

Australia should take a moral lead

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The Age

19 August, 2006

Next week three of the Bali bombers — Amrozi, Muhklas and Imam Samudra — are scheduled to be brought before the firing squad.

These are wicked people. They killed 202 innocents, including 88 Australians, and they should be punished severely. Nevertheless Canberra should urge Jakarta to deny them their chance at martyrdom, just as we should oppose the forthcoming executions of the Indonesian Christians sentenced to death for their role in sectarian violence in 2000.

Opposing capital punishment in all cases — including the hardest cases — would conform with Australian values, as defined by successive Australian governments. It would also serve our interests, because the best position from which to petition foreign governments on behalf of our own people is that of consistent and strong opposition to all applications of the death penalty.

In Australia we usually hear about capital punishment when an Australian national is condemned to death.

By and large, the Government does an effective job in arguing for clemency for condemned Australians. There was criticism of the Government's handling of Van Nguyen's case, but it is hard to imagine what else could have been done to alter Singapore's implacable, clinical determination to put him to death. Our consular efforts have their successes, too: for example, the President of Vietnam's decision earlier this year to commute the death sentences of two Australians after a full-court diplomatic press by Canberra.

Quite apart from our responsibility to Australians on death row, we should also be active on the question of universal abolition. In that realm, we do less than we could. Certainly, we are officially abolitionist. But few observers would identify Canberra as a leader in the international abolition movement.

The Australian Government should accelerate its efforts on the bipartisan issue of comprehensive abolition, in two ways. First, our leaders should be consistent in their comments on the death penalty. It is difficult to discern such consistency at the moment: for example, Prime Minister John Howard said he would welcome the execution of Osama bin Laden, and former Labor leader Mark Latham said Amrozi's sentencing to death was a cause for celebration. These kinds of comments erode the abolitionist underpinnings of our position and make us look hypocritical when we ask for Australians to be spared.

Second, Australia should initiate a regional coalition against the death penalty. Asia is world's best practice when it comes to executing people. Fifteen Asian states retain the death penalty for ordinary crimes. Methods of execution include hanging, shooting by firing squad or with a single bullet to the back of the head, and lethal injection. China and Singapore are particularly notable: China carried out more than 80 per cent of known executions last year; and in the period 1999-2003 Singapore boasted the highest per capita execution rate in the world.

The battle over the death penalty will be won or lost in our region. Fortunately, some progress is being made: five Asian countries have abolished the death penalty in the past decade, including the Philippines only two months ago. If Canberra makes common cause with Cambodians, Nepalese, East Timorese, Bhutanese, Filipinos and others, we will increase our points of influence and decrease the ability of retentionist states to accuse us of neo-colonialism.

Megaphones need not be employed by the regional coalition. Instead, its work should be guided by the principles of effectiveness and prudence. It could start by focusing its resources on de facto abolitionist countries such as Sri Lanka, seeking to move them up the spectrum toward formal abolition.

There are other nuanced strategies the coalition could employ, none of them as blunt as simply demanding universal abolition immediately. It could encourage retentionist countries to announce a moratorium on executions, abolish mandatory death penalties, and release comprehensive official statistics about their use of the death penalty.

Speaking with one voice on capital punishment and leading from the front would increase our chances of making a difference. If we put our shoulder to the wheel, we may be able to move it a little; certainly, wheels rarely move without pushing. It would also disarm those regional critics who charge that Australia cares only about our own. In other words, it would be the smart thing to do as well as the right thing.

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