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Submission to the Senate Legal and Constitutional Committee

11 November 2005

'Tyrants always have some slight shade of virtue; they support the laws before destroying them.' Voltaire

I am writing to oppose in the strongest possible terms the proposed *Anti Terrorism Bill 2005*, not only for its content but for the lack of time given to the community to fully debate such a complex and dangerous set of recommendations, adding to the other 21 'security' bills that have been passed in the last few years by the federal parliament with minimal discussion and almost no media coverage.

Instead, this 100 page plus bill is being rushed through parliament without proper scrutiny, leaving the citizenry out of the equation altogether. It seems this government has a propensity to ram through far-reaching and controversial legislation cutting deep into our civil rights - going by its treatment of earlier bills - and yet claims we live in a democracy!

The government then spends huge amounts on advertising what it refuses to discuss in parliament! And without a vocal Parliamentary Opposition, dissent is left to the extra-parliamentary one at a time when we are being shut down.

Prime Ministerial justification for this latest round of draconian measures is riddled with holes. The PM claims the measures will help prosecute acts of terrorism but doesn't tell us how. He cites the July bombings in London, but hasn't changed the nation's counter-terrorism alert level, static since 11 September 2001. As well, as every one knows who has an ounce of legal knowledge, if the government wants to prosecute people planning to commit violent acts, there is plenty of scope to do so within the existing legal framework. Which is why we are worried at the real intent behind this bill.

A major concern is the emphasis on 'sedition', with the potential to seriously inhibit free speech and open debate and with an increased penalty from three to seven years, as well as reversing the onus of proof. What criteria is being put in place to justify banning 'unlawful organisations' which don't need links to force or violence to justify such a savage punishment? Who decides? Does that mean any group antagonistic to this government could fall into that category?

'Sedition' is an ancient law shown to have been wide open to abuse, especially in times like these, and should not be implemented.

It seems to me that in this highly publicised and politicised 'war on terror', habeus corpus and the Magna Carta have been thrown out the window. I am left with the overwhelming feeling that this government has opportunistically played on Australians' ignorance, fear and prejudices to terrify them into acquiescence and apathy, leaving our society bereft of vigorous critical debate.

Politicians try to justify repressive laws by claiming they are responding to threats to public order, but they must surely know that these very same laws can be used to silence public debate and dissident voices, the life-blood of a healthy democracy. In a tense political climate, laws ostensibly passed to curb terrorism can just as readily be used to criminalise dissent. We've had a few recent disturbing examples of the abuse of such powers.

Scott Parkin, a US peace activist with no history of violence, was holidaying in Australia. He took part in some street theatre outside the Halliburton office and was on his way to a workshop when he was picked up by our police, held in solitary confinement and deported back to the United States, all at his own expense.

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What was his crime? Was he deported for just being a peace activist? In the US he was charged with participating in a non-violent Greenpeace action, a minor offence, hardly cause for deportation. But was pressure brought to bear from Washington via the US Embassy in Canberra? Considering our 'special' relationship and our propensity to tag behind the US in just about everything, this is more than likely.

And then there was the case of Australian veteran film-producer, Carmel Travers. During the making of her film 'Truth, Lies and Intelligence' - which gave chapter and verse to what most of us have known from day one - that the Iraq War was a massive fraud perpetrated on the people and was a done deal the minute President George W Bush entered the White House. Halfway through making the film, Carmel was 'raided' by officers from the Attorney-General's Department (ASIO) who 'cleansed' her computer of material they claimed 'could threaten national security'. For good measure, they destroyed her hard drive.

The cleansing squad declined to introduce themselves, becoming more bullying and nasty with each exchange, said Carmel, even threatening her with gaol if she talked. The most disturbing part is that with the exception of a single story in the Sydney Morning Herald, the 'computer cleansing incident' was not reported anywhere in Australia's print media.

Shades of things to come?

But no-one seems to be asking why we are in such a terrible mess, why we are faced with such threats. And why we aren't looking at the causes rather than over-reacting to the fallout in a repressive way, which will inevitably create further problems of alienation and despair among young Muslims and impact on our society as a whole. We do not live in a political vacuum.

In today's troubled world it is ridiculous to ignore what we have done in recent times. To ignore the blowback from our military involvement in Iraq - a fiasco without parallel - and its profoundly destabilising impact on the Middle East and its peoples. We stormed into Iraq on a lie - on America's coat-tails - with the alleged reason to build security and democracy and have achieved the very opposite. We dismantled the first and failed to construct the second and the world is an infinitely more dangerous place. Iraq is now the world centre of terrorist activity and tipping into civil war.

When you travel outside Australia, you find that US credibility is at an all-time low through its blatant lack of diplomacy, its greed, its deceit, its religious fundamentalism and its bully-boy tactics. Where does that leave us?

I urge this committee to reject the bill. It is repressive, divisive and unnecessary as the aims of the proposals are covered in existing legislation. At this fraught time, it is only adding to the climate of intimidation and feelings that people are being silenced, not only with the threat of litigation but with the very real fear that the secret security state is about to pounce.

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