

Backbench revolt over mandatory sentencing

Australian government in deep political crisis

Linda Tenenbaum
10 April 2000

Prime Minister John Howard's callous attitude to Australia's indigenous population, and his attempts to perpetuate the longstanding cover-up of its tortured history during the past two centuries, have plunged the Liberal-National coalition government into the deepest political crisis of its four years in office.

Last Tuesday, Howard was forced to stem a backbench revolt, after three MPs threatened to cross the floor of parliament and vote with the Opposition to override mandatory sentencing laws in the Northern Territory. The laws, which specifically target Aborigines, stipulate that children as young as 15 be jailed for crimes as trivial as stealing pencils or chocolate bars. Howard has been adamant that the federal government will not intervene because the laws are a Northern Territory matter.

Three weeks before, Howard faced a showdown with seven MPs over the same issue, following a public outcry sparked by the suicide of a 15-year old Aboriginal boy in a Northern Territory jail. After allowing the MPs to air their views in a party room meeting, he succeeded in dissuading them from proceeding in parliament—where the Opposition needed only seven more votes to defeat the government. Debate on the floor over legislation to override the laws was gagged, with the support of the seven “dissidents”, and it appeared that the issue was settled.

Then, on Saturday April 1, Aboriginal Affairs minister, Senator Herron threw an incendiary bomb into the arena, revealing yet another unsavoury aspect of government policy.

Herron's office leaked to the press selected portions of a government submission to the Senate inquiry on the Stolen Generation. Ostensibly written by Herron, but prepared in the Prime Minister's office and department, the document rejected the term “stolen generation” for the thousands of half-caste Aboriginal children forcibly removed from their mothers during a large part of the 20th century under the official policy of “assimilation”, aimed at wiping out the Aboriginal race.

The government argued that “there never was a ‘generation’ of stolen children,” because no more than 10 percent were affected. “The nature and intent of those events have been misrepresented,” it went on, since “the treatment of separated Aboriginal children was essentially lawful and benign in intent.”

The government flatly ruled out any consideration of compensation for the victims, estimated to cost around \$4 billion.

The document was submitted in response to a report drawn up two years ago by the Human Rights and Equal Opportunity Commission (HREOC) into one of the dirty secrets of Australian capitalism. Based on surveys conducted by medical practitioners in the 1970s and 1980s in NSW and Victoria, the HREOC found that around 30 percent of Aboriginal children were forcibly taken from their communities between 1910 and the early 1970s and deposited in homes and

missions, to be integrated into “white” society. The report recommended substantial reparations to all those affected.

The publication of the government's submission provoked another public furore. Banner headlines and disparaging commentary filled the media, attacking the Prime Minister as he leapt to Herron's defence.

Michelle Grattan, chief political correspondent for the *Sydney Morning Herald*, referred to Howard's “appalling handling of a bundle of indigenous issues.”

“After this week's semantics over stolen children, the government seems like a hick regime trying to hide a bad national past.”

An editorial in the same newspaper commented: “Every day seems to see the PM Mr Howard mired deeper in the politics of race.” It attacked the government for its “dangerous politics of division” and its “astonishingly insensitive submission”.

Murdoch's *Australian* called the document “mean-minded” and “depressing”.

The so-called “moderates” within the Liberal party were stung back into action. During a stormy three-hour party room meeting, some 18 MPs got to their feet to criticise Howard on both mandatory sentencing and the stolen generation.

The most significant challenge came from Victorian MP, Petro Georgiou, a powerful figure in the Victorian Liberal Party and adviser to former prime minister, Malcolm Fraser. Georgiou hails from the same state as Liberal Treasurer Peter Costello, the man increasingly being touted by the media and corporate elite as an alternative to Howard. The implications of Georgiou's intervention were not lost on Howard, who was defeated as leader in a party room coup in 1989.

Georgiou announced that he would vote against the government on mandatory sentencing, and support a private members' bill forcing the government to override the Northern Territory's laws as they applied to children under the age of 18. Danna Vale from NSW indicated likewise, while Peter Nugent from Victoria said he agreed, but would “reserve” his position.

Reportedly “extremely agitated” and anxious about whether there were other potential floor crossers in the room, Howard reminded the three that their defection would be the first since the end of World War II. If they proceeded and others joined them, he warned, it could lead to the defeat of the government. “If you vote against us we mightn't live to tell the tale.”

The meeting was rapidly adjourned. Howard and four senior ministers escorted the “rebels” from the room. After negotiations with each of them, a deal was struck whereby the three agreed to back down, in exchange for a promise from Howard that he would “pressure” Northern Territory Chief Minister Denis Burke to modify the mandatory sentencing laws as they applied to children and allow a

limited debate on the issue in the House of Representatives.

While the dissidents have been exposed for the second time as thoroughly weak and spineless, Howard's fears about his future are nevertheless well-founded. The most significant factor is that his policies on Aboriginal issues are opposed by important sections of the ruling class. Their opinions are reflected in the country's major newspapers, not one of which has supported Howard during the latest crisis.

The media empires under Murdoch, Fairfax and Packer, along with the mining conglomerates and a large portion of corporate Australia are demanding that the government shift its priorities and cut a deal with the Aboriginal leaderships to sort out once and for all the internationally embarrassing "Aboriginal question".

Images of impoverished Aborigines living in squalor; statistics showing a disproportionate number locked up in the country's jails; shocking infant mortality rates; mandatory sentencing laws targeting Aboriginal youth; ongoing and palpable discrimination in relation to education, employment and health; all of these sit badly with the central aim of big business: to aggressively market Australia's image on the international arena.

The bourgeoisie want urgent action, but not in the form of financial compensation. That would involve billions of dollars since, according to the HREOC report, virtually every Aboriginal family has been affected by forcible separations. Nor do they want to see any retreat on "economic reform"—namely, the privatisation of telecommunications and other public services, the cutting of wages and working conditions and the slashing of welfare and government-funded facilities for the needy, including Aborigines. What they do want is a symbolic gesture, an open acknowledgement of at least some of the sins of the past, in order to formally wipe the slate clean and get on with the job of bolstering Australia's global influence.

"Reconciliation" and a formal apology: that is what leading sections of the ruling class—and now elements within the Liberal party itself—are demanding. An apology costs nothing. Yet it would serve to project an image of humanitarian concern and enlightened contrition to the rest of the world. Importantly it would also provide the Aboriginal leaderships with the ideological weapons they need in their continuing efforts to divert the anger and resentment of ordinary Aborigines at the terrible social conditions they face.

As the *Australian's* Paul Kelly rather crudely put it: "Public opinion [read 'corporate Australia'—LT] is deeply hostile towards financial compensation.

"This is where reconciliation becomes the key. Reconciliation is about the heart and the mind... Let's talk about apology and forgiving. The reason for forgiving is because there will never be sufficient compensation to render justice."

But Howard, and a layer of Liberal arch-conservatives around him, have consistently opposed such an orientation. For two years they have worked to block the "reconciliation" process and Howard has adamantly refused to make an apology.

The reason is that to do so would compromise the party's efforts to shore up its parliamentary base. Howard's "wedge politics," as it is becoming known, i.e. the attempt to scapegoat Aborigines, immigrants and the most vulnerable layers in society for the social dislocation and hardships facing increasing numbers of people, is completely incompatible with any expression of regret at the past treatment of the Aboriginal population.

Ever since the meteoric rise of the ultra-right One Nation party in 1997-98, when voters in rural and regional areas reacted to the

devastation of their jobs and living standards by turning their backs on the Liberal-National Party coalition, Howard has been preoccupied with winning them back.

Appealing to the most right wing sentiments, Howard has tried to outdo One Nation in playing the racist card. He and his state and Territory counterparts have pushed its "law and order" rhetoric, along with denunciations of "privileged" Aboriginal welfare recipients, creating the conditions for the introduction of mandatory sentencing legislation in the Northern Territory and Western Australia. In the past few weeks this has been supplemented by increasingly strident attacks on the United Nations as a foreign interloper, after a UN committee attacked Australia's record on indigenous human rights.

As one *Sydney Morning Herald* columnist put it on the weekend: "There is no doubt that Howard and his advisers believe that kicking the UN, expressing doubts about the stolen generation and refusing to apologise on behalf of the nation to Aborigines resonate with many people."

Another wrote: "Howard is doing these things not, it seems, from some heartfelt conviction, but because he calculates that somewhere there are hate-votes to be had."

This is the fundamental contradiction that lies at the heart of the Howard government's political crisis. While powerful sections of the ruling class insist upon an orientation based upon Australia's interests in the new global economy, such a move on Howard's part will undermine the government's increasingly right wing electoral base, raising point blank the spectre of defeat at the next election.

Last Wednesday's *Financial Review*, the major mouthpiece of the business elite, furnished its readers with the results of a survey it conducted of the opinions of corporate CEO's on Howard's performance. Entitled "Howard lacks vision, laments business," the article began: "Business is becoming increasingly uneasy about the direction, or lack of direction, the government is taking in Australia."

It continued: "The government is panicked by an apparent erosion in support in rural and regional Australia: its reform agenda is taking a back seat to immediate political concerns; industry policy is in eclipse and an ineffective Opposition is not taking any policy leads.

"Corporate leaders....would like to see an end to the politics of division on issues like the republic, mandatory sentencing, the stolen generation and reconciliation."

After citing the remarks of several CEO's, the *Review* concluded: "They are sick of 'demolition politics' and short-term decision making. What they want is a leader with vision."

With the Olympic Games—and the resultant international scrutiny—looming, things are coming to a head. As far as business is concerned, if Howard refuses to bend, or if, at the very least, he is unable to deliver an acceptable outcome on mandatory sentencing when he meets with Northern Territory Chief Minister Burke today, then his leadership will be on the line.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact