

## Audio recording transcript: Social Science Stars

Melbourne, September 2018

- Thijs van Vlijmen: Hello, my name is Thijs van Vlijmen and I'm Associate Editorial Director for academic journals at Routledge in Australia.
- Divya Das: Hi, I'm Divya Das and I run CHASS, Council for the Humanities, Arts, and Social Sciences.
- Thijs V.: We are pleased to present a recording of our Social Science Stars event, which was held in September 2018 in Melbourne at RMIT. You're about to listen to Robert Manne and Leanne Weber. We hope you enjoy it.
- Divya Das: Hi everyone, good afternoon. Welcome to Social Sciences Stars in Melbourne. I'm Divya Das. I run the Council for the Humanities, Arts, and Social Sciences, CHASS. Before we begin today's proceedings, I would like to acknowledge the people of the Woiwurrung and Boon Wurrung language groups of the eastern Kulin Nations on whose lands we meet. We respectfully acknowledge their ancestors and elders past and present.
- Divya Das: Social Sciences Stars is a series of public events being organized by CHASS in collaboration with publishers Routledge/Taylor & Francis, and The Conversation. This series is running through Australia's inaugural National Social Sciences Week. We've been in Canberra and Sydney earlier this week and Melbourne is our last stop. The world of HASS, Humanities, Arts, and Social Sciences, is going through some challenging times. As we face new challenges, Social Sciences Stars is our attempt to showcase critical social science research and get you thinking about why the world needs it now more than ever. We at CHASS endeavor to bring inspired people like you together in forums such as this to ensure that the sector continues to stay strong, relevant, and connected.
- Divya Das: I would like to introduce Misha Ketchell, who will be moderating this session. Misha is the editor of The Conversation. He has been a journalist for more than 20 years and in previous roles, he was the founding editor of The Big Issue Australia, editor of Crikey, The Reader, and The Melbourne Weekly. He worked for The Age as a reporter and feature writer and spent several years at the ABC where he was a TV producer on Media Watch and The 7:30 Report and an editor on The Drum.
- Divya Das: Thank you, and over to you Misha.
- Misha Ketchell: Thank you, Divya. I have the privilege of introducing our guest today and I think you probably all know that Robert Manne needs no introduction, but I'm going

to do it anyway because I think it's important to explain the context of what Robert's going to contribute for us today. Robert is Emeritus Professor of politics and Vice Chancellor's Fellow at La Trobe University. He's the author of 27 books including *The Petrov Affair*, *The Culture of Forgetting*, *In Denial*, *Left Right Left*, *Making Trouble*, *The Mind of the Islamic State*, and most recently *On Borrowed Time*, and that's only a few of the books that he's written. Manne was editor of *Quadrant* between 1990 and 1997, and has been Chair of the boards of both the *Australian Book Review* and *The Monthly*. He has been a regular public affairs columnist for several Australian newspapers and magazines since 1987, and a frequent commentator on ABC Radio and television. He's a Fellow at the Academy of Social Sciences in Australia.

Misha Ketchell: I think in what we can see is sort of an increasingly shrill and partisan media landscape, Robert Manne's contribution and public life represents, to my mind, something as sort of an opposite approach. Regular readers of Robert Manne will be familiar with the experience of seeing his byline and settling in to read something that you know will be utterly independent, rigorous, nuanced, calm, evidence-based, and wonderfully clear. For anyone in Australia who wants to make sense out of complexity, in my view, Manne is essential. I can't think of a topic in the last 30 years on which his moral intelligence has not helped me see things differently whether it be the strange case of Helen Demidenko's book, *The Hand That Signed The Paper*, or our responses to climate change, or indigenous dispossession, or making sense of Wikileaks, or today's fraught topic, asylum seeker policy. I think Robert Manne exemplifies the type of public engagement of humanities and social sciences that this week has been established to celebrate, and I'm very pleased to introduce him to you. Thank you.

Robert Manne: First things first, make sure you can hear me. Since my larynx was removed about 18 months ago or a bit longer, I've decided not to vacate the public stage. I call this "rhetorical disability", something I was not interested in until my larynx was removed because of cancer. Because of Divya's charm, I've agreed to do this. It's the first public lecture I've given although I've done radio and television things and the Book Writer's Week and all that. I thank Misha very much for his kind words. I sometimes think that Misha and I are going to be the last two people interested in calm discussion in this country.

Robert Manne: I was going to talk about climate change and the challenges that climate change poses to social sciences, until I started reading Behrouz Boochani's book, and I decided I had to talk about this asylum seeker question. I warn you that what I say will please no one. I hope it will interest everyone. That's my hope.

Robert Manne: If you'd been told in 1990 that Australia would become the country that leads the world in mistreatment of refugees and asylum seekers, you would not have been believed. When Malcolm Turnbull outlined our current policy to Donald Trump in their now notorious telephone conversation, the US President was mightily impressed. I quote, "You're worse than I am." No more evidence about the character of Australia's asylum seeker refugee policy is required.

Robert Manne: I wear two hats and have done so since the mid 1980s, one, as a social scientist cum political historian, the other is what is almost universally now called a 'public intellectual'. As a social scientist, I have attempted to explain Australia's remorselessly cruel asylum seeker policy. Here is the summary of what I've come to.

Robert Manne: Australia's recent mistreatment of asylum seekers is partly explained by the historical dimension of what is called immigration department's 'culture of control', not the racism in the White Australia policy, but what I call its absolutism. For almost a century, this country tried to prevent every one person of colored skin from coming to this country. It couldn't prevent the indigenous people, who've been here for 50,000 years. It couldn't even prevent the Chinese and Indians that come in the 19th century and everyone else was barred. What has happened is from persons with colored skin, we've transferred to people who come seeking asylum by boat. The aspiration now is to prevent every single boat from arriving with asylum seekers, hence the rather ludicrous high national drama recently about one insignificant Vietnamese boat which arrived in Queensland. So my first part of the argument is absolutism, the culture of control. Domestic politics is my second explanation.

Robert Manne: John Howard, in 2001, introduced radical new policies and Kim Beazley gave John Howard almost entire support even for offshore processing, the most radical departure, and yet Howard claimed on the base of almost no evidence that Labor was weak on border security. Then in every election except 2007, that weakness ... "We are strong on border security, Labor is weak," has been electoral gold, and will be again in the next election even though no basis whatsoever. But in order to meet this charge in mid 2013 when Rudd got the Prime Ministership back, he made the pledge, the promise, that no one who was on Manus Island or Nauru would ever be settled in Australia. So Rudd's curse complemented Howard's curse, and that's where we stand in domestic politics at present.

Robert Manne: Australia's ambition to be boat asylum seeker free was pursued by four measures: mandatory and indefinite detention, temporary visas only for those judged to be refugees, offshore processing, and naval interception and turnback of asylum seeker boats. The last two were completely successful where the first two had not been successful. And yet even though temporary visas and mandatory detention in Australia plays no role in preventing asylum seekers coming, those measures were continued for no purpose. It's what I call, following Vaclav Havel, the idea of the automaticity. Policy grinds on unrelated to ends, unrelated to what measures work, what measures don't. In other words, the lives of tens of thousands of boat refugees in Australia are made miserable for no reason. Automaticity makes the cruelty, the pointless cruelty, continue.

Robert Manne: For this purposeless cruelty, there is one more explanation. Ministers, public servants, and defense officials were by 2013 genuinely unsettled by the pace of asylum seeker boat arrivals. 25,000 arrived in one year, 2012 to 2013. More

than 4,000 arrived in one month, July 2013. As a consequence, a curious mindset captured 'Canberra', best characterized by the idea, the social science idea, 'groupthink'. Canberra had come to believe that even the smallest act of human kindness would threaten their deterrent policy, putting people smugglers back in business, and see an armada of asylum seeker boats set sail. Those captured by this groupthink were immune to evidence.

Robert Manne: In late 2016, Malcolm Turnbull announced that 1,250 asylum seekers would go to the States. According to groupthink, there should've been an armada setting sail. The navy was readied, the largest naval exercise in Australian history, to turn back that armada. Nothing happened. But the mind went on, the groupthink wasn't defeated. Canberra still believed, or claimed to believe, that removing even one brick from the building would bring the whole building down. Groupthink.

Robert Manne: As time passed, it's become evident that the people on Nauru and Manus Island, too fearful to return to their countries, sheltering in huts or tents from ferocious heat, have been stripped bare of dignity and of hope, and were completely remorselessly and systematically being destroyed. The destruction of these people in both body and spirit is no secret. We all know it. Guardian Australia published The Nauru Files. As I mentioned, Behrouz Boochani has published a masterpiece. And yet we've learned recently that children have withdrawn from life. Children don't eat or drink much, they barely speak. They're almost comatose. They soil their beds. We know this and we're unmoved.

Robert Manne: Now, the best explanation I know for this public indifference comes from Hannah Arendt's Eichmann in Jerusalem, her account of how an unexceptional individual like Adolf Eichmann, working as a middle level official in a section of the SS charged with the extermination of the Jewish people, moving in a social world where his superiors thought exterminating the Jews was perfectly proper policy, had lost the ability to see what he was doing, see in a deeper sense. Hannah Arendt called this the 'banality of evil'. The phrase got well known although its meaning not so well known. The banality of evil helps us understand things much less serious, incomparably less serious than the Holocaust.

Robert Manne: Australian government ministers, public servants, defense force and intelligence officers, the country's commercial media, and also the majority of Australian people cannot see what it is we are doing. Even when it's reported that a 12-year-old girl has doused herself with petrol threatening to set herself alight, we barely notice. Perhaps one day, our eyes will open. By then unfortunately for the people on Manus and Nauru, it will be too late. So much for my thinking as a social scientist.

Robert Manne: I'm going to do something strange. I realize I can't do things like this. Could you read it?

Misha Ketchell: Sure. Okay, I'm going to continue reading Robert's talk.

- Misha Ketchell: So much for my thinking as a social scientist. What about my identity as a so-called public intellectual? Intellectuals, in my mind, are the scholars and scientists who in addition to their scholarly or scientific work, aspire to affect the political or ethical trajectory of their country, or on occasion the world, by use of the written or spoken word.
- Misha Ketchell: Australians now face a deep ethical crisis. In the face of the barbarity of Nauru and Manus Island, I have long believed that my responsibility as a public intellectual extends beyond the analysis of why things have turned out in the way they have. To the search for an argument that might convince 'Canberra', the political, public service and defense elites, to bring to Australia the refugees and asylum seekers who have already been on Manus and Nauru for five years. In my view, that involves finding and repeating again and again, if at all possible in the company of others, an argument powerful, practical, and watertight enough to open eyes in the Arendtian sense and overturn Canberra's current boat refugee groupthink. The search for such an argument must begin with an accurate understanding of the principle roadblock, the Canberra mindset. Here is my version of what Canberra currently believes.
- Misha Ketchell: Between 1999 and 2001, a significant number of asylum seeker boats from Iraq, Iran, and Afghanistan reached Australia. The two deterrent policies mounted, mandatory detention and temporary protection, failed to stop the boats. As a consequence, the Howard government in September 2001 introduced two additional deterrents: offshore processing and naval interception of asylum seeker boats and turnback. The deterrent system now worked. Between 1999 and 2001, 12,000 asylum seekers arrived by boat. Between 2002 and mid 2008, approximately 300. If there was any remaining uncertainty about cause and effect regarding asylum seeker boat arrivals, it was settled by experience during the governments of Kevin Rudd and Julia Gillard. From mid 2007 to mid 2008, with the Howard policy still in place, 25 asylum seekers arrived by boat. In 2008 to 2009, the number had reached 1,000. In 2009 to 2010, 5,300. And in 2012 to 2013, 25,000. If the trajectory continued, there was no reason to believe it would not, it was then possible that 50,000 asylum seekers would arrive by boat in a single year.
- Misha Ketchell: The principle reason that so many asylum seekers bought a passage to Australia from a people smuggler between 2009 and 2013 was straightforward: Rudd's removal of the two successful Howard deterrent measures, offshore processing and turnback. Under Gillard and Rudd's short second government, offshore processing was restored in stages. In one particular, Rudd went even further than Howard. He pledged that no asylum seeker on Nauru and Manus Island would ever be settled in Australia. During Rudd's second government, boat numbers slowed. Abbott embraced Rudd's pledge and restored naval turnback. The boat arrivals stopped. Canberra was by now convinced that if the policies of offshore processing and naval turnback were once again abandoned, or even if the refugees in Nauru and Manus Island were brought to Australia, a signal would reach the people smugglers and an armada of asylum seeker boats would set sail.

Misha Ketchell: By now, Canberra had even somehow managed to claim the moral high ground. The passage from Indonesia to Christmas Island or Ashmore Reef was perilous. On that passage, more than a thousand asylum seekers had drowned. Stopping the boats had therefore saved countless lives. If the refugees and asylum seekers on Nauru and Manus Island are to be saved, it is this Canberra mindset that asylum seeker advocates must overcome.

Misha Ketchell: Canberra has faced a powerful, prolonged, and heartfelt opposition on the question of Nauru and Manus Island from the Greens, from organizations like Get Up, from refugee support groups, from leading lawyers, doctors, journalists, from members of the academic and artistic worlds, from many ministers of religion, and from a solid minority of public opinion. For the purposes of this talk, I will call this group The Opposition.

Misha Ketchell: The argument of The Opposition has been both moral and legal. From the moral point of view, it claims that the destruction of innocent people by prolonged and indefinite detention in a situation without dignity or hope is wicked and unconscionable. From the legal point of view, it claims that naval interception and turnback to Indonesia, the country of embarkation, and some reprocessing at sea followed by turnback to country of claimed persecution, predominantly Sri Lanka or Vietnam, are in clear contravention of international law, most importantly, the refugee convention.

Misha Ketchell: The ambition of The Opposition is captured in two slogans: 'Let Them Stay' and 'Bring Them Here'. The first demands that by now, approximately 400 people brought here for medical reasons and their family members be allowed to stay permanently. The second demands that all proven refugees, and usually in addition all asylum seekers on Nauru and Manus Island, even those found not to be genuine refugees, be brought to Australia without delay. In general, The Opposition ignores the argument of Canberra. In so far as it does respond, The Opposition claims untruthfully that there is no evidence that the deterrent policies of offshore processing and naval turnback did in fact stop the boats. It attributes the pauses in the arrival of boats, 2002 to 2008 and then 2014 to 2018, to the global situation, the supposed ebb and flow of refugee movement, and it claims that Canberra's attempts to take the moral high ground by pointing to the deaths by drowning, is entirely opportunistic and hypocritical.

Misha Ketchell: For many years, the argument between Canberra and The Opposition has been gridlocked. The reason is that the principle claims of both Canberra and The Opposition are true. It is true, as Canberra claims, that the harsh deterrent policies pioneered by the Howard government and then reintroduced in stages by the governments of Gillard, Rudd, and Abbott, did succeed in stopping the boats. And it is also true, as The Opposition claims, that the slow destruction of 2,000 innocent human beings who had the misfortune of arriving on Australian shores not before but after July 19th 2013, is evil.

Misha Ketchell: We come now to the question of responsibility. Having written regularly on refugee matters since the 1970s and on the particular question of the boat

arrivals from Central Asia and the Middle East since 1999, I was once a member of the opposition. I broke ranks however for two reasons. The first is easily explained. After 2002, the opposition was in general unwilling to face up to the unpleasant fact that the harsh Howard government policies had indeed virtually stopped the boats. For this dishonesty, there would be a heavy price to pay.

Misha Ketchell: The second reason is more important and will take a little longer to explain. In general, the claims made by The Opposition are moral and legal. They overlook a third dimension, the political. From the political point of view, certain things are stubbornly self-evident. It is clear that decisions about the fate of the people on Nauru and Manus Island will be taken by the Australian government. It is clear that this government will be formed by either the coalition or by Labor, and it is clear that neither a majority or minority coalition or Labor government will return to the policy position the Rudd government took in mid 2008: the abandonment of offshore processing and naval interception and turnback.

Misha Ketchell: For the simple reason, as Canberra understands, and Canberra here includes Labor, that these policies were responsible for the arrival by boat of 50,000 asylum seekers in the space of four years, and for approximately 1,000 deaths by drowning at sea. By ignoring the political dimension, the stale truism that politics is the art of the possible, The Opposition has failed to search for a politically feasible solution to the tragedy of the people who have been marooned on Nauru and Manus Island by us for the past five years or more.

Misha Ketchell: The political dimension of the problem, how to conceive a government to bring the people on Nauru and Manus Island and to allow those already here for medical reasons to remain here, is unusual. In most cases, the long term maximal ambitions of those calling for change are consistent with short term minimal demands. Take the case of climate change policy, another contemporary issue dividing Canberra from an opposition. The long term maximal ambition of the opposition here is the end of coal mining in Australia. The short term minimal goal is to prevent the Adani coal mining project on Cape York from proceeding. Here, the argument for the maximal position strengthens the minimal demand.

Misha Ketchell: With the refugees on Nauru and Manus Island, this is not the case. Here, the maximal demand, the end of offshore processing and naval turnback, weakens the minimal demands, bring them here and let them stay. So long as Canberra sincerely believes or can plausibly claim that bringing the refugees and asylum seekers on Nauru and Manus Island to Australia and allowing those already here to stay involves a return to the situation Rudd introduced in 2008, the status quo, the slow destruction in body and spirit of 2,000 innocent human beings, will be maintained.

Misha Ketchell: Tim Costello, Frank Brennan, John Menadue and I, have been arguing for the past two years that a politically feasible solution does exist. The solution has several elements: allowing the people from Nauru and Manus Island in Australia for medical reasons to stay here and providing them with suitable visas,

accepting without delay the New Zealand offer of 150 settlement places, gradually bringing all the refugees and asylum seekers from Nauru and Manus Island to Australia, maintaining the policy of naval turnback and interception. Until assured that no armada of asylum seeker boats will set sail, which is the prevailing Canberra nightmare, the Indian Ocean surveillance fleet can not only be retained, but even be strengthened, as was done at the time of the announcement of the Turnbull-Obama deal. And, as an additional insurance policy, the offshore processing facilities on Nauru need not be closed but only mothballed.

Misha Ketchell: Both the evidence from recent history and the application of common sense suggests that with a policy of this kind, there is no chance of a return to the open border situation between 2008 and 2013. Let me outline briefly the historical evidence and the argument from common sense. Between 2005 and 2007, the Howard government brought hundreds of refugees and asylum seekers from Nauru and Manus Island to Australia. This did not see the return of the asylum seekers boats. In late 2016, the Turnbull government announced the deal for 1,250 refugees presently on Nauru and Manus Island to be settled in the United States. This, too, did not see the return of the asylum seeker boats. Nor is it even remotely likely that there will be an upsurge of asylum seeker boats if the solution Costello, Brennan, Menadue, and I have suggested is implemented.

Misha Ketchell: Under our proposed solution, what the people smugglers have to offer their potential clients can be summarized like this. Clients will be required to pay several thousand dollars for a passage on an unseaworthy fishing vessel on which there is a high statistical possibility that the asylum seeker, and if they are not alone, the members of their family, will drown. If the boat proves seaworthy, there is an almost 100% chance that the boat will be intercepted by an Australian naval vessel. In this case, they will most likely be returned to the point of embarkation, or if that proves impossible, to indefinite detention inside an offshore processing facility on Nauru. To put it mildly, this is not an attractive business proposition.

Misha Ketchell: If I can be permitted in conclusion to speak personally, and obviously I'm reading Robert's speech here, I found it painful to advocate a solution which so conspicuously involves vacating the moral high ground. I have vacated it however as I can think of no other that might bring to an end what I regard as the most terrible act to have been perpetuated by the Australian state during the course of my lifetime. It is interesting to me that the Costello, Brennan, Menadue, Manne solution publicized in several articles, in the Fairfax press and The Guardian Australia has so far, at least, gathered little support except for the occasional whispered admission, "Actually, I agree with you."

Misha Ketchell: Why? I must now once again put on my social science hat. NGOs with international connections understandably must fear losing face with their colleagues from other countries who would find it difficult to understand the local political situation. The Greens have nothing to gain and much to lose if

they supported a solution of this kind; angry friends of asylum seekers form one of their most important constituencies. Even if leading members of federal parliamentary Labor party found such a solution attractive, if they breathed even a word of support for something like this, the coalition would pounce. Nor would it tempt the coalition. The Howard curse of 2001, "We are the tough guys on border security and Labor is weak", has served them handsomely in all but one federal election since 2001. And as for the members of my peer group, the wordsmiths, the public intellectuals, we prefer something more inspiring and high-minded than messy compromises of the kind I have championed this afternoon.

Misha Ketchell: Great, that's it.

Robert Manne: Can I say that not only did you read well, but I agreed with almost every word.

Misha Ketchell: Thank you, Robert, that's fantastic. I've actually also been reading the Behrouz Boochani book. Anyone who hasn't read it really should. It's an astonishing piece of work. And I think the solution that Robert's proposed here, although it does involve obviously some compromises, it's aimed at addressing the very, very real plight of the individuals who are still currently incarcerated, who are still on Nauru and Manus Island, and I think that really should be the foremost in our minds currently. The point that you made about the fact that we've got a policy which is now disconnected from its ends because the ends are being achieved in other ways, I think, is a really important point, and we'll come to that in the discussion.

Misha Ketchell: I would just like to introduce our next speaker, somebody else who I'm very pleased to be able to introduce. Leanne Weber is Associate Professor of criminology, Co-Director of the Border Crossing Observatory, and Australian Research Council Future Fellow in the School of Social Sciences at Monash University, Melbourne, Australia. She researches border control and migration policing using criminological and human rights frameworks. Her books include the Routledge International Handbook on Criminology and Human Rights 2017 with Elaine Fishwick and Marinella Marmo, Policing Non Citizens 2013 Routledge, Stop And Search: Police Power In Global Context 2013, and Globalization and Borders: Death at the Global Frontier. Leanne also co-wrote a terrific article on The Conversation today, which I would recommend you all read, about the need for an independent body to handle police complaints, and she's also made a really significant contribution to our coverage of asylum seeker policy issues, drawing on her expertise about border policing in particular. So I'd like to invite Leanne to speak. Thank you.

Leanne Weber: Thank you very much for the introduction. I would like to thank the organizers too for the chance to be here at this very exciting event. I'd like to pay my respects to the traditional owners and acknowledge that sovereignty over this land has never been ceded. I also find myself very honored to find myself in such stellar company, Robert, and you can see from my title that I have embraced the theme of the series, which is Stars of the Social Sciences,

although it's not a concept I feel personally comfortable with. So, I wanted to talk a little bit, if you'll indulge me, about that issue, about whether we need to be stars, whether we can make impacts in other ways. But I'm getting the sense that people would very much like to get back to the issues that Robert has raised, so I'm going to cut some of that short, and I will return to some of my own work, the work of my colleagues at the Border Crossing Observatory, that touches a lot on the issues that Robert's raised.

Leanne Weber: Thinking about this theme, Stars of Social Sciences, I concluded that my role this afternoon is to speak for those hardworking social scientists who may not shine quite as brightly as other colleagues, who have the confidence and the flair and the panache to really make high level contributions to public debate. That's not all of us unfortunately. So I'll focus instead on other strategies that we more sort of retiring types can use to ensure that our research doesn't disappear into that black hole that is academic publishing.

Leanne Weber: A few years back, some prominent British academics published a book, Public Criminology, that's the field that I work within, that called on criminologists to engage more effectively in public debate via the media. Now, this is clearly a very good thing, but had some of us, or maybe I'm just speaking for myself, wondering whether that was really the only way to make a meaningful contribution. Do we all have to be media stars or are there other ways we can achieve impact?

Leanne Weber: I use the term 'impact' in the subtitle, aware that that's a current buzz word at the moment in academia. I'm not sure if we've got all academics in the audience but for those who are not, after a long time of being judged mainly by our academic journal articles and books, we're now being asked, quite reasonably, to demonstrate that we've made an impact in the real world. Well, most committed social scientists approach their work, in any case, with the aim of making some kind of positive change even before this impact agenda came along. But then again, it's not something we've ever had a lot of help with, whereas universities put considerable resources into assisting STEM researchers, so technology and scientific researchers, to translate their findings into money making ventures.

Leanne Weber: We don't often see a similar effort to help social sciences influence law and policy or establish not-for-profit programs or hold authorities to account for the plight of marginalized groups. So we need to try to do that ourselves, and some of us are better at that than others. I do hope the impact agenda does eventually lead to more infrastructure and support for these efforts. I think we're starting to see that happen, it's early days yet, and doesn't just descend into endless Tweeting about ourselves, which has been one of the responses to this new agenda. Taking the star analogy a bit further, I want to give you an example of social scientists trying to increase their impact by forming what I'm calling today, a constellation. So I'll spend the next little bit of time, I'm going to cut it a bit shorter than I had planned, telling you about the Border Crossing Observatory website.

Leanne Weber: Interestingly, when I checked with my more scientific partner that a constellation was in fact what I thought it was, one observation he offered was that the stars in a constellation didn't need to be physically close to each other. I hadn't realized that. They could even be in different galaxies, but viewed from the Earth, they appear to cluster together in a way that makes an impact on us, the observers. And I haven't checked on Google whether that's right because why spoil a good story that suits my purpose, and it's a nice analogy with the Border Crossing Observatory since although it began with a very close group of colleagues from Monash University, Monash criminology, who pooled our resources from funding we had, for several projects we were working on together, to get this website started. We've been able to since then build networks with colleagues, not exactly from other galaxies but from around the globe and from other disciplines, make it all come together as a sort of virtual entity.

Leanne Weber: Although I was a co-founder of the website, it was the brainchild of Professor Sharon Pickering, who was looking to find ways to disseminate findings from her Future Fellowship project on women and border crossing to a whole range of audiences as part of the quest for impact, and this was the solution that she found. Sharon's probably the brightest star within our little constellation. For example, she was awarded an Australian Human Rights Award in 2012 for a series of articles in The Conversation around the deliberations of the Houston panel. Unfortunately the panel still introduced the disastrous No Advantage policy, which was deterrence by another name, against the weight of all the evidence and argument that had been presented by academics there. As Robert alluded to, achieving impact is particularly elusive in this politically-driven policy area where evidence doesn't count for much.

Leanne Weber: I was going to run through some of the projects that we are running on Border Crossing Observatory pointing out how all of us working together, our little group, has really helped us to join forces and increase our impact, but I think I will skip that because I know you want to stick with asylum policy. So I'll skip through this next one too. We're now trying to take a step up further by bringing the Border Crossing Observatory under the auspices of a broader center, the Monash Migration and Inclusion Center. We hope to increase our impact further there. So, the Border Crossing Observatory has become part of the Borders and Bordering portfolio that you can see on your screen there.

Leanne Weber: I want to spend the time I have left discussing the ongoing project we've been doing for a while that has the closest fit with the theme of today, and I think will touch on a lot of what Robert's been talking about, and raises the question of the duty of academics in relation to the detainees on Nauru and Manus Island in particular and to asylum seekers more generally. That project is called the Australian Border Deaths Database.

Leanne Weber: Work on this began when Sharon Pickering and I were researching our book Globalization and Borders: Death at the Global Frontier, which was published in 2011. We believe that border related deaths were a global phenomenon, not

just something that was being inflicted on Australia as was often presented. We looked at data and commentary from around the world, not just with the intention of counting what deaths were happening and where, although we believe that serves an important function as an act of recognition, but also to hold governments to account by highlighting the links between border control policies and these avoidable deaths. Many of them are quite avoidable deaths. We observed the connections between these two things might be quite direct, such as in deaths during deportation, shootings by border guards, fortunately we haven't had that kind of exercise as far as we know going on here, and deaths in custody, where the actions or inactions of border officials are quite visible to us and they contribute in different ways to these deaths.

Leanne Weber: But much more often, the links are indirect and are characterized by geographical separation between the places where policies are enacted and the places where deaths occur. There might not even be a place where these policies are enacted. Many of them take place in a kind of virtual cyberspace, and they involve complex chains of actors. And so we talked about this much more complex type of border related death as the 'structural violence of borders' or as 'death by policy'. It's much harder in these cases to identify a responsible actor, so the morality becomes a big issue, the morality of these policies.

Leanne Weber: A key example of this: policies intended to prevent the arrival of asylum seekers through the denial of visas, preemptive visa checks that happen overseas, basically co-opting airline officials and others into the role of being immigration officials. And as a last line of defense, interdiction at sea. I think I would add to what Robert said, what I call the 'virtual border', an invisible border, which I think does 80%, maybe more, of the work of border control. This is all unseen, invisible, never spoken about in public debate. The denial of access to legally regulated and safe modes of travel is, in my mind, what has largely driven the people smuggling, the necessity for that kind of industry, to evolve, and it's meant that asylum seekers have had to shift into much more dangerous forms of transport.

Leanne Weber: In Australia, no government agency we found took responsibility for collecting data on border related deaths, so we collated the data ourselves using media reports and NGO information, and we decided after the book was published to make that available to a wider audience. Although we're not funded to do this at all, since then we've just felt the responsibility to continue to add to it. It looks like this is a fairly simple affair. It's just a listing of deaths in reverse chronological order in an Excel spreadsheet that we can make available to people on request. For those a little bit more technically minded, behind that we have a SPSS master file that's held in a different format, which enables us to produce statistics, and we also would provide that to anyone who asked.

Leanne Weber: We've now recorded 2,017 deaths since 2000, note that this total here is from the year 2017, at what we call a wide range of border sites, so that would include deaths en route to Australia, deaths in onshore and offshore detention,

deaths in the community that we can relate, perhaps a bit speculatively sometimes, but there is some evidence that the deaths in the community are related to border control, and during or after deportation. Unlike other parts of the world, as far as we know, there haven't been any deaths during deportation, but that's another category that we would collect if any of those deaths occurred. We've just started producing some very simple annual reports, I don't know why I didn't think of it earlier, but we produced one for 2017, and you can see from the bottom row in the first two columns that sinkings account for the vast majority of these deaths. In fact, it's around 95%.

Leanne Weber: Despite the overwhelming preponderance of these deaths at sea, as criminologists, we're particularly interested and concerned about the smaller category of deaths in custody where the duty of care on governments is very, very clear and the parallels, of course, with the criminal justice system are obvious as well. There's far less formality and due process associated with what goes on in immigration detention to say the least.

Leanne Weber: One of the activities we did under that banner was we ran a social media campaign in 2012 with the aim of ensuring that all deaths in Australian detention facilities were included in the national deaths and custody monitoring program that's conducted by the Australian Institute of Criminology. At the moment, the figures there just include deaths in prisons and police custody. We used Twitter to highlight one or two of these deaths each day during the campaign, with suggested actions to write to politicians et cetera under the banner Every Death Counts. We didn't really succeed, at the time, in making a big change, but we were advised that the Australian Institute of Criminology had begun discussions with immigration authorities about perhaps collecting that data. I think it will take a bit more than that to get it to happen, but recent comments by the Queensland coroner have reignited our interest in this topic.

Leanne Weber: Some of you may know that the death of former Manus Island detainee Hamid Khazaei was subject to a coronial investigation. It was actually carried out under the formal death-in-custody procedures that the coroners employ because he died in hospital in Queensland. If he had died in Manus Island, of course there would've been no jurisdiction to do that. Where the deaths occur in mainland detention, we found that state coroners seem to be using their discretion under their state legislation to do this now, to actually designate these deaths as deaths in custody, but that's not the same thing as including them in the monitoring system I referred to earlier.

Leanne Weber: These are two slightly disconnected systems at the moment, but the important thing about the coroner's report that was released just a week or so ago is that he took a step further and called for mandatory judicial investigations of deaths in offshore detention, which would be a huge step forward, but of course has enormous political complexity and issues of sovereignty and jurisdiction. To hear a coroner say that, I thought, was a very important step, and so we're thinking now at the Border Crossing Observatory that it's time to re-look at this and have a more targeted campaign, so if any of you out there are seasoned

campaigners and have any ideas, I'd love to speak to you afterwards. We didn't do a great job of our first campaign, we're just learning, and we'd like to do better next time.

Leanne Weber: Several years ago, we were approached by SBS, who wanted to turn our border deaths data into an infographic, and this is part of that infographic. Just so that you know, we haven't got a live link here, so I've had to just use these static screen shots, so we can't see all of what's there. But each death is represented by a human figure that's color coded to indicate the location of the death. If you had a live link, I could hover over the figure and we'd see there were individual details of that person and the manner of their death. We felt that this has some kind of a humanizing effect to some degree.

Leanne Weber: But also what happened, and perhaps we haven't thought this through enough, was that it brings into stark relief the fact that the deaths at sea, that are shown in blue, were concentrated particularly in the years that Robert has mentioned, 2000 to 2001 and 2009 to 2013, just prior to the introduction of the Pacific Island Solution in the first case, and Operation Sovereign Borders in the second, after which the numbers of deaths plummeted, as Robert has mentioned. Unwittingly perhaps, our data has come to play just a small role probably to support the argument that harsh border control policies, including detention of children, babies, women, men, on Manus Island and Nauru are necessary to save lives. This is the opposite of what Sharon and I believe and had argued in our book; a bit of a problem for us.

Leanne Weber: So to return to Robert's core theme, really, about the responsibility of academics in this very fraught arena, I have considered it a personal responsibility to try to counter these arguments, taking a slightly different tack to what Robert has taken, but I think we've got lots of points of agreement.

Leanne Weber: I found it useful to apply a four step framework called the Dirty Harry scenario. I actually pinched that from my teaching notes, I used to teach undergraduate policing students, and this was a good way to get them to understand so-called noble cause corruption, so it's very handy, I recommend this framework. I think it's terrific just to work out dilemmas that pitch principle, whether it's a human rights principle or just a moral principle, against consequences, and how you can work out how to balance the two. So your standard kind of 'ends justifies the means' argument; it's a way to systematically analyze that.

Leanne Weber: Now, you can see it was put out in one of the opposition outlets, New Matilda. I have to say, Misha, that I was very disappointed that The Conversation didn't want to take this piece, so I had to go to a much lower circulation outlet. I love New Matilda and have published there, but much lower circulation. So if any of you like the idea of this argument, I think it's quite powerful. Please find it on New Matilda, there's the title there that they gave it, and spread it around through social media or wherever. This is the last thing I'm going to say, just to explain this argument. The idea is that using dirty means to achieve supposedly good ends is only morally justifiable if all conditions are met.

Leanne Weber: The first step. Someone has the opportunity to achieve some morally good end or outcome and they aim to do so. Now, I don't think what drives Australian border control policies is the desire to achieve some morally good end, but let's for the sake of argument and for testing the government's argument, let's accept that this is true. So, these policies are designed to save lives, in other words.

Leanne Weber: Two. The means they use to achieve this good end are normally morally wrong; that is their dirty. I think we don't have to talk about that for very long. We know what's going on and the egregious harms and in fact some deaths that have arisen from offshore detention. That egregious harm is going to demand a pretty strong justification in steps three and four.

Leanne Weber: Step three, I think, is where all the action happens. That requires, in order for the breaching of a moral principle, that the use of these means is the best, or perhaps the only practicable way of ensuring that this good end is realized. I think perhaps I'm getting ahead of myself here, but perhaps Robert's practical solution might be suggesting it's the only practicable way, although you wouldn't say that about offshore detention, I should be clear. So I'm talking about offshore detention. Sorry for that confusion; I'll clarify that later.

Leanne Weber: This is where I think the argument falls apart completely, we're focusing on offshore detention, because there are many less harmful options that we can consider first that don't cause so much harm to people, including offering genuine opportunities to seek protection en route, that's not my preferred way to go. Or better still, dismantling the preemptive policies, that I just mentioned briefly before, that are driving a lot of the deaths in the first place, that are actually requiring asylum seekers to use very unsafe means to travel to Australia. Now of course, I totally accept, and here I agree with Robert, that that's totally politically unpalatable, that's not going to happen today or tomorrow or for the foreseeable future, but acknowledging that, and there's been hardly any acknowledgement of this virtual border that is doing a lot of this work that leads to so many deaths and so much suffering, it's not acknowledged at all. I think acknowledging it at least exposes government arguments as being political in nature, and Robert has explained very well for us what the politics involves there. Not humanitarian. So, these arguments are not driven by humanitarianism but by politics.

Leanne Weber: It fails at step three, in my opinion, but just for the sake of explaining the method, if we go on to the last step, the good likely to be achieved by using the dirty means far outweighs the evil likely to follow from their use. This is an empirical question really. Saving hundreds of lives is an undeniable good, I agree with Robert there, but considering the secrecy around Operation Sovereign Borders and the lack of regional or even global research to appreciate the knock-on effects of Operation Sovereign Borders, we can't know for sure whether risks and deaths have simply been displaced elsewhere. I wouldn't deny that there has been an effect, and I agree with Robert that it's been

primarily because of the turnbacks, but there also is a big question about what really has gone on, what ripple effect has happened.

Leanne Weber: Our look at border deaths around the world made it very clear to us that displacement effects were almost universally the outcome of blocking a route. Where those displacements effects have popped up in the world, we don't know, but that is never taken into consideration in the arguments either. As I say, if you think this is a powerful argument, please spread this article around.

Leanne Weber: Just to conclude, I see lots and lots of young faces here, which is good, and perhaps some of you are aspiring to be stars of the social sciences in the future. And I don't want to discourage you from that objective, to be really stellar individuals in your own right, but I've tried to show, although I've cut short my discussion of this aspect of it, that there are many different ways to do the type of social science research that really matters and to try to achieve social good, and it's up to you to find that trajectory that's going to suit you the best. Thank you.

Divya Das: We really enjoyed the discussions at Social Sciences Stars in Melbourne. Robert Manne shared some interesting thoughts on the responsibility of Australian intellectuals towards refugees and asylum seekers, and added that his personal responsibility was not just to explain why things are the way they are, but search for an argument to overcome the 'Canberra' mindset.

Thijs V.: And it was very interesting to hear Leanne Weber outlining the work that they have been doing on the Australian Border Death Database and her views on the effects of a geographical separation between policy enactment and the results of these policies.

Divya Das: If you enjoyed this, look out for a recording from our Canberra event, where we were honored to hear renowned social scientists Hugh Mackay and Professor Deborah Lupton from the University of Canberra talk about social interaction being a crucial ingredient in keeping us healthy and young, and discuss lively sociology, researching new ways of living by using new methods.

Thijs V.: Bye for now, and we look forward to seeing you at a Social Science Stars event at some point in the future near you.