

## **POLITICAL CHEERS HIDE CONSEQUENCES DANGEROUS TO THE NATION**

Cheers all round – the Gillard government has again been humiliated by its incompetence, we are a step closer to its implosion, a step closer to an election which may well wipe out the political power of the Greens and displace the Labor government. Except – at what cost?

In striking down as ‘illegal’ the government’s agreement with the Malaysian government to take and process illegal boat people arrivals the High Court of Australia has made a decision which adversely affects the power of the government of the nation to act against a serious problem of border security. In doing so it has humiliated not just the Government, but the nation. It has damaged our relationship with Malaysia and the flow-on effect will be to damage relations with other, particularly south-east Asian, nations.

The High Court of Australia has once again shown itself (by a majority of sixtoone) unable to resist the temptation to impose its ideological bent and biases on the governance of Australia.

Immigration Minister Chris Bowen has described the decision as ‘a profoundly disappointing one’. In my opinion, which is not humble but to which I am entitled as an Australian citizen, it is not only profoundly disappointing it is profoundly wrong.

As written by Dennis Shanahan, Political Editor of The Australian newspaper in today’s edition, ‘No matter the legal niceties of whether the High Court really overstepped the mark and moved into previously understood areas, the political damage is inescapable and enormous’. True, but what about the damage to our system of government, to our sovereignty, to our international relationships and to our standing in the world.

I am no admirer of the Gillard Government and will be happy when it is disposed of at a democratic election. But I do believe that whilst it is the government it is entitled to govern, particularly to protect our nation from foreign incursions of all kinds, a role which is fundamental to the role of any government in a nation state.

And I do believe that unelected judges, whatever their beliefs as to the ‘legal niceties’, have no right whatever to interfere in the actions of government to carry out that role, to secure our borders and to stop people illegally arriving in Australia – recognising that some of them at least have every reason to try and have terrible lives in their own countries.

Despite the arguments for claimants to refugee status it is simply not possible, physically, socially or any other way, for Australia to open its doors to everyone in the world whose lives are miserable, unjust, unfair and damnable. There must be a system for arrivals and processing which amongst other things takes account of both Australia’s national interest and the democratic right of its people to have a say. The Australian people have had their say,

repeatedly, at several elections, in all polls and in the overwhelming expressions of public opinion. It is because the vast majority of Australians, one of the most open and generous peoples in the world, do not want and will not accept an endless flow of illegal entrances to Australia that the Labor government, having come within a whisper of losing the last election on the issue, is scrambling for a solution.

They have handled the matter badly from the first day in office, they opened the floodgates (as proven by the boat arrivals figures) by their truly stupid dismantling of the wholly effective Howard government's working (and, incidentally, wholly humane) solution, and they deserve no credit whatever for their approach.

But having learnt the lesson of what the Australian people want and demand and having put forward a deterrence solution only to have it thwarted, not by the people at an election, not by the Parliament voting it down, but by 6 unelected, unrepresentative judges of the High Court is damnable.

One of the front page headlines today provides the prediction of the seemingly inevitable outcome of the court's decision – 'In weeks there will be lots of boats', quoting an Afghan living in Kuala Lumpur.

I wrote about the damage to our relationship with Indonesia from the illconceived and incompetent Gillard government response to the demonstrated cruelty to live cattle in the export trade. Now the High Court has joined in the fray, and as the Foreign Editor of The Australian newspaper has written, 'This High Court decision is a disaster for the Government and for Australia's standing in Asia'.

What have we come to that the border protection policies of the nation and our standing in the world are to be determined by the High Court? That is not the role of the court and never has been.

Once more we see a court usurping power. In seeking to uphold the rights of illegal boat arriving people it has reduced the rights of Australians, and reduced the value of our democracy.

Once more, we pay.

Bill Hassell

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