"Support for our struggle is growing"

Father of Guantánamo Bay prisoner speaks with WSWS

Richard Phillips
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This month marks three years since David Hicks, a 29-year-old Australian citizen, was incarcerated in Guantánamo Bay. Hicks was captured by Afghanistan's Northern Alliance near Kunduz and handed over to the US military in December 2001. He was transported to Guantánamo Bay in January 2002.

The Bush administration refused to classify Hicks or any of the more than 550 detainees currently held in the US military jail as prisoners of war. Instead, it concocted a new category—"unlawful combatants"—and on this basis denied them their legal and democratic rights under the Geneva Convention.

Hicks is one of four prisoners facing trial before a military commission. These tribunals—which accept evidence obtained through torture—violate international law, the US Constitution and centuries of legal principle.

Hicks has pleaded not guilty to all charges and recently issued an affidavit alleging that American interrogators beat him. Detailed reports by the Red Cross and internal US government documents establish that Guantánamo Bay detainees have been physically and psychologically abused.

Over the past three years Terry Hicks, David's father, has conducted a determined fight to secure his son's repatriation. This campaign has been primarily directed against the Howard government, which has slavishly defended the Bush administration's violation of democratic rights. Senior Australian cabinet ministers, who have publicly declared Hicks to be a terrorist, continue to deny the mounting evidence that the US is abusing war prisoners.

Attempts by the Howard government to politically marginalise Terry Hicks have failed. Last year Hicks was nominated for the Australian Father of the Year award and in December was invited to participate in the 150th anniversary of the Eureka Stockade—the historic rebellion of Ballarat gold miners in Victoria, Australia.

The short-lived 1854 uprising issued a number of demands for basic democratic rights, including the right to vote and an end to police attacks on the miners. While military and police officers brutally crushed the revolt, killing 30 miners, popular support for the rebellion forced the government to make a number of democratic reforms.

Howard government MPs, including Foreign Affairs Minister Alexander Downer and Treasurer Peter Costello, as well as the Victorian state Labor Premier Steve Bracks attacked the Eureka commemoration organisers for inviting Hicks. Downer claimed that by asking Hicks to be a leading participant in the traditional dawn march, event organisers were aligning themselves with Al Qaeda terrorism.

Terry Hicks spoke with the World Socialist Web Site*at the end of December 2004 about some of his political experiences over the past year.*

Richard Phillips: Three years ago, when David was first detained, you had to face a barrage of media distortions and government attacks. How did you deal with it?

Terry Hicks: The first six months, with all the media distortions and lies, was absolutely horrendous. The point I couldn't come to terms with, and never will, was the Howard government declaring David to be a terrorist, and guilty, before he had been charged with anything, seen a lawyer or even faced a court. My argument has always been that everyone should be given their legal rights and a proper trial held to determine whether they are innocent or guilty.

All this was very hard to cope with and that didn't really change until I started to speak out at meetings and forums and began explaining how the US was really treating people. Eventually, public opinion, like a pendulum, started swinging and then crossed the centre mark into our field.

RP: When did it begin to change?

TH: After about 12 months. Up until then the situation seemed to be totally negative, and although there were some who realised that David's treatment was wrong, they were a minority. The government kept making accusations, but as time passed more and more people began to question why David was still incarcerated and why he hadn't been charged with anything.

After about 18 months a large majority had changed their opinions. The redneck mentality we used to hear calling for David to be hanged or shot, receded into the background. Today, although you still get this sort of reaction, it is rare.

RP: Was this related to opposition to the US invasion of Iraq?

TH: Yes, that was a factor. Howard's decision to send troops to Iraq and go all the way with Bush was and is very unpopular. A lot of people, particularly those with teenage sons, began to worry whether it would be a repeat of the disaster in Vietnam and would lead to conscription. I received letters from people who didn't want their sons dragged into occupying someone else's country.

We also started to get support from the over-60s age group, who knew what war was all about. I thought it would be difficult getting backing from this layer but they were very firm that we shouldn't be in Iraq. Australia was not under any threat from Iraq and yet we were dragged into America's war against terrorism, as Mr Bush calls it, and for what? It had nothing to with defence but was a straight-out takeover of a country and its oil.

People also started getting concerned about Howard's so-called anti-terror legislation, which gives the police the right to invade your home if someone decides that you're suspicious. This was a definite invasion of privacy and many began to wonder what this was all about. I've had a lot of questions about these laws at meetings and forums.

Most of these laws are directed against other cultures resident in Australia, the Muslims in particular. It's like going back to the McCarthy

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period, when the communists were witchhunted and kept down at all costs. But the public is not stupid. They've been told all sorts of rubbish by the government and now they want to hear the other side.

Many were shocked about the military tribunals, but then came the Abu Ghraib torture pictures. Now there's something in the media every day about US torture and this information is from FBI agents and even some Guantánamo Bay guards. There are credible people within the US military who are ashamed at what their country is doing.

RP: What's your response to the election results in Australia and the US?

TH: Obviously we hoped for a change of government in both countries. I thought Bush was gone, but it's difficult to really know what goes on in America, and I was disappointed with the Australian election results.

Howard played a very devious game. He knows darn well that young married people these days have to take out three or four hundred thousand dollar loans to buy a house and so a small increase in interest rates would create real problems. Most of the young people that I know are just managing to make their monthly payments. If there was a $30 to $40 increase they'd be gone.

So Howard's campaign was targeted to scare these people by claiming that Labor would increase interest rates. Unfortunately many of them don't stop and think that the government doesn't control the interest rates, the banks do. Labor should have countered this by raising hell about the so-called terrorism issue.

RP: But they said nothing on Iraq, the war on terror or the illegal treatment of David.

TH: Yes, they shut up on all the important issues.

I spoke to [Labor leader] Mark Latham's aide in Ballarat and told him that Latham should have jumped up and down and called for a fully independent inquiry into the treatment of David and Mamdouh Habib. He should have slammed his fist down on the table during the official election debate and demanded this.

I spoke to Latham during a radio phone-in a few months after he became ALP leader and he told me that if Labor was elected he would make sure the Australians in Guantánamo Bay were brought home. A lot of people remembered this. But when it came to the election campaign Latham said nothing about this.

RP: They have no real differences with the government on these issues.

TH: That's right. They supported the anti-terrorism laws and kept their mouths shut during the campaign, which played right into Howard's hands.

RP: Although reelected, these governments have little popular support. Howard's denigration of David and your efforts to free him have failed. Your nomination as Father of the Year and invitation to the Eureka Rebellion celebrations are indications of this.

TH: Participation in the Eureka Rebellion events was important. The organisers asked me to be the Leading Light—the person who lights the first candle on the dawn march.

Once the government found out they became very worried. Michael Ronaldson, a Liberal MP from Ballarat, was used to attack me. He claimed that I had no right to be there and would use the event as a political football. Howard, Downer and Costello chimed in and said I was blackening the spirit of Eureka and shouldn't have been invited.

Various people said they were going to stop me. We were told that someone was going to walk alongside me on the march with a loud hailer in my ear. But the day before we travelled there, one of my relatives in the Ballarat and Bendigo area phoned and told me that my great-great grandfather, George Henry Hicks,had been involved in the Eureka Stockade in 1854.

When I arrived in Ballarat, one of the guys who wanted to stop me attending slapped me on the back and shook my hand after he'd heard that I was related to one of the Eureka rebels. I asked, "What's this turnaround all about?" He said, "You're a descendant". My reply was "You're a hypocrite". But he was OK in the end.

Only one person interrupted my speech at the end of the march. He drowned out the first part and so the organisers asked me to start it again. I agreed, but told the crowd of about 3,000 that the heckler had his rights under democratic law and as long as he wasn't physical he could vent his feelings. I then explained that I had the same rights and invited him to see me after I'd spoken. The crowd went deathly quiet and I continued my speech.

I told the audience that our struggle for David's basic rights was based on the same democratic principles that the Eureka Stockade fought for 150 years ago. Democracy in Australia began with this rebellion—their struggle against injustice began when they decided to take matters into their own hands.

In my view there's not much democracy left in Australia. The right to have a say, the Australian "fair go" system is just about gone. You now have government ministers declaring someone is guilty of terrorism, before that person is charged or even put on trial. They've got the right to say this, but if I get up to defend my son and his rights, the government treats me like the worst person in the world and refuses to even speak to me.

This is the situation we face today, I told the crowd, and the treatment of David and other Guantánamo Bay prisoners shows that we've gone backwards. I was given an ovation after the speech.

Overall the Howard government shot itself in the foot over the Eureka anniversary. In fact, what they said put a lot of people on side with us. And this support is growing. In the last 12 months I've spoken at meetings across the country—in Perth, Melbourne and Sydney a couple of times, Brisbane, the Latrobe Valley, Newcastle and of course Ballarat.

The Father of the Year issue was another indication. Although I didn't win the award, it was a great honour to be nominated. The government probably has a big say in who was chosen, so naturally enough I wouldn't have been their first choice.

RP: What's the current situation with David's military trial?

TH: There is supposed to be another motions hearing this month and a commission hearing scheduled for March 15, but we don't know whether that is going ahead or not because of recent US court decisions. It's very complicated and confusing.

The Howard government claims that the delay in one of the military trials of another Guantánamo Bay prisoner will not affect David's trial, but they have no say in the matter. What the US courts have done for one prisoner should apply to all the others. But at this stage we don't know.

I've had no direct contact with him since our visit in August, but we've sent various letters, including Christmas greetings and that sort of thing. I've told him that we're sending over a helicopter, so he should be pleased with that. Whatever happens, he knows that we are still campaigning.

RP: And your message for supporters for the year ahead?

TH: I'd like to thank everyone for all their help and to say that we've only been able to move forward because of this. Everyone should understand this is going to be a long struggle, but as long as the backing is there for David, and he knows about it, it'll keep him in good stead and it helps to keep me going as well. We also hope that those who have organised meetings and forums for us will continue to do so, not just about the situation facing David, but the range of democratic rights now under attack.

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