

Crisis-ridden Australian government cancels Novak Djokovic's visa amid mass backlash

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In the latest twist in the two-week saga surrounding Novak Djokovic's entry into Australia, the federal government last night cancelled his visa using the sweeping discretionary powers of the immigration minister.

A legal appeal from Djokovic is now being heard by the Federal Court with an urgency and sense of import that would be unthinkable were he an impoverished immigrant, or a persecuted refugee fighting for his life, rather than a grossly irresponsible and obscenely wealthy tennis player.

The beginning of the Australian Open on Monday is being treated as a sacred and unalterable deadline that justice must meet, with Djokovic's lawyers insisting that a decision be handed down over the weekend. Whatever comes of Djokovic's participation, there are several certainties. The tournament will proceed, vast amounts of money will be made, and the super-spreading event will contribute to the massive and unprecedented surge of the pandemic in Australia.

The precise details of the visa saga remain murky, with multiple conflicting accounts, several of them from Djokovic and his team! All the parties involved, including the federal Liberal-National government, the Victorian state Labor administration and Tennis Australia, have turned on the smoke machine over the past week, generating a thick fog of confusion to cover their rank opportunism.

The bare bones of the story are clear enough.

In November, the federal government granted a visa to Djokovic, a vocal anti-vaxxer, despite a hard ban on unvaccinated travellers entering the country. Tennis Australia, with the assistance of the Victorian Labor government, then cobbled together an exemption to the vaccine requirement, on the basis that Djokovic had a confirmed COVID infection a month after he was granted the visa. Immigration lawyers have stated categorically that this has never been grounds for an exemption.

All was going to plan, until Djokovic unveiled his travel plans in an Instagram post. This provoked a massive popular backlash. Hostility to the special treatment of the celebrity intersected with broader anger over the profit-driven

dismantling of COVID safety measures, which has resulted in Australia, a country of 25 million people that previously had little transmission, recording more than a million infections in the past fortnight.

The governments, terrified of developing opposition, beat a hasty retreat, with Djokovic's visa cancelled upon his arrival in Melbourne. That decision was then overturned by a Federal Court last Monday on technical grounds related to the fact that Border Force agents had treated the tennis star in their customary harassing and unreasonable manner.

The federal government, notorious for its hard-line and xenophobic border policies and for never giving an inch in such cases, consented to the decision. It even agreed to pay Djokovic's hefty legal bills.

After the ruling, Djokovic was released from immigration detention and began training each day. On Thursday, the Australian Open draw was held, with Djokovic selected as the top seed.

His supporters alternatively compared the tennis player to Jesus Christ and Spartacus. The anti-vaccine movement in Australia was jubilant.

In keeping with the Biblical reference, subsequent events do recall the proverb "Pride goeth before destruction, and a haughty spirit before a fall." For the second time in a fortnight, things started to go wrong for Djokovic.

Questions about his timeline of events grew more insistent. Documents submitted by Djokovic to the Federal Court stated that he received a COVID-positive result on the night of December 16. But photos on social media showed the athlete with dozens of children, indoors and maskless the next day.

Apparently seeking to clarify the thorny issue of knowingly exposing children to a deadly virus, his team said the positive result had actually returned on the night of December 17, after those pictures were taken. Djokovic, however, had given an in-person interview to a French journalist on December 18. The unfortunate reporter said he had no idea at the time he was exposed to the virus. Djokovic said it had been a "mistake" to proceed with the

engagement.

Other concerning facts came to light. On his Australian entry declaration, Djokovic affirmed that he had not been in any country other than Serbia during the previous fortnight. Again, social media proved to be an inconvenience, with photos showing the tennis player at a Spanish mansion in that period. The entry form was another “mistake,” ascribed to an inattentive agent.

Reports then emerged that Spain was investigating Djokovic for potential unlawful entry, while the Serbian authorities said they were probing whether he had breached their COVID rules. All in all, it appeared that Djokovic may have encountered difficulties with COVID-related laws in three separate countries in as many weeks.

Der Spiegel conducted a data analysis of the QR codes in Serbian COVID testing documents, submitted by Djokovic to the Australian Federal Court. Among a host of oddities, “The digital data suggests that the test results aren’t from Dec. 16 at all. In the digital results, there is a timestamp for 2:21 p.m. Serbian time on Dec. 26,” the German paper reported.

A test result from December 22 was also submitted to court, apparently showing that Djokovic had recovered from his December 16 infection. But again, the data was strange. As per *Der Spiegel*, “[A]ccording to the ID numbers attached to the Serbian test results, the negative test was performed prior to the positive test and entered into the database.”

For days, the Australian government essentially sat on its hands, with ministers refusing to comment on the issue, seemingly hoping that it would go away of its own accord. As the revelations continued, the popular anger intensified.

Cross-bench parliamentarians questioned the ability of a government to govern, if it were paralysed by a tennis player’s visa. Labor, positioning itself ahead of this year’s federal election as a more reliable instrument of the banks and big business, and one that can enforce the “live with the virus” program more effectively, bemoaned the “mismanagement” of the issue.

The government is loathed and in crisis. Like the British administration of Prime Minister Boris Johnson, it is hated for unleashing a COVID tsunami on the population and is rent by divisions. Its ministers are no doubt closely following Johnson’s current predicament. The exposure of his lies about attending an illegal party during a COVID lockdown threatens to be the final nail in the coffin that brings Johnson’s government down.

Lest the Djokovic affair go in the same direction, action needed to be taken. Immigration Minister Alex Hawke announced last night that he was using his ministerial powers to cancel Djokovic’s visa on “health and good order

grounds, on the basis that it was in the public interest to do so.”

The draconian powers are often described by immigration experts as “God-like,” because of their sweeping provisions and the very limited basis upon which they can be opposed.

While the powers are defended on the grounds of ensuring a last resort for justice and the vaguely-defined “public interest,” in practice they are generally wielded to make life miserable for immigrants, refugees and political opponents of the government.

The outcome of Djokovic’s appeal is nevertheless uncertain. One thing that is not, is the gross hypocrisy of the Australian government.

“Australians have made many sacrifices during this pandemic and they rightly expect the result of those sacrifices to be protected,” Prime Minister Scott Morrison said in a statement on Friday. “This is what the minister is doing in taking this action today. Our strong border protection policies have kept Australians safe, prior to COVID and now during the pandemic.”

This is from a government whose “herd immunity” policies are leading to one of the sharpest COVID surges in the world. Morrison, who has led the charge in ending lockdowns and safety measures, backed by the Labor Party, has presided over more infections in the past two weeks than the previous two years, a rapidly rising death toll and the collapse of the hospital system.

The day before his statement, Morrison announced that minimal close contact rules would no longer apply to millions of workers. They will be forced to remain at work, even if they are likely infected, to ensure that the corporations continue to make record profits. Students and teachers will be herded into death-trap schools at the end of the month, so that their parents remain on the job.

Djokovic can be accused of an arrogant disregard for public health during the pandemic, but it is nothing compared to Morrison and the government.



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