

Australian government defies criticism of sweeping “foreign interference” bills

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The Turnbull government this week rejected calls by a wide range of groups to narrow the scope of its draconian “foreign interference” bills or provide clearer exemptions for political, media, university and human rights activities.

Attorney-General Christian Porter said he was open to minor amendments to the laws, which would brand and criminalise many forms of political activity as treasonous. But he ruled out what he derided as “sweeping, blanket exemptions for a variety of professions,” including journalists, academics and lawyers.

Numerous submissions and testimonies given to a rushed two-day parliamentary committee hearing this week underscore how far the bills would eviscerate free speech, political dissent and media reporting.

Fuelling the virulent anti-China witch-hunting campaign in the media, Porter and others suggested that the critics are playing into the hands of enemies seeking to damage Australia’s “national interests.”

Porter defended the tenfold increase, to 20 years, in the potential penalties for breaches of official secrecy laws, and the extension of the laws to cover material deemed “harmful to Australia’s interests,” even if not classified as secret. “That is simply about having the proper and modern disincentives in place for people to deal with information in a way that’s contrary to our national interests,” he said.

Government MP and former SAS captain Andrew Hastie, who heads the parliamentary committee examining the bills—the Joint Committee on Intelligence and Security—declared he was not convinced any changes to the proposed bills were needed.

Before any hearings were even held, Hastie told the Australian Broadcasting Corporation: “I think if you’re seeking to build Australia, and not undermine it as an Australian citizen, then you shouldn’t be concerned.”

Hastie added: “Our agencies have told us that we’re experiencing unprecedented levels of espionage and foreign interference in this country—directed against our political institutions, our commercial interests, our critical infrastructure and our migrant communities.”

The Australian Security Intelligence Organisation (ASIO) itself intervened. Deputy director-general Peter Vickery told Hastie’s committee that Australia faces adversaries on a scale that exceeds the Cold War, during which ASIO conducted massive operations against government opponents in the name of combating alleged subversion by the Soviet Union. “We do have examples, current examples of (countries) where the threat level is at extreme,” he declared.

While Vickery declined to name any country, a “government source” confirmed to Channel 9 News that China topped the ASIO list of “extreme” threats to national security.

ASIO’s intervention further points to an orchestrated operation, conducted in collaboration with its US partners to poison public opinion in preparation for military conflict against China.

CIA director Mike Pompeo this week insisted that China posed “as big a threat to the US” as Russia, and the *Washington Post* has reported that the Trump administration regards Australia as a “catalyst” for proposing similar “foreign interference” measures.

These comments confirm that the Australian bills, while purportedly directed at “improper influence” by any foreign power, are aimed particularly against China, which hysterical media reports have demonised as a menace to Australia.

Bound up with these ideological preparations for war, the package of five bills has profound implications for basic democratic rights, imposing prison terms of up to 20 years for undertaking any political activity in partnership with an overseas organisation.

In addition, all individuals or organisations engaged in any political campaigning involving an international group or individual would have to register under an invasive and complex Foreign Influence Transparency Scheme.

This week’s parliamentary submissions and hearings provided some graphic examples of the anti-democratic consequences.

The US-based Human Rights Watch said the bills would

outlaw reporting on abusive governmental policies or “misconduct” by intelligence agencies. Disclosing any information deemed to “prejudice national security” would be criminalised.

Its submission pointed out that the bills define “national security” to include “the country’s political, military or economic relations with another country or other countries.” In effect, “national security” means protecting the profit interests and predatory activities of the Australian capitalist class, which rest on the US for military and strategic support.

Paul Oosting, the national director of the lobby group GetUp!, testified that requiring donors to provide statutory declarations when donating more than \$250 a year, in order to enforce a ban on “foreign” donations, would choke his organisation’s revenue stream and impose an unmanageable administrative burden. “It would simply wipe out organisations like GetUp!” he said.

Charities said the legislation would have a “chilling” effect on public debate by requiring all “political campaigners” that spent more than \$25,000 a year on political activities to register and lodge financial records if they might receive foreign donations. Community Council for Australia chief executive David Crosbie said: “I can’t think of a single charity I work with that wouldn’t be a political campaigner.”

Universities Australia (UA), representing 39 public universities, said the more than 350,000 international students living in Australia could be classified as “foreign principals” under the bills. “If a university was to make a representation to government on their behalf, this could potentially become registrable conduct,” it said.

UA pointed to the crippling impact on research, which often requires international collaboration. For example, a recently-announced blood test for eight rare cancers, which could save thousands of lives, might be jeopardised because some Australian researchers received funding from a US university.

A coalition of media companies said journalists, editorial staff and lawyers could be jailed for possessing “harmful” information, even before publishing. The bills provide a defence where information is dealt with in “the public interest and in the person’s capacity as a journalist.” However, the bills declare that information likely to “harm or prejudice the health or safety of the public or a section of the public” can never be in the public interest—thus significantly restricting the scope of such a legal defence.

The media alliance also objected to the registration scheme covering “communication activities” with a “foreign principal” for “the purpose of political or governmental influence.” This could extend to TV programs like “The

Simpsons” and “Saturday Night Live,” not just Russia Today and Al Jazeera, and newspaper content derived from the *Financial Times* or the *Wall Street Journal*.

The Law Council of Australia said lawyers making representations to a government on behalf of a foreign client, “perhaps an asylum seeker in detention,” would not be protected by a narrow exemption extending only to advice or representation in actual court proceedings.

As its submission indicated, the same would apply to assisting a client to seek a government approval or a social security payment, and to advocacy, public or private, by a lawyer or professional association, for a policy change.

None of these submissions, however, referred to the underlying agenda of war preparations. Instead, most emphasised their agreement with the supposed need to ramp-up the protection of “national security.”

One witness urged the Liberal-National government to go further. Former Greens candidate Professor Clive Hamilton submitted a 48-page dossier claiming to document huge “influencing” operations in Australia by the Chinese Communist Party that included “manipulating” 130,000 Chinese students, as well as university institutes and business activities. The dossier complained that many of these activities could escape the bills’ coverage.

The Labor Party underlined its bipartisan backing for the bills, while warning that some “justifiable concerns” could make them unusable. Opposition legal affairs spokesman Mark Dreyfus stated: “Labor will always support practical measures that strengthen protections in line with our national security interests, but it is highly likely that the government’s bill will need amendment in order for it to be workable.”

The Greens were even more vehement in urging the government to sharpen the bills’ focus. Greens justice spokesperson Senator Nick McKim said: “The legislation is shoddily drafted and too broad in scope, and needs amending to ensure that it properly targets foreign interference in our political system.”

This is a revealing political line-up. As the WWSWS has explained, the far-reaching anti-democratic measures in the bills are bound up with preparations for draconian political repression, amid fears in the ruling elite of rising popular discontent over the dangers of war and deteriorating social conditions.



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