

Australia: Terror and the 'Islamic State' Arrests

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Region: [Oceania](#)

Theme: [Terrorism](#)

Terror is very much an induced state of mind. It compresses realities while inflating fantasies. States and regimes administer such inducements in moderate doses to keep the hounded citizenry on their toes. Sometimes, they become absurdly generous, usually around the time when elections loom.

Distant, inconsequential as it is, Australia, through such questionable motifs as the “lone wolf” terrorist, has been thrust into the global maelstrom of mass Islamic radicalisation.

A neatly convenient way of selling a message without substance, the security establishment tried to make a case in 2014 that a confused, mentally unhinged man with more identities than sense, was one such terrorist when he held those in a Sydney coffee shop hostage.

Not wanting to be left out of another by product of this, Australian policy makers have also insisted on another, more profoundly sinister form of thought policing: the targeting and punishing of individuals for the mere suggestion that they might visit (no fight!) in designated foreign theatres.

The Tuesday arrests of five Australian men in the northern Queensland tropical city of Cairns suspected of wanting to join the Islamic State campaign in Syria by the Australian Federal Police seemed to be more farce than substance. It resembled, superficially, a revamped variant of Jerome K. Jerome’s 1889 *Three Men in a Boat (To Say Nothing of the Dog)*.

In Jerome’s telling, a boat journey unfolds along the River Thames as a form of pleasurable therapy for the participants, a travel account criticised by the high-brows as being far too low brow. In Cairns, we see a modern Australian farce, five men, travelling over land with a boat that would have taken them to Indonesia from Bamaga. (Childish maps have been drafted by the Australian press for gleeful consumption.) From there, they would supposedly make their way to Syria (bicycle, plane or camel?) where the joy of jihad would consume them.

This should immediately strike the local punditry as ironic. The Australian government has been engaged in a militarised campaign against refugees and asylum seekers seeking naval routes to Australia in a “turn back boat” policy. Indonesia has tended to be the first recipient.

In this case, the men were intending to leave Australia by boat to get to Indonesia, a gesture so ludicrously amusing it should have brought smiles to the police forces. But alas, that would have been heretical.

The police have been scant on detail, though there is enough to go on that cleric Musa Cerantonio, deemed by the local press a “notorious Islamic preacher” (when are they ever not?) is among them (ABC News, May 11).[1] The men were being held, claimed an AFP

spokesman, to assist with inquiries, though charges were also being considered. “As this activity remains ongoing, further comment will be provided when it is appropriate to do so” (AAP, May 11).

The police and customs authorities have been vested with vast powers in responding to a certain breed of modern foreign fighter. In truth, the fighter who goes off to wage other people’s wars and causes is as ancient as civilization itself, a product as much of opportunity as ideology.

The previous legislation from 1978 was repealed with foreign incursion and recruitment offences moved to the *Criminal Code Act 1995* (Cth). It is not merely an offence to enter a foreign country with an intention to engage in a hostile activity, but anything deemed preparatory to such incursions is also caught by the legislation.

The legislative regime is supplemented by the *Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014*, introduced by the Australian Attorney-General, Senator George Brandis, with the purpose of addressing “the emerging and unique domestic security threats posed by the return of Australians who have participated in foreign conflicts, trained with extremist groups, or people in Australia who provide support to those who may seek to do us harm.”[2]

That unpleasant bit of statutory wizardry reduces thresholds of proof and the grounds upon which you can be held for seeking to participate in a foreign theatre of conflict. What it effectively amounts to is a form of thought surveillance, anticipating wickedness before it transpires.

The very idea of travelling to Syria suggests mischief and crime as the Minister for Foreign Affairs has deemed it a “declared area”. Done with executive abandon, this designation is purely based on the idea that a “listed terrorist organisation is engaging in a hostile activity in that area”.

The onus of proof is not on the authorities to show that going to a prohibited conflict zone (a “declared area”) was undertaken with an illegal purpose. Rather, it is the person travelling to such a prohibited area to show that all is above board, that the person was not “reckless to the fact that the area is a declared area.” Not doing so may lead to a ten year prison sentence, a true Star Chamber provision.

Absurd if adventurous acts that involved extensive travelling, a tinnie, and an Australian road trip seem to surprise members of the federal police. AFP Deputy Commissioner Neil Gaughan has made valiant efforts to squeeze blood from a stone, finding it extraordinary that such men had “gone all the way from Melbourne, all the way to the far north Queensland”. The followers of Islam can indeed be intrepid.

Victorian Police Deputy Commissioner was similarly attempting to put clothes back onto the emperor of doubt. “We have a requirement to ensure that people can’t get offshore to go and fight in other countries, can’t get offshore to become hardened terrorists and come back here and pose a risk.”[3]

The only material the police have to play with here are scattered thoughts and foolish premises – nothing has actually taken place. Having never eventuated, anything to the contrary is speculative and, in this case, fantastic. That will not trouble those who believe

that carefree thoughts, in addition to substantive acts, deserve institutional punishment.

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Notes

[1] <http://www.abc.net.au/news/2016-05-11/preacher-among-five-arrested-over-alleged--plan-to-join-is/7403344>

[2] <http://www.loc.gov/law/foreign-news/article/australia-foreign-fighters--bill-introduced-in-parliament/>

[3] <http://www.abc.net.au/news/2016-05-11/preacher-among-five-arrested-over-alleged--plan-to-join-is/7403344>

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