

Quaker Peace and Justice NSW

With regard to the proposed Anti-Terrorism Legislation, the Quaker Peace and Justice NSW committee requests the Senate to consider the following.

Sedition

While we agree that it should be illegal to recruit terrorists and aid terrorists directly, great care needs to be taken how that is done. Some of us remember how the fear of Communists whipped up during the McCarthy era led to the persecution of people on the left and a bias against many honest people working for peace and fairer industrial relations. This was very damaging to the democratic discourse and freedom of expression.

It is important that there be an open and honest exchange of views in a democracy. This should include the views of terrorists and those that support terrorists. We therefore feel that the new laws on sedition, which will lead to journalists being jailed for reporting the views of terrorists, are inappropriate in a democracy. It is the function of journalists to report on the views of others. Such reports are important for honest and open debate without which Australians cannot function as a democracy. Therefore opinion and reporting needs to be exempt from the law on sedition.

We believe that people can be prosecuted for being members of an organization under this legislation because another member of that organization praised a terrorist. It is not the responsibility of an organization or its members whether it is a political party, a music club or a sports club to censor what other members report or say unless they say it on behalf of the club. Neither should a club or its members be prosecuted if the Secretary of the club says something to a reporter in an unguarded moment. Only statements endorsed by the members of the club or party should be able to lead the club or organization to persecution under the sedition law.

We believe we should be able to express sympathy for a terrorist cause and even for the enemy, particularly when "the enemy" was invaded legally or illegally by Australia. If this dialogue is pushed under ground it will only encourage the terrorist's or freedom fighter's cause and attract young rebels, a stage which many young men go through. We believe therefore that such laws could actually encourage recruitment to "the cause". East Timor in the 70's might be a good example as our government recognized the Indonesian take over of East Timor possibly because they could not see any future for such a small nation and because we wanted to keep Indonesia on side. Yet when we look back to this period we remember that it was Australian ex servicemen and members of Catholic orders who were active supporters of the East Timorese. Surely with the benefit of hindsight we can see that none of these people were terrorists but would they not be charged with supporting terrorism under this legislation?

Financing of terrorists

We believe that it is unreasonable for donors of aid organizations to know where money ends up yet the anti-terrorist legislation will make it illegal to send money to terrorist organizations. Some Quakers give money to Muslim Aid and ask that the money be directed to “Mabouda's promise” (an aid agency working in Kabul) because one of our members has worked with “Mabouda's promise” and knows the good work it does for orphans and widows. Yet it is in the nature of life that some aid could well go to the family of a terrorist. We were involved some years ago before the act of free choice in East Timor in an aid project, which was recommended to us by Bishop Belo in which we supported a home for school children in a remote area in the interior. We also had Quakers go there to help in the food garden. Some of the children came because their families were no longer able to care for them, others were boarders from Dili. We did not ask whether the children had a father in the resistance and we left it to the nuns to decide whom they could include. Frankly we sided with the resistance and it was our hope that our involvement would provide some safety for the nuns and girls. We cite this as an instance of aspects of aid work, which are often best not reported and therefore not evident to our Parliamentarians in Canberra. However it is likely that what we did then could be classed as support for a “terrorist” cause. (If for example we aided a school in Afghanistan in an area where insurgents are active.)

We feel that it should be the responsibility of the Australian Government and our security agencies to investigate the paper trail and instruct financial institutions not to forward funds to agencies, which directly support terrorists. Aid agencies and their donors do not have the resources to do this while the Australian Government does.

Yours sincerely

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