



A WEEKLY COMMENTARY



# ON TARGET

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*The price of Freedom is eternal vigilance -*

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**THOUGHT FOR THE WEEK:** *"Now in Jerusalem there was a man named Simeon. He was an upright and devout man; he looked forward to Israel's comforting and the Holy Spirit rested on him...Prompted by the Spirit he came to the temple; and when the parents brought in the child Jesus to do for him what the Law required, he took him into his arms and blessed God; and he said:*

*"Now, Master, you can let your servant go in peace, just as you promised; because my eyes have seen the salvation which you have prepared for all the nations to see, a light to enlighten the pagans and the glory of your people Israel."*

— New Testament, Luke 2

*"After the religious fanaticisms are a little dulled it may be possible for the people to understand and rejoice in those two great rituals which have stood for ages to celebrate the polar principles of democracy – baptism and the holy communion of the common bread – the symbol of individuality and the symbol of universality."*

— "The Affirmative Intellect" by Charles Ferguson, 1901

*A blessed and holy Christmas/New Year Season to all our readers.*

## **2002 DRAWS TO A TUMULTUOUS END** by Jeremy Lee:

It is sobering indeed to look back on the past year, and to realize that in every area there has been a retreat from freedom.

The latest election in Victoria has confirmed the dominance of the Labor Party in all States and the Northern Territory. The major Coalition parties at state level seem totally inept, and without any philosophical belief. On the whole they are a jeering, sniping pack, seemingly incapable of doing anything but yapping round the heels of Labor leaders who treat them with good-natured contempt. Almost anonymous Liberal and National Party leaders are indicative of a lack of stature in their ranks, unable to grasp or articulate the enormous problems in the electorate.

In the Federal sphere the Howard Government is, temporarily, in the ascendancy; but only because the ALP under Simon Crean has decided to abandon its traditional Labor position, turning itself into a pale, pink shadow of the Coalition which so dominates the national headlines. The resignation of Carmen Lawrence from the Labor Shadow Cabinet bodes ill for Crean. Whatever else is said, she has

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some beliefs of her own, and can only divide the party further until Crean disappears and her own leadership ambitions are realized.

Australia might well reflect on the fact that, were it not for refugees and terrorism, we would also have a Labor Government in Canberra, headed by Kim Beazley. The Coalition had its back to the wall until Tampa and the refugee issue came along. Howard seized the chance to whip up a war psychology and play on the fear factor. He had no compunction about using some of Pauline Hanson's policies to get himself, and the motley band of oarsmen in his barge back to land.

With S-11 and Bali on everyone's mind, and a general belief that Howard is a better "crisis" leader than anyone in the Labor Party, few have noticed the ominous corrosion of traditional rights and liberties that have and are being edged into place. They are strikingly similar to the position in the US.

**EQUALITY BEFORE THE LAW:** Chief among these is the elimination of individual rights to a fair trial and the old principle "innocent until proved guilty".

Laura Tingle, writing in *The Australian Financial Review* (9/12/02) described it thus: "... In the post-September 11 world, the Howard Government has introduced a legislative agenda that profoundly affects Australian civil liberties. If you're not directly involved in terrorism you might not have taken too much notice of these changes and how they affect the community. Equally, the fear of terrorism may have blunted a philosophical objection to government intervention per se that might otherwise make us object to what has been done .... The major elements of these legislative changes have been: the Security Legislation Amendment (Terrorism) Bill – which has been passed by Parliament with substantial amendments; and the ASIO Legislation Amendment (Terrorism) Bill 2002 – due to be debated in the Senate this week ....

George Williams .... is the Anthony Mason professor and director of the Gilbert & Tobin Centre of Public Law at the University of NSW Faculty of Law. Here is what Williams said about the ASIO Bill in a recent article in *The Alternative Law Journal*:

"The ASIO Bill is rotten at its core. It would confer unprecedented new powers upon ASIO that could be used against the Australian people by an unscrupulous government.

It is unfortunate that it has come to this, but the ASIO Bill would establish part of the apparatus of a police state. It is a law that would not be out of place in former dictatorships such as General Pinochet's Chile.

The powers to be given to ASIO may not be used against the Australian people today, or even over the next decade, but we cannot guess at the wisdom and motives of a government or of ASIO in 10, 20 or even 50 years time."

*What prompts such language?*

*The ASIO Bill would give Australia's domestic security organization the right to detain people without charges being laid, or even the possibility they might be laid. People could be held without access to legal advice and without the normal rights to silence and to avoid self-incrimination.*

*For business, that means, for example, if you run a hotel or car-hire business, or worked in a bank, in a travel agency or computer consultancy, you might find yourself hauled in for questioning under warrant, not because you're a terrorist, or knowingly know a terrorist, but because someone who ASIO thinks is a terrorist has been conducting business with you ....*

*As Professor Williams says, the Bill, "will bring about a permanent change to law enforcement in Australia, and will entrench the notion that the detention of people who may have useful information*



is an appropriate tool for the gathering of information about criminal activity. The dangers of such a development in any law and order debate are obvious" ....."

**REMORSELESS ATTORNEY-GENERAL:** Steering these ominous changes into place is Attorney-General Darryl Williams, who has resisted all calls to preserve basic principles in the legal system. Darryl Williams is currently embroiled in a fresh controversy – that of allegedly 'politicising' future appointment to Australia's High Court, thus endangering the separation of powers. With the impending retirement of Justice Mary Gaudron, the leading article in *The Australian Financial review*, 11/12/02, said: *"The Federal Attorney-General, Darryl Williams, confirmed yesterday that he had been conducting secret interviews with potential candidates for the impending vacancy on the High Court bench.*

*His talks breach a long-standing convention aimed at protecting the independence of the judiciary and have raised fears that the government may have used the discussions to test potential High Court judges for their political reliability ...."*

It is quite clear that conventions which have allowed the Prime Minister to select the Governor-General, and now seem to be enabling a party politician to dabble in High Court appointments need changing. This was never the intention of the Constitution, which does not even mention the Prime Minister, and was insistent on the division of powers. Getting 'cronies' or sympathizers into high office is a corruption of our traditions, taking us onto the slippery slope of soviet-style politics.

**THE BIGGEST SHADOW:** Hanging over the western world is the ever-growing threat of depression. Despite all the 'whistling-in-the-dark', the heavyweight economic forecasters are now catching up with reality – and don't like what they see.

Max Walsh, writing in the *Bulletin*, 26/11/02, under the heading INTO THE VALLEY OF DEFLATION, told us over two pages how black things appear. The Federal Reserve (privately-owned) has cut interest rates a dozen times over the last few months, the current rate being 1.25%. This, coupled with the \$US trillion plus tax-cut introduced by Bush when he gained office, is supposed to stimulate the frantic, borrowing binge of a 'new recovery'.

But the Business Roundtable, representing America's 200 biggest corporations, has reported that 60 per cent of its members will be shedding workers and staff in the coming year, and 80 per cent there will be no new investment in plant and equipment.

The level of debt in the US economy is now so vast, smeared like an over-thick dollop of butter on every slice of economic activity, that people are refusing to borrow more, no matter what the enticement.

Adding to the predicament is the enormous growth in the Chinese economy, which grew 32% this year. It is moving into every area of production, elbowing aside older, more debt-laden and higher-taxed economies:

*".... That's why the Business Roundtable is looking to labour shedding. That always causes concern but especially when you have a household sector carrying a historically high level of debt. With low levels of household saving and three years of falling equity prices, the capacity of the US consumer to drive that economic growth is at risk.*

*"Should the latest initiative on the monetary front fail to achieve traction, then we could see a quite serious retrenchment of the US economy ...."*

Peter Hartcher, writing from Washington (*The AFR*, 9/12/02) provided evidence supporting Walsh's position: *"... the prices received by US firms overall have declined in each of the past five*



*quarters, the longest run in more than 50 years. For the latest quarter they are down 1.3 per cent ...."*

This despite the fact that America's money supply has been expanding by 8 per cent year on year.

Under orthodox theory, an expanding money supply is supposed to stimulate the economy. But some are only just beginning to see that if the money supply is increased by 8 per cent, while the ensuing borrowing costs increase by, say, 12 per cent, the policy is not the wisest one to follow.

So what happens when printing money no longer entices people to borrow? Hold your hat for a long slide into Depression. And that's where we all are now. Australia has reduced government debt by shoving it on to the private sector, where household debt is rising in leaps and bounds, and is the highest in our history. This, according to Treasurer Costello, who has raised taxation to the highest point in Australia's history, has made us the strongest economy in the world!

So, with the biggest drought in Australia's history, war and terrorism on every horizon, the highest levels of household debt on record, and our welfare agencies facing an ever-growing horde of destitute people who can't afford Christmas dinner, it looks like being a grand festive season.

The only bright spot on the horizon is the growing number of aware Australians. Sooner or later the point comes where we've got to start going upwards.

A Merry Christmas to all readers! And a challenging New Year!

#### **WHY ALL THE FUSS?** by Betty Luks:

What an interesting propaganda exercise has overtaken the ethanol 'scandal'. Okay, so the service stations are selling fuel mixed with a higher percentage of ethanol than car manufacturers recommend. It seems the NSW government has been dragging its feet and has not legislated to force petrol companies to stick to the right mix, whereas other state governments have done so.

But wait a minute, it was inadvertently revealed on the ABC local morning programme (December 12th, 2002) that car manufacturers are adjusting the engines, for the Brazilian market, to run on 20 per cent ethanol in the mix!

Not once did the talking heads suggest that maybe we should look at a 20 per cent mix and thereby give our struggling cane farmers a chance to survive. If it can be done for Brazil, why not Australia? Not only that, the service stations get the ethanol/fuel mix for a cool thirteen cents cheaper than the mix 'recommended' by the car manufacturers.

But no, the 'news' was slanted in such a way as to make us react in anger to the use of the higher percentage of ethanol in the mix, rather than wonder "Well, why don't our Governments promote the greater use of ethanol thus giving our sugar cane growers a bigger slice of the market, and maybe a chance to survive?"

But no, state and federal governments would rather favour the international oil companies – to the detriment of our cane growers. It was a very clever media exercise on behalf of the oil companies.