Australian government to deport American antiwar activist

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In a fundamental attack on political free speech, the Australian government last Saturday detained and set about deporting an American antiwar and anti-corporate activist because his presence in the country was a "threat to national security".

There is no direct precedent for the removal of Scott Parkin, 36, a Texas community college history teacher. He arrived in Australia earlier this year on a six-month visitor's visa to participate in a series of demonstrations and workshops directed against the Iraq war and the profiteering of Halliburton and other giant US corporations.

Without any warning, his visa was revoked and he was bundled away from a Melbourne cafe by six Australian Federal Police officers and immigration officials. He was then placed in solitary confinement in a police cell at Melbourne Custody Centre. His detention came just before he was due to give a workshop for the Pt'chang Non-violence Community Safety Group on grassroots political campaigns.

Parkin was arrested two days after Prime Minister John Howard unveiled a new barrage of measures that trample over basic political freedoms and civil liberties, setting the scene for a "counter-terrorism" summit with state and territory leaders on September 27. Howard's unprecedented proposals include "preventative" detention without charge for up to two weeks, the electronic tagging of "suspects" for up to a year, lengthy jail terms for "inciting violence" and revoking citizenship (See "Australian government unveils legal framework for police state").

Parkin's treatment provides a taste of how these extraordinary powers will be used, not to protect ordinary people from terrorism, but to stifle social and political dissent in the name of "security".

Significantly, four days before he was picked up, Parkin had declined a request by Australia's political police, the Australian Security Intelligence Organisation (ASIO), for an interview with him. According to Iain Murray, an organiser with the Pt'chang group, Parkin asked ASIO if he was required to attend an interview and was told he was not obliged to do so.

The anti-terrorism legislation already imposed since 2001 gives ASIO wide powers to detain and interrogate people for up to a week without trial, merely because it alleges they may have information about terrorism. ASIO did not exercise that power against Parkin, however.

Nevertheless, despite protests in Melbourne, Sydney and Washington, it appears that he will be deported tomorrow morning, even though he has lodged an appeal in the Migration Review Tribunal against the cancellation of his visa. His lawyer Marika Dias said he would accept removal from the country, simply to avoid being held in prison while his case was heard. He is not only being held in isolation and denied basic political rights, but he is also being billed $126 a day for his accommodation, as are all immigration detainees in Australia.

Parkin has not been accused of breaching any visa condition or committing any offence while in Australia. The only possible reason for him to be labelled a risk to "security" is his involvement in a series of legal, publicly-advertised demonstrations and workshops against the Iraq war, Halliburton and the Global CEO Conference organised by *Forbes* magazine.

Parkin is a member of and writer for the Houston Global Awareness Collective (HGAC), which seeks to end the US-led occupation of Iraq. Since February 2003, the HGAC has targeted Halliburton, which is a prime recipient of US government contracts in Iraq and formerly had US Vice President Dick Cheney as its chief executive officer. In articles published on various web sites, including *Counterpunch* and *Zmag*, Parkin has described Halliburton as a "poster child of war profiteering" and advocated a "people power" strategy of "non-violent direct action and public education" to "pressure Halliburton out of Iraq".

The two Howard government ministers directly responsible for his detention, Immigration Minister Amanda Vanstone and Attorney-General Philip Ruddock, refused for three days to give any official reason for it. Finally, on Tuesday Ruddock gave a radio interview in which he denied that political influence, either by his government or the Bush administration in Washington, had been a factor.

Ruddock's comments, however, only confirmed that a highly political decision was made. "The reason he's in custody is because his visa has been cancelled. The reason his visa has been cancelled is because he's received an adverse security assessment," he said. "ASIO is responsible for protecting the Australian community from all forms of politically motivated violence, including violent protest activity, and they've made an assessment in relation to those matters."

Speaking on Parkin's behalf, Iain Murray described the minister's implication that Parkin would be involved in political violence as "highly offensive" because of Parkin's publicly-stated commitment to non-violent action. A spokesman for Ruddock finally admitted yesterday that the government's objection to Parkin was merely that he had encouraged "spirited" action by protesters.

ASIO's legislation speaks of "politically motivated violence" as "acts or threats of violence or unlawful harm that are intended or likely to achieve a political objective". It supposedly protects "lawful advocacy, protest or dissent" but ASIO and the authorities can easily get around this clause by accusing protestors of causing injury or property damage, or by provoking demonstrators into violent clashes with police.

On August 31, Parkin took part in a protest outside Halliburton's

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Sydney headquarters. No incidents were reported and no one was arrested. The previous evening, Parkin joined some 500 people demonstrating at the Sydney Opera House against the Forbes conference. Physical clashes erupted when they were confronted by about 1,000 police, along with dozens of horses. After police aggressively intervened, ordering people to move on, eight people were arrested and charged with minor and notoriously arbitrary offences, such as hindering police, disobeying a reasonable direction, and resisting arrest. One man was charged with assaulting police.

Parkin's perspective does not go beyond limited protest politics; but organised opposition of any kind to the war and its corporate beneficiaries alarms the government because of the widespread antiwar and anti-government sentiment in Australia and the United States. Parkin's treatment establishes a benchmark to use "national security" and the "war on terrorism" to victimise any visiting political opponent of militarism and the corporate agenda of "free market" economics, privatisation, the slashing of public services and attacks on democratic rights.

Brian Walters, president of the civil liberties organisation, Liberty Victoria, commented: "It appears that Parkin is being held in jail and deported for being a peace activist.... Parkin's views could scarcely be described as radical. A sizeable proportion of Australia's population—and a sizeable proportion of the US population, for that matter—share his opposition to the Iraq war. Under the present expansive and ill-defined terms 'terrorist' and 'security threat', ordinary Australians organising or participating in rallies, protests or public meetings could potentially be investigated by ASIO."

Moreover, the Howard government is just as sensitive as the Bush White House to exposures about Halliburton's role in Iraq. Together with British Prime Minister Tony Blair, Howard has been Bush's closest collaborator in the invasion and plunder of Iraq. Halliburton has been one of the biggest direct beneficiaries. The *Financial Times* has estimated that the company has received reconstruction contracts worth $18 billion. Halliburton has also been accused of more fraud, waste and corruption than any other Iraq contractor—from allegations of overcharging $108 million for fuel and $24.7 million for meals, to confirmed kickbacks of $6.3 million.

According to the *Sydney Morning Herald*, Halliburton subsidiaries are also active in Australia. One offshoot, KBR, won more than 150 military contracts from the Howard government last year and has secured $58 million worth of projects through the government's overseas aid program, AusAID.

It was originally thought that Parkin's visa had been revoked under section 501 of the Migration Act, a provision that allows the immigration minister to personally cancel a visa, without any notice, simply because the minister "reasonably suspects" a person is not of "good character". The so-called character test is vague and draconian. For example, it refers to a "significant risk" that a visa holder would "harass" another person, "incite discord" in a segment of the Australian community, or "become involved in activities that are disruptive" to that segment of the community.

It was later revealed that Vanstone relied upon ASIO's "adverse assessment" to activate section 116 of the Act, which is even more sweeping. It permits the minister to cancel visas of people whose presence "would be a risk to the health, safety or good order of the Australian community".

Decisions under this section are virtually impossible to contest legally because of the breadth of discretion allocated to the minister. Australian courts, including the High Court, have traditionally refused to question ASIO's assessment of "national security". Furthermore, the National Security Information Act—an "anti-terrorism" secrecy law passed last year—allows the attorney-general to issue a "non-disclosure certificate" blocking any questioning of government witnesses or the tabling of any document that is "likely to prejudice national security".

The only known similar case is that of Lorenzo Ervin, a former American Black Panthers member, deported in mid-1997 while in Australia on a speaking tour. On that occasion, Vanstone acted after agitation by Pauline Hanson, the leader of the extreme right-wing One Nation party, and other anti-immigrant groups. Vanstone claimed that Ervin failed the character test because of a 1969 criminal conviction for hijacking a plane to Cuba, although Ervin had been pardoned in 1988. (In Parkin's case, the government cannot even claim that he has any criminal convictions).

After Ervin successfully appealed to the High Court, arguing that he had been denied procedural fairness, the government soon cancelled his visa again, after giving him a token opportunity to make a submission. A few weeks later, it announced amendments to section 501 of the Migration Act to give it the almost unlimited powers that it now has to detain and deport non-citizens.

In another case, the Howard government refused to grant a visa to Irish Sinn Fein leader Gerry Adams for a speaking tour in 1996 and went to the Federal Court to defend its political censorship. Just two years later, it granted Adams a visa, stating that he was no longer a threat because Sinn Fein had signed onto the Blair government's peace process. The about-face only underscored the utilisation of "national security" and the "character test" for immediate political purposes.

In keeping with its complicity in the Howard government's erosion of democratic rights over the past five years, the Labor Party has announced that it will not oppose Parkin's deportation. A spokesman for opposition Leader Kim Beazley said he had been briefed on the government's reasons for Parkin's detention and was satisfied with the action taken. This bipartisan unity further exposes the lack of any constituency in the political establishment for the defence of even the most elementary rights of free speech and association.

In particular, Parkin's removal sets a chilling precedent for blocking the fundamental political and democratic right to travel and communicate freely across national boundaries. It demonstrates the organic hostility of both major parties for international collaboration in the struggle against war and social reaction. As political disaffection and social unrest grow, they remain haunted by the spectre of the re-emergence of the deep-rooted global movement against the Iraq invasion in 2003.

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