

Australian government uses Bali atrocity to demand new repressive powers

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The Australian government has quickly seized upon the atrocity in Bali last Saturday to demand more draconian “anti-terrorism” laws than those introduced since September 11 last year. Even as conditions at the scene of the Kuta Beach explosion deteriorate and the toll of death and injury mounts, the government’s main preoccupation has been to use the tragedy to its political advantage.

Prime Minister John Howard has moved to hand greater police state powers to security and intelligence agencies. Without offering any evidence for his position that the explosion was the work of Islamic terrorists, Howard has called for new domestic measures to undermine civil liberties and basic democratic rights.

Within hours of news of the Bali blast, the prime minister convened a media conference to announce an urgent review of counter-terrorism measures, an emergency meeting of his Cabinet’s inner National Security Committee (NSC) and the activation of a nationwide security alert. After meeting intelligence chiefs on Sunday night, he gave heads of security agencies and government departments one week to report on whether they required new anti-terrorist laws.

In addition, federal police, ASIO and ASIS (domestic and overseas intelligence) chiefs and nearly 50 security operatives were dispatched to Bali to collaborate with their Indonesian counterparts, as well as agents from the US, Britain, Germany and Japan, in the name of investigating the bombing.

According to one media account, Howard “leapt into action” as soon as he was notified of the explosion. “His office and two residences became the equivalent of war rooms.” After meeting key officials, speaking to foreign leaders and convening the NSC, he “planned a media blitz” that included interviews on all major television and radio networks.

In parliament on Monday, Howard declared that “the war against terrorism must go on in an uncompromising and unconditional fashion” and emphasised that he had spoken at length with US President George Bush. There would be “no retreat” from the war on terror. Howard insisted that it was necessary to review the “adequacy” of recently adopted domestic terrorist legislation.

Before the “review” even commenced, Defence Minister Robert Hill revealed its thrust. “In effectively responding to terrorism there is sometimes a need for all of us to accept that what might have been the extent of our traditional freedoms need to be modified in these circumstances,” he told the Senate on Monday. The next day, the government re-introduced into the Senate its previously blocked ASIO (Terrorism) Bill, which will allow the political police of ASIO (Australian Security Intelligence Organisation) to detain people for interrogation without charge, simply because they might have information relevant to alleged terrorist activity.

Howard also announced a request to the United Nations to have an alleged Indonesian-based Islamic group, Jemaah Islamiyah, listed as a terrorist organisation. This will allow the government, under its existing terrorist laws, to outlaw the organisation in Australia, seize any linked funds and assets, and arrest suspected members, supporters and sympathisers on terrorism-related charges, punishable by life imprisonment.

Attorney General Daryl Williams stated that the Protective Security Coordination Centre (PSCC), which supervises crisis centres run by federal police, intelligence and military agencies, had been placed on 24-hour alert. His department also indicated that most of the counter-terrorism measures outlined in the May budget, which allocated an extra \$1.3 billion over five years for domestic security, had been set in motion.

The government has been assisted by the fact that all the official opposition parties—Labor, Australian Democrats, Greens and One Nation—and Independent MPs lined up with it to pass a unanimous resolution in both house of parliament on Monday. After expressing outrage at the bombings and offering condolences to the victims, the resolution reaffirmed “Australia’s commitment to continue the war against terrorism in our region and in the rest of the world”. Howard thanked Labor leader Simon Crean for his “constructive” and bipartisan approach.

The Labor premiers of several states called for even swifter and more far-reaching measures. New South Wales Premier Bob Carr urged Howard to deploy military personnel in Sydney to deal with terrorist threats and advocated new legislation to authorise the military’s use against local terrorism. This would be in addition to legislation passed with Labor’s support just before the 2000 Sydney Olympic Games to allow the armed forces to be called out to combat “domestic violence”. Not to be outdone, Queensland Premier Peter Beattie quickly backed Carr’s proposal, while Victorian Premier Steve Bracks suggested a special Council of Australian Governments summit to “urgently address Australia’s preparedness for terrorism”.

Whoever is responsible for the Bali massacre, the government appears to have calculated that it has created the political climate to push through a revamped version of the anti-terrorism legislation that provoked months of public opposition earlier this year. With the assistance of Labor, which moved cosmetic amendments, a package of five bills passed through parliament in July.

Under the guise of combatting terrorists, the laws contain sweeping definitions of terrorism and treason, both now punishable by life imprisonment, which could outlaw many forms of political protest and industrial action. The legislation reverses the burden of proof for some “terrorist” offences, effectively requiring defendants to prove their

innocence, and imposes extensive powers to proscribe political parties, via UN listing, and jail their sympathisers up to 25 years for alleged support for terrorism. Other provisions give law enforcement agencies broader powers to tap phones.

The government's original legislative package was even more repressive. It provided a general power for the government to outlaw political parties for the first time since the 1951 attempt to ban the Communist Party of Australia and had wider definitions of terrorism and treason. During Senate hearings, Attorney General's Department officials acknowledged that a picketing striker who caused "serious" property damage or a person who possessed a mobile phone used to discuss a violent act could be prosecuted.

At the beginning of the year, the government initially intended ramming the laws through quickly to take advantage of the September 11 terrorist attacks. But the measures aroused passionate opposition, forcing it to refer the bills to two parliamentary committees. Several hundred individuals, as well as civil liberties groups, the legal profession and community organisations, inundated the committees with hostile submissions, some directly questioning the government's claim that the laws were designed to protect ordinary people from terrorism. They pointed out that the criminal law already severely punished every conceivable terrorist act, including murder and hostage taking.

Labor's shadow ministers, notably Senate leader John Faulkner, worked with Attorney-General Williams and government MPs intensively behind closed doors to negotiate amendments in a bid to appease the legislation's critics, before passing modified laws on a bipartisan basis.

However, negotiations broke down on the final bill to give ASIO unprecedented power to detain people incommunicado for questioning. The government's ultimate proposal, reintroduced this week, still allowed children as young as 14 to be detained, denied detainees access to legal advice for 48 hours, required all detainees' lawyers to be vetted by ASIO and specified that ASIO monitor all conversations between detainees and their lawyers. Detention could last for seven days without charge, while lawyers (and parents in the case of teenagers) could be barred for "disrupting" ASIO interrogation.

The government rejected Labor's alternative, which was to give the federal police, rather than ASIO, the power of detention without charge for interrogation. Labor did not oppose the detention power in principle, but argued that its exercise by ASIO would shift ASIO's axis from undercover surveillance and intelligence gathering.

This Monday, Crean welcomed Howard's counter-terrorism review and stated his readiness to "look again" at any government proposals in a "united, bipartisan" way. Mindful of the possibility of renewed public hostility to the government's plans, Crean indicated reservations about modifying the "strong" laws already enacted, yet carefully stressed that he would "remain open" to Howard's suggestions.

The next day, Crean was more cautious in his comments, taking care not to openly appear in support of Howard's ASIO proposals. "I'm not convinced that the anti-terrorism legislation needs to be changed," he said. By then, Bali survivors and relatives of victims were criticising calls for vengeance and radio talkback calls and letters to newspaper editors were denouncing Howard for trying to escalate the "war on terrorism". Editorials appeared in some newspapers, notably the *Australian Financial Review*, expressing concerns that the government could discredit the anti-terror campaign by seeking

"repressive powers" such as detention without trial.

At the same time, Crean sought to extend the government's "counter-terrorism" intervention into Indonesia and the region. Having won Howard's praise for proposing a national day of mourning for the Bali victims, Crean offered the government another proposal: the convening of a South-East Asian terrorism summit, to include the governments of Indonesia, Malaysia, Thailand, the Philippines and Singapore.

The Greens and Democrats, who earlier opposed aspects of the terrorism bills, also reacted to the Bali attacks by identifying themselves with the government and the "war on terrorism". Greens leader Bob Brown expressed "100 percent support" for Howard's response to the disaster and declared that a review of anti-terrorist provisions was "appropriate". The Democrats' new leader Andrew Bartlett voiced opposition to any undermining of civil liberties, yet praised the government's actions, including the federal police and ASIO deployment to Indonesia.

In their backing for the Howard government the opposition parties have indicated their willingness to collaborate in the shredding of traditional protections against police-state methods. This is certainly what sections of the media are calling for. Amid a press barrage proclaiming that the Bali tragedy marked the arrival of terrorism "at home," Murdoch's *Australian* published an editorial stating: "The Bali bombings should serve as a lesson to the waverers who have let their distaste for George W. Bush or knee-jerk isolationism blind them to the realities of terrorism."

The newspaper carried a commentary by former UN terrorism official, Rohan Gunaratna, claiming that Jemaah Islamiyah had established a "support network in Australia". Without substantiating any of his lurid allegations, Gunaratna declared that over the past decade Australia had also become home to terrorist groups from Palestine, Lebanon, Russia, Turkey, Spain, Sri Lanka and India. Their supporters and sympathisers had "infiltrated Australian society, including its universities and even media organisations".

If ASIO were to act upon these claims, any academic, journalist or other person in Australia expressing opposition to the oppression of Palestinians, Chechens, Kurds or Tamils, or support for other causes considered to be a danger to the government, could be targeted for interrogation, prosecution and lengthy imprisonment.



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