

THE DYNAMICS OF AUSTRALIA'S IMMIGRATION POLICY

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The author was a senior adviser to Kevin Andrews during Andrews' tenure as Minister for Immigration and Citizenship in the Howard Government. Here he outlines some of the dilemmas and pressures confronting immigration policy makers. He also considers the probable consequences of sidelining the general public in debates about that policy.

We are constantly reminded that the world, or at least much of it, changed on the 11th September, 2001. One of the consequences of the dramatic New York bombings is that they have overshadowed the equally significant consequences of events which culminated a little over a decade earlier with the tearing down of the Berlin Wall.

Up until then both international affairs and, in most Western countries, domestic politics evolved within the framework of the Cold War: communists versus anti-communists; free enterprise versus central planning and state ownership. The collapse of ideology created a vacuum and vacuums are made to be filled. In this case the vacuum has been filled by identity.

September 11 highlighted this development and subsequent events have led to a view that a serious longer-term challenge facing liberal democracies today concerns the integration of immigrant minorities as citizens of pluralistic democracies.¹

The emergence of identity as a defining issue has occurred at a time when travel has become easier and cheaper for migrants and asylum seekers alike. At the same time Western countries are experiencing labour shortages, one contributor to which is 30 years or more of lower than replacement-level birth rates. Another, in the case of Australia at least, is the emphasis placed since the 1970s on university education and the consequent decline in esteem and value of technical education.

The consequences of these three developments have landed at the front door of Immigration. The result is demands that are contradictory and policies which were not devised to respond to today's challenges.

For example, the demand from employers and tourist agents alike is that visa applications be processed quickly. Tourist agents are concerned that if tourists have to spend too long in queues at our airports, or have to wait too long to have their visa applications processed, they will choose other destinations. Employers worry that either they will lose money if they cannot fill vacancies quickly or, with a global shortage of skilled labour and a number of countries competing for workers, applicants will go elsewhere if they think that getting to Australia is too hard.

On the other hand, and especially in the post-September 11 era, in which there is increasing concern about the undermining of identity through the erosion of culture and the increasing diversity of religion and beliefs, people expect governments to ensure that the community is safe and the border secure. To meet these goals comprehensively may require undertaking time-consuming checks. However, demands for reducing the time taken to process visa applications ultimately lead to reducing the number of checks, and especially the time-consuming ones, and the de facto contracting out of part of the administration of the visa application

process to employers, recruiting agents and tourist agents. Yet there has not been any public debate about reconciling these potentially conflicting demands.

Students provide another example of new challenges. Educating overseas students is big business. It is worth more than \$10 billion annually to the economy and has just overtaken tourism to be Australia's third biggest industry. There is a financial incentive not to enquire too closely into what these students actually do and whether they really come to study or acquire a particular skill or whether a student visa provides a backdoor way of migrating to Australia. Some argue that Australia cannot be too rigorous because Australia is competing with other countries to attract students and we cannot jeopardise this multi-billion dollar industry.

Nor is there an incentive to ensure that students have a sufficient understanding of English to work in the field for which they wish to become qualified. The consequence of an inadequate comprehension of English was highlighted last year when a major accounting body said that 30 per cent of foreign accountants were not working as accountants. This was either because they did not have a sufficient comprehension of English to practice as accountants or because the accountants who might have employed them assumed that they did not have the requisite level of comprehension and thus did not interview them for jobs.

International students are not supposed to take paid work for more than 20 hours a week. However, in industries in which the pay is poor there is an incentive not to ask too many questions if somebody will work the hours required.

Again, however, there has not been any public debate about the price the community is prepared to pay for the overseas student industry.

Take one more example. During the 1990s a need to address a shortage of health

professionals, engineers, accountants and IT experts emerged. The vehicle used was a visa for temporary skilled workers known as the 457 visa. At the time the controls imposed were minimal because these people were professionals who could negotiate remuneration and conditions on a level playing field and, in the case of health professionals in particular, many were being employed by state governments.

However, as time went by, labour shortages widened and deepened, but the same regime which had been introduced for doctors and engineers was now being used to deal with this increased demand. By last year labour shortages had reached the point where farmers and trucking companies, for example, wanted to use the 457 visa to bring in foreign workers.

The response of some economists to this situation is to say that the labour market is a market like any other market and that, if there is an imbalance between supply and demand, the labour market ought to be treated as an international one rather than a domestic one and foreign workers should be recruited. On the other hand there are those, such as unions for example, who reject the idea that employers ought to be able to avoid what they see as the more appropriate market solution to the problem. This is to offer more pay or better conditions. They say employers should not be able to undermine standards and conditions by recruiting people who have no commitment to Australia and who have different standards.

Meanwhile the Pacific Islands are pressing Australia to help relieve their economic situation by allowing their citizens to work in Australia for a few months a year, largely in unskilled jobs, so that they can send their earnings home. Apart from the question of undermining conditions, this request also raises the issue of whether or not Australians would prefer to be a nation of guest workers or a nation

or migrants.

One of the keys to the success of Australia's immigration program over the last 50 years is that it has had public support. This support is critical because there is a proportion of the population which is inherently wary of or skeptical about the benefits of immigration.

There are those who would prefer to ignore the reality of this wariness and, rather than engage in public debate about these contentious issues, would present the community with a *fait accompli*. In the long run, such an approach is fraught with danger. The risk is that it will engender broader support for the skeptics and generate a level of unease and disquiet about the immigration program which is politically unsustainable.

On that note, recent developments overseas which reflect the increased focus on the importance of identity are interesting. British Conservative Party leader David Cameron is committed to cutting immigration 'substantially' and requiring immigrant spouses to demonstrate that they can speak English.²

Campaigning on an anti-immigration platform, the Swiss People's Party recorded 'the biggest ever share of the vote for a political party in Switzerland's history last year',³ garnering almost 29 per cent of the votes and about 70 of the 246 seats in the two chambers which make up the parliament. It is now the largest party in the Swiss parliament.

Italy's historically pro-immigration sentiments are being put to the test with the arrival of a wave of largely unskilled Romanians following that country's joining the European Union last year. Romanians now account for almost one per cent of Italy's population and are

disproportionately represented in crime statistics. Silvio Berlusconi is currently Opposition leader but could easily make a comeback; last year he called for the expulsion of tens of thousands of migrants.⁴

Italy had a pro-immigration policy when it was academic, but the arrival of a few Romanians to live there gave the issue a harder edge. Immigration has also become an issue in Holland and the idea that Americans cannot pretend any longer that millions of illegal Mexicans are not living among them is dividing the Republicans.

It might be argued that Australia is not Europe, or the USA for that matter. It does not have their problems and that, given the successful post-World War II immigration program, the tide could not turn so dramatically in Australia. Indeed recent headlines such as 'Migrants beat locals to new jobs',⁵ 'Wholly different city migration boosts non-Christian religions'⁶ and 'Rising migrant intake compounds economic and environmental woes'⁷ might pass without comment in an era of full employment. Whether the situation would be the same if unemployment were rising (and if the Reserve Bank has its way, that prospect may not be far off) is another question.

There is the need to formulate a new immigration policy which will serve Australia well for the next 20 years or more in the light of the challenges we face in the post-Berlin Wall era. If that program is to enjoy the level of public support necessary to underpin and sustain it, the public needs to be involved. To pretend otherwise may be attractive in the short-term, but in the long-term would court a backlash.

References

- ¹ See, for example, F. Fukuyama, 'Identity, immigration and liberal democracy', *Journal of Democracy*, vol. 17, no. 2, April 2006.
- ² J. Kirkup, 'Tories would cut immigration', *Daily Telegraph*, 30 October 2007
- ³ 'Swiss nationalists win record vote', <<http://www.edition.cnn.com/2007/WORLD/europe/10/22/swiss.vote>>
- ⁴ 'Italian anger with Romanian immigrants swells', *USA Today*, 4 November 2007
- ⁵ *The Australian*, 28 February 2008, p. 3
- ⁶ *The Herald Sun*, 29 February 2008, p. 11
- ⁷ R. Gittins, *The Age*, 4 March 2008, p. 14