



NATIONAL ARCHIVES OF AUSTRALIA

The 2001 Cabinet papers in context

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Introduction

2001 was the final year of the Howard government's second term in office. It began with the government on the political defensive, doing poorly in opinion polls, but ended with a third successive victory. At the election on 10 November 2001, Prime Minister John Howard equalled Malcolm Fraser's record of 3 consecutive federal election wins. At this halfway mark in Howard's tenure in office, only Bob Hawke and Robert Menzies had more election wins. He would go on to win the 2004 election, equalling Hawke's 4 wins and overtaking Hawke's time in office, making Howard second only to Menzies in terms of federal electoral success.

The *Tampa* crisis, September 11 terrorist attacks and troops to Afghanistan

Two epic political developments – the '*Tampa* crisis', in which the government ordered Australian troops to board a foreign vessel carrying rescued asylum seekers to stop them landing on Australian soil, and the September 11 terrorist attacks in the United States – were decisive in the government's re-election. *Tampa* and September 11 remained influential factors in Australian politics for the next 20 years, during which a decisive turn towards securitisation in political discourse and public policy occurred.¹ Securitisation in a political context refers to the systematic transformation of regular public policy matters into security issues, with unusual measures justified as necessary to the survival of the state and safety of its citizens. 2001 is the year when Australia pivoted into this new securitised mindset, partly driven by events but to a significant extent by political choice. This pivot is evident in the 2001 Cabinet papers release in which domestic submissions, free from a securitisation mindset, dominate until *Tampa* and the September 11 attacks occur.

The Cabinet papers show the government developing possible responses to sharply rising asylum-seeker arrivals by sea during the first half of 2001. This culminated in the so-called 'Pacific Solution' of offshore detention it devised during the *Tampa* crisis, which unfolded over the last week of August. The September 11 terrorist attacks on the United States occurred shortly afterwards and, though at that time unrelated, became fused in popular perception with the asylum-seeker issue by political design as well as chronological proximity.

On 14 September the government invoked the ANZUS Treaty and said it would consider what actions Australia might take in support of the United States in response to the attacks. On 4 October the government committed military support to the United States in its planned operations in Afghanistan in pursuit of those responsible for the terrorism. The next day, 5 October, Howard called an election for 10 November. Three major public military events occurred during the campaign including, on the day before election day, the farewelling of F/A-18 fighter pilots and crew from RAAF Base Williamtown. It was the most explicit exploitation of national security optics since the Menzies government began hearings of the Petrov Royal Commission during the 1954 federal election campaign.

Strong support for the Beazley-led Labor Opposition eroded under the combined weight of the *Tampa* and the September 11 attacks.² The 2001 'khaki election', conducted against the backdrop of perceived external threat and military action abroad, saw the government returned with effectively the same majority after allowing for the 2 seat expansion at that election of the House of Representatives. The Cabinet papers include 5 directly arising in response to the September 11 attacks. One of these – 'Options for defence enhancement for domestic security', dated 2 October 2001 – is historically significant as a window into a government grappling with a sudden shift in perceived domestic security needs, and questions about the continuing appropriateness of strategic fundamentals decided on only a year earlier, in the *Defence 2000* White Paper.

Two decades later, the thorny issue of burgeoning asylum-seeker arrivals by sea the Howard government faced in 2001 has become a major challenge for developed countries in the northern hemisphere too. The Afghanistan foray recently abandoned by the United States and its 'War on Terror' allies lasted an unanticipated 20 years, under the watches of another 3 American presidents and 5 Australian prime ministers from both sides of politics, with negligible results. China has displaced Islamic terrorism as the principal security preoccupation of governments here and abroad. Interestingly, the 2001 Cabinet papers include one on 'Sensitive Defence activities', concerning the transit of the Taiwan Strait by a Royal Australian Navy Task Group in 2001, on which Cabinet's National Security Committee was briefed 'without submission'. Recent controversy over defence purchasing decisions make Howard government defence minister Peter Reith's Cabinet submission on a 'new strategic approach to Defence procurement and its implications for Australian industry' particularly interesting reading.³

While asylum-seeker policy and Islamic terrorism dominate memories of federal politics in 2001, they do not dominate the 2001 Cabinet papers.⁴ Two-thirds of a year elapsed before September 11 marked the beginning of the new securitised era in Australian and world politics. The bulk of the 2001 Cabinet papers is concerned with domestic policy across a wide range of areas, including many – notably climate change – of continuing concern. Given the election ahead, a political filter was especially carefully applied by a prime minister who in his memoirs noted that, '2001 was proving to be an especially difficult year.' Labor's sustained poll lead saw commentators heavily discount the government's re-election prospects. 'Through all of this,' Howard later noted, 'I maintained a total focus on rebuilding the Government's political support.'⁵

Rural and regional issues

At the outset of 2001, the government responded to a political crisis deputy prime minister and National Party leader John Anderson had warned of in late 2000. There was a strong feeling in the bush that rural Australians had been short-changed on fuel price compensation for the goods and services tax (GST) imposed as part of A New Tax System (ANTS) implemented in 2000. This was a matter of perception rather than fact, arising from technical aspects of the GST's impact on fuel. While Howard sided with Peter Costello on the issue the previous year, increasingly damaging publicity prompted him to act on Anderson's concerns. A Cabinet paper dealing with this and another politically damaging irritant arising from the initial design and implementation of the GST – an overly complex business activity statement (BAS) – are an interesting appendix to the otherwise outstanding implementation of ANTS the previous year.

With an election before the end of 2001 looming, Cabinet in June commissioned a Regional Policy Statement to set out the government's 'aspirations for, and commitment to, regional Australia', outline the services and programs already in place to support and develop it, and flag new initiatives to 'enhance' those services and programs.⁶ New initiatives 'would not involve substantial new spending', and a dedicated 'taskforce of senior officials from key departments', coordinated by the Secretary of the Department of Transport and Regional Services, would prepare the statement. Agency heads were expected to provide 'full co-operation in the task, including in making officials available to work on the taskforce'.⁷

In August deputy prime minister John Anderson proposed the Stronger Regions Program to Cabinet, to underpin the Regional Policy Statement.⁸ 'The overarching theme is a clear articulation of the Government's commitment to self-reliance and to playing a partnership role in supporting the plans and aspirations of regional communities', built around 'strengthening regional economic and social opportunities, sustaining our natural environment, and delivering better regional services'.⁹ In coordination comments on the submission, Treasury cautioned that careful design would be needed to ensure the program 'does not spread a culture of dependence among regions receiving assistance nor act to impede desirable structural changes' – or produce overlap.¹⁰ In advice with ongoing relevance, Treasury added:

The criteria should focus on: ensuring that funding is directed towards providing assistance to regions to adapt to changing circumstances, consolidating the economic and environmental benefits of ongoing reform – not simply topping up incomes in disadvantage[d] areas; facilitating only those activities that are viable in the longer term without ongoing subsidies; and having regard to the availability of assistance under existing Commonwealth or State government programs.¹¹

Cabinet allocated funding for the Stronger Regions Program over 3 years, coincident with the next cycle of parliament, and foreshadowed its announcement by John Anderson as part of the Regional Policy Statement to be made on 29 August, accompanied by a compendium of Commonwealth spending in regional Australia since 1996, the year the Howard government was first elected.¹²

Energy and the environment

The 2001 Cabinet papers supply further evidence, building on papers in the 2000 Cabinet papers release, of serious concerns and active ministerial work on climate change inside the Howard government 20 years ago, and of the internal opposition to that work. Cabinet is again shown to be a moderating force on policy approaches ignoring the carbon emissions challenge, tasking the relevant minister with his policy approach to take environmental concerns into account.

The key 2001 submission concerns development of a Commonwealth negotiating position for development of a national energy strategy through the Council of Australian Governments (COAG), the forum through which federal and state governments came together for consultation on areas of mutual concern.¹³ Industry, Science and Resources Minister, Senator Nick Minchin, brought the paper to Cabinet in March. 'We will continue to be heavily dependent on fossil fuels for the foreseeable future,' it said.

Therefore, we must stimulate sustained improvements in energy efficiency across the spectrum of production, conversion, transmission, distribution and use; and we must encourage innovation, particularly in the development and uptake of economic alternative energy sources and technologies. Opportunities for inter-fuel substitution and renewable energy are important in this regard.¹⁴

This rhetoric is that espoused by the Morrison government today, similarly with little substantive policy enabling fulfilment of those stated goals. Then as now, gas was privileged in the energy mix. The Cabinet decision noted the National Energy Strategy should be ‘aimed at lowering energy costs to consumers, further development of Australia’s resources, and promoting efficient and sustainable energy use, particularly of natural gas, and which has positive regional impacts.’¹⁵

The coordination comments of Hill’s Department of Environment and Heritage on Minchin’s National Energy Strategy submission were damning.¹⁶

[The] cursory treatment of climate change and other environmental issues is not proportionate with their significance for energy policy and for key stakeholders in this sector. Nor is it consistent with the COAG communique of November 2000, which specifically called for the environmental impacts of energy supply and use to be encompassed within this Strategy.

We note that the independent inquiry into energy market development and prospects overlooks climate change and other environmental issues. Given that energy market reform has (unwittingly) contributed to rapid and significant emissions growth in what is Australia’s single largest emissions source, we request that the terms of reference for this inquiry encompass options for reducing the greenhouse and adverse environmental impacts of the reform process.¹⁷

The contextual essay concerning the previous year’s Cabinet papers release noted the policy duelling in Cabinet between Minchin and Environment Minister Robert Hill during 2000, Hill asserting the importance of ‘early greenhouse gas abatement action’ and Minchin opposing action to that effect at every turn.¹⁸ This 2001 Cabinet paper on development of a coordinated national energy strategy shows that dynamic continued. It confirms Hill was not alone in these concerns, and that the balance of Cabinet opinion was with Hill, not Minchin, evidenced in the decision tasking Minchin to work with Hill ‘as a matter of urgency [to] review the negotiating strategy and remit’ together – a technique Cabinet deployed the previous year too, and for the same reason.¹⁹ It shows the Howard government had a far more nuanced view on climate change and its significance than any Coalition government since, and provides context for the Coalition’s proposal of a carbon trading scheme in the run up to the 2007 election. We can see a Coalition Cabinet not yet captured by resource sector interests, expressly constraining its resources minister from the untrammelled promotion of those interests.

This is of immense contemporary significance. It shows that the federal Liberal Party historically has harboured some environmentally concerned members, and that their views were not always summarily dismissed. The existence today of Liberals like New South Wales state Treasurer Matt Kean, who publicly advocates and pursues science-based environment and development policies, is less surprising given what the 2000 and 2001 Cabinet papers show about Senator Robert Hill’s record when environment minister in the Howard government a generation ago. Environmentally concerned Liberals like Kean can take heart and draw strength from that strand of the Howard government’s history, and from a Coalition Cabinet’s then willingness to ensure serious views on greenhouse gas emissions were taken into account. This can only have happened with John

Howard's assent and it reflects well on him. It arguably reflects, too, Howard's greater capacity to manage internal policy differences and personnel than his successors as Liberal leader possessed. Since then, successive Coalition governments have fuelled Australia's reconfiguration, as *New York Times* Australian correspondent Damien Cave recently put it, into a 'defiant petro state' neglecting good global citizenship.²⁰

Water, salinity and land clearing were in 2001, as they remain now, further areas of environmental concern. Cabinet agreed on a detailed offer to Queensland Premier Peter Beattie for Commonwealth support on reducing land clearing in Queensland, for example, to help fulfil Australia's Kyoto Agreement targets.²¹

International action on environmental issues also had to be considered and managed against the backdrop of faltering COP6 talks scheduled in July in Bonn. A Cabinet memorandum was prepared in May on the implications for Australia of the Bush Administration's climate change policy review following its decision to oppose the Kyoto Agreement.²² The review was to be conducted by Vice-President Dick Cheney, a former CEO of United States oil services multinational Halliburton.²³ The Bush Administration's new energy policy focused 'heavily on the supply side and will accelerate growth in United States emissions', the memorandum noted, so the portents were not good.²⁴ This had not stopped Prime Minister Howard writing to President Bush in April to outline Australia's approach.

The letter suggested that an effective global framework to address climate change needed to include commitments from all major emitters; unrestricted market-based mechanisms, including emissions trading; an approach to carbon sinks that captures both economic and environmental opportunities; and a facilitative, rather than punitive, compliance system.²⁵

Howard told Bush that United States leadership was essential if efforts to address climate change were to be successful.²⁶

The memorandum was the product of 4 departments – Foreign Affairs and Trade; Industry, Science and Resources; Environment and Heritage; and the Prime Minister and Cabinet. The influence of each is discernible at various points. Industry, whose minister, Senator Nick Minchin opposed greenhouse emissions mitigation measures, was likely the source of the argument that postponement of the COP6 talks 'would be in our interests'.²⁷ It was also the likely source of the argument that:

Approaches, such as atmospheric concentrations, which have in the past drawn attention in international negotiations to per capita emissions, would be contrary to Australian and United States interests give our relatively high per capita emissions levels. We should ensure that the United States is aware of this danger.²⁸

However, the influence of the 3 departments who were also party to the memorandum was evident in its unequivocal declaration that, 'Emissions trading is an effective way to produce a least-cost outcome.'²⁹

Federal–state relations

In preparation for a major COAG meeting in June, Cabinet in May settled agenda items including a national energy policy framework, a national action plan on salinity and a proposed ban on human cloning. The Reconciliation framework was also on the COAG agenda, Cabinet noting that ‘some state and territory governments had been actively campaign[ing] for a national apology to indigenous Australians’.³⁰ Against the backdrop of the current COVID-19 pandemic, it is interesting to note the government sought state agreement at this COAG meeting to ‘continued high priority review and revision of national whole-of-government frameworks for the management of a major emergency animal disease outbreak, such as FMD (foot and mouth disease), to be co-ordinated by COAG Senior Officials’.³¹

A matter of party political federal–state relations was dealt with on the basis of an oral report to Cabinet by Prime Minister Howard in June, with a decision to amend the *Commonwealth Electoral Act* to pay federal election public funding entitlements to ‘the agent of the federal secretariat of the [Liberal] Party’ instead of to the ‘various state and territory branches of the Party’ as had previously occurred.³²

Population policy

Immigration and Multicultural Affairs Minister Philip Ruddock had for some time favoured a higher profile for government-led population policy discussions in Australia, meshing discussion of long-term challenges including an aging population and declining fertility with related issues of skilled migration, the labour force participation rate of women and older Australians, and the environmental impact of overall population levels. While Ruddock was a population policy enthusiast, ministerial colleagues were concerned about the political sensitivities of such discussions. Cabinet decided at the beginning of 2001 ‘to continue to resist the development of a formal population policy or the setting of long-term population targets’.³³ In a sop to Ruddock, it authorised him to pursue research and discussions which might constitute ‘an informal population policy’.

Ruddock came back to Cabinet in July with a proposal to release an information paper, to be called *Australia’s population future*, setting out the key issues to promote informed debate, along with a suite of allied initiatives including triennial population reports.³⁴ Cabinet again rebuffed Ruddock, deciding ‘not to issue an information paper on population issues at this stage’, pushing the subject off pending a ‘further report to the Cabinet at a later date’.³⁵

Indigenous policy and the *Bringing them home* report

In February Cabinet discussed the United Nations’ World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in Durban later in the year and decided to ‘adopt a proactive approach...seeking appropriate recognition of Australia’s strong positive performance in indigenous and multicultural affairs’.³⁶ The ‘strong positive performance’ did not extend to support for a treaty with First Nations Australians. The government confirmed in a March Cabinet minute its ‘clearly expressed opposition’ to a treaty in Cabinet minute in March while considering, and opposing, proposed Aboriginal and Torres Strait Islander Commission

(ATSIC) spending on development of a treaty strategy and establishment of a Treaty Advisory Committee.³⁷ Nor did it extend to a formal apology to Indigenous Australians 'affected by family separation' which, in its response to the 1997 *Bringing them home* report, Cabinet judged 'not appropriate given that the practices at the time [were] believed to be in the best interests of the children concerned'.³⁸ Financial compensation was also judged 'neither [an] appropriate nor practical response to assist in healing the trauma caused by family separations, nor could it be equitably applied'.³⁹ It proposed asking ATSIC to consider undertaking consultations on a 'national memorial to those indigenous people separated from their families'.⁴⁰ This was superseded by a Cabinet decision in June, upon oral submission from Prime Minister Howard, that 'Reconciliation Place is to be constructed in the Parliamentary Zone, Canberra and will include national recognition of the issue of indigenous children separated from their families'.⁴¹

No decision was reached on Health Minister Michael Wooldridge's submission in March on the continuation and extension of funding for improved primary healthcare outcomes for Aboriginal and Torres Strait Islander communities.⁴² Wooldridge pointed to the success of Coordinated Care Trials (CCTs) in improving health outcomes through 'community-level coordination, ownership, responsibility and focus'. He pointed as well to the differential access Indigenous Australians had, for example, to the Pharmaceutical Benefits Scheme, receiving just \$0.27 for every \$1 spent on non-Indigenous Australians through the PBS. Departmental coordination comments on the submission are interesting. The Department of the Prime Minister and Cabinet (PMC) judged funding for Indigenous health a 'high priority' and supported funding it beyond the normal forward estimates timeframe because 'a stop-start funding cycle...does not recognise the cultural and infrastructure issues that necessitate a long lead time in establishing effective indigenous health services'.⁴³ Treasury supported the 'proposed consultative and cooperative approach to program delivery, which should encourage Indigenous community ownership and involvement in improving health outcomes'.⁴⁴ Pointing to the fact that three-quarters of the Indigenous Australian population lived in urban areas, and that the majority lived in south-eastern Australia, Treasury argued it was important to improve access to mainstream health services 'by making these services more culturally appropriate'.⁴⁵ These issues were revisited in preparation for the 2001 Budget in a submission which noted the Reconciliation and Aboriginal and Torres Strait Islander Affairs portfolio 'has only grown around two percent since 1996–7, demonstrating considerable restraint in expenditure despite growth in demand for services from the portfolio, which provides services to some of the most disadvantaged people in Australia'.⁴⁶

Cabinet considered the Commonwealth Grants Commission (CGC) Indigenous Funding Report in September, and pushed off a substantive response to the next Budget cycle.⁴⁷ The CGC report found that most Indigenous-specific program spending was not apportioned nationwide on the basis of relative need at a regional level, and recommended substantially more funding for services for Indigenous Australians.⁴⁸ The Cabinet minute said 'Ministers are already engaged in a process of reviewing their mainstream and indigenous-specific programs, to identify where they can be made more responsive to the needs of indigenous people'.

Welfare reform and social policy

Cabinet determined its response to the McClure Report on Welfare Reform, considering a joint submission from Family and Community Services Minister Senator Amanda Vanstone, and Employment, Workplace Relations and Small Business Minister Tony Abbott, in which 'level of

compulsion desirable in moving individuals towards economic participation' was a central consideration.⁴⁹ 'More needs to be done to ensure that people stay constantly "on the radar screen"', the submission noted.⁵⁰ Ministers urged that the opportunity presented by the McClure Report be seized 'to tackle the culture of welfare dependence and entitlement which is driving growth in welfare outlays', while avoiding perceptions that new obligations were punitive.⁵¹ The result was a major shift in the welfare system from 'passive' income support to the 'expectation that all income support recipients of workforce age will be actively engaged so that, wherever possible, they are guided towards independence and away from social exclusion and welfare dependence'.⁵² Detailed proposals were later agreed in the Expenditure Review Committee on the basis of a further submission by Senator Vanstone and Tony Abbott with the 'fundamental objective' of promoting 'behavioural and attitudinal change on the part of welfare recipients and the broader community'.⁵³

The Department of the Prime Minister and Cabinet, in coordination comments on a Cabinet submission concerning Centrelink call centre problems, noted that, 'Ready access to Centrelink services is essential to maintain the fairness of the social support system, particularly as income support recipients can be penalised ("breached") for failing to contact Centrelink'.⁵⁴ Family and Community Services Minister, Senator Amanda Vanstone, made the submission asking for extra Centrelink call centre funding given the serious problem clients had getting their calls answered, with 'around 25,000 customers being unable to reach an operator on some days', equating to '85% of callers receiving a busy signal'.⁵⁵ Rising call volumes had 3 drivers, the submission said.

First, the growing acceptance of call centre services generally. There is an underlying growth in call volume each year regardless of policy or legislative change. Second, workload associated with budget initiatives has stretched call centres to capacity. Third, the rate of policy change and the complexity of the income support system has increased, leading to more calls and longer calls.⁵⁶

Cabinet decided Centrelink could have a short-term loan to increase its call centre capacity pending a demand management strategy being brought back to it for consideration.⁵⁷ Cabinet discussed in June, July and September another issue raised by Vanstone – overpayments to around 400,000 people of the Family Tax Benefit (FTB) and Child Care Benefit (CCB). Lenient repayment conditions were suggested and in the September Cabinet discussion, held just 3 weeks before the election would be called, a decision was made to defer a fundamental resolution of the problem until the next Budget cycle.⁵⁸

Reform of the Marriage Celebrants Program was proposed by Attorney-General Daryl Williams and agreed to by Cabinet.⁵⁹ The submission sketches rapid change in the practice of marriage in Australia between the program's creation by the Whitlam government in 1973, and finalisation of the proposed reforms in July 2001. Only one in 6 marriages in 1973 occurred in a civil ceremony. By 2001 over half were performed by civil marriage celebrants as both religious and registry office weddings declined.⁶⁰ While the original program was designed to be small scale, the number of civil celebrants was now approaching 1,700 people who, along with nearly 1,800 non-aligned religious marriage celebrants, were performing 57,000 marriages a year.⁶¹ The demographics were severely skewed, with almost one-third of civil celebrants being over 70 years old, and more than two-thirds of them aged over 55.. Williams wanted to diversify the demographics in response to frequent representations to his department 'seeking access to "younger" celebrants with whom they have a greater affinity'.⁶² Cabinet agreed to a suite of reforms including licensing upon satisfying 'core

competencies' and a 'fit and proper person test'; ongoing professional development requirements; a legislated code of practice; and a transparent complaints mechanism.⁶³

Marriage equality legislation was still far into the future in 2001. Government sensitivities on the issue were evident in a Cabinet decision the same day, in response to an oral report from the prime minister, to drop its proposed legislation for choice of superannuation funds should the Australian Democrats propose amendments 'to extend superannuation benefits payable to spouses of same sex partners'.⁶⁴

Concerned about the potential impact of online gambling, Cabinet considered a report from Communications Minister, Senator Richard Alston, proposing tighter regulation. It agreed that legislation should be introduced to 'prevent gambling service providers from making available to persons physically present in Australia casino-type games, sports wagering (including ball-by-ball sports wagering) and lotteries', whether through telecommunications services including the internet, or by broadcasting or datacasting services.⁶⁵ Looking out for 'people who are house-bound for reasons of disability or people in rural and regional Australia' who enjoyed a lottery ticket flutter, Cabinet later revisited its early decision and allowed conventional lottery tickets to continue to be purchased online. However, it extended its earlier prohibitions to take in 'instant lottery games similar to scratch lottery products'.⁶⁶

Privatisation

On 26 March 2001 Cabinet agreed to the sale of Sydney Airport by 'trade sale' in 2002.⁶⁷ Net sale proceeds were \$4.233 billion which the Australian National Audit Office (ANAO) judged 'a very good financial outcome for the Commonwealth'.⁶⁸ Twenty years later the privatised Sydney Airport is about to be sold again for more than 7 times that sale price.⁶⁹

In June, continuing earlier discussions on the privatisation of the Australian Submarine Corporation (ASC), Cabinet noted that 'access to United States submarine technology is critical to the remediation and through-life support of Australia's Collins Class submarines', and that this could be jeopardised though a sale to non-United States or non-Australian buyers.⁷⁰ After the election, the incoming Defence Minister, Senator Robert Hill, made a successful submission to Cabinet proposing suspension of the ASC sale process pending consideration of a potential restructuring of Australia's naval shipbuilding industry.⁷¹

Discretionary grants

Cabinet decided to discontinue the requirement for portfolio ministers to report annually on discretionary grants programs in their portfolio budgets, because of 'enhanced' reporting by the Department of Finance and Administration.⁷² This was despite acknowledgement that 'not all Commonwealth agencies are abiding by relevant requirements'; that there were instances of 'different dollar amounts' from those approved by ministers being awarded; and that grants were not always being entered on the Discretionary Grants Central Register prior to being awarded and announced.

Crime

Attorney-General Daryl Williams won Cabinet support in April for civil legislation providing for the forfeiture of proceeds from 'drug-trafficking, money-laundering related conduct, people-smuggling or a serious offence of dishonesty'.⁷³ The same month Cabinet backed the discretion of Immigration Minister Philip Ruddock to deny American boxer and convicted rapist Mike Tyson a visa to enter Australia on the basis that 'he is not of "good character"'.⁷⁴ Tyson did not visit Australia in 2001. Cabinet also discussed the visa application of Mr Marshall Bruce Mathers III – the rapper 'Eminem' – in relation to 'character' concerns, noting that while Ruddock would 'take into account the views of Cabinet members', the final decision was his to make. Eminem's 2 day Australian tour took place that month.

In May Cabinet decided to tighten the criminal code on computer-related offences, including providing civil and criminal immunity for Australian Secret Intelligence Service (ASIS) and Defence Signals Directorate (DSD) staff 'in relation to conduct constituting the proposed computer offences'.⁷⁵

Regional relations

Cabinet decided, upon submission from Foreign Minister Alexander Downer, to re-establish an Australian television service to the Asia-Pacific region, only feasible if supported by government.⁷⁶

Conclusion: political success with enduring consequences

Against the backdrop of Labor's poll ascendancy, Howard saw the systematic working through of the government's problems in the first half of 2001 as key to its re-election. 'My response to the *Tampa* did give the Coalition a big lift in the polls,' he later observed, 'but if (we) had not proved responsive to public concerns on other issues, the public verdict on *Tampa* could well have been more cynical.'⁷⁷ The 2001 Cabinet papers show an experienced, election-focused prime minister combining the comprehensive Cabinet work of incumbency with a startling intervention on asylum-seeker policy, the deterrent effectiveness of which has seen it endure in essence. This made maximum capitalisation on the 'epoch-changing events' of September 11 possible and paved the way for the Howard government to secure in dramatic fashion its third term in office.⁷⁸ A suite of short post-election submissions concerning Cabinet and Executive Council arrangements, ministerial arrangements, parliamentary matters, and the forthcoming Budget process provide a neat encapsulation of the third Howard government's operating framework.⁷⁹ Another shows Immigration and Multicultural Affairs Minister Philip Ruddock trying, and failing, to have 'Indigenous content' included in the 40th Parliament's opening ceremony.⁸⁰ Women make their only specific appearance in the 2001 Cabinet papers when, at the second last meeting of the year, Cabinet considered 'without submission' an oral report from the Minister Assisting the Prime Minister on the Status of Women on the level of participation of women on Commonwealth bodies and boards.⁸¹ The report was noted, as was 'the importance of continued emphasis on the appointment of appropriate women'. The entire Cabinet minute is 5 lines long. At the last Cabinet meeting of the year, changes to Australia's media ownership laws to deal with the technology and market convergence issues were flagged, and liberalisation of cross media and foreign ownership rules foreshadowed.⁸²

Poised, as Howard was at the end of 2001, to overtake Labor's Bob Hawke as the second most electorally successful federal politician after Robert Menzies, and approaching his mid-sixties in age, leadership unsurprisingly became an issue during 2001. The leaking of the 'Shane Stone memo' in May, in which then Liberal Party federal president Shane Stone relayed sharp criticisms of Howard and even stronger ones of Peter Costello, 'badly strained' relations between the prime minister and treasurer, Howard later recalled: 'He reacted angrily to its contents, understandably feeling that as the memo was more critical of him than me or anyone else, it must have been leaked to damage him.'⁸³ Howard was not responsible for the leak. Nor was he of a mind to hasten his retirement to make way for Costello to become prime minister given 'the dominant role I had played in driving the Government's response to the threat of terrorism as well as the asylum-seeker issue'.⁸⁴

Howard makes a cogent case in his memoirs for not making way for Costello either then or in the future. Costello did not endear himself to colleagues, who considered him a poor listener, Howard said. Costello lacked the mettle to mount a challenge, Howard believed, and never had the numbers to win a party room ballot – otherwise he would have done so.⁸⁵ Costello's defence is that he was a loyal party man and did not want to destabilise the government.⁸⁶ This made Costello the longest serving heir apparent since Harold Holt's patient wait to succeed Menzies, but without the reward of actually becoming prime minister. Howard makes the telling point that had Costello not retired from politics in 2007 he would have had good prospects of winning the prime ministership from Opposition at the 2010 election, after which Labor prime minister Julia Gillard could only manage to form a minority government.

Howard's rejection of Costello's sense of entitlement to the succession in office has some force. The history of the Liberal leadership after Howard raises the question nevertheless of whether succession management might have been handled better, and whether after winning his third election in late 2001 this might have been the moment to actively curate a strong field of contenders rather than let a scrupulous rival assume the succession as of right. The Liberals had 5 leaders in the decade between Howard losing office and the incumbent, Scott Morrison, becoming prime minister in 2018, comparable to the 5 Liberal leaders in the decade between Menzies retiring in favour of Holt and Malcolm Fraser becoming prime minister in 1975, and going on to win 2 more.⁸⁷

The Coalition's relative electoral success federally has its roots in political lessons flowing from this pivotal year in contemporary Australian politics. The Coalition has continued practising and deriving enormous political dividends from them while its opponents struggled to come to grips with and negate the potent impact of wedge politics. Under the Howard government, security and immigration policy were the main, and interrelated, sites for its use. From Tony Abbott's ascension to the Liberal leadership onwards, energy policy and climate policy became key additional, interrelated, sites for wedge politics. The consequences are ongoing.

¹ For example, see Quentin Dempster @QuentinDempster, Twitter post, 7 November 2021: 'the wedge as a tactic can be politically deadly (remember Tampa?)', <https://twitter.com/quentindempster/status/1457119715025850370?s=11>, accessed 7 November 2021.

² 'Labor had a massive lead in March 2001 of about 57-43, but it gradually narrowed to about 52-48 by the time Australian government involvement in the Tampa incident began on August 26. The Coalition received about a 2-point boost from the Tampa affair to draw level with Labor. However, it had a much bigger lift from the September 11 2001 terrorist attacks, which lifted the Coalition's vote 5 points to about a 55-45 lead. As the shock of the attacks wore off, the Coalition's vote fell back to a 51.0-49.0 victory on election day (November 10).' Adrian Beaumont, '2001 polls in review: September 11 influenced election outcome far more than Tampa incident', *The Conversation*, 22 February 2019, <https://theconversation.com/2001-polls-in-review-september-11-influenced-election-outcome-far-more-than-tampa-incident-112139>, accessed 21 November 2021.

³ Cabinet Submission JH01/0293 - A new strategic approach to Defence procurement and its implications for Australian industry - Decision JH01/0293/CAB, 2 October 2001, NAA: A14370, JH2001/293.

⁴ The main submissions on refugees and illegal arrivals are Cabinet Submission JH01/0028 - 2001-2002 Budget - Immigration and Multicultural Affairs Portfolio Budget Submission - Decisions JH01/0028/ER and JH01/0028/CAB/2, NAA: 14370, JH2001/28, Cabinet Submission JH01/0053 - 2001-2002 Humanitarian Program - Decision JH01/0053/CAB, NAA: 14370, JH2001/53, Cabinet Submission JH01/0073 - 2001-2002 Migration (Non-Humanitarian) Program - Decision JH01/0073/CAB, NAA: 14370, JH2001/73, 23 April 2001; Cabinet Memorandum JH01/0190 - Unauthorised boat arrivals contingency planning - Decision JH01/0190/CAB, NAA: A14370, JH2001/190, 9 June 2001; Cabinet Submission JH01/0183 - Legislation change in relation to asylum seekers - Decision JH01/0183/PB, NAA: A14370, JH2001/183, Cabinet Memorandum JH01/0190 - Unauthorised boat arrivals contingency planning - Decision JH01/0190/CAB, NAA: A14370, JH2001/190, 9 July 2001; Cabinet Memorandum JH01/0241 First Amended - Further information to inform decisions on a strategy to manage unauthorised arrivals - No Decision, NAA: A14370, JH2001/241, 1 August 2001; Cabinet Decision JH01/0213/CAB/2 - Additional funding to the United Nations High Commissioner for Refugees - Without Submission, NAA: A14370, JH2001/213/2, Cabinet Decisions JH01/0274/CAB and JH01/0274/CAB/2 - Unauthorised Arrivals Strategy - Draft Legislation - Without Submission, NAA: A14370, JH2001/274, 17 September 2001; Cabinet Decision JH01/0305/SM - Funding for new processing facility on Nauru for prospective unauthorised arrivals - Without Submission, NAA: A14370, JH2001/305, 7 October 2001; and Cabinet Decision JH01/0321/CAB - Unauthorised arrivals - Without Submission, NAA: A14370, JH2001/321, 27 November 2001.

The main submissions on the September 11 terrorist attacks and consequential commitments are Cabinet Decision JH01/0283/CAB - Terrorist Attacks on the United States - Parliamentary and Public Acknowledgement - Without Submission, NAA: A14370, JH2001/283, 14 September 2001; Cabinet Decisions JH01/0269/CAB/2 and JH01/0269/CAB/3 - Australian Response to Terrorist Attacks on the United States - Without Submission, NAA: A14370, JH2001/269/2, Cabinet Decision JH01/0269/CAB/4 - Australian Response to Terrorist Attacks on the United States - Heightened Air Security Measures - Without Submission, NAA: A14370, JH2001/269/3, Cabinet Submission JH01/0304 - Reference copy of Options for Defence enhancement for domestic security - Decision JH01/0304/NS, NAA: A14370, JH2001/304, 2 October 2001; Cabinet Decision JH01/0337/NS - Reference copy of Afghanistan - Australian Defence Force deployment - Without Submission, NAA: A14370, JH2001/337, 10 December 2001; and Cabinet Decision JH01/0347/CAB - UK Request for Australian Contribution to Multinational Stabilisation Force in Afghanistan - Without Submission, NAA: A14370, JH2001/347, 17 December 2001.

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