

# Unanswered questions about Australia's "terrorist" alert

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There is every indication that Prime Minister John Howard's declaration of an "urgent" terrorist situation last Wednesday was another of the blatant political fabrications for which his government has become notorious. Howard convened a midday media conference at parliament house, with Attorney-General Philip Ruddock by his side, to announce that the government had received "specific intelligence and police information" that gave cause for "serious concern about a potential terrorist threat".

The announcement, designed to cause public fear and alarm, came just as the government was tabling in parliament two unprecedented pieces of legislation, the details of which had been kept hidden from the public for many weeks. The first was the so-called Work Choices Bill, which tears up longstanding constitutional arrangements to launch a wholesale assault on the jobs, working conditions and living standards of working people. The second was the Anti-Terrorism Bill, which rips apart fundamental civil liberties and constitutional rights to give the government and its security agencies vast powers to suppress political dissent.

Howard and Ruddock used the "alert" to demand the immediate recall of the Senate to pass, within 36 hours, the first instalment of the Anti-Terrorism Bill. By Thursday evening, despite some histrionics in the Senate chamber about the obvious "stunt" that Howard and Ruddock had pulled, all the parliamentary parties—Liberal, National, Labor, Democrats and Greens—had united to pass it.

The *World Socialist Web Site* has no independent means to verify the completely unsubstantiated claims made by Howard and Ruddock. It is quite conceivable that Islamic fundamentalists might plan a terrorist attack in Australia. The Howard government has made the country a likely target because of its close collaboration with the war-mongering Bush administration, and its direct participation in the neo-colonial invasions of Afghanistan and Iraq.

But if one is to believe the intelligence information appearing in the Murdoch media over the past three days—all leaked by the government itself in an attempt to belatedly justify the "alert"—there is every reason to conclude that the government's claims have been concocted for sinister political purposes.

In the first place, it now appears that Howard's police and intelligence chiefs informed him of the terrorist "threat" on Monday, yet he delayed the public announcement until Wednesday. No explanation has been given for the time gap, leading to speculation that Howard did not want to upset the running of the Melbourne Cup, Australia's premier horse race, on Tuesday.

Second, no change has been made to the government's official terrorist alert level, which remains at "medium," indicating no imminent danger. In media appearances, Howard and Ruddock tried

to explain this discrepancy by arguing that their references to "specific" and "serious" information had not implied any imminent threat. Howard claimed: "I don't want to over-alarm people".

Third, Australian Capital Territory chief minister Jon Stanhope revealed that the federal government had not consulted him about the terrorist threat. Nor had Howard convened the agency responsible for coordinating official reactions to terrorist threats, the National Counter-Terrorism Committee.

"The National Counter-Terrorism Committee, which is the committee which essentially represents each of the states on the national infrastructure or arrangements to address terrorism or counter-terrorism in Australia, hadn't been notified of the threat and still has not been activated," Stanhope said. "So around Australia, none of the counter-terrorism infrastructure has been activated as a result of this announcement."

Fourth, when the emergency mini-Bill was tabled in parliament on Wednesday afternoon, it did not contain key measures that Howard outlined at his media conference. He stated that the Bill would add further grounds for outlawing organisations as "terrorist". He referred specifically to Schedule 1 of the Anti-Terrorism Bill 2005, which will allow Ruddock to ban groups that "advocate" or "praise" terrorism.

His initial media statement gave rise to predictions in the media by pro-government security experts that the government was preparing to proscribe certain Islamic groups. Once the Bill was tabled minus those measures, the media leaks quickly shifted to what the Murdoch press dubbed "a group of radical Muslim youths" who were reported to be plotting to attack prominent locations in Melbourne and Sydney.

As if on cue, Murdoch's newspapers, notably the *Australian*, the *Sydney Daily Telegraph* and the *Melbourne Herald Sun*, went into action on Thursday morning, doing everything they could to give credence to Howard's alert and to cause public hysteria. They were obviously armed with intelligence leaks that could only have come from the upper echelons of the Australian Security Intelligence Organisation (ASIO) or Ruddock's Attorney-General's department.

"Cities on terror alert" was the banner headline of the *Australian*, followed by the completely unsubstantiated report that "Fears terrorists are moving closer to an attack on Sydney and Melbourne have forced the Howard government to rush through an emergency law to make it easier for police to arrest suspects."

The newspaper said it had learned that "intelligence relates to home-grown terror suspects in the country's two biggest cities who are believed to be building the capability to mount an attack". These "intelligence sources" also informed the *Telegraph* that the targets included the Sydney Harbour Bridge and the Kurnell oil refinery, while the *Herald Sun* nominated well-known Melbourne landmarks.

Finally, police and intelligence officials indicated that their concerns related to a group of Muslims whose homes were raided by the Australian Federal Police and ASIO in June, as part of a long-term surveillance operation. If this were the case, then Howard's announcement would have alerted the group and thoroughly compromised the operation. By this morning, the *Australian* was reporting rifts within the police and intelligence agencies over Howard's actions.

Howard and Ruddock have dismissed as "ridiculous" accusations that the alert was a political ploy. They pointed out that the state Labor premiers had been briefed by phone hook-up and agreed to the "urgent" Bill, as well as the final version of the overall Bill.

Ruddock said: "If this was a stunt there would be a lot of people conspiring and it would include your security agency, the Australian Federal Police, the leader of the Opposition. It would include also state police in some instances and premiers. A fairly extraordinary conspiracy I would suggest."

While certainly "extraordinary," it would fit a familiar pattern. Essentially the same elements—the Howard cabinet, the police and intelligence services and the Kim Beazley-led Labor Party—were responsible, together with the mass media, for spreading the "children overboard" lies that demonised asylum seekers in 2001 and the "weapons of mass destruction" fabrications produced to justify the illegal invasion of Iraq in 2003.

This time, Beazley sought to lead the charge. He declared in advance that Labor would pass the Anti-Terrorism Bill 2005, with or without any legal "safeguards" to protect the rights of detainees. He also tried to outdo Howard and Ruddock on their "alert" by proposing that the Senate be recalled immediately, on Wednesday rather than Thursday.

Beazley's stance shocked and angered wide layers of people, because it made crystal clear that there would be no opposition at all by Labor to the historic onslaught on legal and democratic rights.

The Bill, which was passed by the Senate unanimously on Thursday evening, substituted the word "a" for the word "the" in defining terrorism offences. This seemingly slight change is of huge legal, and political, significance. It allows the government and its security agencies to arrest and charge anyone without having to show involvement in any specific terrorist act. The police can merely allege that the person was discussing or preparing an attack in the future, even if no date, target, location or method had been mentioned.

The government's Explanatory Memorandum for the Bill spells this out. "In proving one of the amended offences it will not be necessary to establish that the person has settled on a particular target, time or date or other specific particulars of the action or threat of action said to constitute the terrorist act. For example, where the person has settled on an action such as destroying a government building but has not decided on a particular building, time or date this would fall within the concept of a terrorist act."

The new law gives the government, ASIO and the federal police vast scope to round up people on the basis of what they are accused of vaguely intending to do, and to secure convictions without having to produce any evidence of actual, concrete plans or preparations.

These provisions are indicative of the real purpose and thrust of the entire Anti-Terrorism Bill 2005, which Ruddock introduced into parliament a day after the "alert". It creates two new sweeping forms of detention without trial—"preventative detention" and "control orders"—both of which will be triggered by ASIO and police predictions of what people might do, not what they are doing or have

done.

The Bill also features far-reaching measures directly aimed against free speech. Most notable are additional sedition offences, as well as the crime of "advocating" terrorism. Sedition will include "urging disaffection" with the government, which could be committed by accusing it of lying. "Advocating" terrorism could consist of supporting the right of people under occupation—for example, in Iraq—to resist the occupying military forces or a puppet regime.

After negotiations with backbench Liberals, Ruddock agreed to minor modifications, which only underscore the Bill's totalitarian character. People hauled into preventative detention or house arrest will be able to challenge their internment before a judge, but only in closed-door hearings and without access to secret evidence. Detained teenagers will have the right to speak with both their parents, rather than one. Powers to "shoot-to-kill" people allegedly fleeing from detention will be based on existing state laws, instead of new specific provisions. Far from altering the sedition measures, Ruddock said his department would "review" them next year.

The government also decided to set November 28, rather than November 8, as the deadline for the Senate to pass the whole Bill. This allows three weeks for a parliamentary committee review. The purpose of this inquiry will be, as with similar parliamentary inquiries in 2002 and 2003, to assist the government and its Labor accomplices to fine-tune the legislation, correct any obvious flaws and make cosmetic changes designed to dampen public hostility.

This legislation is no more about protecting ordinary people from terrorism than the previous "anti-terrorism" Acts—numbering more than 30—passed since 2002. Their purpose is to arm the ruling elite and its security forces, such as ASIO, with draconian powers to deal with anticipated social unrest and political discontent, which is being fuelled by the war on Iraq, growing social inequality, deteriorating health and education services and the ongoing attacks on democratic rights.

This week, ASIO's annual report was also tabled in parliament. Howard cited it as another justification for his alert. But buried away inside the report, after much talk of combatting "home-grown" terrorist threats, it stated: "Investigation of groups and individuals prepared to use violence to achieve their goals remained a high priority against a background of protests over Australian involvement in Iraq and immigration and education policies."



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