

Australian Labor leader pledges loyalty to government's assault on democratic rights

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Speaking on behalf of the entire Labor Party, opposition leader Bill Shorten declared in parliament on Wednesday that Labor would “be there” when Prime Minister Tony Abbott’s Liberal-National government needed it, to impose draconian legislation “in the national interest.”

Following Shorten’s vow, Labor parliamentarians joined hands with the government to ram a bill through both houses of parliament within 24 hours, giving the government carte blanche “statutory authority” to indefinitely detain refugees in Australia’s notorious “offshore processing” camps in Nauru and Papua New Guinea’s Manus Island.

Shorten’s pledge was made amid an escalating terrorist fear campaign by the government and the corporate media, accompanied by a deepening offensive, with Labor’s full support, on fundamental democratic and legal rights.

This has already included the introduction of mass surveillance via the compulsory storage of “metadata,” expanded police-state powers for the security agencies, measures to revoke citizenship by ministerial decree, a witch hunt against the Australian Broadcasting Corporation and the military repulsion of asylum seekers.

The passage of the refugee bill was itself a brazen display of lawlessness. It specifically sought to block a High Court challenge currently underway by asylum seekers to the legality and funding of the offshore detention regime. The explicit purpose of the Migration Amendment (Regional Processing Arrangements) Bill 2015 was to strip detainees of any legal right to challenge their inhuman treatment.

Prime Minister Abbott reportedly phoned Shorten at “one minute to midnight” on Tuesday, urgently seeking his support for the Migration Act amendments before parliament began its six-week winter break on Thursday. Shorten’s immediate agreement was rubberstamped by a snap meeting of Labor’s parliamentary caucus on

Wednesday morning.

In Wednesday’s one-hour “debate” in the House of Representatives, Shorten appealed to the government to recognise that it badly needed Labor’s political assistance, not just to rescue the government from a legal challenge but from growing popular hostility toward the political establishment as a whole.

“Trust is in short supply in the 44th Parliament,” Shorten warned. “Every question time, the government regularly attacks our patriotism, our love of this nation, our good faith and sincerity on these important matters.

“Sometimes in life the very people you attack are the very people you need to turn to. This is one of those times.”

Shorten specifically endorsed the quashing of refugees’ legal rights, but there was no mistaking the wider significance of his remarks. Labor’s leader said he hoped the bipartisan agreement on the bill would mark “a new turning point” in parliament.

“It may well be, in the light of what we have done, that the government, in its question time attacks, will stop questioning our sincerity, our commitment to safety, our commitment to refugees and our commitment to the security of this country,” Shorten stated.

The bill retrospectively authorises federal government actions to enforce the “offshore processing” regime dating back to August 18, 2012, when the previous Labor government reinstated the “Pacific Solution” of consigning refugees to remote overseas islands.

A High Court ruling last year declared that the government had no power to spend money without clear statutory authority, posing a threat to the funding of the Nauru and Manus Island camps. Transfield Services was awarded a \$2.1 billion contract to manage both facilities.

Despite misleading media reports, however, the bill went far beyond authorising such payments. It gave the government virtually unlimited power “to take, or cause

to be taken, any action in relation to ... regional processing.” Government speakers emphasised that this included “restraint over the liberty” of detainees, regardless of whether the detention was legal in the country involved.

As well as legalising unlawful government activities, the legislation paves the way for further removals of detainees, including children, currently incarcerated within Australia, to Nauru and Manus Island.

About 40 people were reportedly shipped, in handcuffs, from a detention centre in Darwin at 2 a.m. on Wednesday. They will join hundreds of men, women and children in the offshore camps, including families who fled the US-led war in Syria and 68 stateless Rohingyans from Burma. Some men have now been detained in Nauru for more than three years.

Numerous reports, including by UN refugee agencies, Australia’s Human Rights Commission, parliamentary committees and an immigration department inquiry, have pointed to deplorable conditions in the camps that violate human rights provisions. The reports referred to endemic mental illness among detainees, and sexual and physical abuse of women and children.

Shorten and other Labor speakers took the opportunity to reiterate their unconditional support for the “regional processing” system that the Labor government instituted, and repeated their claims that it was the reopening of the Nauru and Manus camps that “stopped” refugee boats arriving in Australia.

In fact, Labor leaders sought to demonstrate that their patriotism was more genuine and their determination to prevent people seeking asylum in Australia even greater than the government’s. Shorten and others, such as former cabinet minister Senator Kim Carr, contrasted Labor’s collaborative approach to the then Abbott-led opposition’s refusal to back laws to overturn a High Court ruling in 2011 that struck down the Labor government’s “Malaysian Solution.”

In that case, the judges decided that Labor’s plan to transport at least 3,000 refugees to Malaysia was illegal because it openly flouted international law, including the Refugee Convention, which Malaysia has never signed.

Shorten cynically sought to deflect criticism of Labor’s backing for the government’s bill by claiming that Labor came to its decision “guided by our compassion.” He restated the ousted Labor government’s pretence that it reopened the Nauru and Manus camps because “our compassion demands we prevent drowning at sea.”

This claim came just weeks after 65 asylum seekers

almost drowned off the coast of Indonesia’s West Timor as a result of being stopped by the Australian navy and placed aboard boats with limited fuel and supplies. The six so-called people smugglers were reportedly paid over \$30,000 to take the refugees back to Indonesia, against their will. The fact that the actions of the Australian government nearly cost them their lives exposes the lie that the bipartisan policy of “stopping the boats” has anything to do with humanitarian concerns. Instead, it only increases the toll of death and suffering.

More fundamentally, by Labor’s perverse logic, refugees’ lives are somehow saved by deterring them from trying to flee death and devastation, in the Middle East and elsewhere, rather than recognising their basic right to asylum.

No less two-faced, however, were the Greens. They appealed to Labor to support several limited amendments, such as mandatory reporting of abuse, media access to the centres, ending childhood detention and a three-month limit on detention. The Greens only opposed the bill after Labor rejected their amendments and knowing that their votes would not defeat it.

While still claiming to oppose offshore detention, the Greens’ spokeswoman on asylum seekers, Senator Sarah Hanson-Young, stated: “These amendments would have helped clean up the conditions inside these camps and provide much needed transparency.”

Hanson-Young took to Twitter to denounce the “shameful” cooperation between Labor and the government to “circumvent” a High Court challenge, yet she peddled illusions that Labor could be convinced to “grow a spine” on refugee policy.

Between 2010 and 2013, the Greens kept the minority Labor government in office as it adopted one anti-asylum seeker measure after another, from the aborted “Malaysian Solution” to the mobilisation of naval vessels to block or intercept refugee boats.

Notwithstanding the Greens’ posturing, they are no less committed than Labor and the Liberal-National Coalition to maintaining the underlying framework of national “border protection” that denies the basic right of vulnerable working class people to flee persecution and seek refuge, with full civil and political rights.



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