

Australia: Government MPs defy Howard over refugee law

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An acrimonious conflict within Australia's Liberal-National government over refugee law has highlighted the mounting tensions wracking the Coalition government.

Backbench members of Prime Minister John Howard's own Liberal Party yesterday voted against the government for the first time since 1997, defying a last-ditch appeal by Howard to abstain on his new migration bill rather than side with the Opposition.

Howard reportedly told a party room meeting it would be a disaster for the government if the backbenchers crossed the floor of parliament. Nevertheless, three Liberal MPs, Petro Georgiou, Russell Broadbent and Judi Moylan, voted against, while another, Bruce Baird, abstained. A National Party member, John Forrest, also abstained and then resigned as Party Whip.

The bill still passed the House of Representatives by 78 votes to 62, but could be defeated in the Senate next week. There, the government has only a one-seat majority and four Coalition Senators—Liberals Judith Troeth, Marise Payne and Russell Trood and National Senator Barnaby Joyce— have yet to announce which way they will vote.

Comments by the dissident MPs revealed a bitter divide in the government's ranks. Georgiou told parliament the bill was "draconian" and "the most profoundly disturbing piece of legislation" he had ever encountered. Broadbent made a thinly veiled reference to intimidation from within his party, saying he had been warned that any form of dissent was "political death". He declared: "If I am to die politically because of my stance on this bill, it is better to die on my feet than live on my knees".

There were heated exchanges in the lead-up to the vote, with one Howard backer describing the rebels as being "in the ditch". Defence Minister Brendan Nelson said anyone who voted against the government would lose the respect of their colleagues. Others in the Howard camp accused the dissenters of disloyalty and demanded they submit to the majority.

The legislation is deeply reactionary. Asylum seekers who reach the Australian mainland by boat will be immediately

removed from the country and denied all rights under Australian law. The government's intent is to prevent them entering the country, even if they are genuine refugees.

Instead, they will be transported to a detention centre on the remote Pacific island of Nauru, a former Australian colony. Following the 2001 federal election, during which Howard's campaign centred on the scapegoating of asylum seekers, 1,500 refugees were sent to Nauru, where many languished in appalling conditions for years. Under the new legislation all arrivals, including women and children, will be detained indefinitely, until another country accepts them.

The *Migration Amendment (Designated Authorised Arrivals) Bill 2006* openly flouts the international Refugee Convention, which states that refugees cannot be penalised on the grounds of "illegal entry or presence" and must not be removed to a country where they could face persecution. Unlike Australia, Nauru is not a signatory to the Convention, and can therefore send them back to the regimes they have fled.

The rebellion was the second embarrassing blow dealt to Howard over the bill. Six weeks ago, before parliament shut down for winter, he was unable to push through the legislation despite more than a month of negotiations and browbeating in an effort to strike a deal with the dissenters.

Howard was particularly anxious for the legislation to pass in order to patch up relations with Indonesian President Susilo Bambang Yudhoyono. Yudhoyono withdrew Indonesia's ambassador to Australia in March, after Canberra granted Temporary Protection Visas to 42 West Papuan pro-independence asylum seekers who had arrived by boat. Jakarta interpreted the visa decision as a signal of support for secessionists in West Papua. Howard wanted to assure Yudhoyono at their June 27 meeting that all future West Papuan refugees would be barred access to Australia.

Over the winter break, the dissenting MPs continued to reject a series of concessions offered by the government, such as setting time limits on assessing refugee claims, providing reviews by higher officials and allowing women and children to live in modified, "community" detention on

Nauru. The MPs pointed out that these modifications could not be guaranteed in a foreign country. Under its detention camp agreements with Canberra, Nauru has consistently barred journalists, lawyers, social workers and even health care professionals from access to detainees.

In part, the decision to cross the floor reflects considerable public opposition to the bill. A poll in mid-June found that 74 percent of Australians were opposed to it. Other polls have pointed to concerns about the ongoing detention of children. This opposition has grown in the wake of last year's reports about the wrongful detention of Australian residents, Vivian Alvarez and Cornelia Rau, and their callous treatment by the immigration authorities. Since then, the government has admitted to wrongly detaining some 250 suspected "unlawful non-citizens" in recent years.

On the other side of the rift, Howard's backers have urged the government to stick with its anti-refugee policy. At a parliamentary party meeting on June 20, just before the winter recess, Liberal MP Don Randall declared that Howard's policy on asylum seekers had won him his parliamentary seat at the 2001 election.

The MPs' revolt is also a reaction to an increasing takeover of the Liberal Party by right-wing and Christian fundamentalist elements allied to Howard. Several of the dissenting MPs, including Georgiou and Moylan, have faced concerted efforts to strip them of their pre-selections as Liberal candidates in next year's scheduled federal election.

Over the past year, media reports have emerged of vicious factional warfare in the Liberal Party involving branch-stacking, vote-rorting and secret plots to oust sitting MPs. An Australian Broadcasting Corporation "Four Corners" program in July revealed that a decline in the party's active membership to about 3,000 in Howard's home state of NSW had allowed a right-wing faction headed by ultra-conservative Catholic backbencher David Clarke to gain control of the party's state executive.

At the same time, the "rebel" backbenchers are appealing to nationalist sentiment, accusing Howard of making policy at Indonesia's behest. In her parliamentary speech, Moylan said "Australia should not fashion its refugee policy to assuage the Indonesian government". She warned that Australian citizens would never forgive MPs for "acquiescing in silence to pressure from a neighbour".

Among those accusing Howard of undermining Australian sovereignty is media baron Rupert Murdoch, who has called for the defeat of the bill in the Senate. An editorial in his flagship *Australian* yesterday declared: "Nothing has changed since John Howard's ill-judged and dangerous migration amendment bill was first introduced into the federal parliament in May to suggest it now deserves support. Even in its present form, mildly watered-down after

a backbench revolt, the bill represents the worst kind of policy-making, trading Australian sovereignty to appease Jakarta's anger over our granting protection to 42 Papuan asylum-seekers in March."

This stance is not based on any concern for the fate of refugees. The *Australian* backed Howard in 2001 and 2002 when his government introduced its "Pacific Solution" to forcibly transport Middle Eastern asylum seekers to Nauru or Papua New Guinea's Manus Island. But sections of the ruling elite regard the government's ongoing reliance on an anti-refugee constituency and other forms of right-wing populism as a major obstacle to corporate demands for further "economic reform".

According to the *Sydney Morning Herald*, a defeat in the Senate would signify an "unprecedented affront" to Howard's authority, "made the more so by it being about immigration, a prime source of his electoral successes since 2001".

Only two weeks ago, the media, including Murdoch's chain of newspapers, hailed Howard's decision to contest the next election, rather than stand aside for his long-time deputy, Treasurer Peter Costello. Howard's announcement was regarded as a welcome step toward consolidating the government and strengthening its resolve to push on with its unpopular agenda.

Almost immediately, however, increases in interest rates and petrol prices sent Howard scrambling into damage control, heightening concerns in business circles that, as in the 2001 and 2004 elections, he will try to cling to office by backing away from the "reform" agenda and handing out concessions to lobby groups in key marginal seats.

True to form, the Labor Party has echoed the backbenchers' appeal to nationalism. In parliament this week, Labor leader Kim Beazley called on the Liberal dissenters to "come on over and join us and defend our national sovereignty". Another Labor leader, Carmen Lawrence, accused Howard of appeasing Indonesia. "The Prime Minister, our so-called 'man of steel', folded in what is pretty humiliating acquiescence," she declared.



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