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COMMUNIST PARTY OF AUSTRALIA
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Guardian

Issue 1946 25th January, 2021

2021: A NEW YEAR BUT THE STRUGGLE CONTINUES!

2021 is here. For many, the chance to put all the troubles of 2020 behind us, the new year could not come fast enough. However, communists know full well that a simple changing of the calendar will not make the circumstances of 2020 disappear.

2021 will present its own challenges. The COVID-19 pandemic hasn't gone away, and the impact it will have on social and economic affairs will reverberate throughout this year (and beyond).

Addressing the pandemic in 2021 means we must renew our efforts in fighting government legislation that attempts to undermine workers' rights under the guise of "economic recovery" or "getting the economy back on track." In this regard, the Industrial Relations Omnibus bill introduced by Industrial Relations Minister Christian Porter will be the first struggle we must be engaged in (see page 12). We must also continue to fight back on reductions to JobSeeker and JobKeeper.

We must also ensure that, under the guise of "health and safety," our democratic rights, such as those to protest and assemble freely, are not infringed. While sensible measures on public gatherings are a must to protect against the spread of COVID-19, the government has developed a different set of rules regarding major events such as cricket matches where 10,000 people were allowed to congregate. We must organise in disciplined and effective ways, leaving little room for error, that would allow law enforcement to quash demonstrations. Participating in rallies, protests, and strikes is crucial in placing pressure and rising awareness to the injustices in our society. They are also a vital part of bringing the Party to the people.

Internationally, 2021 marks the beginning of President Joe Biden's administration. With Democrats in control of both houses, our American comrades have a lot of work in pressuring for more progressive policies. For us here in Australia, we must remember that even though Trump's naked aggression no longer haunts the world stage, that Biden presents no less of a threat against the sovereignty of those who oppose Western hegemony. On this front, we must continue our solidarity efforts and speak out against US imperialism, and Australia' involvement in US war plans.

As with 2020, the challenges ahead, however, should not be viewed through a pessimistic lens. The pandemic's ability to cripple capitalism to the extent it has has revealed to many, for the first time, capitalism's incapacity and unwillingness to help the working class and the deep inequality it propagates. The growing class consciousness that is developing amongst the working class provides the Party with the perfect opportunity to grow in numbers and support. As a result, we must bring the Party's campaign "Health, Workers' Rights and Socialism" to the people with clear messaging. From January to April phase three of this campaign, "Only Socialism and Struggle Can Ensure Workers Will Win," will be rolled out and give comrades the chance to highlight socialism's positive features and how workers can be a part of the revolutionary transformation of our society.

In addition to supporting the Party's "COVID-19" campaign, Party branches across the country will need to develop and execute work specific to guaranteeing that the Party is visible in their respective regions is seen to be addressing community concerns.

2021 can be a great step toward the revolutionary change we need if we choose to seize it. Many struggles lie ahead, both known and unknown, but if we are diligent in our duties and activities, we can maximise this great opportunity to undermine capitalism's suffocating hold on the working class.

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2021 A YEAR OF STRUGGLES

Welcome back to all the *Workers' Weekly* readers. We will have to fight for a better year for all ensuring that workers don't pay for the crisis.

The Morrison government will do its best to pass the weight of the crisis onto the working class. The end of JobKeeper and other policies put in place during the worst days of the pandemic will just deepen the systemic crisis in Australia.

Unemployment and its consequences are worsening. Precarious conditions of employment have become the norm and workers have become the working poor.

Christian Porter's industrial relations bill known as the "Omnibus" bill will be debated in Parliament and if implemented would deliver WorkChoices-like conditions to Australian workers.

Workers and their unions will have to take their basic demands to the street and vote with their feet.

The CPA will campaign to ensure workers don't carry the burden of the crisis.

Our struggles in 2021 will have the Environment as one of the priorities. To save the planet and bring about social justice, we must continue the fight for socialism. The CPA will launch its updated policy on the Environment called "Fighting for our Future". We encourage all Party organisations to launch the booklet and campaign for a better world.

The CPA will celebrate its 14th National Congress from 29-31 October 2021. Preparations are underway for a Party wide discussion on the Political Resolution and policies for the next period but this process can't be seen as separate from the strategic objective of building socialism.

This current issue of the *Guardian* comes out at the time of yet another Invasion Day celebration. The CPA stands in solidarity with Indigenous Australians for their land rights and the recognition that it always was and it always will be Aboriginal land.

2020 was a difficult year for all, capitalism has been clearly exposed; its failures have highlighted the need for workers to struggle for an alternative, a socialist society.

Party members will stand on picket lines alongside workers in their struggles.

Best wishes to all, stay safe!

Vinnie Molina
Party President

CPA Central branch comrades standing in solidarity with Cuba against the blockade.

Sydney Vigil

STOP USA BLOCKADE ON CUBA

Also solidarity with Venezuela & Gaza

5:30 pm Wednesday 17th of February

Sydney Martin Place outside of US Consulate Office

PRESS FUND

New Year greetings to all our readers! We hope you are all well. We look forward to bringing you news, analysis, and reports on actions with a working class perspective during 2021. The year is shaping up to be even bigger than 2020, with the government out to bring in a budget surplus at the expense of the working people and their families. The *Guardian* will be campaigning around the theme of "Workers Will Not Pay." We look forward to your support. Thank you to the following for their generous contributions during the summer break.

Denis White "Centenary" contribution $100, A Dennard $20, T Nickle $100, J Ayres $30, L Newcombe $10

Total: $260

DISCIPLINE AND PUNISH: THE OVER-REPRESENTATION OF FIRST NATIONS PEOPLE IN THE JUDICIAL SYSTEM

Valentin Cartillier

This article contains a report on First Nations Peoples deaths in custody, incarceration rates, and police brutality.

The incarceration rates of Indigenous people and their deaths in custody continues to be a national disgrace. It is a problem that the government, both at the state and federal level, alongside the ruling class, is unwilling and incapable of being able to address, let alone solve.

The 1987-91 Royal Commission into Aboriginal Deaths in Custody (RCIADIC) found that this disproportionate rate of incarceration is undoubtedly the reason for the higher rates of death in custody, whether it be in prison or police custody. By their own admission, they state explicitly "the economic position of Aboriginal people, the health situation, their housing requirements, their access or non-access to an economic base including land and employment, their situation in relation to education; the part played by alcohol and other drugs – and its effects."

They continue on by acknowledging that "Aboriginal people were dispossessed of their land without benefit of treaty, agreement or compensation." Out of the 339 recommendations that have come out of the commission, the vast majority of them either have not been acted upon or have only been partially implemented. The colonial legacy of dispossession and social and economic inequality continues to plague the contemporary Indigenous community.

Despite making up only three per cent of the national population, Indigenous and Torres Strait islander people make up just under thirty per cent of the Australian prison population. This makes Australian Indigenous people the highest per capita incarcerated group in the world. This number jumps even higher when it comes to women, where they make up thirty-four per cent of the prison population, a figure that puts them just above non-Indigenous men.

The situation has not improved over the past thirty years, in fact it is only getting worse. This is despite a slight decrease in the overall prison population. The incarceration rate for Indigenous and Torres Strait islander people has risen forty-five per cent since 1989. According to the Australian Bureau of Statistics (ABS) the male imprisonment rate is 4,682 prisoners per 100,000 Indigenous and Torres Strait Islander adult men, and the female imprisonment rate is 523 persons per 100,000 Aboriginal and Torres Strait Islander adult women.

The Northern Territory continues to have the highest rates of incarceration followed by Western Australia. This high rate of incarceration even extends to Indigenous children. First Nations people make up seven per cent of the general youth population but fifty-four per cent of those in youth detention across Australia. This means that Indigenous Australians are the most incarcerated group in the world per capita.

These utterly disproportionate and despicable levels of incarceration account for the equally disproportionate number of deaths in custody. Since the 1991 Royal Commission, at the time of writing, at least 441 Indigenous people have died in either prisons or police custody. Many of these occurred in police custody where over thirty per cent of the deaths were attributable to failures of the police to follow their own protocols, whether it be not providing adequate medical care, complete neglect, or outright police brutality. This number increases when it comes to detaining women. Only two officers have been brought to trial for any of these deaths.

"We've seen this, four hundred and forty-one times now," Ruby Wharton, a Gamilaraay Kooma woman and activist from the Warriors of the Aboriginal Resistance (WAR) told the crowd at the Black Lives Matter (BLM) rally in Brisbane, "Systemic racism always cancels out the truth. Time and time again, police investigate police." We can plainly see the government's Royal Commission has done nothing to improve the livelihoods of Indigenous people.

It is not just the police and prison system that First Nations peoples have to contend with, but also the failings of the judicial system. Alison Whittaker, a Gomeroi woman and legal researcher, pointed some of these failings in an article in *The Conversation*, citing *sub judice* contempt (which is comments made in public that could interfere with the proceedings of a trial) as an example:

"Outside of Coroners Courts, there is the threat of *sub judice* contempt, when media coverage may pose a prejudicial threat to a potential trial.

"This carries a risk for families who speak out about their loved one's deaths in a way that even implies something happened or someone did something. *i canti*-contempt poses liability to them personally when they speak out, but also could jeopardise their push for justice.

"This puts First Nations peoples at the mercy of what can be raised

before a jury, judge or coroner. With lengthy procedural delays, this can also mean a case is hard to talk about publicly for years."

This only creates a more hostile environment for First Nations peoples seeking justice when they are already besieged on all sides. The entirety of the "justice" system fails to uphold its namesake.

By the government's own admission in RCIADIC, there is a need for enormous structural change. However, the reforms they have proposed can only get us so far. For genuine change to occur, we must grasp the root of these structural inequalities. Race and class cannot be separated. Their division is entrenched by the racism inherent in the Australian settler-colonial state and its repressive power; a power maintained by the police and the broader prison industrial complex. However, these powers are not insurmountable.

Common Ground, an Indigenous lead organisation, proposes that justice reinvestment and self-determination are the keys to address these systemic injustices. Part of their programme includes:

- Reinvesting funds from correctional facilities (whether they be prisons or youth detention centres) towards early intervention, prevention, and diversity initiatives.
- Self-determination over these initiatives with Indigenous-led inquiries into deaths in custody.
- Greater police transparency and accountability, such as the release of CCTV footage.
- Reduction of police presence in Indigenous communities.
- Establishing more courts that involve Elders in the sentencing process.

These are not the only measures that are possible. First Nations peoples, such as Vickie Roach, Nayuka Gorrie, and Robyn Oxley call for the abolition of the prison system in its entirety. At the ninth biannual Sisters Inside conference held in 2018, over 300 women, those with prison experience, academics, community workers, lawyers, and community members among others, advanced the idea of abolishing prisons altogether. As Gorrie wrote in their article for the *Guardian UK*, "We need to abolish prisons to disrupt a society built on inequality,"

"What was made clear is our society is comprised of and arguably relies on self-sustaining feedback loops. Being black, poor, mentally unwell or non-conforming means different apparatuses of the state violently place you where they think you belong, invariably all these roads lead to incarceration. This is not a mistake. As Angela Davis and other abolitionists will point out' this is how the system is designed to work. … Abolition pushes us to envision ways of addressing violence and creating safer communities without using forms of harm to do so."

The CPA and the working class ought to organise and stand alongside First Nations people by supporting these demands and stand in solidarity with popular mass movements to bring an end to these injustices. Last year we saw what this kind of support looks like.

By far the biggest protests of 2020 were the BLM protests across the globe which drew particular attention to the situation in Australia. The similarities between the treatment of African Americans in the US and Indigenous people in Australia are glaring. Both groups face disproportionate incarceration rates, endure far more police brutality, and are far more likely to die in the case of an arrest than the rest of the population. Despite the COVID-19 restrictions, tens of thousands of people took to the streets in protest all across the country. The police had the gall to fine the organisers of the BLM rally in Melbourne. In NSW, the Supreme Court attempted to make the protest illegal before changing its mind at the very last second.

These protests demonstrated that the political will of the people is there, and they are willing to come out in force. Ongoing support and engagement are vital to bringing about change. Pressure on the government needs to be sustained. Yet despite this, government inaction continues.

Prime Minister Scott Morrison said at the time, "As upsetting and terrible that the murder that took place – and it is shocking, that also just made me cringe – I just think to myself how wonderful a country is Australia." He continued on to say, regarding the protests, that "there's no need to import things happening in other countries here to Australia. Australia is not the United States." This is blatantly false and only demonstrates the need for international solidarity.

To continue to turn a blind eye to the Australian context and to treat it as a problem that only happens elsewhere only maintains the problem. To create a more just Australia requires a systemic change that cannot be brought about by the government. It can only be brought about by the working class working in solidarity with Indigenous Australians. ✪

For genuine change to occur, we must grasp the root of these structural inequalities.

DOES NEVER AGAIN MEAN NEVER AGAIN?

Seamus Carey

On 9th December 2020, an interim report was released on the parliamentary inquiry into the destruction of 46,000 year old caves at the Juukan Gorge in the Pilbara region of Western Australia. The report was titled *Never Again*.

The Juukan Gorge site, sacred to Puutu Kunti Kurrama and Pinikura (PKKP) people and a cultural and archaeological site of world significance, was deliberately and knowingly destroyed by mining giant Rio Tinto on 24th May 2020 in order to expand an iron ore mine.

Despite the immediate outcry over this act of destruction carried out in the pursuit of mining profits, just five days later WA Aboriginal Affairs Minister Ben Wyatt signed approval for BHP to destroy 40 millennia-old cultural sites of the Banjima people in the Ddjajaling Range, also in the Pilbara region and also in order to expand an iron ore mine. Although the outcry and scrutiny over Rio Tinto's actions has led to BHP reviewing its options, it is still likely that some part of this plan will go ahead, but the details are unclear.

The report quoted Puutu Kunti Kurruma Traditional Owner Burchell Hayes:

> "There are other groups, including our Kurrupa neighbours, who have a direct connection with this place through their own knowledge and songlines and through the creation stories and through families. They have told us that they also feel powerless and angry at this having happened. We have an obligation to look after country in accordance with traditional law and customs. It is our obligation to the old people, who also looked after it. It was on loan to us to pass on to our future generations, our Puutu Kunti Kurrama and Pinikura children, and the future generations yet to come. The disaster has now left a gaping hole in our ability to pass on our heritage to our children and grandchildren."

The report gives damning findings of the failures of Rio Tinto, legislation, and government:

> "The legal framework for the protection of Aboriginal heritage in Western Australia and at the Federal level is completely inadequate. The Western Australian Aboriginal Heritage Act 1972 (AHA) made the destruction of the site legal and offered no avenue to protect it even when its archaeological significance had been revealed. Federal legislation offered no meaningful protection."

> "The agreements between Rio Tinto and the PKKP required the PKKP to cede their rights and prevented them from contesting company decisions, raising concerns, or having recourse to law to protect heritage sites."

> "The Section 18 administrative process approving the consent was seriously flawed. Clear evidence as to the significance of the rock shelters was ignored, mistakes in the application forms were missed, and the PKKP and key consultants were not contacted by state government officials for their views on the application."

> "Collectively, these deficiencies represent more than just a series of 'unfortunate mistakes' or mere ineptitude by individuals. Rio Tinto's conduct reflects a corporate culture which prioritised commercial gain over the kind of meaningful engagement with Traditional Owners that should form a critical part of their social licence to operate. This corporate culture belied Rio Tinto's public rhetoric of working in partnership with First Nations people, as reflected in the company's (now dis-endorsed) Reconciliation Action Plan."

The report made many recommendations, including that Rio Tinto negotiate a restitution package, refrain from any further use of the Section 18 permissions until the legislation has been reviewed, and "that the Australian Government urgently review the adequacy of the Aboriginal and Torres Strait Islander Heritage Protection Act 1984."

The deficiencies in federal legislation regarding Aboriginal and Torres Strait Islander land rights and protection of culture and heritage mean that inconsistent state-by-state legislation plays a large role.

However, a consistency across states is the inadequacy of rights and protections, and the disadvantage to Indigenous peoples in favour of mining companies and other huge corporations.

Consider the action by the Queensland government in 2019 to unilaterally extinguish native title for well over three thousand acres of the sovereign land of the Wangan and Jagalingou people, handing it over to Indian corporation Adani for coal mining purposes. The rightful Indigenous owners, who actively used the land for significant ceremonial purposes, were informed without prior warning that they were trespassing on private property.

Recently, protest has been building over Santos' planned Narrabri coal seam gas project in NSW on Gomeroi Country, approved by Environmental Minister Sussan Ley. This project threatens to cause massive environmental destruction, including to sacred sites and wildlife habitats in the Pilliga Forest, and risks polluting the Great Artesian Basin. A national day of action against the project was held on the 3rd of December, with protests organised around the country.

The Sydney protest was chaired by Gamilaraay Next Generation representative Ian Brown, who outlined the demands "for Santos to cease work on the Narrabri gasfields — in our home country — immediately," ... "for federal and state governments to amend the cultural heritage laws that allowed this destruction and desecration of our homelands to happen in the first place" and "for Federal Environment Minister Sussan Ley and New South Wales Premier Gladys Berejiklian to meet with Gomeroi people and undergo proper consultation."

In Canberra, organiser and Gomeroi Traditional Owner Polly Cutmore said: "We are calling on all our mob, and anyone who loves and respects Gomeroi country to let these politicians know they don't make decisions for us."

"Sussan Ley has not taken notice of the majority of people who live on Gomeroi Country and oppose this gas field. She has ignored us, the scientists, the farmers, so many people, and we've had enough. She should meet with us and tell us directly why she has ignored 23,000 submissions opposing this gas field, and why she is relying on Santos' word."

Mining companies' lack of respect for Indigenous people, culture, land, and heritage, as well as for protection of the environment, is all too obvious. Such matters are to them only an inconvenient obstacle to their only desire, the unfettered pursuit of profits. We need a government which will put people's interest first, not the profits of huge corporations; one which will enact legislation with strong and proactive protections; one which will make these corporations suffer consequences (for once!) for the irreversible harms they have committed against peoples and the planet. ✪

NO CASHLESS DEBIT CARD! NO MORE ECONOMIC CONTROL!

B. A. Ford

Early in December 2020, the racist and punitive Cashless Debit Card (CDC) trials were extended for another two years, a compromise on the attempts to make the CDC trials permanent. The passed bill also potentially expands the scope of the trials as the previous 15,000 participant cap was removed from the legislation. The current locations of CDC trials are in Ceduna, SA, East Kimberly and Goldfields regions, WA, and the Bundaberg and Hervey Bay region, QLD.

The trials are for anyone of working age and on income support including unemployed people, parents, and disabled people. The scheme is a form of forced income management that quarantines eighty per cent of a person's income onto the Indue credit card. The scheme is to restrict participants' autonomy and force them to spend only where Indue cards are accepted under the guise of "helping" control social issues such as alcoholism, gambling, and domestic abuse. There is no easy way to exit the trial. Back in 2019, the *Guardian UK* published an article that claimed out of 5,000 CDC participants, only 100 were allowed to exit the trial.

Anne Ruston, Minister for Families and Social Services, said that although the original bill to make the trials permanent did not pass, it did not change the government's commitment to moving to a permanent scheme, but that the government has "more work to do in the future to convince the parliament." Of course, this is despite very little investigation into the outcomes of the trials or consultation with the relevant communities.

The CDC has its roots in the racist Northern Territory Emergency Response – "the Intervention" – that has seen NT live under extreme state control since 2007 that is incomparable to any other states and territories.

One aspect the Intervention brought into the lives of select communities and people receiving social security payments was forced "income management." This compulsory income management quarantined a person's social security income if they were either living in designated areas of NT, if their child had poor attendance or was not achieving well enough at school, or if a child protection officer deemed it necessary that a parent has a portion of their income quarantined. According to the North Australian Aboriginal Justice Agency (NAAJA), "approximately eighty-two per cent of people currently subject to IM [...] will transfer to the CDC scheme."

According to the National Aboriginal and Torres Strait Islander Legal Services (NATSILS), the CDC trials "target, and disproportionately impact upon Aboriginal and Torres Strait Islander people and women: Around seventy-five per cent of people captured by the trial in Ceduna, and eighty per cent in East Kimberly identify as Aboriginal and Torres Strait Islander. Fifty-four per cent of participants in Ceduna and fifty-nine per cent in East Kimberly are female. In the Goldfields, nearly half of those captured by the trial are Aboriginal and Torres Strait Islander people, fifty-nine per cent of whom are female."

It seems pretty clear that the CDC, like the Intervention and compulsory income management, disproportionately targets First Nations people as a form of financial control. Just by looking at a map of the current CDC trials, you can see how this is true since there are no trials located in white-majority areas. NAAJA even refer to the CDC trials as a "second intervention" into the NT.

These aren't the only economic controls imposed by the state onto First Nations people. Another such program is the Community Development Program (CDP). The CDP is the racist counterpart to the mainstream JobActive program that JobSeekers are forced to participate in, and over eighty per cent of its participants are Aboriginal.

The CDP is set up to exploit the labour of Aboriginal people and, as NAAJA points out, it operates alongside the CDC. CDP participants have to do almost twice the compulsory "activities" that JobActive participants do and the punishments are more frequent and severe under the CDP. According to the Australian National Audit Office, based on snapshot reports in January 2017, "fifty-four per cent of all non-compliance reports across the two programs [JobActive and the CDP] that triggered Human Services' investigation and decision making process were CDP generated, despite the CDP comprising around five per cent of the Jobactive caseload."

Participants in the CDP work twenty-five hours per week for both non-for-profits and for-profits companies without being covered by the Fair Work Act. Abolishing the CDP is the main campaign of First Nations Workers Alliance (FNWA) set up by the ACTU in 2017.

The CDP and the CDC operate alongside each other as they both exist to economically control the lives of First Nations people. The CDP controls their labour by forcing First Nations people to work, not for a fair wage, but for social security benefits that amount to approximately thirty-eight per cent of the minimum wage (assuming maximum weekly income on JobSeeker is $278 and the national minimum wage per week is $719). Rather than participating in community development projects through secure employment, unemployed workers in the CDP, who are also captured by the CDC trials, have eighty per cent of their income frozen onto the Indue credit card.

The grassroots group "No Cashless Debit Card Australia" published an infographic depicting the various organisations profiting for the CDC trials. These include banks, multinationals such as Wesfarmers, News Corp., Employment Service Providers, Crown Casino, and the Liberal Party. These are the corporations that are complicit in and profit from the economic control of First Nations people.

Rather than forced economic control to "help" manage social problems in Aboriginal communities, NATSILS demands the abolition of forced income management and CDC schemes, to be replaced with voluntary, opt-in schemes, culturally appropriate financial literacy programs run by Aboriginal people, and significant financial commitment to Closing the Gap.

Since British invasion 228 years ago, white supremacist policies of economic control have been used to oppress First Nations people in the name of colonial-capitalism. A 1930 article in the Party's Worker's Weekly put it succinctly as: "The Aboriginal natives of Australia are exploited as ruthlessly as the natives of any other land which flies the flag of the British Empire." ✪

SOVEREIGNTY NEVER CEDED

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RESTRICTIONS USED TO REDIRECT FOCUS OFF INVASION DAY PROTESTS

E. Lennon

On this year's Invasion Day, COVID-19 restrictions will be in effect throughout the country to minimise gatherings.

Despite a crowd of 30,000 people attending the Boxing Day cricket test last month, outdoor gatherings have been limited across the states and territories to all events.

In Victoria, Premier Daniel Andrews has said that an Invasion Day march could not be done safely according to public health teams. Instead, an Invasion Day dawn service supported by the Melbourne City Council will go ahead.

In Sydney, organisers FISTT stated that the march and rally would be going ahead despite outdoor gatherings being limited to 500 people.

"First Nations sovereignty has never been ceded," says a statement on their Facebook event. "The global Black Lives Matter uprising in 2020 saw the biggest protests for Black rights on this continent in generations, in the middle of the pandemic. Invasion day marches in recent years have mobilised tens of thousands of people in many cities and towns. It is crucial we continue to build on this momentum."

"Protest is COVID-safe – it happens outdoors, we will insist on social distancing, mask-wearing and other safety measures. We are asking people to register their attendance ahead of time, and there will be COVID marshalls with QR cards available to be scanned on the day."

On the Facebook event page for Invasion Day 2021, more than 1,500 people are going and 2,500 interested.

The situation echoes last year when the Black Lives Matter movement saw protests exceed restrictions, with organisers going ahead despite attempts to quash them.

Some politicians have come out to support protesting, with Greens members, Jenny Leong MP and David Shoebridge MLC, supporting people's right to protest without fear of police brutality.

Throughout the pandemic, law enforcement has used breach of Public Health Order to enforce arbitrary arrests against peaceful protests. This is another way Covid-19 has been weaponised against those campaigning for systematic change.

Police oppression has been evident at other protests as well, such as when the twelve protestors were arrested at Sydney University protests, fighting to stop job cuts and fee hikes to education last July and August. Others were also arrested at the march, protesting Mark Latham's anti-trans and gender diverse education bill. At this same protest, the LRAD (Long Range Acoustic Device), a military-grade weapon, was paraded by the police as a scare tactic. Most of the protestors were teenagers, young adults and those new to protesting.

With the Sydney Invasion Day protest going ahead it will be a waiting game to see if the courts rule against the event this time. Last year, the mass BLM rally and march was allowed to go ahead, but it's possible that that won't be the case this time. If the rally is ruled illegal, police will come out in force once more to intimidate, harass and brutalise those seeking to continue the hard work of justice for Indigenous Australians.

On the other side of the political spectrum, conservative rhetoric has been ramping up around what they deem to be censorship of Australia Day.

Western Sydney Mayor Steve Christou has come out against the cancellation of events celebrating the 26th of January as "un-Australian."

In an interview with the Sydney Morning Herald, Cr Christou said, "It's very sad that the bed-wetters and cancel-culture philosophers are dictating our agendas before a health directive has been issued."

"COVID-19 has been around for more than a year now, and we have to accept that for the foreseeable future it is something we have to live with. We cannot continue cancelling and shutting everything down."

The Mayor's language insinuates here that anyone not willing to support a day marred by colonialism, racism, and genocide are just overly politically correct. This attitude and gaslighting perpetuate the harms against Indigenous Australians by minimising their right to fight back against injustice.

In a December segment of SkyNews, host Rita Panahi came out against councils that are cancelling these events. Her words echo Cr Christou's attitude.

"[They] say it's shameful and painful and divisive," says Ms Panahi. "It's just nonsense. All the polling shows that the majority of the population supports it."

The newsreader then turned her attention to the Victorian Government cancelling the Melbourne CBD's Australia Day Parade.

"Now they're doing it under the guise of Covid, but remember this is happening a full month after 30 000 fans are going to be gathered at the MCG to watch the Boxing Day Tests. Crowds in the streets, out in the open, watching the Australia Day parade is apparently a Covid risk."

Conservative talk is quick to fight for their own desire to celebrate Australia Day, but when protestors assert their ability to protest safely, a contradiction forms. Whilst getting up in arms about the restrictions placed on their events, they will turn around to demonise the protestors and tout their protests as unsafe. This is despite no reported cases being transmitted at a protest in Australia.

The Democracy is Essential campaign has fought back at attempts to silence protests during the pandemic. Meanwhile, corporations are being allowed to return to a somewhat more 'business as usual' approach to how they conduct gatherings and crowds.

"While much of NSW is open for business and large gatherings are allowed for commercial venues and sporting events," states the campaign's Facebook page. "COVID-safe protests against social injustice and austerity have been dispersed under Public Health Order restrictions. Activists have been fined thousands of dollars with the threat of larger fines and jail time."

COVID-19 restrictions put in place by governments for this Invasion Day are inconsistent and being used as a political tool to stunt the momentum gained on the back of the BLM movement in Australia.

FRONTIER WAR STORIES
THE GREAT LAWMAN, DUNDALLI

Casey Davidson

Boe Spearim, a Gamilaraay, Kooma, and Marrawarri radio host has brought out a groundbreaking podcast series, *Frontier Wars Stories*, which is dedicated to truth-telling about the side of Australia which has been left out of the history books. The series focuses on events between the 19th and the early 20th century which shaped the initial colonialist period and sheds light on the courageous and influential First Nations people of this time. One of the discussed resistance leaders is Dundalli, a First Nations lawman, who is celebrated for his achievements in South East Queensland on 5th January marking the day of his unjust execution.

While the knowledge and insight from the range of Aboriginal and non-Aboriginal guests on this show provides a wealth of historical information, it also provides an opportunity to reshape ignorant perceptions. The tactics used to oppress and subjugate First Nations people are eye-opening and disturbing, and carry many parallels to today. It is clear that colonisation is not only historical, but ongoing, with the continued celebration of Australia Day on 26th January, the Cashless Welfare Cards disproportionate effect on First Nations people, the continued destruction of Aboriginal land by mining companies and governments alike, and bla(c)k deaths in custody.

Dundalli, a tall young man, first comes into the colonialist history books in 1841 as a negotiator with white missionaries. He is thought to have come from the Dalambara clan, but was adopted by the Djindubari (Bribie Island) people after he spent extensive time in the area.

His diplomacy with white settlers is short-lived however, after he hears of several deplorable crimes, such as the mass poisoning of Aboriginal people in Kilcoy in 1842. It is suspected that in 1843, a white shepherd connected to the mass poisoning at Kilcoy was wounded by a spear by one of Dundalli's mob. This points to evidence that Dundalli was only responding to violence from white settlers by means of democratic First Nations law and order. This system was used to restore justice and equality, so in essence, many attacks were executions by trial.

Another example of this justice was after the murder the great leader Moppy's son, Multuggerah, who was also a great Yugerra leader and warrior. In 1846, Dundalli sent six warriors to Mount Mee to capture and execute three whites who had connection to Multuggerah's death.

In 1847, following the rape and sexual assault of Quandamooka (Stradbroke Island) girls and women by white men, Dundalli ordered warriors to Whiteside station, where these men worked, after they had been found not guilty by the British court. Two of the men were executed by Dundalli's mob, and one was wounded.

There are other later instances where Dundalli was blamed for the murder of white settlers; however, all accounts have either poor evidence or look obvious motive, in terms of justice for crimes by the colonialists. Dundalli was only acting in accordance with agreements reached through wide intertribal negotiations.

By the early 1850s, Dundalli had a huge price on his head for his capture, but he was only found in 1854 when he came back to Brisbane. It is said he possibly came back to help settle a dispute between tribes. Unfortunately, an Aboriginal traitor identified him, and he was arrested and sent to jail. As Dundalli was a large man with notable fighting skills, the jailers kept him chained and isolated for about six months until his trial. The all-white jury found him guilty of the murder of two men, with very shonky evidence, and he was sentenced to death by hanging.

At this time, execution by hanging had already been outlawed in Great Britain, and most whites agreed it was a barbaric act. Regardless of this, in Australia, it was still legal, but most hangings were conducted behind closed doors. Dundalli however, was one of the last people to be hanged publicly, as a warning to First Nations resistance leaders.

On 5th January, 1855, Dundalli spoke his final words, firstly demanding the whites to stop the unfair execution, but finishing by speaking to his mob in Gubbi Gubbi something to the effect of "My country – my law. Avenge me according to our law." It could be argued Dundalli's hanging is the equivalent to sentencing a judge to death for convicting criminals.

First Nations people at this year's Dundalli Day made these demands regarding the historical figure.

To erect a statue of Dundalli in Brisbane's Post Office Square – the place where he lost his life, and to move the plaque about him to it;

To rename Post Office Square to Dundalli Square; and

To overturn his convictions to correct the record and clear his name, as he was not a murderous criminal, but a lawman and warrior who fought to preserve the laws and sovereignty of his country and his people.

It should be noted that the story of Dundalli dispels many myths and propaganda which have been pushed on First Nations people to further rob them of their history and culture in the continued act of colonisation. For example, as Boe mentions on the podcast, it has been assumed that First Nations people were placid and surrendered easily. The reality is, there is a strong and detailed history of warrior resistance from indigenous people, by which First Nations people can be proud – and find encouragement in the continued struggle for sovereignty and recognition. ✪

“NO TREES, NO TREATY”: LAND RIGHTS AND THE CLASS STRUGGLE IN AUSTRALIA TODAY

Bree Booth

THE STRUGGLE ON DJAB WURRUNG COUNTRY

The ongoing struggle at the Djab Wurrung Embassy has garnered serious media attention in the past year. The issue centres on the Victorian government’s proposal to upgrade the highway between Ararat and Buangor in central Victoria by creating a bypass through Djab Wurrung country. This section of country contains a sacred 800-year-old birthing tree and, until late last year, a sacred 350-year-old Directions tree. The Djab Wurrung Heritage Protection Embassy was established in June 2018 to protect sacred trees on the site from being felled to make way for the proposed highway upgrade. The proposed extension was due to commence in late 2017, however, protectors at the embassy have managed to forestall it until today. The construction would only save commuters three minutes travel time at the expense of hundreds of years of irreplaceable cultural heritage.

Throughout the occupation of the Embassy on Djab Wurrung country, the Victorian government has tried its best to remove protectors from the site. There have been various police actions and red alerts during this period, as well as a protracted legal battle. A number of injunctions against works have been issued, and as of this writing, an injunction by the Supreme Court of Victoria remains in place. On the 17th of December 2020, the Federal Court overturned Environment Minister Susan Ley’s decision to reject an appeal against the works. Justice Griffiths, seeing that the Minister “may not conduct a reconsideration with an open mind” directed the new decision to be made by another minister connected with the *Aboriginal and Torres Strait Islanders Heritage Protection Act*. This is the third time the government has been ordered by a court to reconsider its decision since the first application for protection was lodged in 2017.

2020

The years-long resistance at the Djab Wurrung embassy came to a head late last year when, on the 26th of October, the Victorian government cut down the Directions Tree. On the same day that Victorian Premier Daniel Andrews announced that Melbourne’s lockdown would finally be lifted, police occupied the site and handed out over $150,000 in fines for alleged breaches of the COVID safety regulations. Later that day, amid the end of lockdown celebrations and jokes about “getting on the beers,” an irreplaceable piece of cultural history was lost as the Directions Tree was cut down and removed from the site. That now-infamous image of the Tree being unceremoniously carted away on the back of a truck is indelibly etched in the minds of all who saw it and stands as an indictment of the Andrews government’s policy towards Indigenous Victorians. No amount of relatable banter about going “higher up the shelf” should ever be allowed to distract Victorians from what Daniel Andrews has perpetrated – a cultural genocide against Indigenous Victorians.

In a stark display of neoliberal policy, this horrific act came at a time when Victoria is in the process of negotiating a treaty with its Traditional Owners. Not unexpectedly, the destruction of the Directions Tree has seriously undermined Treaty efforts. “If a treaty is to be in any way meaningful, it has to mean that non-Indigenous society understands and respects Aboriginal law,” say representatives from the Embassy, “This is Aboriginal law in practice and the Victorian State Government is literally bulldozing over the top of it.” The Treaty process was officially commenced in 2018 when the State Parliament passed the *Advancing the Treaty Process with Aboriginal Victorians Act*. Since then, a First People’s Assembly has been elected to “support future treaty negotiations.” But it is hard to believe that this is anything more than mere lip service to Indigenous land rights, a show of mock respect designed to make “Dandrews” look good. The government displayed its true colours when it tore down the Directions Tree, and as a result, some Indigenous Victorians have lost faith in the process. “I believe in a Treaty, but I don’t believe in this Treaty,” said former First Nations Assembly Member and Djab Wurrung woman Sissy Austin. Austin says that both the Treaty process and the desecration of Djab Wurrung country are products of the Andrews government, which only goes to show where its priorities truly lie when push comes to shove.

LAND RIGHTS AND CAPITALISM

The struggle for Djab Wurrung country is a microcosm of the broader land rights fight taking place across the nation. Just last year, Rio Tinto blew up a 46,000 year-old heritage site at Juukan Gorge in Western Australia’s Pilbara region. A subsequent inquiry into this incident found that Rio Tinto “knew the value of what they were destroying but blew it up anyway” – of course they did. A settler-colonial nation rich in natural resources, land rights and Indigenous dispossession are baked into the fabric of the Australian class struggle. Capitalism’s insatiable appetite for growth consumes whatever natural or cultural heritage stands in the way of economic expansion. When there is money to be made, suddenly those brown-nosers who scream about Indigenous rights when it might win them votes become awfully silent.

A directions tree – a yellow box culturally significant to Djab Wurrung women – has been cut down in western Victoria. (Image: Sean Paris)

The tree being unceremoniously carted away on the back of a truck.

Hence, the struggle for Indigenous self-determination is intricately tied up with the class struggle. And yet, they are not one and the same thing. As far back as 1938, the CPA has recognised that there is “a tendency to regard the aboriginal question as merely a class question.” This tendency is mistaken. Indigenous Australians, while they all belong to one class or the other, are a national group belonging to “a self-conscious national minority with its own culture (“The Aboriginal National Minority” *Communist Review*, February 1963).

Lenin noted that National Liberation Movements are part of a global struggle against imperialism and monopoly capitalism. Only by assisting national liberation movements can we make headway in the fight against imperialism.

Therefore, the fight for Indigenous self-determination is not purely a class issue, but it is a fight behind which the working class ought to throw its weight, with the aim of defeating imperialism.

Nevertheless, the intersection of Indigenous struggles with class cannot be ignored. It is obvious that the majority of Indigenous people have been proletarianised by the theft of their land and by the systemic oppression they face on the basis of their race. This remains largely true despite an emerging Indigenous “middle class,” and despite the existence of remote communities whose inhabitants are not strictly working class, living off the land as they do. The concerns of Indigenous Australians are the direct concern of the working class.

In June 1967, the 21st Congress of the CPA resolved that “[t]hose who benefit chiefly from wage-robbery of Aboriginal and Island workers and from the theft of Aboriginal lands are the big pastoral and mining concerns.” For this reason, it has been a part of the CPA party program for over 50 years that Aboriginal and Torres Strait Islanders’ rights are an aspect of the whole political struggle in Australia, something to be taken up by all Communists.

THE ROLE OF THE COMMUNISTS

The aim of communists is to build a united revolutionary front for working people of all nations and national minorities. Communists have stood in solidarity with Indigenous Australians for our entire history on this continent, protesting the shocking massacres at Forrest River in the Kimberleys in 1926 and at Coniston in the NT in 1928; providing aid for the Pilbara stockman strike from 1946-1949 and then again in the 1966 Wave Hill walk-off by Gurindji stockmen which eventually culminated in the first land title claims in Australian history; the 1967 constitutional referendum that finally included indigenous people in the census; most recently at Djab Wurrung.

It is incumbent on us to continue this legacy. In practice, this means that we must continue to build an intersectional working-class movement which appreciates the relationship between Indigeneity and class.

As the crises of capitalism continue to deepen over the coming months and years, the issue of land rights must continue to occupy an important place in our struggle. Only by returning the land to its Traditional Custodians can it be preserved for future generations. Land rights are an Indigenous issue, and they are an environmental issue, and certainly, they are a class issue too. ✪

HOUSE IMPEACHMENT RESOLUTION ACCUSES TRUMP OF "INCITEMENT OF INSURRECTION"

The House of Representatives have unveiled a single article of impeachment against President Donald Trump, accusing the president of "engag[ing] in insurrection or rebellion against" the US.

Initially published by CNN hours ahead of the article's scheduled unveiling on Monday (11th January), the charges accuse Trump of violating his "constitutional oath faithfully to execute the office of President of the United States" by allegedly "inciting violence against the Government" on Wednesday 6th January.

The document excoriates Trump for "reiterat[ing] false claims that 'we won this election, and we won it by a landslide,'" and accuses him of "willfully [making] statements that, in context, encouraged – and foreseeably resulted in – lawless action at the Capitol."

As for which statements actually incited the violence, the charges are vague, mentioning only one line: "If you don't fight like hell, you're not going to have a country anymore."

Democratic Representatives David Ciciline (Rhode Island), Ted Lieu (California), Jamie Raskin (Maryland), and Jerry Nadler (New York) introduced the article, which reportedly has more than 200 Democrat co-sponsors.

The House is planning to introduce a resolution to remove Trump using the 25th Amendment later on Monday (11th January), according to Speaker Nancy Pelosi. Should that move to declare Trump unfit and remove him from office not receive unanimous consent – a very likely outcome – it would be taken up on the House floor, at which point Pelosi would call for Vice President Mike Pence to respond "within 24 hours."

Should that fail as well, Pelosi said in a statement on last Sunday, impeachment legislation will be deployed once again. Trump was impeached in December 2019 for alleged abuse of power and obstruction of Congress related to his conversation with Ukrainian President Volodymyr Zelensky. However, the Senate did not vote to convict him.

Given that Trump is due to leave the White House later this month, some have questioned whether another impeachment is overkill. However, some lawmakers are using week before last week's – which saw a horde of Trump supporters throng Washington DC and barge into the Capitol while Congress was overseeing the counting of Electoral College votes – as the argument that official reprimand isn't enough.

Five people died as a result of the "storming" of the Capitol, which Trump later denounced.

Trump's personal Twitter feed became another casualty of the chaotic events, with the Silicon Valley giant claiming the "interpretation" of the president's posts could cause further violence. Twitter's permaban of Trump and the purge of Trump-related conservative accounts that followed were accompanied by the removal of the president from Facebook, Snapchat, Twitch and other liberal-leaning tech platforms.

Russia Today

ASSANGE TO BE HELD AT COVID-HIT BELMARSH AFTER JUDGE DENIES BAIL

Bethany Rielly

Julian Assange could be held at COVID-hit Belmarsh prison for months to come after he was denied bail on 6th January.

The "illogical" decision by District Judge Vanessa Baraitser comes days after she blocked the Wikileaks founder's extradition to the United States on grounds that he would be at risk of taking his own life if held in isolation.

The judge rejected bail over fears that Mr Assange could abscond while waiting for the US to launch its appeal.

Outside Westminster magistrates' court in central London, Assange's partner Stella Moris said the decision was a "huge disappointment."

"I urge the [US] Department of Justice to drop the charges and the president of the US to pardon Julian," said Moris, who has two young children with Assange.

Wikileaks editor-in-chief Kristinn Hrafnsson said that the rejection of bail would be appealed in the High Court shortly.

"We think it is unjust and unfair, and illogical when you consider [the judge's] ruling two days ago about Julian's health, which of course is caused in large part because he is being held in Belmarsh prison," he said.

Assange has already spent the past 18 months at the high-security prison in south-east London after he was evicted from the Ecuadorian embassy, where he had sought asylum for seven years.

He now faces the prospect of remaining in the prison until the appeals process is exhausted, which could take months.

Reporters Without Borders director of international campaigns Rebecca Vincent described the judge's decision to refuse bail as "unnecessarily cruel."

This is the third time that the judge has denied Assange bail.

Announcing her decision at the magistrates' court, the judge claimed that Assange had a "huge support network" to help him if he chose to abscond.

Making the bail application, Assange's lawyers said that he wished only for a "sheltered life" with his family. He would be under house arrest and wear an ankle tag, they said.

His lawyers also raised concerns about the risks to his physical and mental health at Belmarsh, noting that there has been a severe outbreak of COVID-19 in the block where the 49-year-old is being held.

The US case against Assange centres on Wikileaks' publication of hundreds of thousands of classified documents, including diplomatic cables, in 2010 and 2011 on the Afghanistan and Iraq wars.

Prosecutors claim that he assisted US defence analyst Chelsea Manning in cracking an encrypted password on US computers, was complicit in hacking by others and published material that endangered the lives of informants, all of which Mr Assange has denied.

The Wikileaks legal team argued that the case was politically motivated, owing to the exposure of cables containing evidence of war crimes.

The judge rejected this defence and another made on the grounds of protecting freedom of speech, as she spared Assange extradition to the US only on health grounds.

Vincent told the *Morning Star* that the verdict is likely to contribute to the "chilling effect" on national-security journalism already caused by Assange's 10-year ordeal.

"What we would have liked to see from the court is a stronger indication that there will be protections for journalists and press freedom for such cases in the future, but that was not the case – far from it," she said.

"The precedent is that similar cases could be successfully pursued against others unless something changes, and that's really concerning."

Morning Star

POMPEO'S EASING OF RESTRICTIONS ON US DEALINGS WITH TAIWAN WILL BE PUNISHED BY HISTORY: CHINESE FOREIGN MINISTRY

China expressed firm opposition to and strongly condemned the decision by US Secretary of State Mike Pompeo to ease restrictions governing US diplomats and other officials' dealings with officials from the island of Taiwan, according to the Chinese Foreign Ministry on Monday 11th January.

Chinese Foreign Ministry spokesperson Zhao Lijian made the comments during a regular press conference on the Monday, in response to media reports that Pompeo had two days earlier said that the US would ease restrictions on interactions between American officials and those from the island of Taiwan.

"Executive branch agencies should consider all 'contact guidelines' regarding relations with Taiwan previously issued by the Department of State under authorities delegated to the Secretary of State to be null and void," Pompeo said in a statement, the *New York Times* reported.

Zhao stressed that there is only one China in the world, Taiwan is an unalienable part of China and the government of the People's Republic of China is the sole legal government representing the whole of China. "It is a basic fact that is acknowledged by the international community and is part of the basic norm of international relations."

Zhao pointed out that the US government has made a solemn promise on the Taiwan question. On December 16, 1978, in the *Joint Communiqué* on the establishment of diplomatic relations, the US recognised the government of the People's Republic of China as the sole legal government of China, and the US should maintain only cultural, commercial and other non-governmental relations with Taiwan.

The US should earnestly fulfill its promises and must not go against or change its words under any excuses, Zhao urged.

The US' so-called Taiwan Relations Act violates the one-China principle and three joint communiqués between the Chinese and US governments, and China has firmly opposed the unilateral bill from the very beginning, Zhao said.

Any acts that harm China's core interests will be faced with China's resolute retaliation, and cannot possibly succeed, the spokesperson said.

The Taiwan question is the most sensitive and important core issue in China-US relations, and the one-China principle is the political basis for China-US relations and the precondition for the establishment and development of diplomatic relations between the two sides, Zhao said.

We urge the US to fulfill the series of promises it has made, and immediately stop any words and acts of enhancing its relations and military connections with the island of Taiwan. "We advise Pompeo and the like to stop manipulating Taiwan-related issues and stop taking the opposite and wrong path, otherwise they will be severely punished by history."

Global Times

FIRM, ABSOLUTE CONDEMNATION OF FRAUDULENT QUALIFICATION OF CUBA AS A STATE SPONSOR OF TERRORISM

Statement from Cuba's Ministry of Foreign Affairs

The Ministry of Foreign Relations of Cuba condemns in the strongest and most absolute terms the fraudulent qualification of Cuba as a state sponsor of terrorism, announced by the United States government in a cynical and hypocritical act.

For months now, there has been speculation about the possibility of including Cuba in the State Department's unilateral list that categorises countries, without any authority or legitimacy, lacking genuine motivation, referring to terrorism and its consequences, and as an instrument of defamation to justify coercive economic measures against nations that resist bowing to the whims of US imperialism.

The announcement made by Secretary of State Michael Pompeo is a superb act by a government that is discredited, dishonest and morally bankrupt. It is known, without a doubt, that the true motivation for this action is to impose additional obstacles to any prospect of recovery in the bilateral relations between Cuba and the United States.

Cuba is not a state sponsor of terrorism, a truth recognised by all. The official and well-known policy, and the impeccable conduct of our country, is the rejection of terrorism in all its forms and manifestations, particularly state terrorism, by whomever, against whomever and wherever it is committed.

Cuba is a victim of state terrorism and our population has suffered it firsthand, at the cost of 3,478 fatalities and 2,099 disabling injuries, due to acts committed by the United States government or perpetrated and sponsored from the country's territory, with the tolerance of official authorities. Cubans repudiate with contempt any manoeuvre meant to manipulate such a sensitive issue, for crude purposes of political opportunism.

Granma ✪

THE CALL OF COUNTRYWIDE BANDH

The Centre of Indian Trade Unions (CITU) salutes the people of the country for their spontaneous response to the call of countrywide bandh [general strike] on 8th December 2020 demanding the scrapping of the draconian pro-corporate farm laws and the Electricity Bill 2020.

The bandh call was given by the united platform of peasants' organisations who have been camping near the borders of the national capital at Delhi since 26-27th November 2020 pressing for outright repeal of the anti-farmer, anti-people and anti-national farm laws and the Electricity Bill 2020.

The entire trade union movement supported their struggles from the very beginning, right since the ordinances were promulgated by the Modi government, in all their agitations and mobilisations. Scrapping of the draconian farm laws and Electricity Bill 2020, along with the labour codes, was one of the demands of the trade unions in their countrywide general strike on 26th November 2020.

The bandh was total, in both the towns and villages, paralysing normal activities in most of the states. Numerous demonstrations by workers, peasants, and other sections of toiling people were held in lakhs [100,000s] of locations in both cities and villages, on the highways and railway tracks throughout the country.

Mass scale intimidation, arrests of the demonstrators by Police, particularly in the BJP-ruled states could not deter the people in the least from their determined united action. The bandh reflects the anger and condemnation by the people, of the brazenly anti-people, barbaric and destructive policies of the government.

CITU demands that the BJP government led by Modi concede the peasants' demands, which are supported by the entire nation, as is reflected in today's [8th December] bandh. CITU demands the government immediately repeal the three farm laws and withdraw the Electricity Bill 2020.

CITU once again reiterates its continued support for the genuine demands of the peasants and assures them of its total support in all forms, to their struggle to achieve them.

CITU ✪

OUR HEALTH IS IN THEIR HANDS – FOR PROFIT

Barry Murray

"Alexa! Alexa!
Do you think I'm ill?"

We might see this as amusing, or a bit futuristic. Wrong! It's here already. Amazon Health, Amazon Pharmacy and Babylon Health, among many others, are testing new "digital medical systems," where you ask a computer about your health. This, in time, will spell the end of GPs as we know them.

The same systems could be used for cancer consultations or any specialist medical advice. But, more worryingly, it would mean that the biggest collector of data in the world would have the ultimate in personal data stored on their servers. Imagine for a minute what they can do with that information, and who they can share or sell it to. Imagine too who would control your health, and what you might end up paying for it.

So, what has all this to do with our present health systems in Ireland, North and South? Above is the ultimate goal of those who are working hard at every level to turn our health into a monopoly cash cow. The rich and the poor in Ireland have two clearly delineated standards of health service. In the South it's a straight two-tier system, with private hospitals and private health insurance for the affluent and a sub-standard public health service for the rest. But in the North, though rapidly changing, it is slightly different. We have the legacy of the NHS. And the politics of it.

So the vultures for privatisation and their "management councils" in Stormont and Westminster have to take a more cautious approach in their moves to demolish the National Health Service (NHS) that they set up to appease the possibility of revolution after the Second World War. They praise it and eulogise it to the world on one hand and undermine it on the other.

The Thatcherite years (1980s) were the beginning of the destruction of the "fabled" NHS. It is a kind of a "slow burn" or "back door" method, using neoliberalist tactics to eventually end a free health service in the North – or at least make it even more profitable for the elite few.

The rot began when GPs became contractors to the NHS. That changed GPs from people caring to [operating] budgets and profit management. Next came the ancillary work in the hospitals. Cleaning, food and maintenance were all given to outside contractors, on the basis of competitive tendering, where the lowest price had to be taken – with disastrous results.

Hospitals have been built on "private finance initiatives" (PFI). The South-West Acute Hospital in Enniskillen is but one example. The interest alone on this hospital is £18 million [AU$32m] per annum. It cost £224 million [AU$394m] to build. By the time the thirty-year lease is up it will have cost £712 million [AU$1.25b] of taxpayers' money going to the private sector.

The number of basic services that have been moved from this hospital – and but for people's campaigns there would be more – is legion. And all because the "budgets" didn't allow for them. This hospital is a *de facto* white elephant, the first in the North of PFI schemes within the NHS, to facilitate the transfer of wealth to the elite golden circles.

All these costs do not include the wages and running expenses for doctors, nurses, and medicines. On top of that are the 2,300 shortages of medical staff and the long emergency department waiting times and even longer (years) waiting on elective surgery. It's as bad as, or worse than, the South of Ireland.

With the rapid decline in the number of GPs throughout the North, through retirement, lack of doctors being trained, and amalgamations, large areas of the North are now without adequate GP cover. In turn this has caused A&Es and hospital wards to be overcrowded in the absence of proper primary care.

COVID-19 has exposed the deliberate running down of the Northern health service (and that of Britain). To "save" the NHS, but more so the politicians and civil service mandarins, all elective surgery, cancer and other assessments have been stopped, thus creating a new pandemic of health issues after COVID. But we can be certain that the only solutions that will be proposed are those based on profit for the Richard Bransons and American vultures waiting in the wings to extract profit from the health of the Irish people. The nadir of that plan is condemning the population to "digital medicine." And, at the time of writing, COVID is being used as a testing ground for just that.

Unless the people seize control of their health services, north and south, and campaign for an all-Ireland public health service, free "from the cradle to the grave," the profiteers will build a health service for the rich and powerful. And the rest of us will have to make do with an "Alexa diagnosis," or worse.

Socialist Voice ✪

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WORKCHOICES MARK II - PART I

"SUPPORTING PRIVATE PROFIT GROWTH"

Anna Pha

Just days before Parliament rose for the summer break, the Coalition government tabled legislation with the aim of accelerating its anti-worker, anti-union agenda on behalf of employers. Industrial Relations Minister Christian Porter described the bill as "not ideologically based..." (Second Reading Speech). Quite to the contrary, it is all-out war against the working class.

The *Fair Work Amendment (Supporting Australia's Jobs Economic Recovery) Bill 2020* (SAJER bill), if passed, would achieve the same aims as the Howard government's disastrous WorkChoices legislation that workers soundly responded to by changing the government. WorkChoices resulted in a massive wave of de-unionisation, slashing of wages and working conditions, loss of penalty rates, and paved the way for the acceleration of casualisation.

But there are differences between the bill and WorkChoices. This bill is far more sophisticated and deceptive in the way its provisions are couched. The bill maintains the language and structures of Labor's Fair Work Act, while gutting key measures. There is no hook, like the term "WorkChoices," for the trade unions and the community to use to campaign for its defeat.

DECLINE IN EBAs

In recent years, there has been a decline in the number of enterprise bargaining agreements (EBAs) and workers covered by them. Today, only thirty-eight per cent of workers are covered by an EBA, twenty-one per cent are on an award (inferior terms and conditions to an EBA), and an alarming thirty-seven per cent have individual arrangements (SAER bill Memorandum of Understanding). The latter is in part the result of a decline in the rate of unionisation and increased use of labour hire, the gig economy, and other forms of insecure work. The remaining four per cent are owner-managers of incorporated enterprises.

There has also been an increase in the number of expired EBAs that continue to apply. Many of these expired EBAs fall below the conditions specified in modern awards, in particular minimum wage rates. Employers have been reluctant to sign new agreements which would cost them more and reduce profitability.

It is in this context that the government's bill sets out to further deregulate the workforce and adopt "a more streamlined approval process" that would result in a less "forensic examination" of proposed agreements by the Fair Work Commission (FWC).

The IR Omnibus Bill, as it is commonly known, provides employers with incredible flexibility over wages and working conditions, including the undermining of modern awards, National Employment Standards (NES) and the better off overall test (BOOT) in enterprise agreements. The BOOT specifies that enterprise agreements must be better off overall than the relevant modern award.

A more honest name for the bill would be "*Supporting Private Profit Growth*."

There are loopholes that allow the FWC to approve agreements well below the present statutory minimum in awards. It is designed to gut awards and kill off enterprise bargaining. With high unemployment and the precarious nature of so many jobs, there is little space for negotiating in many workplaces, and trade unions are in a relatively weak position to negotiate agreements. In non-unionised workplaces workers are left to the mercy of their bosses.

VOTING IN THE DARK

Prior to an employer applying for certification of an agreement, there must be a ballot of employees who will be covered. Under existing legislation, there are mandatory procedures that must be followed: the employer is required to "take **all** reasonable steps to ensure that relevant employees have access to the agreement, an **appropriate explanation of its terms**, and **details of the voting process**" (emphasis added).

The bill deletes the term "**all**" and weakens the rest of the provision so that it reads: "Employers **take reasonable steps** to

ensure that the relevant employees are given **fair and reasonable opportunity** to decide whether or not to approve the agreement."

The employer is seen to comply if employees have access to a copy of the written text of the agreement, and any "other material incorporated **by reference** in the agreement that is **not publicly available**." So, workers are supposed to follow up references if they are publicly available and understand them!

If they are not in a trade union – today, around eighty-five percent of the workforce – they are left to their own devices.

Put simply: individual workers are unlikely to understand what they are to vote on without a trade union to guide them. They will be voting in the dark. If ever there were a reason to become a union member!

There are some vague provisions about explaining to "relevant employees in an appropriate manner, taking into account their particular circumstances and needs." With a Fair Work Commission stacked with Coalition appointees, that could mean anything.

The term "relevant" is added, thus narrowing the eligibility requirements to vote. It excludes casuals who did not work during a specified period prior to the ballot.

The employer is also required to provide information on the time and place at which voting will occur and the voting method (e.g. postal, at the workplace).

Even with the existing mandatory steps replaced by looser requirements, there is a further "get-out-of-jail" card for employers. In the event an employer fails to meet the pre-approval requirements specified in the bill, the FWC may still approve the agreement if it is satisfied that the workers have been given a "fair and reasonable opportunity to decide whether or not to approve the agreement." Whatever that means!

NES UNDERMINED

The ten National Employment Standards (NES) are minimum entitlements for workers that must be included in EBAs, excluding casuals. They cover various forms of paid leave, maximum working hours, termination notice provisions, redundancy pay, public holidays, and flexible work arrangements. Casuals are entitled to leave provisions, but unpaid. The bill removes the requirement that EBAs must include the NES, replacing it with a "model NES interaction term," expressing the interaction between the EBA and the NES. The wording of this term is to be determined by regulation. This transfers the legislative power from the scrutiny and vote of Parliament to the Federal Executive Council which is composed of Coalition (government) Ministers.

The FWC is also bypassed, no longer able to determine whether an EBA includes the NES. At the same time, the requirement that the terms of the NES are met in an agreement is deleted. In other words, the so-called safety net of the NES no longer applies.

It remains to be seen what the model interaction regulation, determined by such undemocratic means, contains. Will it permit the complete overriding of the NES?

PAST GAINS LOST

The impact of these reforms would be devastating for workers who would be subjected to lower wages, poorer working conditions, the undermining of OH&S standards, increased casualisation, and the vulnerability and insecurity that comes with them.

For workers and the wider community, living standards would fall, and unemployment, poverty, and homelessness surge. At the same time, the share of wealth produced by workers and pocketed by big business would continue to rise, to even higher levels than the record share that exists at present. After all, that is the aim of the legislation.

This bill must be defeated. The campaign must start now, with the united forces of trade unions, community organisations, and individuals. Workers must again vote with their feet!

Next week: Part II, The casuals hoax. ✪

In non-unionised workplaces workers are left to the mercy of their bosses.

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