



SEEK THE TRUTH AND SERVE HUMANITY

the Beacon

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The 6th & 9th August mark the 75th anniversary of the devastating nuclear attacks by the United States on the cities of Hiroshima and Nagasaki, resulting in the deaths of an estimated 130,000–220,000 civilians outright or in the immediate aftermath, and with death and other severe health problems still being experienced by many to this day.

This was the first-ever use of a nuclear weapon and there are sharp divisions both in the US and around the world regarding why the decision to use such a weapon was made by President Truman at that time.

General Douglas MacArthur and other top military commanders favoured continuing the conventional bombing of Japan already in effect and following up with a massive invasion codenamed 'Operation Downfall'. Truman was advised that such an invasion would mean the loss of a million American lives.

In order to avoid such an estimated high US casualty rate, Truman decided – over the moral reservations of Secretary of War Henry Stimson, General Dwight Eisenhower and a number of the Manhattan Project scientists (where the bomb was developed) to use the atomic bomb in the hopes of bringing the war to a rapid end. Proponents of the A-bomb (such as James Byrnes, Truman's Secretary of State) believed that its devastating power would not only end the war but would also put the US in a dominant position to determine the course of a post-war world. Many believe that this was the real reason for the bombing of Hiroshima and Nagasaki.

If this is correct, then the people who made that decision based on their 'the end justifies the means' views are those of the same philosophy who today dominate the world and believe they can impose their drive for power, profit and control wherever and whenever they wish.

They are the same people who, in the name of profit, destroy the environment, impose harsh sanctions, and send troops into other nations without genuine justification. The same people who impose their will by the introduction of repressive legislation and in some countries around the world impose fascist-style governments.

Our church is aptly named the Melbourne Unitarian Peace Memorial Church, the only Unitarian church in Australia to add the word 'peace' to its name, because our church has long been in the forefront of opposing wars of aggression to resolve the world's problems. An analysis of wars of aggression inevitably leads to the understanding that most of them stem from the grasp for power, resources and contention and have little to do with the defence of country.

The bombing of Hiroshima and Nagasaki, neither of which were military targets but rather heavily populated civilian cities, was immoral, unnecessary and avoidable. The war was almost at an end and there were many ways to ensure that the Japanese emperor capitulated, without murdering hundreds of thousands of innocent people.

We can no longer afford to bomb, murder, slaughter and destroy the civilians of other countries for any reason whatsoever. There is simply no justification for this, and neither is there any justification for economic sanctions that also impose harsh and immoral conditions on civilians.

If the current pandemic sweeping the world is to have any positivity, it is that it exposes the extreme poverty and disconnect that exists throughout the world and invites us all to discuss what kind of a world we want, and demands that we will not continue along the current path of exploitation, wealth disparity and international aggression.

Let us heed the unforgettable lessons of Hiroshima and Nagasaki and recognise that those innocent civilians that lost their lives remain a stark reminder of the urgency to deal with issues between countries through negotiation and respect. 🕯

EDITORIAL

The Native Title Act supports mineral extraction and heritage destruction



The recent Queen’s Birthday holiday seemed like an opportune occasion to reflect on the widespread media commentary on the destruction with explosives of the Juukan Gorge Aboriginal habitation sites in the Pilbara.

Almost all the commentary to date has focused on two issues. First, the disrespect of mining giant Rio Tinto in ignoring the material and spiritual heritage values of these sites, based on the concerted representations made by their native title holders as well as an archaeological survey in 2014 that provided a dating of original occupation to 46,000 years before the present. The company’s excuse for its action was a breakdown of cross-cultural communications in agreement implementation with the Puutu Kunti Kurrama and Pinikura (PKKP) people, the recognised holders of native title over these places of global significance.

Second, commentary has highlighted the utter inadequacy of the *Aboriginal Heritage Act 1972* (WA) from a native title perspective and especially its Section 18 that allows the destruction of a heritage site, in this case after ‘salvage and store’ remedies were implemented, with the approval of the WA Minister for Aboriginal Affairs, who is also the heritage minister. The governmental response is that this dated statute is currently being reformed.

In all the coverage of this act of desecration there is a troubling absence of any recognition that such behaviour is a product of our settler-colonial national culture and politics, not just Rio Tinto’s corporate culture. Nor is there recognition that the site has already been modified by another form of mining:

salvage archaeology. Owing to the imminent threat of destruction, the material culture content was moved elsewhere and the site was dated with sophisticated Western technology. Sadly, such a ‘salvage’ approach is the modus operandi in hundreds of places in Western Australia.

There are two higher order issues that have been totally overlooked as debate has raged over how Rio Tinto’s wanton destruction could be legal under Commonwealth and state laws. The first is the operations of the Commonwealth Native Title Act. The second is the direct relationship between the coffers of the state and the extraction of minerals owned by the Crown that is now conferred on Commonwealth, state and territory governments.

In 1993 the Native Title Act, the statutory outcome of eighteen months of highly politicised interest group bickering after the Mabo High Court judgement, was passed. It quite intentionally refused to confer free, prior and informed consent rights over mineral extraction – a right of veto – onto native title groups. This was despite the existence of such a right in the earlier *Aboriginal Land Rights (Northern Territory) Act 1976* (Cth), Gough Whitlam’s imperfect land rights framework enacted by Malcolm Fraser’s government. Instead, in native title’s future acts regime, a proponent has the right to explore for and extract minerals subject to negotiating an agreement with those who have a native title determination or are registered claimants.

In 2009, the Rudd government belatedly endorsed the UN Declaration on the Rights of Indigenous Peoples, which explicitly refers to the need for free, prior and informed consent to be granted by Indigenous landowners before any development can occur on their land. In 2011, when opposition leader Tony Abbott (just awarded the nation’s highest award, the Companion of Australia, by the Queen’s representative) tabled legislation in the Australian



parliament aiming to provide such free, prior and informed consent rights to Aboriginal owners of Wild Rivers in north Queensland.

But, from 2013, when Abbott became prime minister, such sentiment quickly dissipated. Indeed, from then to the present, conservative governments have sought to dilute the already weak future acts regime in the name of ‘national development’ and ‘economic growth’. Complex legal and economic arguments have been made that so-called ‘transaction costs’ need to be lowered to allow less administratively cumbersome, and quicker, extraction of minerals on native title lands.

Through legal claims and consent determinations more and more of the continent has come under Indigenous title. At present native title exclusive possession has been positively determined over one million square kilometres, with nonexclusive (or shared) possession determined over another two million square kilometres. Native title to date covers 39 per cent of Australia. Additionally, earlier land rights in the Northern Territory and South Australia have seen 800,000 square kilometres, or 10 per cent, of Australia vested in inalienable Aboriginal freehold title. Overall, about half of terrestrial Australia is under some form of Indigenous title.

As spatial coverage has expanded – unexpectedly, following socially just judicial decisions and evolving jurisprudence – governmental and corporate attempts to empty native title and land rights laws of content have rapidly escalated. While the law vests rights of natural resource use with native title holders, these are limited to non-commercial, domestic purposes. But valid commercial interests, such as Rio Tinto’s in the Pilbara, always prevail over native title rights and interests.

It is not just corporate interests that benefit and profit from mineral extraction and the inevitable

destruction of the natural environment and Aboriginal sacred geography that this entails. As the owners of subsurface minerals, governments benefit directly from the receipt of royalties and other payments to state coffers – in return, they issue the licences for corporations to operate almost *carte blanche*.

In Western Australia, Australia’s most mineral-dependent state, the current Minister for Aboriginal Affairs, Ben Wyatt, is also the treasurer and the deputy premier. There is a clear structural tension between cultural heritage protection and state revenue raising. (I say structural intentionally to bypass the additional complication of Wyatt’s indigeneity and family links to the Pilbara.) This tension is replicated everywhere in Australia except to a lesser extent in the Northern Territory.

I want to end with two broader observations.

As the nation debates constitutional recognition, perhaps it is important that advocates for ‘the Voice’ reignite demands for effective land rights as a social justice imperative. Currently, inadequate native title arrangements are allowing the destruction of Indigenous material and spiritual heritage and eroding forms of Indigenous self-determination and limited sovereignty.

Second, the late historian Patrick Wolfe argued that the Australian settler-colonial formation is premised on displacing Indigenous people from the land to access it for exploitation. Today, the extraction of minerals from native title lands remains an enduring, arguably escalating, characteristic of the late-capitalist settler-colonial society, despite native title law. Marxist geographer David Harvey terms this process capitalist accumulation by dispossession; for those with recently recognised native title, this process is, sadly, accumulation by re-dispossession.

Voluntarily improved corporate behaviour and reformed heritage laws will assist in the protection of Indigenous cultural heritage. But a fundamental restructuring of native title law to include a right of veto is far more important. So is the breaking of the direct nexus between mining and government revenues that invariably results in states operating as brokers for mining corporations rather than as impartial arbiters. Strong consent provisions may not provide a complete solution to the regulatory heritage protection and corporate moral failures we have just witnessed at Juukan Gorge. However, such provisions would legally empower holders of native title to control what happens on their land – in this particular case, in landowner, national and global interests. 🕯

JON ALTMAN has a background in economics and anthropology and is an emeritus professor at the Australian National University. He works on practical issues around environmental, economic and social justice for Indigenous peoples in Australia and beyond with a number of not-for-profits. He has been an active participant in the Arena project for 20 years.

It's time to strip 'national security' of its sacred cow status



PART 1

The Prime Minister has just announced the most hawkish turn in Australia's defence policy since the end of the Cold War. All in the name of national security, the mantra of governments intent on justifying sprawling, costly and often unaccountable security establishments.

With China emerging as the grand villain, national security has now acquired quasi religious status. Since September 2001, the Australian security apparatus has grown into an omnipresent multi-headed hydra that intrudes into virtually all policy areas and encompasses all federal, state and territory jurisdictions.

The security establishment has substantially grown in size, as have the resources at its disposal, its reach across all segments of society, and importantly, its political influence. It is doubtful, however, whether this growth has achieved its stated purposes.

This is not to call into question the diligence or commitment of those employed in security roles of one kind or another. What is open to question is the intellectual and ideological framework within which they work.

Morrison's launch of the 2020 Defence Strategic Update is just another sign of a deeply flawed vision of Australia's place in the world. In all likelihood it will make us a less secure and more anxious nation.

A SPRAWLING AND COSTLY ENTERPRISE

A large and complex security edifice has been in the making for some time. Security functions are now spread across multiple government departments, agencies and statutory bodies. Apart from the Department of Defence and the three armed services that make up the Australian Defence Force (ADF), other long established players include the Australian Signals Directorate (ASD) and the Australian Secret Intelligence Service (ASIS).

To this list must be added the vastly expanded Home Affairs Portfolio which now has responsibility for national security and law enforcement, counterterrorism, cyber security, countering foreign interference, critical infrastructure protection, countering 'violent extremism', and transport security. Organisationally, the portfolio includes the Department of Home Affairs and several powerful agencies, including ASIO. A coordinating role of sorts is performed by the generously resourced Office of National Intelligence. The states and territories also perform important security and law enforcement functions, mainly through their respective police forces and cyber security agencies.

Two defining characteristics of this ever-rising edifice are its reach and cost. The single largest budget allocation is to the defence portfolio. In 2019–20,

spending on defence stood at \$38.7 billion, up from \$21.7 billion in 2009–2010. The 2016 Defence White Paper expected the defence budget to rise to \$58.7 billion in 2025–26, which would mean that in the space of twenty years (2005–2025), it will have doubled in real terms.

These projected increases are meant to fund an ambitious 10-year military modernisation program that was expected to cost some \$195 billion. The new capabilities include: a major naval shipbuilding program comprising 9 frigates, 12 submarines and 12 offshore patrol vessels; an enhanced strike and air combat capability, notably the F-35A Lightning II Joint Strike Fighter; and enhanced capabilities in intelligence, surveillance and reconnaissance, space, and cyberwarfare.

In 2018, well before these purchases were consummated, Australia had already become the world's largest importer of arms, second only to Saudi Arabia.

And now Prime Minister Morrison has announced a further investment of \$70 billion over the next six years. The aim is to acquire more lethal capabilities, including sophisticated maritime long-range missiles, air-launched strike and anti-ship weapons, as well as additional land-based weapons and offensive cyber capabilities.

What is the justification for this vastly expanding military arsenal? In Scott Morrison's words, we are responding to 'a new dynamic of strategic competition', to rising 'tensions over territorial claims' across the Indo-Pacific region, and to 'regional military modernisation' that 'is occurring at an unprecedented rate'.

The Prime Minister did not go on to explain how Australia's increasingly provocative defence posture will ease regional tensions, slow down the regional arms build-up, or defuse the strategic competition.

The reason is not hard to discover. These are not the fundamental objectives of our security policies.

Revealingly, the Prime Minister described the Indo-Pacific as 'the focus of the dominant global contest of our age'. This is code for the unfolding US-China confrontation. Australia's security establishment is troubled by China's rise, and not reconciled to a less dominant role for the United States.

The upshot is that Australia's defence posture is still intent on preserving a regional order in which the United States retains military supremacy. In practice, this means aligning ourselves with US strategic plans and priorities, and ensuring the highest possible levels of interoperability with US military forces.

In this sense, the 2020 strategic update reinforces a well-established trend. We are dealing with the China threat as we have done with the terrorist threat. Once the United States invaded Afghanistan on 7 October 2001 in response to the September 11 attacks, Australia quickly followed suit. John Howard justified the decision by invoking Article VI of the ANZUS Treaty – the only time the Treaty has been invoked. Nineteen years later we are still there, making it the longest military engagement in Australian history.

At the height of Operation Slipper (2001–14), Australia committed 1,550 personnel. Over the course of the war, it has despatched well over 25,000 personnel and spent close to \$10 billion. Between 2001 and 2016, more than 40,000 ADF personnel served in or directly supported Australia's military operations in Afghanistan and Iraq.

And we still have well over 2,000 ADF personnel deployed overseas, including naval patrols in the Persian Gulf, Air Force Units serving in the Middle East, and troops on the ground in Iraq and Afghanistan. When Australia finally departs from these long-suffering conflict zones, it will have little to show for its costly efforts.

In addition, we have recently seen the escalation of joint military exercises in our region, which reinforce the connection with the United States and sow further distrust in the relationship with China. 🇺🇸

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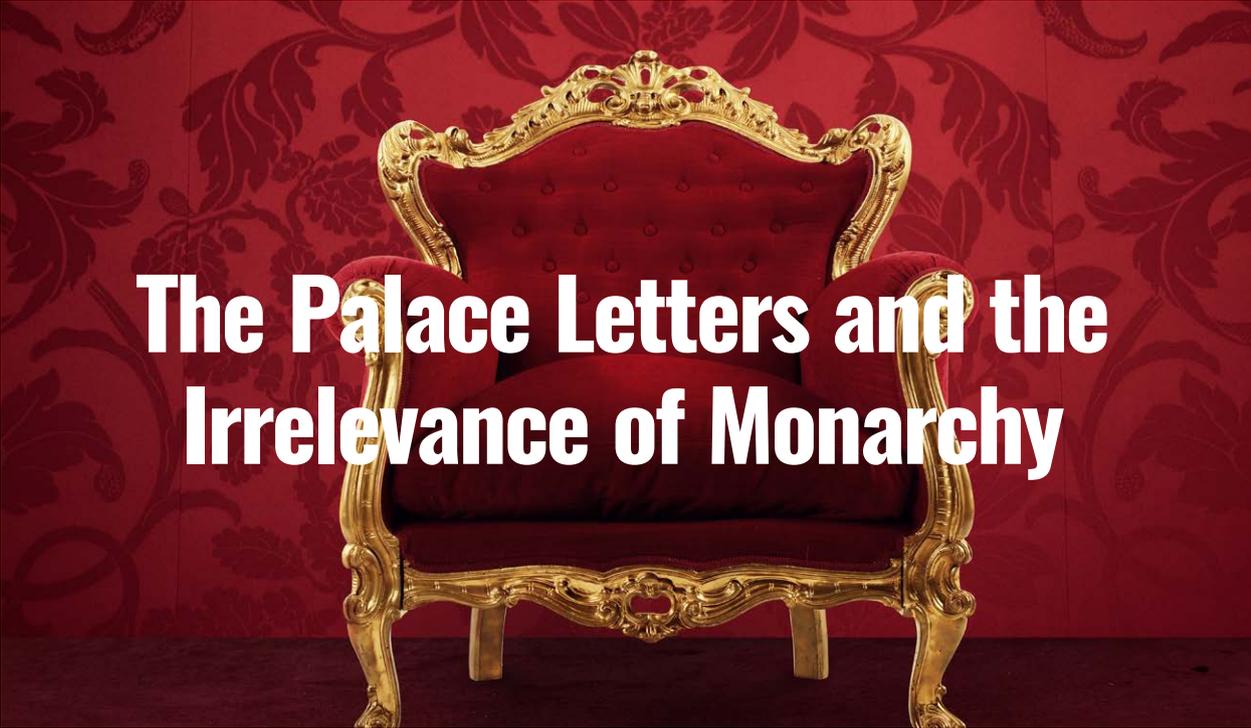
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Traditional owners of the Kulin Nation, past Warriors, Elders past and present.



The Palace Letters and the Irrelevance of Monarchy

So, we see that Kerr, the Governor-General, did not inform the Queen of his intention to dismiss the Whitlam government in 1975, despite its majority in the House of Representatives. Governor-General Kerr's excuse was that Whitlam's ability to govern was being blocked by the Liberal-controlled senate and its refusal to pass supply.

Kerr admitted that he had to act before Whitlam could demand his dismissal from office by the Queen. That a foreign aristocrat has the authority to appoint and dismiss the Australian governor-general stands out as a medieval anachronism in our constitutional system of government.

A NEW BROOM

The Liberal Party had been in office in Australia since the 1949 Bank Nationalisation election and Australia had become a conservative backwater, subservient to the demands of our real imperial centre, Washington DC.

Under the Liberal Party, Australia was an enthusiastic supporter of the Vietnam War, was happy to send troops there and began to conscript young men for the conflict. The December 1972 ALP victory sent shock waves through the establishment here and in Washington.

The Whitlam government began to modernise the nation and open up certain locked cupboards to public gaze. The imperial system of knights and dames was abolished and replaced by the Order of Australia. The White Australia Policy was abolished. The Australian Schools Commission was established to try to bring our whole education system to the level demanded by the times, with great emphasis

upon establishing social equality. University fees were abolished.

'Advance Australia Fair' became the national anthem. The 'reds under the beds' discourse so abused by the Liberal Party and the Democratic Labor Party was ameliorated by Whitlam's recognition of the Peoples' Republic of China.

A universal healthcare system was established, in the face of strong opposition from the doctor lobby. Whitlam dared to assert the national independence of Australia. Australian soldiers were withdrawn from Vietnam. Conscription was ended.

WASHINGTON FELT THREATENED

Whitlam also considered taking steps against the American spy base at Pine Gap.

According to John Pilger in *The Guardian*, 'Victor Marchetti, the CIA officer who had helped set up Pine Gap, later told me, "This threat to close Pine Gap caused apoplexy in the White House ... a kind of Chile [coup] was set in motion"' [23 October 2014].

The American Embassy was in a state of panic. When Whitlam's ministers publicly condemned the US bombing of Vietnam as 'corrupt and barbaric', a CIA station officer in Saigon said: 'We were told the Australians might as well be regarded as North Vietnamese collaborators'.

In 1973 Marshall Green was appointed American Ambassador to Australia by President Nixon. He was a very important diplomat. President Richard Nixon nominated Green as Assistant Secretary of State for East Asian and Pacific Affairs in 1969, and Green held this office until 10 May 1973.

He did most of the background work for President Nixon's visit to China in 1972, and he was one of thirteen State Department officials who accompanied Nixon during this trip. Green was the senior American diplomat chargé d'affaires in South Korea at the time of the 1961 coup d'état that brought Major-General Park Chung Hee to power.

He was appointed as United States Ambassador to Indonesia and presented his credentials to the Indonesian government on 26 July 1965. He was met with an anti-Vietnam War protest organised by Sukarno, the President of Indonesia, under the slogan 'Go Home, Green'.

Only weeks later, Green witnessed firsthand the Transition to the New Order, an anti-Communist purge in which Suharto led a coup against Sukarno and in the course of which an estimated 500,000 Indonesians were killed. Green was Ambassador to Indonesia until 26 March 1969. In 1973, President Nixon selected Green as United States Ambassador to Australia, a post he held until 1975.

John Pilger's 2014 account 'The British-American coup that ended Australian independence', records that in 1975, Whitlam discovered that Britain's MI6 was operating against his government. 'The Brits were actually decoding secret messages coming into my foreign affairs office', he said later.

One of his ministers, Clyde Cameron, told me: 'We knew MI6 was bugging cabinet meetings for the Americans' [23 October 2014 *The Guardian*].

In the 1980s, senior CIA officers revealed that the 'Whitlam problem' had been discussed 'with urgency' by the CIA's director, William Colby, and the head of MI6 Sir Maurice Oldfield.

On 10 November 1975, Whitlam was shown a top-secret telex message sourced to Theodore Shackley, the notorious head of the CIA's East Asia division, who had helped run the coup against Salvador Allende in Chile two years earlier.

Shackley's message was read to Whitlam. It said that the prime minister of Australia was a security risk in his own country.

THE PALACE LETTERS ARE A SIDESHOW. THE REAL HISTORY OF THE 1975 COUP LIES IN THE ARCHIVES OF THE WHITE HOUSE AND THE CIA.

According to Pilger, the day before, Kerr had visited the headquarters of the Defence Signals Directorate, Australia's NSA, where he was briefed on the 'security crisis'.

A SIDESHOW

The Palace Letters are a sideshow. The real history of the 1975 coup lies in the archives of the White House and the CIA.

The coup was a travesty and the fact that Whitlam felt he could not rely on the military to protect democracy says volumes about the subservient colonial nature of our nation.

Since the overthrow of Whitlam and the clamour of the Murdoch-led media for the election of Fraser, no Labor government has dared stand up for an independent foreign policy.

Indeed it was a Labor government that invited the regular introduction of American marines into Darwin.

There has been silence about Pine Gap and its role in international affairs. ☹

VALE RALPH KNIGHT

The committee of management of the Melbourne Unitarian Peace Memorial Church, and members and friends of our church, join together in expressing our sadness at the passing of one of our very consistent and committed members and a former member of the committee of management, Ralph Knight. Apart from his very long membership, involvement and support for our church, Ralph is best known for his dedication to and decades-long presentation of the 3CR Unitarian Half-hour as well as two other 3CR programs: *Swing 'n' Sway*, where he demonstrated his love of music; and *Steam Radio*, which started in the early years of 3CR in 1977. *Steam Radio*, according to Ralph, 'reflects and explores the music and humour of a much earlier pre-electric pre-radio era where the political economy was largely driven by coal-fired steam.'

Ralph was an extremely well read and knowledgeable contributing member of our church and will be sadly missed.





And on and on it goes. In June 2019, Australian Federal Police raided the Sydney headquarters of the ABC three years after investigative journalists Sam Clark and Dan Oakes had reported allegations of unlawful killings and misconduct by Australian special forces in Afghanistan. Even more chilling, two months before the Sydney raid, the AFP sent a letter to the ABC demanding finger and palm prints from Clark and Oakes, the first time in Australia that journalists had been asked to provide a request of this sort.

JUST DOING THEIR JOB

The 'fingerprint letter' specifically stated that the pair were suspects in relation to three alleged offences, one under the Crimes Act, one under the Defence Act and one under the Criminal Code ... an attempt to further intimidate journalists for just doing their job. The ABC challenged the validity of the raid, but the appeal was dismissed and to add insult to injury our national broadcaster was ordered to pay costs: a huge assault on press freedom and the public's right to know. To say that Australia's access to information is nowhere near the standard it should be is one hell of an understatement.

Read about this in our media? Not likely, given that we have one of the most narrowly based in the Western world, where media barons and cashed-up business moguls control the bulk of what we see and hear. The Paris-based international media watchdog, Reporters Without Frontiers, has downgraded Australia's global ranking two years running. In 2019, our ranking slipped from 19th to 21st, falling behind Suriname and Uruguay. This year, Australia fell to a lowly 26th, overtaken by Cape Verde, Liechtenstein, Namibia, Latvia and Samoa. This is the media watchdog's 18th report on press freedom. Its first ranking in 2002 gave Australia a creditable 12th. Since then it's been mostly a downhill run. Our lowest ranking was an appalling 50th in 2003 after the Howard government did its damndest to obstruct fair and free reporting.

Is it any wonder that in this conservative political climate, the voices of the left are virtually non-existent, only being heard in the few alternative forums willing to air contrary points of view. And is it any wonder that Australia has been called a 'one-legged democracy' where reformists are given even shorter shrift than anywhere else?

TWO PIECES OF LEGISLATION

On 5 March 2020, while Australians were learning about a new coronavirus pandemic, our extremist Minister for Home Affairs, Peter Dutton, chose this particular time to introduce two key pieces of legislation to a pared-down parliament. The first, called the Telecommunications Legislation Amendment (International Production Orders) Bill, enables ASIO to override restrictions on accessing journalists' data as part of a deal with the United States to spy on each other's citizens. It paves the way for agreements between Australia and the United States and other 'like-minded countries' for the direct accessing of surveillance information, including real time wire-tapping. In Australia, such requests are signed off by members of the Security Division of the Administrative Appeals Tribunal (AAT), which is heavily stacked with former coalition MPs and their staffers.

When the Abbott government introduced mass surveillance laws in 2015, the mainstream media belatedly realised that journos' phone and IT records would be easily accessed by law enforcement agencies under 'data retention'. In response, a 'Journalist Information Warrant' was hastily put together that required agencies to apply for a special warrant, with more stringent thresholds and procedural safeguards, but no such safeguards exist under this new International Production Orders (IPO) proposal.

It would align Australian law with the US CLOUD Act and also allow the US to access Australian data without the need to consult each other's governments first. ASIO has confirmed that under the Bill it could not only access encrypted communications but also livestream data and messages being exchanged via offshore servers in real time. The Bill strips back existing protections for journalists and potentially allows ASIO to access telecommunications data stored on an offshore server. Home Affairs told the Parliamentary Joint Committee on Intelligence and Security (PJCIS) that external approval would still be required from either a judge or member of the Administrative Appeals Tribunal, but then acknowledged that other existing safeguards providing extra layers of scrutiny would be removed.

A SECOND ASIO BILL

Peter Dutton introduced a second ASIO Bill abolishing a controversial questioning and detention power granted in 2003, but which ASIO had never used. While the Bill scraps the detention element, it expands ASIO's questioning powers, extending them to investigations into espionage and foreign interference at the discretion of police, using force if necessary if the person being apprehended fails to attend questioning or if they try to destroy or alter records. Questioning can last for up to 24 hours or 40 hours with an interpreter.

The new Bill would also give ASIO unfettered powers to plant surveillance devices into your handbag or attach them to your car to monitor your location and movements for up to 90 days with no limit on additional extensions and approval needed only by another ASIO officer. And it lowers the age at which children can be questioned from 16 to 14 years if they are only 'suspected' of terror offences, subjecting them to a 'coercive questioning regime'.

Among other sweeping changes, it widens the scope to eject 'disruptive' lawyers and allows the tracking of individuals without the need for a warrant, taking away our fundamental right, whatever our age, to choose our own lawyer if we are being investigated by ASIO. Peter Dutton's Bill only allows for a 'prescribed authority, either a judge or Administrative Appeals member, handpicked by the government, to stop a person ASIO wants to question from contacting the lawyer; a person involved in activity prejudicial to security may be alerted that the activity is being investigated or that a record or other thing the subject may be requested to produce might be destroyed, damaged or altered.'

HEARSAY 'EVIDENCE'

Make sense of that if you can, but it allows for hearsay 'evidence' to be used. All ASIO has to do is tell the judge or AAT member that they have heard from 'sources' (their own) that the lawyer requested by the detainee is a security risk. But even if the lawyer passes muster and sits with his or her client, the ASIO agents doing the questioning can have the lawyer removed. The Explanatory Memorandum of the Bill says that can happen 'if the lawyer's conduct is unduly disrupting questioning. This may be the case where, for example, a lawyer repeatedly interrupts in a way that prevents or hinders questions being asked or answered.' So, if ASIO officers are harassing a frightened child, or asking questions that are totally irrelevant, they can carry on regardless.

Under Dutton's law, not only are restrictions based on the rights of individuals and their lawyers, but there will be an 'independent prescribed authority' established, with a judge or member of the Administrative Appeals Tribunal (AAT), that will choose a suitable (tame cat) lawyer to advise the individual when they are in ASIO custody.

Not only does this Bill impinge on the rights of lawyers and their clients, it reduces independent scrutiny of ASIO's surveillance activities. ASIO will have the power to track down individuals and will only need a nod from another ASIO officer to do so, approval that can be oral as long as paperwork is filed a couple of days later. The tracking technology? Any technology ASIO has access to, accompanied by the usual useless caveats about it being 'appropriate and subject to strict accountability requirements and restrictions'. Really?

A MORE SINISTER DIRECTION

While this new Bill builds on the post 9/11 suite of laws that have vastly expanded the powers of the secret state in this country, it takes us in an even more sinister direction, playing on Australians' ignorance, fear and prejudices to frighten them into acquiescence and apathy, leaving our society bereft of vigorous critical debate. Without beating around the bush, these are fascist laws that criminalise dissent and give this government and any future one the power to do what it likes against whomever it likes, no matter how tenuous the charge. How they will be used depends entirely on the political climate of the day.

ASIO only has to mention the magic word 'terrorist' and it's open slather. The 'war on terror' has swiftly evolved into a war against all forms of progressive political action, which is why the slogan is so hypocritical. Our government's definition of 'terrorism' is a lethal catch-all attacking our most basic freedoms – the freedom of speech and freedom of association – which, once lost, will be almost impossible to regain.

Unless there are some basic changes in the opposite direction, if we're not careful we'll land back in the Dark Ages and find ourselves face to face with an updated version of the Inquisition for even minor insubordinations. We're getting there. Challenge popular beliefs and you're likely to be labelled 'un-Australian'.

It's often said that time is running out for democracy. But it is clear that in many of the things that matter most, Australian democracy is simply a facade, a sham. Today, time is rapidly running out for all humanity. The men at the helm of the superpowers are steering a course which, unless stopped, will destroy life on this earth. It's fight back time, for all of us. 🕯

Our church is a public and usable asset with portable seating and excellent conference, meeting and function facilities. We welcome its use by those who support our motto 'Seek the Truth and Serve Humanity'. Interested individuals or groups can contact the church office – we would be delighted to speak to you. A donation is payable.

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from our readers



DEAR DONNA

Please find enclosed my letter to our local federal member, regarding Julian Assange. Do hope this important matter will be of interest to the Beacon and dedication to 'Seek the Truth & Serve Humanity' and Julian will return rapidly to good treatment and justice in Australia.

Fred & I enjoy 3CR's 'Unitarian Half-hour' but greatly miss the inspiring 'Ode to Joy' and especially the wonderful personalities of Ralph and Peter. The young presenters are doing well and trust they continue to work towards emulating the colourful and stimulating traditions of their predecessors.

Look forward to the excellent *Beacon* once again.

Best wishes to you, Donna, and all Unitarians from Fred and myself. Keep well!

M Neumann, Vic

Ms Peta Murphy MP
Federal Member for Dunkley
Re: Return of Julian Assange to Australia

DEAR PETA

Like many Australians, I am appalled and deeply concerned about the continuing horrific treatment of fellow citizen Julian Assange.

A present, he is suffering mental torture, ill health and physical deterioration, incarcerated in a small solitary confinement cell for 23 hours a day, within London's H.M. Belmarsh Maximum Security Prison – which is comparable to the infamous military Guantanamo Bay Detention Camp abuse and suicide hellhole in Cuba.

In 2010, Julian published on his independent 'WikiLeaks' website, documents leaked by US Army Intelligence Analyst Chelsea Manning, exposing some horrendous military crimes in war-torn Iraq and Afghanistan. These publications were purported to be major criminal offences under US jurisdiction. Similarly, brave Australian journalists, I understand, now need to think twice before investigating and reporting on other disgusting 'man's inhumanities to man' incidents. These include child, family, aged and refugee abuses, additional to drug-related, military and monetary rorts, with both private and government bastions of power.

Please, Peta, could effective practical measures be urgently implemented to bring Julian safely home to Australia for fair treatment and avail of an open and honest legal system.

If he has committed any chargeable offence, he should face justice in Australia rather than in some foreign court.

The watching world could then judge Australia as a country with free access and exposure to 'Maximum possible Truth' for everyone, in contrast to the present withholding of sensitive information under various international and local 'Secrecy Groups' which often resort to fearful 'early morning' raids and secret trials as well as rely on questionable propaganda and opinions from politically biased media sources and/or governments.

Such warranted and hopeful new reform would surely prove yet again the wise and trusted old adage

'THE TRUTH WILL SET YOUR FREE'.

Sincerely

Meredith Neumann

DEAR EDITOR

The unsigned editorial in the July 2020 issue of the *Beacon* raised the importance of a debate on what kind of society we need. There is substantial evidence that our social democratic capitalist system in Australia is failing to deliver equitable outcomes.

The editorial identifies corruption as one of the factors undermining our freedoms. Corruption is evident in many countries and under many forms of government. In Australia, there is evidence of corruption at all levels of government and in business. We need to widen the net to include donations to political parties in return for government contracts, and we need anti-corruption bodies with sufficient powers to eradicate corruption.

The thrust of the editorial is that socialism is the solution, and a case can be made for socialism as a preferred model for providing an equitable society. Unfortunately, the editorial does this argument a disservice by

representing Russian communism as an example of a successful socialist society. To quote the editorial back against the argument, the Russian communist state became 'a corrupt, exploitative, destructive force that condemned millions to lives of misery, and allowed the country's leaders to wallow in luxury'.

In Stalinist Russia, an organisation like the Melbourne Unitarian Church and the *Beacon* would not be allowed to publish criticisms of rulers, and its leaders would have been sent to gaol. State media had no independence, and the secret police had an eye on all. Indeed, any organisation like our church would have several spies operating and dobbing in anyone who showed dissent. Those identified would end up in a gulag or dead.

Communist Russia was a dominant power and many countries came under the control of the USSR including Poland, Hungary, and the Ukraine. Some of my associates as a young man were refugees from Russian controlled Hungary who had witnessed the reality of Russian control. Russia was also anti-Semitic. The purges of the thirties were destructive and many talented people were killed.

It is indeed time for a debate on how to improve on the current system of governance in Australia. It would be helpful if the *Beacon* were to encourage an informed debate about objectives to advance a fair society. Citing Communist Russia as an example of a fair and equitable free society is unhelpful.

Revd Dr Ralph Catts, Vic

Beacon Board's reply to Revd Catts

DEAR RALPH

Thank you for your letter supporting the main thrust of the July *Beacon* editorial other than the reference to the Russian revolution. Can we respond to your deep concerns?

Firstly, you mentioned an 'unsigned' editorial. All editorials appearing in the *Beacon* are written by the Beacon Editorial Board and are discussed and approved by all board members prior to going to print.

You were concerned that the editorial, in reference to the Russian revolution, said capitalism in Russia was a corrupt, exploitative, destructive force that condemned millions to lives of misery and allowed the country's leaders to wallow in luxury while people starved. The people threw off capitalism and began to build a new society. These are indisputable, historical facts – not our opinion.

Perhaps some examples of pre-revolutionary Russia would illustrate this. The difficulties that confronted Russia in their struggle to build a fairer society need to be acknowledged and judged. It is the background against which the Russian revolution needs to be measured. The appalling backwardness of tsarist Russia needs to be understood if the achievements and errors of the revolution are to be recognised correctly and honestly.

Nobody claims that there were not significant mistakes made remembering that there was no blueprint for socialism anywhere in the world. The Soviets inherited not only an almost destroyed industrial and agricultural system and an illiterate population, they also inherited a tradition of brutality unsurpassed almost anywhere in the world. They inherited from tsarism a technically backward and ruined country with a population reduced to semi starvation. It had been ruined by four years of war and then by three years of the wars of intervention by 14 nations. It was a country with almost 90% illiteracy, a primitive means of production and small peasant farmsteads. It is against this background that their attempts to build a new society should be judged. These also are historical facts.

There has never been any such thing as 'Russian communism', as those interested in an accurate analysis of the Russian revolution would know. Russia was in the early stages of socialism and no socialist country in the world has ever achieved 'communism', which is a completely classless society. That can take decades to achieve.

You described 'the Russian communist state becoming a corrupt, exploitative, destructive force that condemned millions to lives of misery and allowed the country's leaders to wallow in luxury'. This did indeed apply to tsarist Russia, but that it also existed in the early stages of the revolution needs examination: What factual examples can you give that leaders wallowed in luxury? Who were these leaders and how was that luxury demonstrated?

Prior to this, despite reactionaries of all Western nations carefully and mainly deceitfully building a case against the Russian revolution, there is enough evidence to demonstrate the early achievements of that revolution that lifted millions of Russians from unbelievable poverty and exploitation.

You also raised 'secret police' activity in Russia. This undoubtedly occurred. There are examples of this, but you may also be interested to know that in 'democratic' Australia we have obtained the ASIO files of the Melbourne Unitarian Church where ASIO operatives attended church services and took photos of people and car number plates in order to impugn the characters of the people attending. Indeed, we have written documentation that one of the former ministers of this church was an ASIO operative at the same time that he was a minister of our church.

Where we can agree absolutely is the need for a debate about the kind of society we need, and in order to understand how societies change we need to examine history and have the debate, and that is exactly what the *Beacon* Editorial called for. What we must ensure at all costs, if the debate is to be genuine, is that we examine history with an open mind in order to ensure that a future society is not one of continuing exploitation and impoverishment of the majority but works successfully in the service of the people.

Fraternally, Beacon Board

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