

Committee Secretary
Senate Legal and Constitutional Committee
Department of the Senate
Parliament House
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Dear Secretary,

The Reign of Terror

The War on Terror, a peculiar term coined presumably by Bush and his advisers, can only mean a fight against the USA's own fears and insecurities. So if Australians insist on using this strange term, then we are declaring war on our own fears.

Indeed, in Australia, our own War on Terror has brought about the inception of a new Reign of Terror, defined by the dictionary as "a state of things in which the general community live in dread of outrage".

In shock over the last few weeks at media reports and releases on proposed law amendments and new laws related to so-called "counter-terrorism", I recalled my primary school history and civics lessons on 'the "Growth of Civic Freedoms."

At Education History in Brisbane I located the syllabus for the years 1938-1952, and subsequently located the appropriate school text-books for that period.

Starting with a brief analysis of the old English Witan and Magna Carta, and ending with analyses of "The Improved Condition of the Worker," teachers were instructed to "show the development of the people industrially, politically and socially" through the growth of different Civic Freedoms. Amongst the topics dealt with, we have Habeas Corpus (1679), Bill of Rights (1689), Liberty of the Press, Religious Toleration, and the growth of the Parliamentary system. We were taught to value these Civic Freedoms, gained after long debate, and in some cases bloodshed.

Do we still value these things in Australia? Does such a syllabus exist today?

Can we begin to imagine what our primary school text-books will look like when we come to analyse what was the subversion and destruction of Civic Freedoms from approximately the year 2004 onwards, under the Prime Ministership of John Howard?

What happened to Habeas Corpus in Australia in 2005?; i.e. not only the presumption of innocence until proved guilty, but also the requirement that the accused person was to be brought speedily before a JUDGE who would determine the justice of the case and fix a trial by at least the second sitting of the court after the granting of the writ of Habeas Corpus, failing which the prisoner was to be discharged. (Eat your heart out David Hicks!)

The proposed counter-terrorism laws, now available in draft form on the website (http://www.chiefminister.act.gov.au/docs/B05PG201_v281.pdf) make a mockery of that part of our tradition and undermine many of the basic principles of the Australian Constitution.

What happened to the Improved Condition of the Worker in Australia in 2005?

What happened to Religious Toleration in Australia in 2005, with the demonisation and negative profiling of many Muslim persons and Muslim organizations?

What happened to responsible representative Government in 2005, when the independence of the federal Senate as representing the States' rights and well-being, was subverted by the Prime Minister's appeal to Party Loyalty, a principle meant to apply to Cabinet within the Party system, I would have thought, and not to the Senate?

Australia has indeed entered into a dark period of its history, with ministers of the Government, under whose local departmental (or foreign?) advice and manipulation we may well ask, undermining the forms of responsible representative government which have served us quite well for a long time. Lies about refugees and children over-board, lies about going to war, mismanagement and irresponsibility on matters of immigration – the list could go on.

Now is the time to say No! to the proposals made by the Prime Minister based on lies, terror and scare-tactics, proposals which will remove many of our Civic Freedoms, which will undermine our legal system, and make a mockery of true parliamentary government.

And the London bombings, which occurred after similar laws were introduced in Britain, would suggest that they ineffective in achieving the prevention of attacks in Australia.

Once lost, it will take years of strife and social unrest, to say the least, to regain those freedom and safeguards once again.

I appeal to you to act in the interests of the future of Australia and to do all in your power as elected representatives of the Common Wealth of Australia to stop these measures now.

Yours faithfully,
J. Keith Atkinson,

[5 Novemebr 2005]

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