Terry Hicks, father of former Guantánamo prisoner, speaks with WSWS

“People are now waking up...”

Richard Phillips
23 June 2007

Terry Hicks

Late last month, 31-year-old Australian citizen David Hicks was transferred from Guantánamo Bay prison to the Yatala Labour Prison in South Australia following a plea-bargain deal in his US military commission trial on March 26. Hicks, who was demonised by Washington and Canberra as a dangerous terrorist, spent almost five and half years in the US military jail after being captured in Afghanistan in December 2001.

Hicks was subjected to torture, extended periods of solitary confinement and countless other violations of his basic rights. He was eventually railroaded into pleading guilty to a charge of “providing material support for a terrorist group” at the military commission.

The charge against Hicks was completely bogus. It was retrospective, violated the US Constitution and Australian law and, like his incarceration in Guantánamo itself, constituted a war crime under the Geneva Conventions. Under the plea bargain, which was worked out in a backroom deal between the US and Australian governments, Hicks was sentenced to seven years imprisonment, of which all but nine months was suspended.

Hicks has been banned from making any comment to the media for 12 months. He will be released from Yatala Prison on December 29, but is currently in solitary confinement and only allowed two non-contact visits per week.

David Hicks’s 61-year-old father Terry, who courageously spearheaded the struggle for his son’s repatriation, spoke with the World Socialist Web Site *last week. He discussed the illegal nature of the Guantánamo military commissions, the Howard government’s attack on democratic rights and his own political development over the past 6 years.*

Richard Phillips: How is David’s health?

Terry Hicks: He looks OK, is very chatty, and he seems to know what he wants to do. He is still being assessed at the moment, of course, so we’re all hoping that he will be alright. He’s getting some exercise and has lost some of the puffy appearance he had in Guantánamo. Apparently there are drugs they used in Guantánamo which produce a fat sort of look.

RP: You attended the last military commission hearing. What was it like?

TH: It was a joke. They asked David a couple of questions and he said he wanted equality. “I’d like the same number of lawyers as the prosecution,” he said, and they responded by sacking two of his lawyers. The whole thing was a farce because the deal had already been done and the prosecution didn’t even know about it.

RP: What’s your response to government claims that David is now an admitted terrorist?

TH: This is totally false. David has pleaded guilty to providing material support for terrorism. There is nothing in the charge that says that he has admitted to being a terrorist. Of course they went very quiet when I challenged them to read the charge sheet and explain where it said he was a terrorist or had carried out terrorist acts. They are simply playing with words.

David has to spend nine months in an Australian jail, but what about the people in charge of the Australian Wheat Board? They supplied millions of dollars in bribes to the Saddam Hussein regime, but nothing has happened to them. Howard says nothing about that.

RP: And your comment on David’s media gag?

TH: Everything has been worked out according to Howard’s election timetable. They’re denying it, but it’s obvious. The elections were coming up, Howard was damaged badly in the opinion polls and so he had to do something. He thought David was an easy target, but it had all turned against him.

When Cheney visited Australia, Howard spoke to him to get things moving and all of a sudden they started heading back into military commissions again.

As everyone knows, David was put through an illegal system. He was given the option of pleading not guilty and being in Guantánamo for at least another three to five years, and probably getting 20 years at the end of the process, or taking a plea bargain and ending up with five years or something like that.

He was at the end of his tether, which is no surprise. The option was open and so he took it and I think he did the right thing. Especially after the most recent cases that were chucked out because the prisoners were not designated properly. Even though the military commissions have thrown these cases out, the men are still locked up.

The US government’s attitude is—we’ll change things around and you can stay there until we do. It’s like trying to build a boat that’s

© World Socialist Web Site

full of holes. Whenever they see a hole they just try and patch it up and carry on as if nothing happened.

RP: The government hopes now that everyone will forget about the illegal treatment of David before the elections.

TH: Yes, that's right. But people are not silly. Just read the letters to the papers.

The Howard government, which has been in power for more than 10 years using all sorts of lies, is now imploding. The spin, tricks and scare tactics just don't work anymore.

People are now waking up and I hope they stay awake. Everyone knows about the children overboard issue and the lies about weapons of mass destruction in Iraq and so for most people David was just another in the long list of government lies.

RP: What's your comment on Labor's reaction to David's return?

TH: The biggest turn of events was here in South Australia with the state Labor Premier Rann. He went on and on about David being a terrorist and how he was going to get him monitored. He was really pumping it up. I told the media that the Labor premier seemed to be inciting someone to commit an offense against David. Rann obviously got the message and shut up.

They're still working on laws to stop David from making any money from media interviews or a book. But this is a straight out attack on free speech and other rights.

Now the Labor premier wants all members of bikie groups under monitoring laws. But what about due process and legal rights? Are these people supposed to be guilty in advance just because they happen to be in a bikie gang? I've met some bikies who have got hearts of gold. All this is being used to divert attention from real issues.

RP: Were you surprised by Labor's response?

TH: I was a little bit because Labor had previously said that they'd do all they could to get David back to Australia. As soon as David pleaded guilty they turned around completely and have used this to get back on side with the Liberal Party.

I knew Howard would never come down from the rafters after David accepted the plea deal. And he didn't, he was gloating. But my response was—keep going, keep going because people will get tired of this and it will blow up in his face, and it will with Labor.

RP: Can you comment on your own political development over the past few years?

TH: When ASIO knocked on the door and told us about David it was a big shock. And the media, which camped outside our house for about a week, was pretty bad. All this went against the grain and so I decided to speak out and take a stand.

I've never called myself a radical but when you really look at what's going on—not just in Australia but around the world—then all sorts of illusions start disappearing.

The world was not the place I believed it was, or should be, and I started to understand how governments manipulate things. They dupe people with jargon and bull dust and this happens on a range of issues—petrol, tax, war in the Middle East, terrorism and anything else you care to think about. You soon begin to develop a new perspective on things—human rights issues, the law and the human rights situation facing other people—and looking at the world in a new light.

RP: Last year senior Australian lawyers accused the Howard government of war crimes over the treatment of David. Nothing has been said since his return.

TH: I've got a feeling that they're sitting back waiting. Maybe it's difficult when Howard is still prime minister, but if he gets tossed out in the next election it will be interesting.

RP: What sustained you during the past five and a half years?

TH: I'm a great believer in the philosophy that if you're straight down the line then people will eventually listen. My aim was to tell the truth about what was really going on in Guantánamo.

If you tell a lie, and this is something that Howard and Bush know about, then it is very hard to maintain. When the situation changes you have to modify your story and tell another lie, then another and another. It goes on and on. My approach is to try and tell everything as it is. That way you don't deviate.

I could not have survived or continued this fight, of course, on my own. But for the first two years, though, we had a hell of a battle. It was tough and there was virtually no support group—Fair Go For David—here in Adelaide and not much else. Eventually people from Sydney, Queensland, Tasmania and other places made contact and then Amnesty came on side and it all started to take off.

At the start I'd keep seeing the same faces at meetings and then it changed about two and a half years ago. Families, young people started arriving who weren't associated with any particular group, but wanted to assist. This meant we'd reached ordinary people and it was clear that the Howard government was in deep trouble. It was a good feeling to know we were bringing this important issue to the forefront.

Once the US Supreme Court ruled against the military commissions this jolted a lot of people who started to realise it was really serious. The supposedly strongest country in the world and defender of democratic rights was starting to fall apart.

Students also took up the issue and by that I mean 14- and 15-year-old kids, who were doing papers on human rights issues and writing about David.

I still get lots of calls from this age group who want to talk to me. In fact, I've just been contacted by a high-school student who wants to interview me about David's return to Australia and how things have fallen into a heap with the military commissions. It is very important that young people are responding to these questions.

RP: How would you sum up this whole experience?

Someone said to me a few weeks back that I'd probably only be speaking to two or three people after David returned, but I haven't been able to put my feet up. My diary is full with speaking engagements and I've addressed meetings in Melbourne, Adelaide, Sydney, and will be speaking in Wollongong in a couple of weeks.

It proves that no matter what the government has done to demonise David, people are not going to let the legal rights issues be forgotten. The government tried to use David as an easy target but people know that it wasn't just about David Hicks. While there are still places like Guantánamo, Abu Ghraib and other secret prisons then human rights issues will be upfront all the time.

To contact the WSWS and the Socialist Equality Party visit:

wsws.org/contact

© World Socialist Web Site