

Australian prime minister launches new attack on democratic rights

Nick Beams**22 June 2015**

The degree of lawlessness at the centre of the Australian government's proposals to strip away the citizenship rights of those accused of fighting with, or supporting, terrorists overseas—and the implications for democratic rights more broadly—have been underscored by remarks of Prime Minister Tony Abbott attacking the right of an accused person to a trial.

Speaking to reporters on Friday, Abbott declared that dual citizenship holders, suspected of fighting with terrorist organisations, should have their Australian citizenship revoked without any judicial process. The reason? Because a court may decide not to convict them.

Abbott was attacking a suggestion, made by the Labor Party's shadow attorney-general Mark Dreyfus, that those accused should be convicted by a court *before* the immigration minister could exercise his discretion and act.

"What happens if they get off? That's the problem. We all know there are evidentiary problems," Abbott said.

His remarks came amid preparations by his Liberal-National government to bring down new citizenship laws this week, aimed at overturning constitutional protections and "bullet-proofing" its actions against any legal challenge in the High Court (Australia's highest court).

After seizing on Dreyfus' remarks to accuse the Labor Party of "rolling out a red carpet" for terrorists, Abbott elaborated further on his doctrine in an address to a Liberal Party state conference on Saturday.

"They [the Labor Party] say they'll put you on trial," he said. "Well, fair enough. But we all know the perils of that. And I know what the Australian people are thinking. They do not want terrorists loose on our streets."

These remarks went further than Abbott's initial comments repudiating the right to a fair trial, in a politically very significant respect.

Abbott is not a fascist and his government is not a fascist regime. But his claim that he, as the leader, knows

the will of the people and has the power to act accordingly, including dispensing with long-established legal principles, recalls nothing so much as the *Führerprinzip* of Adolf Hitler.

Under this "principle," "the leader" embodies the "national spirit," combining within himself executive, judicial and legislative power. Abbott's claim to represent the wishes of "the Australian people," as he seeks to wipe out democratic rights extending back over hundreds of years, shows he is well down this road.

The sweeping powers of the Nazi regime, first developed under the parliamentary Weimar Republic, were "justified" on the basis that they were aimed at meeting "states of emergency." For the past 14 years, all Australian governments, both Liberal and Labor, have worked to create such an atmosphere, under the bogus "war on terror." These efforts have accelerated over the past year with the emergence of ISIS.

A series of anti-terror raids has been directed to this end. The most infamous took place last September 18, amid claims that a public beheading plot was in the offing. The raids yielded, as "evidence," one ceremonial plastic sword.

When the "terror raids" failed to have the desired effect—last September's operation was greeted with widespread public derision—the government upped the ante. In the face of overwhelming evidence to the contrary, it portrayed last December's Lindt Café siege in Sydney by a mentally deranged individual, Man Haron Monis, as a full-scale ISIS attack.

Questions about how Monis, who was well known to police and intelligence authorities, was able to initiate his siege in one of the most closely monitored areas of Sydney's central business district, have yet to be answered. Nor has a satisfactory explanation been provided as to why a letter Monis sent to Attorney-General George Brandis, weeks before the siege,

inquiring about establishing contact with the head of ISIS, went missing.

Abbott's remarks about the "evidentiary" problems associated with a trial, point to another significant process—the continuous efforts by governments to strip away the fundamental rights of those accused of crimes.

The actions of terrorists—such as murder, hostage-taking and the planting of bombs—were all illegal before September 2001. Since then, however, far-reaching laws have been imposed internationally to cover this supposed new threat, with Australia's legislation among the most sweeping in the world.

The aim has been to break down long-established rules of evidence, extend the definition of a crime from its commission to merely discussing or advocating its possibility, and increase the powers of police and intelligence authorities to carry out detention without trial. Evidence can now be taken in secret, the scope for conviction on "conspiracy" charges has been enhanced—opening the way for entrapment by undercover police operatives—and the right to bail has been eviscerated.

In his address to the Liberal Party conference, Abbott claimed the new legislation was needed to deal with a "modern form of treason"—travelling to Iraq or Syria to fight with a terrorist army. At present, the legislation is supposedly to be directed against supporters of ISIS. Yet it does not take too much imagination to envisage a situation where the definition of the "modern form of treason" could be rapidly extended.

The Australian state—its armed forces, intelligence operations and the entire political establishment—is intimately involved in the military operations of the United States in the Middle East, against Russia, and against China, under the "pivot to Asia," as Washington strives to assert its control over the entire Eurasian landmass.

A series of flashpoints has been created, both on Russia's western borders and off China's eastern and southern coasts, that could well lead to a war, in which Australia, by virtue of the role played by Australian-based American communications bases and other operational facilities, would be involved from the outset.

Having established it can rule by decree with respect to alleged supporters of terrorism, it is not a big step to declaring that those within Australia who oppose such military actions, or who insist that historical political right lies on the side of those being attacked by the US and its allies, are likewise engaged in a "modern form of

treason," and thus should be stripped of their fundamental democratic rights, on the say-so of a government leader who interprets the "will of the nation."

Anyone who still believes that a solution can be found to the deepening attacks on democratic rights within the framework of the parliamentary system, or that the Labor Party will provide some kind of opposition, is either ignoring the lessons of the past decade and a half, or engaged in gross self-deception.

All the anti-democratic measures introduced under the bogus "war on terror" have been carried through on a bipartisan basis. Key policies have been supported by the Greens, who in 2005 voted for laws that made it possible to convict a person for "a terrorist act" without proof of any specific action or plan.

The "opposition" within the Liberal Party, led by Communications Minister Malcolm Turnbull, has not been aimed at stopping moves to strip people of their citizenship rights, but at devising laws that will survive a High Court challenge.

The Labor Party has already given its support "in principle" to the new legislation, in line with the backing it has provided to all the Abbott government's previous terrorism laws, continuing the role Labor played when in government. When Dreyfus raised the need for a trial he was taken to task by his own colleagues within Labor's parliamentary party.

In the final analysis, the abrogation of democratic rights cannot be put down to the personalities or political proclivities of those currently in government. The emergence of ever-more authoritarian and dictatorial forms of rule is rooted in objective tendencies. It is the expression, within the legal and political sphere, of the historic crisis of capitalism as it drives to war abroad and deepening attacks on the working class at home. That is why the defence of democratic rights is inextricably bound up with the fight for a revolutionary socialist perspective.



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