

New Zealand government boosts security agency powers

A correspondent
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In mid-December, New Zealand's minority National Party government rushed legislation through parliament, as a matter of emergency, to give the country's Security Intelligence Service (SIS) retrospective powers to break into private homes and remove documents, personal belongings and communications material, including computer hardware and software.

The legislation was drawn up in response to a recent legal ruling. The Court of Appeal heard a case brought by an anti-APEC activist, Aziz Choudry, who claimed that the SIS had acted illegally when agents secretly broke into his Christchurch home two years ago. The SIS involvement in the break-in was discovered when a check was done on the numberplate of a car that witnesses saw leaving the scene. The court supported Choudry's contention that the SIS interception warrant, current at the time, did not permit its agents to enter his house.

From the outset, it was clear the government was very concerned about Choudry's case against the SIS, and alarmed at the implications of a finding in his favour. Submissions were made that the whole affair was a matter of national security, and therefore not within the jurisdiction of the courts. As the legislation was being put through parliament, Prime Minister Shipley indicated that further legal steps would be taken to overturn the Appeal Court's decision.

The new law to strengthen the state's security and intelligence powers follows three years after major changes to security legislation that was originally framed in 1969. The last rewrite occurred, also in considerable haste and with little publicity, immediately prior to Christmas in 1995. One of the main effects of the 1995 Act was to substantially expand the definition of "security" to include the

country's "international well being and economic well being".

This change was made under conditions in which broad sections of the population were disaffected with the whole structure of official politics--in particular, with the parties of social reformism, Labour and the Alliance. There was clearly a fear in ruling circles that social opposition would begin to emerge outside the framework of parliamentary politics.

The security laws immediately allowed the SIS to target any political organisation, union or individual that opposed the prevailing economic doctrines and was thus deemed a security threat. As a result, Choudry, who is a university academic, and his anti-APEC group were put under surveillance.

The most recent legal changes will further strengthen the powers of the SIS. Significantly, the new law was introduced into parliament with the full support of the opposition Labour Party, as was the 1995 legislation. Labour leader Helen Clark hailed the SIS, saying it had a continuing role "beyond the Cold War era".

The Labour Party leadership has already gone to great lengths to reassure big business that the National Party's economic policies will continue if it wins office at the next election, due later this year. In supporting the new security laws, Labour is also signaling that it is prepared to deal ruthlessly with any opposition from working people to the attacks on their living standards.

Moreover, the increased powers for the SIS takes place in the context of demands from big business and the media for the elimination of a broad range of basic democratic rights which may act as a barrier to implementing even harsher economic measures.

In the case of public education, the government is preparing to compulsorily introduce its bulk funding scheme across all schools. The measure will make

school boards responsible for all aspects of finance and administration, including staffing, and will be used as a means to further cut education spending. Teachers will no longer be centrally employed but will have to sign individual or site employment contracts.

Accompanying these preparations has been a media campaign against teachers who have opposed bulk funding. The *National Business Review*, the mouthpiece of big business, editorialised that as public servants, teachers should not have the right to campaign politically against any government policy, and urged the State Services Commissioner to find legal grounds to prevent them from doing so.

The major daily newspapers have unanimously called on the government to override all opposition, including that of a majority of elected school boards. Wellington's *Evening Post* issued a strident demand that the "power" of the Post Primary Teachers' Association be "broken," even though the union leadership has already guaranteed not to organise national industrial action against bulk funding,

For some leading business ideologues, such moves against the basic democratic rights of workers are only a half-way house. Just prior to Christmas right-wing commentator Gareth Morgan, chief of the Infometrics economics consultancy, wrote an article in the *Evening Post* arguing that parliamentary democracy itself no longer serves the interests of business. According to Morgan, the problem with elected politicians is that they invariably pursue their own short-term electoral interests, and these are a hindrance to the "stability" and plans of big business.

What is increasingly apparent is that the economic onslaught demanded by the bankers and corporate chiefs cannot be carried out democratically. As a result the discussion in ruling circles is increasingly focussed not simply on strengthening the state and police powers but of turning to more dictatorial forms of rule.



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