

The threat of a “racist hate-fest”

Is boycott the answer to combating racism?*

Andrea Durbach

At the end of April 2009, the nations of the world will gather in Geneva to participate in a UN sponsored World Conference against Racism. The precursor to the conference, known as the Durban Review Conference, was the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) held in Durban, South Africa in 2001. The 2001 conference was marred by displays of anti-Semitism and racism which led to the United States and Israeli delegations withdrawing from the conference in its early stages. As a consequence, Canada and Israel will boycott the April 2009 event. The United States, Australia and some European countries have indicated concerns with the direction of the conference agenda, and their participation remains unconfirmed.

In 1993, Canadian general Roméo Dallaire was appointed to lead the United Nations Assistance Mission to Rwanda to implement the Arusha peace accords. He subsequently witnessed a grotesque genocide that claimed the lives of more than 800,000 Rwandan Tutsis and Hutus in 100 days. The United Nations repeatedly refused to send reinforcements and General Dallaire's force diminished as member states withdrew their troops. In an interview in 2005, in answer to a question about the tenuous application of the post-Holocaust promise of 'never again', Dallaire said: "[W]e've simply become more overt with

the prioritisation of humanity, where some count more than others".

The intervention in Bosnia and Kosovo – in contrast to the one in Rwanda and Darfur – is explained, he said, by the fact that:

Yugoslavia is white. Yugoslavia is in Europe. ... [T]hey're "like us". They're not simply black Africans whom we trivialize by saying that they're going at each other because they've always done it under tribalism.¹

As Zimbabwe teeters between some false sense of resolution at a political level and the reality of cholera and deep poverty, and a resignation that accompanies life in a failed state, the world keeps its distance and abdicates a universal human responsibility; advocating, with an aura of apparent deliberation, an 'African solution'.

It was not long ago that our 'Pacific solution' was being heralded by the Australian government as the mechanism which would evidently deter desperate refugees fleeing the arbitrary and capricious conduct of authoritarian governments in the hope of starting new lives in the 'lucky country'. The housing of desperate refugees in the Pacific (the 'Pacific Solution') was triggered by a Norwegian tanker, the *Tampa* making a humanitarian rescue of a sinking ship carrying predominately Afghan refugees. To implement the 'Pacific Solution', the Australian government offered a number of potential host nations "significant financial and aid inducements"² in return for their hospitality. The detention camps on Manus Island (Papua New Guinea) and Nauru, and the expanded detention centres on Australian soil, became sites of inhumane and degrading treatment where Australia's international human rights obligations and our humanitarian sensibility gave way to racist fears and deep intolerance, captured by the catch-cry of Prime Minister Howard when he trumpeted: 'We will decide who comes to this country and the circumstances in which they come.'

While Australia seems to be turning away from a period when those in roles of leadership came close to condoning a complicity with xenophobia, we are being challenged to show our understanding of the 'other' once again, as the aspirations and entitlements of our own fellow citizens, victims of enduring racism both past and present, remain suspended.

Despite the statement by Sir Ronald Wilson, President of the Australian Human Rights Commission during its national inquiry into the separation of Aboriginal and Torres Strait Islander children from their families, that forced removal policies were an 'attempted genocide',³ and despite the national apology made to the Stolen Generations by the Rudd government, the provision of reparations to the victims of a racist policy remains beyond contemplation of the current Federal

it is ambitious, comforting and remarkable that a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has and continues to take place. Remarkable, given the increasing fears and entrenched beliefs about 'other'; the crass duplicity of governments and the absence of moral leadership on questions of race; our incapacity to learn from or be moved by history; and that, in the words of Ghandi, "men can feel themselves honoured by the humiliation of their fellow beings."

government. And the Rudd government has recently declared that the most fundamental protection against race discrimination in Australia is evidently open to selective application. That the extreme social and economic problems which afflict the Aboriginal people and their children in the Northern Territory require extensive and urgent remedy is not in question; what is of serious concern is that the laws and programs enacted ostensibly to address the crisis are racially discriminatory in their application, and protections available for breaches of the Racial Discrimination Act have been suspended.

These few examples, most from my country which professes tolerance and egalitarianism, illustrate that in a world where, in the words of American sociologist and writer, W.E.B. Du Bois, "organised groups of men by monopoly of economic and physical power, legal enactment and intellectual training, are limiting with determination and unflagging zeal the development of other groups",⁴ it is ambitious, comforting and remarkable that a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance has and continues to take place. Remarkable, given the increasing fears and entrenched beliefs about 'other'; the crass duplicity of governments and the absence of moral leadership on questions of race; our incapacity to learn from or be moved by history; and that, in the words of Ghandi, "men can feel themselves honoured by the humiliation of their fellow beings."⁵

It is remarkable that in 2001, in Durban, South Africa, close to 18,000 people gathered, for the most part peacefully and purposefully, to confront and debate the impact and challenges presented by racism in its various forms across hundreds of countries. After much energetic and impassioned debate, the extensive and comprehensive Declaration and Program of Action that emerged from the WCAR was adopted by consensus. Several issues remain contentious among member states but as former UN High Commissioner for Human Rights, Louise Arbour observed at the First Substantive Session of the Preparatory Committee for the Durban Review Conference, "this is not surprising in a context in which a vast number of cultures, legal systems and national priorities come together."⁶

The Declaration comprises 60 pages of detailed discussion of racism against Asians, Africans, migrants, refugees, indigenous peoples, Roma or gypsies, Jews and Muslims. Thoughtful recommendations are made about how to address the causes of racism, to prevent its manifestation and to establish remedies for its victims. It provides a comprehensive and valuable guide for

governments, non-governmental organisations and other institutions in their efforts to combat racism, racial discrimination, xenophobia and related intolerance. And it offers strategies and checklists against which governments and national institutions can evaluate the efficacy and impact of measures implemented to protect and provide redress for victims of racist conduct.

The decision to convene the Review Conference, scheduled for April this year, was primarily to review progress and assess implementation of the Declaration. While many countries' 'report cards' will be wanting, the Declaration has provided momentum for governments keen to achieve some measure of racial justice. Much of the 2009 Review Conference discussion will centre on an outcome document devised by the Conference Preparatory Committee based on responses to a questionnaire regarding performance and implementation as against the Declaration and deliberations from the various preparatory meetings. The outcome document also indicates some new directions and emphasis for discussion which reflect manifestations of racism and intolerance in changed economic, social, political and environmental settings which have emerged since 2001.

The intersection of poverty and racism - now exacerbated by the global financial crisis - raises questions of access and exclusion based on race and gender, such as access to work, equal pay and conditions, health services and education. The new *Convention on the Rights of Peoples with Disabilities* suggests a focus on how race and disability coalesce to diminish dignity. The treatment of refugees and migrant workers who are consistently denied entitlements to social security and housing, and that of women and children caught up in the web of trafficking, will undoubtedly require examination, as the expansion of these social groupings is activated by conflict, environmental degradation, religious intolerance and impoverishment. And where war justifies impunity as women are raped and brutalised on a scale which in the words of the UN High Commissioner for Human Rights, Navi Pillay, has reached the "proportions of a pandemic," it may be justifiable to consider mass rape as an "element of the crime of genocide"⁷ - a crime of which Sudan's President Omar al-Bashir now stands accused before the ICC.

What occurred at the 2001 NGO forum convened in parallel to the WCAR was undeniably divisive, destructive and counterproductive. Racist language, accusations and stereotypes undermined the NGO process and contaminated the conference as a whole. As a consequence, many commentators on the Review Conference are



David Goldblatt, THEN - The commando of National Party supporters that escorted the late Dr Hendrik Verwoerd to the party's 50th anniversary celebrations. De Wildt, Transvaal (North West Province), 31 October 1964. . Photograph. Courtesy of the Artist and the exhibition, Then and Now.



Eric Miller, NOW - An inmate in a mental hospital in Freetown, Sierra Leone, May 2002. Photograph. Courtesy of the Artist and the exhibition, Then and Now.

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keen to distinguish it procedurally and substantively from the Durban Conference. But the heat which may consume victims of racism, the inflammation that accompanies the wounding of dignity, the scars that crack open at the first signal or reminder of racist harm, are often raw and simmering beneath the skin. Accordingly, while much as the overall intent of the gathering will be honoured, it would be imprudent not to anticipate some degree of strong sentiments being aired, particularly given the proximity of the recent conflict in Gaza.

The potential for a replay of the WCAR at the 2009 Review Conference has given rise to nation states, like Australia, refusing to participate in initial preparatory meetings and others, such as Canada and Israel boycotting the April event. Foregoing the opportunity to shape the framework – procedurally and substantively – of the Review Conference, Australia's decision to participate in the conference has been delayed pending the content of the draft outcome document and "consideration of whether, Australia, and other countries with a genuine interest in countering racism, can positively influence the Conference outcomes."⁸

The conference presents an important opportunity for countries to demonstrate their commitment to the eradication of racism and to hold its participants to principles of respect for democratic discourse. To speak out against intimidation and incitement, the misuse of terminology and violations of procedure, is a critical demonstration of a nation's "genuine interest in countering racism". To boycott the conference will simply permit "harsh and extreme voices to ... unimpeded access to a global platform for their vitriol and polemic."⁹

Canadian human rights scholar, Professor Anne Bayefsky, experienced the "notorious hate-fest" atmosphere that undoubtedly marred the Durban NGO forum and Conference. She has asserted that the Review Conference "is destined to encourage racism" and has encouraged America and Australia to follow Canada and Israel's decision to boycott the April event.¹⁰ While disassociating itself from some of the language in the Declaration (relating to the Middle East) after the WCAR in Durban, Australia - whose own record on countering racism has been justifiably criticised by the UN - declared its "unequivocal opposition to racism in all its forms" and urged that the "positive outcomes of the Conference be protected and nurtured", stating that it "is the responsibility of all of us, governments and citizens alike, in Australia and globally, to take forward the best of the exchanges in Durban in a forward looking and constructive spirit."¹¹

It is that constructive spirit which calls for engagement with opposing views. Keeping in mind the sharp lessons from Durban, participation in such a significant global event carries the risk and the benefit of hearing the voices of victims of racism; ultimately, an unwillingness to appreciate and address their fears and aspirations is the first step to fermenting resentment, hostility and ultimately, violence. The struggle against racism is not one for amateurs or political grandstanders. It requires bold leadership that is willing to break with the past, leaders with the appropriate insight and language; with skills which are geared towards an understanding of the deep complexity of racism, its origins, its guises, its consequences. And importantly, the struggle against racism demands leaders with the capacity to respond to and manage the potentially destructive manifestations of racism, discrimination, xenophobia and intolerance. Our failure to confront racism "keeps us from squarely facing our own complicity" in

its expression.¹²

The best way for Australia and other Western nations to exercise leadership in the struggle against racism is to have a voice in that struggle, rather than by retreating from their responsibility to participate in the ongoing resolution of one of the greatest threats to peace and security.

Contrary to Bayefsky's position, participation does not legitimise the crass sentiments expressed at Durban; a refusal to participate, however, carries the risk of being side-lined with unintended consequences and undermines our legitimacy as a significant and vocal global advocate against racism, an advocate keen to reclaim its role internationally as an authentic player in the UN system of global governance.¹³

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Endnotes

* This article is an edited version of a paper presented to a seminar 'Can the UN Combat Racism? A preview of the Durban Review Conference', held by the Castan Centre for Human Rights, Monash University, 20 February 2009

1 Interview with Jeffrey Fleischer, *Motherjones*, 25 January 2005 at <<http://www.motherjones.com/politics/2007/11/mother-jones-interviews>>.

2 Q&A: Australia's 'Pacific Solution', BBC News, 5 February 2002 at <<http://news.bbc.co.uk/2/hi/asia-pacific/1802364.stm>>.

3 Linda Motttram, 'Australia's apology one year on', Radio Australia News, 13 February 2009 at <<http://www.radioaustralianews.net.au/stories/200902/2490789.htm>>.

4 W.E.B. Du Bois, *Dusk of Dawn: An Essay Towards an Autobiography of a Race Concept*. (1940) at 137-138.

5 Quoted in John B. Severance, *Ghandi, Great Soul* (1997) at 33.

6 Address by Louise Arbour on the occasion of the Preparatory Committee for the Durban Review Conference, 22 April 2008 at <http://www.hrea.org/wv/index.php?base_id=116&list_id=18&language_id=1&msg_id=8104>.

7 Address by Navanethem Pillay, 'Human Rights Challenges and Opportunities in the Contemporary World', Wilton Park, 22 January 2009 at <<http://www.un.org/durbanreview2009/stmt22-01-09.shtml>>.

8 Comment made by Department of Foreign Affairs and Trade spokesperson to author in telephone discussion on 2 March 2009.

9 Ben Saul and Andrea Durbach, 'We must stay in the racism debate', *Sydney Morning Herald*, 24 July 2008 at <<http://www.smh.com.au/news/opinion/we-must-stay-in-the-racism-debate/2008/07/23/1216492536691.html>>.

10 Anne Bayefsky, 'Australia must boycott the next racist hatefest', *Sydney Morning Herald*, 22 July, 2008 at Ben Saul and Andrea Durbach, 'We must stay in the racism debate', *Sydney Morning Herald*, 24 July 2008 at <<http://www.smh.com.au/news/opinion/we-must-stay-in-the-racism-debate/2008/07/23/1216492536691.html>>.

11 'Australia Welcomes Conclusion of the World Conference Against Racism', Joint Media release from the Australian Minister for Foreign Affairs, Alexander Downer, and the Minister for Immigration and Multicultural Affairs, Philip Ruddock, 12 September 2001 at <http://www.foreignminister.gov.au/releases/2001/fa138j_01.html>.

12 Barack Obama, 'A more perfect union' - Barack Obama's Speech on Race, *The New York Times*, 18 March 2008 at <http://www.nytimes.com/2008/03/18/us/politics/18text-obama.html?em&ex=1206763200&en=1877f15179da1aad&ei=5087%0A>>.

13 Australia has budgeted nearly \$2 million in 2009 to finance its attempts to win a temporary seat on the United Nations Security Council.