

An exchange with the Australian Greens on their complicity in Howard's anti-terror laws

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Yesterday afternoon, the Australian Greens YouTube channel sent a comment to the SEP's YouTube channel, SEPElectionSite07, objecting to the following text of a video presented by SEP national secretary Nick Beams:

The value of every political crisis is that it reveals, in a way not possible under normal circumstances, the real character of every political party.

That was the case on November 3, 2005 when Prime Minister Howard recalled the parliament to rush through emergency anti-terror laws. Howard claimed the recall was necessary because he had received "specific intelligence" about a terrorist threat.

All of the so-called opposition parties in the Senate—Labor, the Australian Democrats and the Greens—voted for the legislation.

The Labor Party insisted that, despite the fact that people were "rightly cynical" about the government's approach to security issues, it would back the legislation because of "advice provided to us by the security agencies." According to the ALP, whatever the police and security agencies demanded had to be put into law. The proponents of a police-state could ask for no more.

The Democrats noted that the government was more interested in generating fear than providing protection and questioned the government's motives. But they too voted for the legislation.

Greens' leader Bob Brown attacked the Labor Party as a "compliant opposition" and insisted that it was necessary for a "democratic parliament" to defend democratic rights, privileges and freedoms. Well here was the time and place to do precisely that. But Brown went on to make clear that the Greens would not oppose the legislation.

Greens Senator Kerry Nettle noted there had been an

outpouring of public opposition to the government's anti-terror legislation as well as a series of opinions from eminent legal figures opposing the laws. The anti-terrorism laws were aimed at "secret arrests, secret detention, secret interrogation, by secret people," she said.

Fine words, but the parliamentary record shows that when the vote was taken the new laws went through unopposed.

The Australian Greens YouTube channel comment stated: "What you are not telling your audience, of course, is that this particular legislation was to change the word 'a' to 'the', with no discernible impact. The Greens have opposed all the substantive legislation removing individual rights, and used the parliamentary debate on this tiny and insubstantial amendment to make our opposition clear. You are clearly trying to convince people that the Greens voted for a major piece of legislation on the issue, and are being deliberately misleading."

The first thing that has to be said is that the Greens falsify the actual amendment that their Senators voted for. The amendment was not to change the word "a" to "the". It was the opposite—to change the word "the" to "a". This change applied to every terrorist-related offence in the many pieces of federal terrorist legislation introduced since 2002.

Far from having "no discernible impact," the effect of the change was to allow the police and security agencies to arrest and charge someone without having to show involvement in any specific terrorist act. In other words, no evidence has to be produced of any time, place, date, target, method or equipment used—simply that "a" terrorist act was being plotted, even a hypothetical one.

The government minister who formally moved the

amendments in the Senate, Senator Chris Ellison, explained that the amendments “clarify that in a prosecution for a terrorism offence, it is not necessary to identify a particular terrorist act”.

Everyone in the Senate was aware that this was no “tiny and insubstantial” amendment. It opened vast new scope for police-government frame-ups and “terrorist” scare campaigns.

As Nick Beams explained, the vote was conducted amid an atmosphere of crisis that provided a revealing test of where all the parliamentary parties, including the Greens, lined up.

The previous day, Prime Minister John Howard had announced that he had received “specific intelligence” about a “potential terrorist threat”. He declared that amendments to the counter-terrorism legislation would be pushed through all stages in the House of Representatives by midnight and that the Senate, which was not sitting that week, would be recalled to complete the passage of the laws within 24 hours.

The terrorist alert was timed to silence the widespread opposition that had developed to the police-state measures contained in the government’s Anti-Terrorism Bill 2005. This Bill provided for two new forms of detention without trial—“preventative detention” and “control orders”—and a vast array of extraordinary new police powers and offences, including “advocating” terrorism and the extension of sedition to cover calling for support for resistance to Australian military operations overseas.

A “no” vote on the emergency amendment would have given at least some voice to the growing concern and hostility felt by millions of ordinary people towards the government’s attacks on fundamental democratic rights. Nevertheless Greens’ leader Senator Bob Brown announced that his party was “not going to oppose the legislation”.

To bolster the Greens’ “democratic” credentials, Greens Senator Kerry Nettle put forward an amendment that the emergency bill be subject to a judicial review after five years. When the government and the Labor Party opposed this, Nettle asked that the Greens’ opposition be noted. But when the vote was taken on the Bill itself, the Greens were silent and the legislation went through unopposed.

Just five days later, on November 8, the reasons for the “crisis” parliamentary session became clear. The

government launched the largest police operation in Australian history—reportedly involving 850 federal and state police and intelligence personnel. Heavily-armed officers burst into at least 23 homes in Sydney and Melbourne in the pre-dawn hours, arresting 17 Islamic men on vague and unspecified terrorism charges.

The nine Melbourne men were charged with being members of “a” terrorist organisation, which had no name and apparently consisted only of themselves. In Sydney, the prisoners were charged with a conspiracy to prepare and plan “a” terrorist act, namely to manufacture explosives, without any specific target being nominated.

Two years later, with bail denied, all the prisoners remain locked away in solitary confinement awaiting trial.

And what of the Greens’ claim that they have “opposed all the substantive legislation removing individual rights”? In every case, their role has been to move minor amendments, designed to refine aspects of the measures, while emphasising that they remain committed to “combating terrorism”. It hardly needs pointing out that every conceivable terrorist act was already a serious crime before 2002.

In fact, the Greens’ role has been to lend legitimacy to the fraudulent “war on terror”—whose real purpose has been to provide a pretext for the eruption of US militarism in the Middle East and central Asia, and for the ripping up of basic democratic rights and civil liberties at home.

One final point. Even if the emergency legislation had had “no discernible impact”, as claimed by the Greens, any party genuinely opposed to the Howard government’s “war on terror” and its sweeping attacks on democratic rights would have voted against it. That the Greens voted in favour proves that they are not such a party.

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