above that

the immigration policy adopted in 1995 clearly draws attention to the need to read it in conjunction with the population and environment policies.

Rod was clearly unwilling to do either of these things and thus was, in effect unwilling to let members decide. But again, before the policies were ready for ballot, he left the job and it passed back to the earlier convenor who eventually published the draft policy questions on which members were asked to vote. In no policy did these contain any reference to pre-existing policies. By now most members were ignorant of what those policies were.

THE 'NEW' IMMIGRATION POLICY

Based on ballot questions which excluded reference to immigration numbers members voted for a policy which contains no numbers, either of total immigrants or numbers in particular categories. The new 2001 policy contains the following:

Objective:

The Australian Democrats believe in a non-discriminatory immigration program, which gives priority to refugees and family reunion, the total number of which when included with overall population trends will not impede sustainability of the nation's natural resources.

The detail which follows this 'objective' is exclusively about the welfare of immigrants and is really a welfare policy, not an immigration policy. Comparison of this objective with clauses I to III of the 1995 policy given above shows that, with the exception of inclusion of family

reunion as an equal priority with refugees in the 2001 document, there is no inconsistency between them. The two could easily be set side by side, with the 1995 items providing the detail missing from the 2001 policy. However, exclusion of the 1995 items will allow those who want to fudge the issues of sustainability and population to continue doing so.

A number of members were upset by the way existing 1995 policy had been suppressed and new policy formulated without full and proper consideration of member's input to drafts. They sought to challenge the process and overturn the result. Mayo Branch in South Australia appealed to the party's Appeals Coordinator setting out much of the material outlined in this paper above. The appeal claimed that constitutionally members were the only ones who could make policy and consequently were the only ones who could unmake policy. Policy remained policy until the members, through a ballot decided otherwise. The 1995 immigration policy remained the policy alongside any new items that had since been adopted by members, by ballot.

The appeal also claimed that the NE had not given members access to existing policy, indeed had withheld policy from members over an extended period. It had done this through:

- the application of the five-year rule;
- withdrawal of policies from the Website; and
- refusal to provide policies to members.

There was particular objection to the five-year rule. The appeal claimed that the recent ballots for all seventeen policies were invalid and the results should be set aside. The Appeals Committee rejected the appeal on the grounds that it was two days out of time.

The Constitution of the party contains three clauses dealing with appeals. The first two deal with appeals against ballots for candidates, the third, appeals against policy ballots. The first two give both a period during which an appeal may be lodged and a starting time for that period, that is, after the result of the ballot is announced. The third clause gives a period but no starting time. The Appeals Committee took the time to be when the ballot was initiated, not when the result was declared. However, the Committee did consider there was merit in the appeal and referred the appeal material to the NE for its consideration. Before the NE met the Mayo Branch wrote to it asking that the results of all the 2001 policy ballots be set aside, providing the same arguments as those set out above. The NE has met and has decided not to set the ballot results aside but at the time of writing, the reasons for this decision are not known. These are the objective details of a battle, but are they the reasons?

CONCLUSION

Political correctness is alive and flourishing throughout Australia, not least among those who seek, or have gained prominence, in the Australian Democrats. No subject is more affected by the dead hand of PC than immigration. Although evidence abounds that even a population of 19 million Australians cannot live sustainably in Australia's difficult environment, although it is axiomatic that population size contributes half the environmental impact, both the old parties and many in the Australian Democrats want to deliberately and dishonestly fudge the important link between numbers and environmental stress.

Depending on the outcome of the internal battles outlined above, the

Australian Democrats will either continue to be the only party with environmentally sound and humane population/immigration policies or will sink inevitably and with determination into

conformity with the wishy-washy vagueness of every other party. Meanwhile disillusionment with political parties and the political process will continue to rise.

References

- ¹ J. Coulter, 'A biologist in the Senate', *People and Place*, vol. 4, no. 3, 1996, pp. 1-4
- ² Figures derived from data published in *Population Flows*, Department of Immigration and Multicultural Affairs (DIMA), Canberra, December 1999, pp. 15, 22, and 2000, pp. 16, 24.
- ³ *Australian Demographic Statistics (December Quarter)* Cat. no. 3101.0, Australian Bureau of Statistics, Canberra, 2000, p. 30

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