Australian government unveils draconian "foreign interference" bills

Part 1: Preparing for war against China

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This is the first part in a three-part series examining the wide-ranging implications for basic democratic rights of five bills tabled in the Australian parliament last month, which outlaw involvement in alleged "foreign interference" in Australian political and economic affairs. Part two *was published on February and* part three *on February 3. In their sweeping language, the bills constitute an all-out assault on basic political and democratic rights.*

When the Australian parliament resumes next month, the Turnbull government will seek to push through a package of five bills to criminalise any involvement in "foreign interference" in Australian political and economic life.

While nominally directed at combating "improper influence" by any foreign power, the bills are aimed, in particular, against China. They have profound implications for free speech and political dissent.

For the first time, criminal offences, which carry up to 20 years' imprisonment, would apply to simply undertaking political activity in partnership with an overseas organisation.

In addition, all individuals or organisations engaged in any political activity whatsoever, including lobbyists, activist groups, media organisations and charities, would have to register under a Foreign Influence Transparency Scheme, modelled on US legislation.

As in the US, political parties and other organisations that conduct any kind of political campaign would be banned from accepting donations from anyone who is not a permanent Australian resident.

The legislative package also contains new or expanded offences, involving up to life imprisonment, for activity regarded as a threat to the existing political and economic order, particularly under wartime conditions. These include "treason," "treachery," "advocating mutiny" and "sabotage."

The bills drastically ramp up official secrecy laws, imposing penalties of up to 20 years' jail, which is ten times the current punishment, for divulging or circulating any information deemed "harmful" to Australian security or economic interests.

These extraordinary, chilling measures are bound up with Australia's ever-closer integration into the US military preparations for war in the Indo-Pacific against China. The expansion of US military basing in Australia since 2010, and the closer collaboration of the two militaries, have gone hand-in-hand with a ramping up of anti-Chinese propaganda on key issues such as North Korea and the South China Sea.

The government tabled the bills last month, following an escalating 18-month-long xenophobic campaign by the media and political establishment against alleged Chinese "interference" in Australia. Lurid allegations have branded politicians, universities, students and business figures, with any connections whatsoever to China, as a potential "fifth column," determined to subvert the Australian nation-state.

The tone was set in September 2016, when senior Fairfax Media journalist Peter Hartcher denounced as "rats, flies, mosquitoes and sparrows" all those who had Chinese links or reservations about the increasingly confrontational attitude of the US toward China. The targets of Hartcher's outrageous slander included former Foreign Minister Bob Carr and Labor Senator Sam Dastyari, along with Chinese students and local businessmen.

As the government prepared to table its legislation, government ministers, along with the media, once again attacked Dastyari over his relations with a wealthy Chinese businessman, a major Labor Party donor, who was virtually accused of treason. His "crime" was to make statements implying that Australia should not line up with the US in disputes over the South China Sea, and to suggest that the two men take measures to avoid their conversations being monitored by the Australian Security Intelligence Organisation (ASIO).

In denouncing Dastyari, Attorney-General George Brandis acknowledged that the senator's conduct did not "reach the threshold of the existing laws of treason and espionage." He added that the new laws were needed "because of the gap." In other words, criticising government policy toward China, and taking elementary steps to avoid being spied upon, should become illegal.

Under relentless pressure from the government and the media, and cut loose politically by the Labor Party and its

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leader Bill Shorten, Dastyari announced his resignation from the Senate in December. If the legislation is passed, Dastyari and his connections could well become a focus of attention again.

The laws, which have been largely buried from public view, go well beyond measures in force in other so-called democracies. However, the US, British and European media have already shown interest in the Australian legislation, suggesting it could set a new international benchmark for the demolition of basic democratic rights.

If an Australian senator could face charges for what has been regarded, up until now, as legitimate political activity, then many others are in danger as well—academics, journalists, students and cultural bodies, not to speak of any individual or organisation that opposes the US drive to war against China.

Introducing the bills in parliament on December 7, Prime Minister Malcolm Turnbull declared: "Media reports have suggested that the Chinese Communist Party has been working to covertly interfere with our media, our universities and even the decisions of elected representatives right here in this building," he said. "We take these reports very seriously."

Like Brandis, Turnbull insisted that espionage laws, which target foreign intelligence activities, must be extended to prosecute a broader layer of people. "Acts of foreign interference are often intertwined with espionage," Turnbull said. "But our espionage laws are so unwieldy they have not supported a single conviction in decades, even as the threat reaches unprecedented levels."

Turnbull explicitly raised that the legislation be targeted against any association with China, Russia, Iran or North Korea—all of which have become the subject of aggressive threats from the US Trump administration. While claiming the new measures would target "interference" by any country, "friend, foe or ally" alike, the prime minister specifically accused China of subverting Australia's political landscape, and Russia of "wreaking havoc across the democratic world."

Turnbull's language was in line with that utilised in Washington's new National Defense Strategy (NDS), released last week. Prepared by the Pentagon, the NDS signalled open preparations by US imperialism for military confrontation with Russia and China, as well as the "rogue states" of Iran and North Korea.

The claim that the "foreign interference" laws will be used even-handedly against all countries is a patent lie. The US, not China, has troops and bases in the country, as well as a long history of direct interference in Australian politics—including in the removal of two prime ministers, Gough Whitlam in 1975 and Kevin Rudd in 2010.

Washington exerts constant pressure over every Australian federal government, whether Liberal or Labor, both directly and indirectly through the close integration of the Australian state apparatus—especially the military and intelligence agencies—with its US counterpart. In fact, the legislation was drawn up at the instigation of, and in the closest collaboration with, Washington.

Turnbull acknowledged that he had commissioned a report into the legislation last August, after ASIO "delivered a series of very grave warnings." He refused to provide any information about this report, declaring that it was "necessarily classified." ASIO, the domestic political spy agency, and the entire Australian intelligence network, is part of the US-led global "Five Eyes" surveillance system.

Last September, Fairfax Media reported that Brandis had travelled to Washington in July, and "was briefed by US national security officials about introducing US style 'foreign agent' laws into Australia."

His visit coincided with a series of public appearances in Australia by top representatives of the US military and intelligence establishment, including Senate Armed Services Committee chairman John McCain, and former National Intelligence director James Clapper, who both warned of "Chinese influence" in Australian politics.

After the December 7 introductory speeches, the bills were adjourned without any further debate, to be resumed in early February, when parliament reconvenes. There may be parliamentary committee hearings, but the bills are assured of Labor Party backing.

In fact, Labor played a central role in launching the campaign for such measures. Last June, Labor leader Bill Shorten urged the government to follow the lead of the US in creating a register of those people allegedly helping foreign states promote their agendas.

The US Foreign Principal Registration Act was created in 1938 as part of a broader campaign to demonise and persecute opponents of US militarism in the lead-up to World War II, on the pretext that they were agents of a "foreign power."

Likewise, the Australian legislation is part of preparations for a catastrophic new conflict, and will be directed against any criticism, opposition or mobilisation against militarism and war.

To be continued

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