

## Human Rights and Buddhism: the crisis of Australia's detention centres

Diana Cousens

The Buddhist perspective on life is premised on a framework of certain universal truths. The first of these is the experience of *dukkha*, sometimes translated as suffering, but which could also be translated as unsatisfactoriness. The Buddhist teaching revolves around the idea of the path out of suffering and this is characterised by the practice of wisdom and compassion. These are the two wings of the bird of enlightenment, to use the metaphor. Within this paradigm are many universal ideas. The first is that the experience of suffering is a universal experience and that the end of suffering is also, potentially, a universal experience. Therefore, wisdom and compassion can be obtained by all, given the right thoughts, words and deeds. It is also proposed that compassion is contingent on recognising that other people's experience of suffering is as important as one's own. Therefore there is a universal truth proposed, which is that a compassionate mind has the characteristic of equanimity. In order to achieve compassion there are meditations on love, kindness, joy and equanimity, focused on all other beings, including animals, wishing that they achieve a state beyond suffering. A common, most simple Buddhist prayer is to say or to think, 'May all beings be happy'.

Within this construct we do not have a clearly articulated concept of rights but we have clearly articulated concepts of aspirations and universal values. Buddhism is unlike some other religions in that it proposes no state or social structures and it does not even have a marriage ceremony. In terms of the conception of human rights, there is therefore no government within the Buddhist framework who would be responsible for giving them or taking them away. As a religion, Buddhism also does not posit the idea of a creator, and instead there is the principle of *karma*, a kind of constantly changing energy that has no beginning and no end. There is no first cause. Therefore the idea of past and future lives is completely essential for the conception of karma to play out.

Given these very different frameworks and premises, I propose a slight rewriting of the first sentence of the United States *Declaration of Independence*:

*We hold this truth to be self-evident, that all beings have an equal wish for happiness, and that the path to happiness recognises this equal aspiration.*

I think that Buddhism's recognition of all beings, including animals, insects, birds and fish and so on, as of value and as having emotion, intention, memory and history is a radical characteristic. It also makes sense given another Buddhist idea, which is the doctrine of interdependence, that everything depends upon everything else and nothing arises on its own without causes and conditions. I believe that many of the problems we are currently experiencing arise out of the belief in radical individualism, that somehow a person can make a profit at another's expense or at the expense of the environment, and that there will be no consequences from that because individuals are isolated. Similarly, if we believe that the problems of the world don't concern us as Australians, that the refugees in Syria or Africa are not our problem, then we are failing to recognise our interdependence. There is no such thing as an isolated country that exists without relationships and dependencies on others.

It is by working together constructively, with respect and wisdom and compassion, that the problems of the world can be addressed. Simply turning our backs on refugees, or the poor, or the homeless, or the sick, or the aged compounds suffering. It fails to see the whole of society, the whole of the world or the whole of a human life. In the very short term those who are rich, safe and well may feel that everything is okay, but it isn't. And eventually societies fall apart and countries fall apart and people fall apart. If we wanted to imagine a world characterised by rugged individualism that lacked a holistic view and that marginalised large sections of society, then I suggest present-day Australia is a good example. More than 100,000 people are homeless, women are murdered by current or former partners every week of the year and we have one of the highest suicide rates in the world. Meanwhile, several hundred thousand people live on less than half the poverty line on NewStart, and those who receive it are subject to the extraordinary mechanism of 'Robodebt', whereby they can be accused of debts for thousands of dollars without the need for the state to present any evidence as to the cause of the debt. Many people have committed suicide as a result of this situation.

Instead of a language of rights, Buddhism proposes a holistic view of an interdependent world where everybody matters. Everyone has the same aspirations for happiness, the same experience of suffering, and the path to achieving peace for humans and the environment comes about through the compassionate view that others are no different from oneself and the wisdom of seeing that we are all in this together. Rather than rights, we speak from a position of values. With these values as a starting point we can move towards the language of rights and legislation to enshrine those rights. And personally, I believe that a Bill of Rights is absolutely overdue in Australia and will be key to protecting happiness and safety.

I would now like to move to a more specific topic. I speak from a scholar-practitioner perspective and will give some of my personal history. A bit over twenty years ago I started a Buddhist Dharma centre called the Melbourne Sakya Centre and for ten years hosted weekly meditations and brought many lamas to Melbourne, including His Holiness Sakya Trizin — head of the Sakya sect in Tibetan Buddhism — twice. I and others established a group and we made the Dharma — the Sanskrit word for Buddhism — available in many different ways. But in 2008 I resigned and since that time my focus has been more engaged with social issues and in personal artistic practice as a photographer and poet. In addition I have maintained an academic research output and periodically present at conferences and publish book chapters.

I want to discuss an element of my own practice of engaged Buddhism in Australia, with particular reference to the refugees we keep in offshore detention. I will also offer a poetical response to this crisis.

I will start with an historical example of support for refugees in China. In January 1896 the sixty-four year old writer and traveller, Englishwoman Elizabeth Bird, spent seven months touring the Yangtze valley. Her experiences were published in *The Yangtze Valley and Beyond* in 1899. This is an interesting source book for life and customs in pre-communist China and has a chapter on Chinese charities. In introducing this subject Elizabeth Bird makes the point that there is a popular, presumably English, view of the Chinese character, that it is cruel, brutal, heartless and selfish and unconcerned about human misery. She says this is the view of Protestant and Catholic missions who maintain that theirs are the only charitable institutions (Bird, *The Yangtze Valley and Beyond*, 2018, 141). She then goes on to highlight a vast panoply of indigenous Chinese charities that had previously been overlooked by Western writers. She comments:

*Much kindness of a kind is shown to the streams of refugees who in bad years swarm all over parts of China in allowing them to camp with their families in barns and shed, often giving them an evening meal. ... In the case of both refugees and beggars, a prudent dread of the consequences of refusal is doubtless answerable for much of what poses as charity, and in this the Chinese and the Englishman are probably near of kin. (148)*

And:

*It was a great surprise to me, as it will be to the more thoughtful among my readers, to find that organised charity on so large a scale exists in China. (149)*

Bird explains that the underlying motivation for charity in China may be the accumulation of merit, but that there are less worthy motives, and this is not an unworthy one.

In the Mahayana tradition there is substantial teaching on the six perfections — the practices of generosity, discipline, patience, effort, meditation and wisdom. These are well explained in the 9<sup>th</sup> century text by Shantideva, *The Bodhisattva's Way of Life*, as well as more recently in the 19<sup>th</sup> century by Tibetan yogi Patrul Rinpoche (1808-1887). His written guide (*khrid yig*), *Words of My Perfect Teacher*, supplements the oral explanation of the preliminary practices of the *Heart Essence of the Vast Expanse* by Jigme Lingpa (1729-1798). The practice of generosity has three parts: giving material aid; giving the Dharma or the teaching of Buddhism; and giving freedom from fear (in Sanskrit, *abhaya-dāna*). Patrul Rinpoche explains this third aspect of generosity in the following terms:

*Giving protection from fear: This means actually doing whatever you can to help others in difficulty. It includes, for instance, providing a refuge for those without any place of safety, giving protection to those without any protector, and being with those who have no other companion. (The Words of My Perfect Teacher, 1994, 238)*

There is also iconography attached to the idea of freeing people from fear. In a thangka of *The Eight Taras Who Protect From the Eight Dangers*, one of the Taras is depicted as protecting a petitioner from the danger and fear of imprisonment from unjust rulers (Glenn Mullin, *Female Buddhas, Women of Enlightenment in Tibetan Mystical Art*, 2003, 80).

So my point is that there is a body of significant ideas and images in Tibetan Buddhism, and a history of documented practice in Chinese Buddhism, that refers to the protection of people from fear and unjust rulers and that supports refugees. So often as Western Buddhists we conflate Buddhist practice with sitting on a cushion, but we need to get out more, literally.

The etymology of translated words between Sanskrit and Chinese is complex and need not detain us but the translation of the name of the Chinese bodhisattva, Kuan Yin, is commonly given as 'Hearing the Cries of the World'. This is an idea of a bodhisattva who witnesses suffering with compassion. In practice she is treated as an intercessory deity by many; in other words, there is an expectation that Kuan Yin is an enlightened being who is engaged in the world. As a model of a religious ideal Kuan Yin is both transcendent and immanent, both located in a pure land and completely accessible.

One of the great strengths of Buddhism is its use of iconography, where a single image can contain messages, philosophies, stories and histories that, if written down, would fill hundreds of volumes. By simply looking at an image of Kuan Yin we have the message of embodied compassion that hears the cries of the world. She is not deaf; she is listening and responding.

In 2013 the then Prime Minister of Australia, Julia Gillard, reintroduced what are commonly called detention centres on the remote and very small island of the Republic of Nauru. Asylum seekers arriving in Australia were sent there and some hundreds remain there, even after more than six years. In his very brief reappearance as Prime Minister, also in 2013, Kevin Rudd reopened the prison camp on Manus Island in Papua New Guinea (PNG) and many hundreds of men continue to be detained in PNG, now mostly in Port Moresby, also after more than six years. The asylum seekers or refugees have witnessed the incumbencies of five Prime Ministers: Gillard, Rudd, Tony Abbott, Malcolm Turnbull and Scott Morrison. Conditions have been appalling and have been universally condemned by the UNHCR, Amnesty, PEN and every other human rights organisation in the world that has considered the issue. People are routinely denied medical care and some have died of untreated medical conditions. For years there was no dentist on Manus. Families have been separated for years, with sick children and mothers brought to Australia and fathers left behind.

Until the camp on Manus Island was declared illegal in May 2016 by the court of PNG — as their constitution says it is illegal to imprison people who have committed no crime — information about the people on Manus had to be smuggled out using secret mobile phones. Staff employed at the centre were subject to legislation that declared providing information about the activities in the camps on both Manus and Nauru an imprisonable offence. For some time this included doctors. So the crimes of rape, murder and every other form of abuse that have taken place on Manus Island could not be documented or reported by staff.

In early 2015 I found myself making friends with many of the prisoners on Manus Island through Facebook. They had access to a weekly supply of cigarettes that they swapped for mobile phones with PNG staff. The phones had to be hidden and were kept under mattresses or buried in the ground in the jungle when not in use. When prisoners were found with these phones they were beaten up by guards.

I took it upon myself to hear the cries of these prisoners, and spent a couple of years sharing my insomnia with them, exchanging text and voice messages between midnight and dawn. I found myself becoming an advocate for the people interned on Manus Island and Nauru. I have organised and presented petitions, and written letters to the paper and to politicians, articles for the *Saturday Paper* and *Eureka Street*, and poems. I see this as an element of engaged Buddhism, of hearing the cries of the world and of acting to give the third element of generosity, freedom from fear. There are still many hundreds of people detained offshore.

When their imprisonment was declared illegal in PNG, they no longer had to hide their phones. Much more information came into the public domain. At the same time, having stepped down from numerous Buddhist organisational roles, I had time for personal creativity and over the last ten years have been writing and publishing poetry and performing at live venues. I bring this experience of advocacy for the refugees as a reflection on engaged Buddhism and as the story of my personal response to a humanitarian crisis that is happening in our time.

One of my most extraordinary experiences during this journey of advocacy came about on Good Friday, 2017. Earlier in the day the refugees had been playing soccer on a pitch outside the camp when some drunken sailors came along, started arguing with them and wanted to take over the pitch. It turned into a small fight and the refugees went back inside the camp. Later on the drunken sailors came back with their guns and started shooting at the refugees from outside the fence. That night I was sitting at home and received a message from one of my friends. He said, 'They are shooting at us'. I then picked up the phone and made a call while the incident was in progress. Subsequently I wrote this poem:

### ***Good Friday Shooting at Manus Island Detention Centre, 2017***

*I wasn't there*

*when the refugees  
were kidnapped  
by Australia's Immigration Department.*

*I wasn't there*

*when Australia built a detention centre  
beside a naval base  
squatting like colonists on Manus Island.*

*I wasn't there*

*when the 'expert panel' decided*

*that transportation to Pacific islands  
would be an effective way  
of 'stopping the boats'.*

*I wasn't there*

*to watch the Manusians  
grow tired of the refugees  
see their vegetables become expensive  
their soccer pitch occupied by foreigners.*

*I wasn't there*

*when a man<sup>1</sup> was killed in the night  
and two locals were charged and convicted  
and two white men who joined in the killing  
were sent back to Australia  
and not charged for their crimes.*

*I wasn't there*

*when a local barmaid  
was gang raped by Australian staff  
who went home  
and escaped the jurisdiction.*

*I wasn't there*

*when the great tradition was invented  
that white men are not subject  
to black men's courts.*

*I wasn't there*

*when Australia handed over dollars  
in brown paper bags  
to Papuan politicians  
who were paid to turn tricks.*

*I wasn't there*

*on Good Friday  
when the refugees and PNG sailors  
got into a fight about soccer  
whose turn it was to play footy  
and the game was suddenly over.*

*But I was there on the phone in the night  
when drunken sailors came back with their guns  
stalking and shooting from outside the fence  
the bullets going through walls and doors  
men lying low on their beds*

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<sup>1</sup> The Iranian refugee Reza Barati was killed on 17<sup>th</sup> February 2014 by a group of Papua New Guinean and Australian employees of the detention centre. Out of a group of six who were seen to participate in the murder only two were charged and convicted. Their sentence was only five years' imprisonment, having consideration for the fact that others were not charged.

*or running in circles with nowhere to hide.*

*I was listening to the running  
the shouting  
Farsi and English  
the chaos  
and fear that this was the end.*

*I was there*

*for the farewell from the war zone  
and though the sailors stopped shooting  
and no one was killed*

*I carry the moment I thought they would die.*

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