

Australia: Labor premiers join hands with Howard at “anti-terror” summit

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In an extraordinary display of bipartisan unity, the premiers and chief ministers of the eight Australian states and territories—all Labor Party representatives—joined Prime Minister John Howard in adopting measures of a police-state character at a Council of Australian Governments “counter-terrorism” summit on September 27.

After a two-hour closed-door meeting, the Labor leaders agreed to all Howard’s proposals, including “preventative” detention without charge, the imposition of house arrests or other “control orders” and enhanced powers to call out the military to deal with domestic unrest. Howard thanked his Labor counterparts for their “unanimous agreement” to “major changes”.

Never before has such a sweeping dismantling of civil liberties taken place, and in such an openly anti-democratic manner. These provisions abrogate some of the most basic democratic rights: the freedoms of speech, movement and association, the presumption of innocence and the right not to be detained without charge or trial. Yet, for all the talk of “public opinion” demanding such measures, there has not been a single parliamentary debate, let alone public discussion.

On the pretext of responding to the July 7 bombings in London, the prime ministers and the premiers gave the go-ahead for laws that far outstrip anything seen during World Wars I and II. Howard declared that “unusual” circumstances called for “unusual” powers. What he did not mention is that Tony Blair’s British Labour government had already imposed “preventive detention” and “control orders” well before the July 7 bombings.

More fundamentally, both Howard and Blair, like George Bush in the United States, have dramatically heightened the danger of terrorist attacks by the occupation of Afghanistan and Iraq. Like his counterparts, Howard is cynically exploiting the consequences to carry through far-reaching changes to the state apparatus.

To provide an air of national emergency, Howard opened the summit with a secret briefing by the heads of the main police and intelligence agencies—the Australian Security Intelligence Organisation (ASIO), the Office of National Assessments (ONA) and the Australian Federal Police (AFP). These are the same agencies that collaborated with Howard to peddle the

“weapons of mass destruction” lies used to justify the Iraq war.

The day after the summit, Murdoch’s *Australian* featured a claim that ASIO was monitoring up to 800 Muslim “extremists”—a tenfold increase over the past two years. It was a transparent post-summit bid to justify the new laws. The figure is almost certainly inflated to include many who are simply opposed to the criminal activities of the US and its allies in Iraq and Afghanistan.

The leaked ASIO material provides an indication of the scale on which these new powers are likely to be used against a wide layer of Muslims and their families. They are only the most visible and vulnerable targets, however. In the lead-up to the summit, with Labor’s backing, Howard’s government detained and deported Scott Parkin, an American antiwar and anti-corporate activist, because ASIO advised that his presence in the country threatened “security”.

The few details provided in the summit communiqué confirm the vast scope for these powers to be utilised for wider political purposes.

Via secret court hearings, people will be subjected to 12-month “control orders”. Without any notice, they can suddenly find themselves under house arrest, barred from working or communicating with other people, banned from using a mobile phone or the internet, obliged to give unlimited entry to police officers and placed under round-the-clock electronic monitoring.

They can appeal, but only in a closed court, where ASIO will vet their lawyers and they will be denied access to the information alleged against them. The AFP only has to argue that “on the balance of probabilities” it has “reasonable grounds” to think that the order will help prevent a terrorist act or that a person has trained with a listed terrorist organisation.

With even fewer rights, people as young as 16 can be placed in preventative detention. The AFP can issue the initial detention order, a magistrate or judge can extend it for up to 14 days (Ruddock has canvassed extending this to three months), and there is nothing to prevent it being renewed continuously. Detainees will be held incommunicado, permitted only to contact their employer or family to let them know they are “safe”. Even conversations with lawyers will be monitored. Prisoners can seek “judicial review” or complain to the

Ombudsman, but hearings will also be secret and lawyers vetted.

New laws will “enhance and clarify” the military call-out legislation passed in 2000 to allow the government to mobilise the armed forces against civilians. Other measures include expanded police stop and search powers, lengthy jail terms for “inciting” political violence or support for “enemies” of Australia, and greater powers to outlaw organisations that “advocate” terrorism. All these provisions are based on defining terrorism so widely that it covers many traditional forms of political protest.

This latest package is no more about protecting the safety of ordinary people than the 26 pieces of “counter-terrorism” legislation already introduced, with Labor’s support, since 2001. Well before 2001, a vast array of police and spying powers already existed to combat terrorism.

Provisions such as closed courts, secret evidence and vetting of lawyers make a mockery of the claims by the Labor premiers to have insisted on safeguards. Perhaps the most ludicrous “safeguard” is the 10-year sunset clause to be inserted in the new legislation. Keeping the laws in place for at least a decade, effectively makes them permanent, in line with the indefinite “war on terror”.

Nevertheless, the lip service to “safeguards” betrays a certain political nervousness. Despite the lack of any opposition in the major parties, deep concerns exist about the tearing up of democratic and legal rights. These were partly expressed by civil liberties, Islamic and legal groups. Liberty Victoria president Brian Walters, SC, said: “It is just an absolute disgrace and a dereliction of duty by the premiers and Prime Minister in terms of failure to protect human rights and our way of life.”

Letters to editors conveyed a mixture of shock and disgust at Labor’s complicity in such totalitarian measures. One said: “Congratulations to all state ALP premiers for your induction as a fully operative sub-branch of the Liberal Party. The sun has indeed set.”

Some drew connections to the occupations of Afghanistan and Iraq. One correspondent wrote: “I would not expect otherwise of a government that allows its citizens to be held captive in jail for years without charge and which supports the American government, which refuses to observe the Geneva Convention.” Another commented: “This is the same kind of democracy we have so proudly given to the people of Iraq and Afghanistan.”

A number of media commentators and editorials expressed fears that the laws would backfire. “Australians are now being asked to accept that hundreds of residents are potential terrorists” and the “government must be mindful of alienating sections of the community,” a Melbourne *Age* editorial cautioned.

However, this editorial, like the one in its sister newspaper, the *Sydney Morning Herald*, did not oppose the laws outright. It

simply urged Howard and the premiers to consider stronger “safeguards”. Similarly, the Australian Greens and Australian Democrats issued statements merely calling for better legal protections. This is a further warning that no section of the political and media establishment will defend even basic democratic rights and civil liberties.

To try to justify their lineup with Howard, the Labor leaders claimed to have been convinced by the “serious” briefing given by the security agencies. Yet, they had spelled out their readiness to fully cooperate with Howard long before the summit assembled. In fact, the weeks leading up to the event saw a bidding war between them to see who could unveil the most extensive police powers.

So intent were the premiers on aligning themselves with Howard that they effectively cold-shouldered the federal Labor leader Kim Beazley who, two days before the summit, attempted to outdo Howard by proposing even more draconian police powers. Beazley proposed that on the basis of “credible intelligence”, police should be given the power to seal off entire suburbs to search people, houses and vehicles.

The consensus on display at the summit extends to every issue facing ordinary people. Both major parties have implemented years of attacks on health care, education, welfare, jobs and working conditions.

At the post-summit media conference, each of the premiers emphasised the “spirit of cooperation” that united them with Howard. Queensland Premier Peter Beattie declared: “I think we’ve shown today that when the interests of the nation are put to the test then the leaders of this country can actually work together with the prime minister.”

These are pledges to stand together to combat any threat to the “national interest”—that is, the interests of the ruling establishment—under conditions where the bipartisan imposition of the “free market” requirements of global capitalism has produced widespread disaffection, alienation and distrust. Moreover, the quagmires in Iraq and Afghanistan, combined with the collapse of the lies used to justify the occupations, have produced mounting scepticism in the “war on terror”.

In the final analysis, democratic forms of rule are incompatible with the ever-widening social inequality and deepening hostility produced by this program of militarism, social reaction and suppression of free speech. It is to deal with the emergence of political opposition and social unrest that the two major parties have come together to boost the powers of the state.



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