

# The Australian Labor Party's record in the Assange case

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The sudden release of Julian Assange and his return to Australia last week have been greeted with warmth and enthusiasm by ordinary people, who have long viewed the WikiLeaks founder as a courageous journalist persecuted for exposing war crimes.

The response of the Australian ruling elite, on the other hand, has been a nervous one. Liberal Party figures have slandered Assange as a “felon” and a risk to “national security,” together with media commentators closely aligned with the US state. One such, Peter Hartcher, warned in the *Sydney Morning Herald* this morning that “With Assange comes a campaign, a movement and a cult.”

The Labor government has sought to balance between the two reactions. On the one hand, its leaders have claimed substantial credit for the plea deal and travel arrangements that resulted in Assange’s freedom. On the other hand, they too have expressed their commitment to “national security” and their hostility to WikiLeaks’ disclosures and have kept an arms length.

Several articles in the Labor-aligned press have encouraged the government to avoid further mention of the matter. One, referring to Labor Prime Minister Anthony Albanese, said that “The PM would be wise to take the win and move on. In political terms, Assange could be sticky fly paper.”

As Assange was touching down in Australia on Tuesday evening, Albanese gave a press conference presenting his government as having played a key role in Assange’s liberation. It was confirmation, Albanese stated, of the correctness of his approach of “quiet diplomacy.” “We don’t shout, we’re not in a contest of machismo, what we do is we get things done,” he stated.

In a phone call, Assange reportedly thanked Albanese. His supporters, including wife Stella Assange and lawyer Jennifer Robinson did the same, with both noting that the Labor government’s calls for the case to be “brought to a close” beginning after its election in May 2022 had marked a shift.

Several points should be made. Labor’s conditional statements, combined with limited representations to the Biden administration could only represent a shift because all previous administrations, including past Labor governments, abandoned Assange and aided his persecution.

Labor only made a shift under the impact of mass pressure, resulting from a sustained campaign by supporters of Assange’s freedom. A *Herald* poll in May last year, for instance, indicated that 79 percent of Australians wanted Assange to be freed, while another placed the figure even higher.

Then there is the question of what exactly Labor’s representations consisted of and how frequently they were made. A detailed article in the *Herald*, outlining the behind-the-scenes developments leading up to the plea deal, reported five specific instances on which Labor ministers had raised the issue with their US counterparts over a period spanning more than two years. That is not exactly the “unflagging campaign” that some have touted.

The same *Herald* article noted that “At no point, say those aware of the

talks, did the Australian government say how the case should be resolved.” That is, the matter was left up to the US government, which was seeking Assange’s extradition so that it could prosecute him for exposing war crimes and imprison him for life, in what was clearly a monstrous witch hunt.

What Labor was actually angling for was indicated on several occasions. Departmental briefing notes for Attorney-General Mark Dreyfus in June 2022, i.e., a month after Labor came to office, referred only to the possibility of a “prison swap” involving Assange. That would have meant accepting his extradition to the US and prosecution on the Espionage Act charges.

Over the following months and years, Labor leaders would repeat deliberately vague talking points, “enough is enough” and “this matter must be brought to a close.” Labor MPs declared that their options to intervene were limited, describing the frame-up proceedings against Assange as a “legal process” that had to be “respected.”

In an interview last November, Albanese publicly acknowledged that he had not asked President Joe Biden to drop the prosecution of Assange. Albanese made a tortured argument about respecting the “separation of powers,” fraudulently presenting the US pursuit of Assange as a bona fide legal case exclusively involving the Department of Justice, when in reality it was clearly a political persecution.

Labor’s decision to accept the “legal process” and its refusal to call for the charges to be dropped helped to create the conditions where Assange could only be freed through a plea deal. An Australian Broadcasting Corporation article this morning noted that the “pressure” of Labor’s representations over Assange “wasn’t necessarily just on the US. It was likely also placed on Assange and his legal teams.”

Last year, Albanese publicly stated that a resolution would require “compromises” on both sides, while other Labor figures openly called for Assange to plead guilty. That meant that the government accepted the precedent that the US was seeking to set through its prosecution of a journalist for exposing war crimes.

Labor was undoubtedly intensely fearful that the successful extradition of Assange to the US would inflame mass anger. But, its ambiguous line and failure to forthrightly demand Assange’s unconditional freedom at any point meant that the decision was in the hands of the US government.

Ultimately, it is clear that the plea deal, which represented a major backdown by the US and a victory for Assange, was the result of two intersecting factors: fears in the US state that Assange’s extradition would intensify a political crisis there and internationally, and a recognition that the frame-up legal case would never stand up in court.

Earlier this week, the *Washington Post* reported that Department of Justice lawyers working on the case were increasingly convinced that it would be lost. They made panicked representations to the leadership of Justice in April for a plea deal to be finalised.

The fears were intensified by the decision of the UK High Court in May to allow Assange to appeal extradition. Those court hearings, which were

scheduled for July, would have been the first time in years that the substantive issues in the case, including its assault on press freedom and innumerable US violations of the law, would have been heard in an open court.

The Labor government chartered a private jet for Assange to travel to Saipan, where the plea deal was signed off on by a US court, and on to Australia. In a decision which has provoked considerable anger, it refused to foot the bill, leaving the Assange camp with the task of crowdfunding the \$A782,190.

### **Labor's role in the persecution of Assange**

Whatever one's assessment of Labor's role over the past two years, its record over the fourteen-year US pursuit of Assange is a rotten one.

In 2010, WikiLeaks published the documents for which Assange would be charged, exposing massive war crimes in Iraq and Afghanistan, and American imperialism's daily diplomatic conspiracies and black operations on a global scale.

Labor was in office at the time. Its Prime Minister Julia Gillard denounced the WikiLeaks' publications as "grossly irresponsible" and declared: "It's clear that the theft of those documents is an illegal act."

Labor's then Attorney-General Robert McClelland and Foreign Minister Kevin Rudd, who, as ambassador to the US, accompanied Assange to Saipan and back to Australia, asked the Australian Federal Police (AFP) to investigate whether criminal charges could be laid against Assange, i.e., the Labor government prefigured the later US prosecution. The AFP was compelled to note that Assange had not violated any Australian laws.

Gillard nevertheless threatened to seize Assange's passport and pledged to assist the US campaign against him. This was under conditions where senior US politicians, including then vice-president and current President Joe Biden were denouncing Assange as a "high-tech terrorist," while others, including Hillary Clinton, were suggesting that he be assassinated.

WikiLeaks reportedly had concerns at the time that if Assange returned to Australia, Labor would either prosecute him or hand him over to the American authorities.

Albanese, Foreign Minister Penny Wong and other current Labor leaders were also prominent in the Gillard administration. They thus bear a central responsibility for all of the persecution he has suffered over more than a decade.

Labor's line was not confined to 2010, but persisted, including after Assange was compelled to seek political asylum in Ecuador's London embassy in 2012. Labor's foreign minister from early 2012 to September 2013, Bob Carr, has welcomed Assange's freedom. But, when he was in high office, Carr angrily rejected calls for his government to defend Assange, instead slandering the WikiLeaks publisher as "amoral," accusing him of having released information "without inherent justification," and declaring that there was "not the remotest possibility" that the US was seeking his extradition.

As late as April 2019, when millions of people were shocked when Assange was violently dragged from the embassy by British police, senior Labor figures, including current Environment Minister Tanya Plibersek, publicly gloated over Assange's dire plight and denounced his supporters.

The record amply demonstrates that to the extent that Labor played a role in the outcome of the case, it did so reluctantly and as a result of a movement involving thousands of ordinary people and the sentiments of millions more.

### **Labor is a government of war and repression**

Labor's hostility to Assange was not simply a matter of following US instructions. WikiLeaks had exposed not only US war crimes, but those of its allies, including Australia which under conservative and Labor administrations participated in the criminal assaults on Iraq and Afghanistan.

As it was joining the campaign against Assange, moreover, the Gillard Labor government was aligning Australia with the US pivot to Asia, a vast military build-up directed against China. This process, transforming Australia into a frontline state for a catastrophic war aimed at ensuring US global hegemony, has accelerated greatly in the intervening years and is being completed by the Albanese administration.

That is the significance of the AUKUS war pact with Britain and the US, under which Australia is acquiring a fleet of nuclear-powered submarines, as well as Labor's "urgent" program of overhauling the entire military with offensive capabilities, so that it can engage in "impactful projection" throughout the Indo-Pacific and beyond.

This program is part of an eruption of imperialist militarism globally, to which Labor is also a party. It has fully backed the US-NATO proxy war against Russia in Ukraine, which threatens nuclear war, as well as Israel's genocide of Palestinians in Gaza.

The war drive is incompatible with democratic rights. As in the other imperialist centres, Labor has viciously attacked opposition to the genocide, threatening to ban protests and villifying ordinary people as "antisemites" for taking a stand against the war crimes.

In 2017, Labor joined hands with the then conservative government to pass sweeping "foreign interference" laws. In addition to creating a McCarthyite atmosphere over purported "Chinese influence" in Australia, the legislation potentially outlaws national security journalism, containing major penalties for whistleblowers that could also be directed against publishers. At the time, some conservative MPs said the laws were necessary to prevent future WikiLeaks-style exposures.

The fraud of Labor's posturing over Assange is summed up in the case of David McBride. In May he was sent to prison for more than five years, with Labor's explicit support, for having exposed confirmed Australian war crimes in Afghanistan, including the murder of civilians and prisoners. McBride is the first, and so far the only, person to be imprisoned over the atrocities, most of which were perpetrated under the Gillard government.

As a WSWS statement explained last week, "Though Assange is free, the global capitalist offensive against democratic rights is only accelerating. For every tactical retreat by imperialism, there is a more brutal counterattack." The conditions that underlay the monstrous persecution of Assange, of massive social inequality and global war, had only intensified, posing a threat to the democratic rights of everyone, including Assange.

That underscores the necessity to develop an international movement of the working class, opposed to war, authoritarianism and all of the governments, based on a socialist perspective directed against the source of the deepening barbarism, the capitalist system itself.



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