

Conference Report

'TOUGH ON CRIME' TOUGH ON FREEDOMS? *From Community to Global Interventions*

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'Counter terrorism', Human Security and Globalisation —from Welfare to Warfare State?*

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Security finds its end in globalization: it implies the idea of a
new planetary order which is in truth the worst of all disorders
—*Giorgio Agamben 2001*

Introduction

The 'war on terror' in the wake of September 11 attacks on the United States, and Australia's participation in that war, bring into sharp relief questions of human security and freedom. In the immediate aftermath of the attacks on Washington and New York, the invasion of Afghanistan, the hunt for Osama bin Laden, and President Bush's 'with us or with the terrorists' speech, grabbed media headlines and public attention. Despite strong support for the war amongst western leaders and the mainstream media, dissenting voices argue that the war is illegal, immoral and won't prevent terrorism (Mandel 2002; see generally Scraton 2002). More fundamentally, some argue that the war is not a 'war on terror' but an 'acceleration of Western imperial power' providing a Trojan horse for America to back its economic wars with ongoing military threat and attack (Pilger 2002a: 19-20; Chomsky 2002). As time passes there is increasing recognition that the 'war on terror' is being waged on two fronts—home and abroad—and that 'homeland security' is set to have consequences every bit as significant and dramatic as its international twin. The 'war on terror' is set to move western style democracies from a neo-liberal to post-liberal era as traditional civil liberties and human rights are dismissed as unaffordable luxuries in the face of the increased threat the September 11 attack is said to embody. In this article I argue that the substantial erosion of civil liberties post September 11 is not primarily a reaction, much less a solution, to 'terrorism'—however defined—but instead, like the international war, part of the process of globalisation which will not only fail in its stated aim of preventing terrorism but add to human insecurity and violence.

War at home

The Cold War brought McCarthyism and fear of the Red Menace (Louis 2001; Love & Strangio 2001). In 1968 Martin Luther King said that, 'The bombs of Vietnam explode at home'. During the peak years of the Vietnam anti-war movement in Australia, 'houses and offices of dissidents were raided, activists harassed and bashed, journalists assaulted at demonstrations, provocateurs employed by police to disrupt protest meetings, and so on ...' (York 1988: 238). In hindsight the consensus seems to be that the Australian government's support for America's war in Vietnam was ill considered, and that the protests were a reasonable expressions of political dissent (see, for example, General Peter Gosgrove quoted in the *Age* 30 July 2002: 1). At the time, however, conservative politicians, police and security agencies did not see the protest movement as a democratic expression of political opposition. Instead the movement was viewed as a subversive 'insurrection' that needed to be stamped out (York 1989). International wars have home consequences. The United Kingdom Home Secretary, arguing in favour of anti-terrorist legislation that undermines fundamental human rights, said 'We could

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live in world which is airy-fairy, libertarian, where everyone does precisely what they like and we believe the best of everybody and then they destroy us' (David Blunkett quoted in the *Guardian* November 12 2001).

A whole raft of new arrangements and legislation has been implemented or foreshadowed in Australia, the United Kingdom, Canada and the United States post September 11. These include indefinite detention without trial or judicial review, camps for citizens deemed to be 'enemy combatants', secret trials, trial by military tribunal, removal of the right to silence and legal representation, eavesdropping on lawyer client communications, use of torture and drugs to force confessions, dramatic increases in the powers afforded domestic spy agencies, increased surveillance and reduced privacy protections, and vastly expanded resources to those sections of the military and police engaged on the war's home front (Fekete 2002; McCulloch 2002; Thomas 2002; Turley 2002).

In Australia the Howard government has proposed new laws that would transform the Australian Security Intelligence Organisation (ASIO) from a spy agency to a secret police force. Liberal MP, David Jull, chairman of the Parliamentary joint committee that considered the ASIO bill, said that it was 'the most draconian legislation ever to come before parliament' (Australian 19 June 2002: 3). The bill, still to be debated in parliament, represents a significant attack on civil liberties. ASIO will be able to detain people, even children, who it thinks might have information regarding 'terrorist activity' for days and, depending on the final form of the legislation, even indefinitely. People, including lawyers and journalists not suspected of any criminal conduct let alone terrorism, could be detained because ASIO believes they might have information—the domestic equivalent of a preemptive strike. People will not be permitted access to a lawyer of their choice and will have no right to silence. Failing to answer questions or produce documents or things will be subject to a penalty of up to five years imprisonment. The usual onus of proof will be reversed so that to avoid conviction those charged with withholding information will have to prove that they do not have the information, records, or things requested—an almost impossible task because it is difficult to prove a negative. Detainees will have no right to contact family or friends leading to the possibility that Australia will have its own 'disappeared' people (Australian Security Intelligence Organisation Legislation Amendment (Terrorism) Bill 2002; Parliamentary Joint Committee on ASIO, ASIS and DSD 2002; Head 2002).

Legislation creating the new offence of terrorism has been passed by Parliament. In the face of protests from community groups, the opposition, minor parties, independents, and even its own members, the government was forced to make significant amendments to its original proposal in order to reduce the likelihood that protest and union activity, particularly civil disobedience and industrial pickets, would be caught under the definition of 'terrorist act' and subject to life imprisonment. The definition now includes an exemption for advocacy, protest, dissent or industrial action that is not intended to cause serious physical harm to a person or a serious risk to the health and safety of the public or a section of the public. To come within the definition of 'terrorist act', the 'acts' (under the legislation a threat to commit a terrorist act is itself a terrorist act) must be committed with the intention of advancing a political, religious or ideological cause; and of coercing or intimidating the government (local or foreign) or a section of the public (at home or abroad) (Security Legislation Amendment (Terrorism) Act 2002 [No.2]). Concern remains, however, that the definition of 'terrorist act' is still broad enough to include some protest and union activity, particularly under the health and safety grounds. The legislation represents a significant break with legal tradition because, for the first time, it provides for a criminal act to be defined by reference to an ideological purpose. Some criminal

acts that would have previously attracted relatively modest penalties will now be defined as 'terrorist acts' and potentially be subject to life imprisonment. Harm to persons committed on the basis of sincere ideological belief may now be treated more harshly than mindless violence (Burnside 2002).

Controversial proposals that would have allowed the Attorney General to ban organisations on the basis that, amongst other things, 'the organisation has endangered or is likely to endanger the security or integrity of the Commonwealth or another country', and punish those involved with such organisations with up to twenty-five years imprisonment, were dropped from the original bill. Critics argued that the banning power inappropriately targeted ideas rather than acts. The proposed grounds for proscription were vague, and broad enough to be used against a whole range of organisations including militant trade unions, international solidarity groups, and even humanitarian aid organisations; and to criminalise those involved—even in only a minor way—with the activities of these organisations. The proposed law was seen as similar to although more far reaching than Prime Minister Robert Menzies' unsuccessful attempt to outlaw the Communist Party and 'affiliated organisations' in 1950 (Head 2002). While the banning power was dropped, other legislation, the Suppression of the Financing of Terrorism Act 2002 was passed which gives the Foreign Affairs Minister power to list individuals and organisations as terrorists and freeze their assets. The power now vested in the Foreign Affairs Minister, while not officially banning or proscribing organisations, will ensure that those listed are rendered impotent.

In addition to these legislative measures, sections of the Federal Police and the Australian military engaged in counter-terrorism received significantly increased resources in the last Federal budget. A section of the military's Special Air Services is now stationed and operational in Sydney. The unit, believed to include 100 commandos and a navy component with a budget of \$220 million over four years, will be used for 'major hostage incidents and to deal with attempts to hijack shipping' (Age 30 July 2002: 1).

Government, police and security services promote these measures as a necessary reaction to the events of September 11, and the subsequent heightened awareness of the threat of terrorism—even in Australia where no immediate increase in risk has been identified. The reality, however, is that these measures simply consolidate and escalate a trend evident since the 1970s. In Australia and other western-style democracies since then the threat of terrorism—along with the war on drugs and organised crime—has been the main vehicle, for the intensification of the state's coercive and repressive capacities.

In Australia during the late 1970s paramilitary 'counter-terrorist' squads were set up within state and territory police forces. This development is significant because there had always been a clear division between the police and military. Traditionally, the military was used almost exclusively to fight external enemies in times of war and the police were used internally to enforce the law and maintain the peace. In terms of Australia's social traditions it was considered simply 'not cricket' to use the military as a repressive force to coerce citizens (Hocking 1993).

The paramilitary squads have close links with the military and a range of extra lethal weaponry including Heckler and Koch 9mm sub machine guns, M16 assault rifles, standard Australian Army issue Styr .223 rifles, 9mm semi-automatic pistols, and Remington 870 pump action shot guns. Additionally, the squad has a range of 'less-than-lethal' weapons—such as rubber and plastic bullets and chemical agents—that were first developed and used by military forces in

conflicts like Northern Ireland. The break with tradition represented by the integration of military methods and weapons into policing was justified on the basis that the then newly established squads would be dealing with well-organised and heavily armed terrorists. Despite their original *raison d'être*, the 'counter-terrorist' squad's activities, tactics and weapons have been progressively integrated into everyday policing, with the result that paramilitary policing and the high levels of force and coercion that it involves have increasingly become a part of 'normal' policing. In particular, the policing of public protests has moved away from a law enforcement philosophy focused on arresting individual law breakers to a military strategy aimed at using overwhelming force to overcome and defeat groups of people conceived as enemies (McCulloch 2001).

While police are progressively becoming more like the military, the military are progressively being prepared for a greater role in law enforcement. Controversial amendments to the *Defence Act*—drafted in the lead up to the 2000 Sydney Olympics—permit the Commonwealth Government to call out the troops for use against citizens in a wide range of circumstances (*Defence Legislation Amendment (Aid to Civilian Authorities) Act 2000*). Although the legislation was promoted as a necessary precaution against possible terrorist attacks during the Olympics, the new powers are broad enough to allow the government to use the military against citizens engaging in political protest or industrial action (Head 2000:194). If, as seems likely, the previous pattern is repeated, the recently established army 'hostage' unit in Sydney will be progressively integrated into law enforcement, further blurring of the boundaries between the police and the military.

Terrorism has also provided a basis for increased surveillance of citizens. Terrorism provided the original justification for the closed-circuit television cameras that are now ubiquitous in public space. The cameras made their Victorian debut in 1981, when heads of government from around the world visited during Australia's hosting of the Commonwealth Heads of Government Regional Meeting. Twenty-five cameras were installed to protect the VIPs from 'terrorism'. The cameras stayed when the VIPs left despite the objections of civil liberties groups that they would be used to spy on demonstrations. The Chief Commissioner at the time described civil libertarians as 'paranoid', arguing that 'we are interested in demonstrations as a physical mass rather than in individual people' (*Age* 24 November 1981). Equipped with powerful zoom lenses and able to produce high-resolution digital images, the contemporary versions of these cameras can read the wording on a cigarette packet at 100 meters (Nixon 1996: 32). Terrorism has also provided the pretext for spying on a whole host of environmental, religious, community, civil liberties, ethnic and human rights groups. ASIO and their intelligence counter parts in state police forces (formally known as Special Branches but now operating under a range of different names) maintain that gathering intelligence about these groups is necessary because the groups might include terrorists (McCulloch 2001: 176; 187-88).

'Counter-terrorism', civil liberties and the militarization of law enforcement

Over the past three decades terrorism has been a vehicle for creeping militarisation of law enforcement and increased surveillance of citizens. Measures originally promoted and justified as necessary to deal with extreme acts of politically motivated violence have gradually spread to incorporate a whole range of other activities, particularly the policing and surveillance of protest and dissent. Past 'counter-terrorist' measures represent a substantial erosion of the civil liberties traditionally afforded citizens in liberal democracies. Measures implemented or foreshadowed since September 11, while in line with previous trends, move beyond mere

erosion towards a wholesale abrogation of civil liberties that threatens the foundations of liberal democracy.

'Counter-terrorism' an attack on democracy

Totalitarian regimes do not distinguish between political opposition and criminal activity. 'Counter-terrorism' threatens democracy because it inevitably criminalises and punishes dissent, shrinking the space in which political opposition can take place. The primary role of intelligence and security agencies like ASIO is *not* gathering information about the type of activities that undermine human security. Gathering information is only incidental to the primary role of *suppressing* information and ideas that are deemed detrimental to the dominant political order, often misleadingly referred to as the 'national interest'. Groups and individuals that promote a message and spread information that the government does not want the public to hear have historically been the primary target of ASIO and intelligence units in state police forces. The behaviour of ASIO and police intelligence units during Indonesia's 1975 invasion and subsequent occupation of East Timor is illustrative. While the Timorese and their supporters in Australia did their utmost to communicate the scale of the human tragedy wrought by the Indonesian military on the people of East Timor, police and ASIO attempted to shut down communications between the East Timorese and the Australian public as part of the Australian government's attempt to cover up mass murder. ASIO tracked down and seized the clandestine radio transmitters that broadcast news between East Timor and Australia, and ASIO and police gathered intelligence so that they could break up solidarity networks and cut off the flow of information about what was happening in East Timor (Kiernan 2002; Aarons 2001: 69).

In previous decades, when the role of the security services was described in terms of 'counter-subversion', the term subversive was interpreted as applying to anyone to the left of some arbitrary centre point (Hope 1978: 130). In practice subversion and dissent were seen as the same. During the Cold War state police forces and ASIO kept dossiers on militant trade unionists and a range of other left leaning individuals or organisations. For many decades it was rumoured that Menzies had plans to silence opponents in concentration camps. This was derided as communist paranoia until archives made public in the 1990s finally revealed that ASIO did in fact maintain an internment list during the Cold War. Apart from the obvious candidates like trade unionists, groups on the list included 'communists fronts' like the New Housewives' Association, the New Theatre League, and the Australian Peace Council. In 1955 there were over 16,000 people, including women and children, on the list (Louis 2001: 51-2). Ultimately, however, the authoritarianism of the Menzies' era did not extend to giving ASIO the power to detain people.

'Terrorism' is the new 'subversion'. In the same way that subversion and dissent were previously conflated, security and intelligence services view terrorism and dissent as similar, if not the same. A former Detective Inspector explaining the Victoria Police approach to security, portrays terrorism, demonstrations and political activism as all part of a continuum, commenting that 'The island continent of Australia, for the majority of its settled years, has been relatively free of terrorism, insurrection, organised crime, and organised political demonstrations. Over the past twenty years Australia has lost its safety ... Terrorism in one form or another has reared its ugly head; political activism has come out into the open; and organised crime has filtered through the community leaving no section of public life unscathed' (Barclay 1984). The former head of Australia's Protective Services Co-ordination Centre, Malcolm MacKenzie-Orr, explains the security sector's rationale for considering terrorism a logical extension of political

activism and dissent, arguing that: 'What we are finding is more often the lunatic fringes are infiltrating movements where ordinary people are honestly pursuing their ideals and exercising, quite properly, their democratic rights. They are moving into organisations such as the anti-uranium movement, Greenpeace and even the animal welfare movement. They lie low and pursue their terrorist tactics, which have no connection with the objectives of these organisations' (quoted in McCulloch 2001: 176).

State police forces are unabashed in the face of revelations that they infiltrate and spy on groups like the Federation of Community Legal Centres, the Wilderness Society, Friends of the Earth, Women's Information and Self Help Group, Koorie Information Centre, the Victorian Council for Civil Liberties, and community radio 3CR, as well as individuals such as former members of parliament and church leaders, arguing that it is necessary because 'Some apparently innocuous groups are nothing but fronts for terrorist activities overseas' (Chief Commissioner Neil Comrie quoted in McCulloch 2001: 188).

Who are the terrorists?

Many commentators point out that the words terrorism or terrorist are used in a contradictory, hypocritical, self-serving or opportunistic way. The explanation for this is that terrorism is primarily an ideological construct and not a category of behaviour. Chomsky argues that 'in practice, terrorism is the violence that they commit against us—whoever we happen to be . . . And since the powerful determine what counts as History, what passes through the filters is the terrorism of the weak against the strong and their clients' (2002: 71). It is instructive on this issue to consider the Australian government's military action in Afghanistan. There was no declaration of war, '[A] group of armed men [Australian soldiers] enter a country unlawfully, they seek out and kill supporters of the government, and by armed force they bring the government down. Innocent bystanders are killed and maimed and all because the perpetrators consider the government to be corrupt, evil or ideologically unacceptable' (Burnside 2001). This behaviour fits precisely within the definition of 'terrorist act' under the recently enacted Australian legislation. Yet, when the Australian government talks of terrorists and terrorism it is not referring to itself. It is true, as Herman maintains, that '[g]overnments have huge resources and connections that give them great defamation edge. They are therefore usually able to name their enemies and targets of attack as terrorists without much trouble, no matter how absurd the designation' (1993: 48). In the domestic context the label terrorist is likely to be attached to anyone that is engaged in extra parliamentary opposition that threatens the dominant political orthodoxy.

'Counter terrorism' will not prevent terrorism

The role of security and intelligence organisations like ASIO is so inherently political that they are incapable of performing a crime prevention function. The history of ASIO and state political police demonstrates that moderate and non-violent organisations and individuals associated with what might broadly be thought of as left-wing causes are subject to surveillance and infiltration, while even the most extreme and violent right-wing organisations are generally left alone (Hall 1978). These ideological blinkers hamper the ability of security agencies to predict or prevent extreme acts of politically motivated violence. For example, during the 1960s and 1970s the Yugoslav anti-communist Ustasha was responsible for, or the prime suspect in, a series of bombings and terrorist incidents in Australia. Although Ustasha violence was serious and persistent, ASIO and police Special Branches were slow to treat the Ustasha as a subversive or terrorist organisation because they empathised with its anti-communist outlook.

The Ustasha groups were allowed to flourish within the Yugoslav community while bombings and other incidents were automatically attributed to communist provocateurs (Mack 1981: 220-21; Hall 1978: 81-2).

Political surveillance does not increase human security because it is primarily designed to intimidate people and inhibit freedom of expression through fear of persecution. In Australia, coming to the attention of police Special Branches and ASIO has at times meant being denied public service or academic jobs or promotion, citizenship or a re-entry visa if a migrant, grants if a writer, and even employment in private industry. (McKnight 1994: 126-44). Police Special Branches have also been implicated in the frame up of politically active individuals (Anderson 1992). The power to detain people will increase ASIO's power to suppress dissent by adding detention to the potential adverse consequences of political opinions that challenge the political status quo. The fear of detention will inhibit people from freely expressing opinions or joining the type of political, environment, community, civil liberties or religious groups that are the likely targets of political surveillance.

'Counter terrorism' is state terror

In addition to 'counter-terrorism's' failure to prevent acts of politically motivated violence, there is ample evidence that it is frequently worse than the terrorism it is said to be fighting. After the military regime in Argentina was ousted in 1983 a commission of inquiry concluded that 'the terrorism' of the military regime was 'infinitely worse' than the terror they were allegedly combating (Herman 1993). Paddy Hillyard's research on the UK anti-terrorism laws, introduced in the mid 1970s describes the way the laws allowed for the persecution and in some cases conviction of innocent Irish people, and the way lawful political activity appeared frequently to be the basis for detention and questioning. His research also demonstrates the way detention powers—similar to those now proposed for ASIO—create terror for innocent people. Detained without being able to contact friends and family; without access to legal representation or advice; in psychologically repressive, hostile and sometimes violent environments; in circumstances where they often have no clear understanding of why they had been detained, what would happen to them or how long they would remain in detention people were, naturally enough, often quite literally terrified. The ongoing psychological impact of detention was particularly intense for parents who were separated from children and unable, as a result of sudden, unexpected and incommunicado detention, to make arrangements to ensure that their children were safe. Children were sometimes put into foster care with strangers for the duration of their parent's detention (1993). In Australia the psychological trauma of detention is likely to be even more intense given the proposal that children be detained (with or without parents)—a circumstance not provided for by the UK legislation.

Detention without charge and without access to legal representation of one's choice flies in the face of long standing due process protections. These protections are designed to ensure that only people guilty of criminal acts are convicted and punished. They are also designed to ensure that governments do not misuse the law as a weapon to silence and discredit political opponents. The proposed new ASIO powers, for example, could have seen those unionists and community members involved in the Maritime Union of Australia's industrial action in 1998—a category including thousands of people Australia-wide—to be detained and forced to answer questions and produce records. Such detention, particularly if targeted at the union's leadership would have given the employer Patricks and the Howard Government—which had a keen interest in waterfront reform—a distinct strategic advantage that could have changed the

outcome of the dispute. In addition, the detention of union leaders as 'terrorists' or persons suspected of having information about 'terrorism' would have provided the employer and the government with an effective propaganda tool in the public relations war that raged around the dispute (see Trinca & Davies 2000 for a description of the dispute and the political circumstances surrounding it).

The creeping militarisation of law enforcement that continues under the guise of counter-terrorism has been a source of terror for citizens. Civil police are duty bound to use only minimum force and to protect life and property. The military and paramilitary police, on the other hand, are philosophically inclined to use lethal and overwhelming force. Paramilitary policing employs terror as a deliberate strategy and inflicts unnecessary psychological and physical casualties (McCulloch 2001; Cunneen 2001: 106-29). States, through the military and police have enormous capacity to coerce citizens and inflict violence on individuals. 'Counter-terrorism' is a Trojan horse for state terror—violence, torture, and arrest and detention based on political activity, ethnicity, race or class background.

'Counter terrorism' provokes terrorism

Apart from being a form of terror itself, 'counter-terrorism' is likely to provoke the type of violence it is said to be curtailing. Force, coercion and repression are double-edged swords. There is a thin line between making people scared and making them angry. The repression of dissent involved in 'counter-terrorism' may turn people away from more peaceful forms of political protest towards violent expressions of dissatisfaction: 'When words are banned hands make their move' (leader of the Muslim Brotherhood speaking in 1948 after the assassination of the Egyptian Prime Minister, quoted in Ali 2002: 98; see Bonanate 1979). Research on the conflict in Northern Ireland, for example, found that the introduction of internment, detention without trial, in 1971 was a significant variable in a shift amongst supporters of Irish nationalism away from peaceful protest towards political violence. Beyond this, the state violence associated with 'counter terrorism' may inspire revenge attacks and an escalating spiral of violence involving attack and counter attack. On 'Bloody Sunday', 30 January 1972, shortly after the introduction of internment, British paratroopers shot and killed thirteen unarmed civil rights protesters marching through the streets of Derry, Northern Ireland (Mullan 1998). The IRA took its revenge three weeks later with a bomb attack on the British Parachute Brigade's Irish headquarters (Addison 2002: 96). In 1995, on the second anniversary of the death of more than eighty people, including twenty-seven children, at Waco, Texas in an assault by the FBI, Timothy McVeigh blew up a federal building in Oklahoma City, killing one hundred and sixty-eight men, women and children. In a letter to Gore Vidal, McVeigh explained that: 'Foremost, the bombing was a retaliatory strike: a counter-attack . . . From the formation of such units as the FBI's "Hostage Rescue" and other assault teams amongst federal agencies during the 80s, culminating in the Waco incident, federal actions grew increasingly militaristic and violent, to the point where at Waco, our government—like the Chinese—was deploying tanks against its own citizens . . . For all intents and purposes, federal agents had become "soldiers" (using military training, tactics, techniques, language, dress, organization and mindset) and they were escalating their behaviour' (Vidal 2000: 192). After Israel's victory in the 1967 Israeli/Arab war, Isaac Deutscher wrote that 'victory is worse for Israel than a defeat. Far from giving Israel a higher degree of security, it has rendered it much more insecure. If Arab revenge and extermination is what the Israelis feared, they have behaved as if they were bent on turning a bogey into an actual menace' (1967: 325). The situation in Israel today—an apparently endless and escalating cycle of revenge and retaliation—is testimony to the truth of this observation. The poisonous repetition of attack and counter attack means that '[i]n the end security and

terrorism may form a single deadly system, in which they justify and legitimate each others actions' (Agamben 2001).

'Counter terrorism', human security and globalisation

History and the content of the new 'terror laws' demonstrate that 'counter-terrorism' is not designed to protect and enhance human security but is instead a repressive tool designed to secure a particular political order. Terror laws are not primarily a reaction to and defence against extreme acts of politically motivated violence but instead a product of the changing nature of the global economy.

The conventional wisdom suggests that globalisation involves not only increases in the flow of capital and goods and services between nations but also the flow of democratic freedoms, the rule of law and respect for human rights from liberal democracies to their less liberal trading partners. Globalisation has been described as 'the popular term used to refer to the development of an emerging world order characterised by progressive acceptance and implementation of democracy and human rights, and by the growing impact of a neo-liberal economic system' (Benatar 2001: 349). Rotfeld argues that a 'critical element in the shaping of a new international system is the ever growing recognition of democratic principles, respect for human rights and the rule of law, and market economy as the common values' (2000: 12). Murphy writes that 'globalization is not simply a process of increasing global integration; it is also a transmitter of values, ideology and organizing principles. Globalization promotes the economic benefits of liberal capitalism, the political virtues of democracy, and the moral imperative of respect for human rights' (1999: 236-7). Globalization and free trade are argued to aid the spread of liberal ideals via two mechanisms. The first transmitter is cultural: the interconnectedness that is part and parcel of increased trade is said to aid the spread of ideas, increasing people's awareness of rights and leading to greater demands for democratic freedoms and human rights and ultimately an implementation of democratic ideals. Thomas Friedman, writing after the September 11 attacks on the United States, for example, argued that the US needed to aid the process of democratisation in Muslim countries by forging freed trade agreements with as many Muslim countries as possible because '[t]rade in goods brings trade in ideas' (2002). The idea that values flow from the 'civilized' liberal democracies to the 'less civilized' less democratic states as a result of contact through trade or other types of exchange provides a justification for maintaining dealings with even the most repressive of states. The Australian Government and Department of Defence, for example, criticised for allowing cooperative training with Indonesia's brutal and corrupt army, argued that such exchanges would help transform the Indonesian military into a force which respects human rights (Simpson 1995). Military links were suspended in 1999 after the Indonesian army backed militia violence following the East Timor vote for independence. The second way in which globalisation is said to aid the spread of democracy and human rights by promoting development. The gist of this argument is political freedoms and human rights emerge as a sort of luxury good when a certain level of economic prosperity is achieved (Evans 2000; McCorquodale & Fairbrother 1999). According to the conventional wisdom one would expect the less democratic more illiberal states in the region to progressively adopt the character and values of the better-established democracies like Australia. However, there does not appear to be evidence to suggest that such a process is occurring. On the contrary, it appears that the rule of law and due process protections that have underpinned political freedoms and respect for human rights in Australia are gradually being eroded so that the Australian political system is gradually transforming from a liberal democratic state to one that more closely resembles the more authoritarian regimes around the globe. There are a number of explanations why the

current period might be characterised by a 'race to the bottom' in terms of respect for human rights and democratic freedoms rather than the progressive spread of human rights that the conventional wisdom predicts. Firstly, the cultural mechanism that is argued to aid the spread of western democratic ideals may be weak or operating in a way that undermines rather than enhances human rights. It is true that trade in ideas may give people in less developed and less democratic countries aspirations towards rights; however, it does not give them the tools to achieve these ideals. There is a critical difference between understanding the concept that human rights and being able to enforce those rights. Human rights bodies might have a relatively high profile internationally but they have very little power in terms of enforcement. On the other hand, the police and military forces that are the vehicle for human rights abuses often operate clandestinely but with devastating and sometimes lethal efficiency. The assertion of human rights in an authoritarian regime is an almost sure fire way of experiencing a violation of the rights claimed. In line with the idea that democracy in more illiberal regimes is enhanced through contact and exchange with liberal democracies, engagement with human rights abusing regimes is often justified on the basis that the latter can have a positive influence on the former. In reality, however, human rights come a poor second to economic considerations, so that concern for human rights is often more rhetorical than real with the result that little if any impact is made towards encouraging greater respect for human rights. The history of the contemporary relationship between Indonesia and Australia is instructive. While Australia argued that engagement enhanced the prospect of positive human rights interventions it aided and abetted the invasion of East Timor and the genocide and mass murder that continued during twenty-five years of occupation by assisting Indonesia in its conspiracy of silence and cover up (Kiernan 2002; Birmingham 2001). Even the feeble pretext of concern for human rights has been abandoned in the context of the 'war on terror' as rights take a back seat to 'security'. During a visit to Malaysia in 2002, Australia's Defence Minister, Robert Hill, voiced support for the Malaysian government's detention without trial of dozens of suspects with alleged links to al-Qaeda arguing that 'in effectively combating terrorism, sometimes you've got to err on the side of protection ...even if it is at some cost to civil liberties'. It seems transparent that the Malaysian government of using the ISA to undermine political opponents because sixty-two of the sixty-three detained were members of the opposition Islamic party (AFP 30 May 2002).

The type of international exchange that takes place between liberal and less liberal countries may actually diminish the prospect for human rights by strengthening the coercive capacity of already repressive regimes and undermining respect for human rights in forces that operate in liberal democracies. Australia's extensive military exchange with Indonesia, for example, assisted in developing the skills of the notorious Kopassus Special Forces—the main organisers of torture, assassination and terror in East Timor and other occupied territories (Lawson 1999; Kingsbury 2003). Australian military aid and exchanges supported the continued use of coercive and repressive approaches by the Indonesian military and perhaps undermined respect for human rights amongst the Australian military. James Dunn, a one-time Australian serviceman and defence analyst, wrote 'I have to challenge the view that a closer link between our military establishments will help transform ABRI [the former name of the Indonesian armed forces] from its appearance of oppressive and sometimes brutal military force into one that respects human rights. The experience so far suggests that the officers on our side tend to become impressed with the ability of their Indonesian opposite numbers to get things done, and with the power they exercise (1995:15). The ideological framework and occupational culture of military forces predicts that efficiency and best practice are likely to be seen in terms of lethal skills, not respect for human rights.

The other way that globalisation is said to enhance human rights is by creating economic development, which is seen to create a positive space for the development of political freedoms, including respect for human rights. However, it is not at all clear that globalisation promotes prosperity amongst poorer countries and evidence that it increases economic inequalities within and between nations (see for example, Wade 2002). Multilateral agreements have established global markets without taking into account the impact on poverty, to the point that 'economic disparity has become so marked and their adverse effects so apparent that a very significant degree of incompatibility has arisen between neo-liberal economic policies and the goals of democracy' (Benatar 2001: 350). Many of the funding conditions imposed on developing countries by globalised economic institutions require strong government action in the face of widespread popular resistance. Investors may favour authoritarian or military government as best suited to implement such policies (McCorquodale & Fairbrother 1999). In short far from enhancing the prospects of democracy economic growth is often built on the back of repression.

While the economic imperatives of globalisation are, undermining rather than aiding democracy in developing countries the same imperatives are also undermining the foundations of liberalism in established democracies. As corporations and multi-lateral agencies accrete and use power over trade and trade-related matters, states are gradually abandoning many of their traditional tasks. In the course of the gradual neutralization of politics, security becomes the basic principle of state activity and the sole criteria for political legitimation. Politics is in the process of being militarised. The conduct of the most recent Australian federal election is a good case in point. Prime Minister Howard milked the heightened anxiety post September 11 to boost his own image as the type of leader needed in tough times, even staging a mock farewell during the election campaign for Special Air Services troops headed for Afghanistan. The troops were still in Australia weeks later. The military were used to prevent asylum seekers from entering Australian waters and the government promoted and capitalised on the groundless but politically marketable suggestions that asylum seekers might be terrorists. Ultimately Howard reversed his party's political fortunes by pursuing a strategy that linked asylum seekers to national defence in a way that played on Australia's long-standing invasion anxiety (Hogg 2002; Burke 2001: 322-31; MacCallum 2001). The most recent federal budget includes a large increase in defence spending. In the same way that state elections have frequently become law and order auctions federal politics is now foregoing the trappings of the 'welfare state' for those of the 'warfare state'. Khaki is now the most popular fashion colour for elections and budgets.

States no longer willing or able to respond to demands for social justice are quick to respond to, exacerbate and even create the fears that underlie the demands for security in its most repressive and coercive forms. With growing social and economic inequalities between and within nation-states, ceremonies and rituals that confirm 'national identity' serve as increasingly important instruments of political integration. Because national identity and sovereignty are fundamentally based on exclusion, these necessarily imply or articulate fear and rejection of those 'not us'. National identity is built at the expense of solidarity with every other human being (see Seigfried 2001; Burke 2001). Hate is a potent political force: 'Mass movements can rise and spread without belief in God, but never without belief in the devil' (Hoffer 1951 quoted in Rodgers & Kullman 2002: 21). As dissident Russian economist Boris Kagarlitsky points out, 'Globalisation does not mean the impotence of the state, but the rejection by the state of its social functions, in favour of repressive ones, and the ending of democratic freedoms' (quoted in Pilger 2002b: 5). Joachim Hirsh makes a similar point, arguing that 'It seems, that we are dealing not with a "hollowing-out" of the state as such, but rather of *liberal democracy*. . . the

limitation on the interventionist capacities of the state reduces or even negates the ability of the political system to respond to the social demands that were traditionally expressed within the formal processes of democracy' (1997: 45-46).

On the international stage globalisation or the spread of western and particularly American imperialist power needs the backing of military force. According to Friedman '[f]or globalization to work, America can't be afraid to act like the almighty superpower that it is. The hidden hand of the market will never work without a hidden fist. McDonald's cannot flourish without McDonnell Douglas, the designer of the F-15, and the hidden fist that keeps the world safe for Silicon Valley's technology is called the United States Army, Air Force, Navy and Marine Corps' (1999). The same holds true at a national level. Governments will increasingly resort to repression and coercive of citizens who—undistracted by the deliberate scapegoating of less powerful members of society—reject the increasing social inequalities and hardships that are brought by international competition for mobile international capital. Globalisation involves a race to the bottom not only in terms of employment conditions, environmental standards, and the social structures that support community well being and integration, but also in the value states put on the lives of their citizens.

That it is 'counter-terrorism' and the 'war on terror' that are the weapons of global imperialism is not surprising. 'Counter-terrorism' is after all the off spring of 'counter-insurgency' theory and practice, which was first developed by the French and British military in the face of nationalist struggles to overthrow colonial rule. The suppression of dissidence, the use of terror, and the official denial of terror under the rubric of 'counter-insurgency' were intimately bound with maintaining a colonial hegemony (McCulloch 2001: 174-78; Cunneen 2001: 106-08). Likewise 'counter-terrorism' and the 'war on terror' will bring terror and violence to the world in the service of the new colonialism and, as in the time of the old colonialism, the violence will be congratulated, ignored, or simply denied.

Conclusion

The 'war on terror'—at home and abroad—is a war against us. To believe otherwise is to accept the fundamentalist binary opposition of good and evil that is the war's rhetorical spearhead. The proposition that basic human rights should be sacrificed for the sake of security implies categories of people considered sub-human. We will not accept torture, terror, or detention based on class, race, religious, ethnic or political beliefs if we believe that we or people we love or at least empathise with as other unique and vulnerable human beings will be the victims of these violations. How then do we avoid acquiescing to notions of security that inevitably involve the insecurity and suffering of those who, through ethnic, racial, cultural and religious stereotypes are constructed as terrorist or simply Other? The challenge of the new millennium, and one on which our lives and the lives of our children literally depend, is to imagine ourselves in the Other. As Baldwin wrote in *Fifth Avenue uptown* 'It is a terrible and inexorable law, that one cannot deny the humanity of another without diminishing one's own; in the face of one's victim, one sees oneself'. This 'law' operates not just at the level of individual psychology but also in the realm of the material world. When our own violence is projected through paranoid fantasy onto the body of the Other we imperil ourselves. If human rights and security are viewed as a zero sum game we all lose. The search for security, conceived in terms of military strength, is a mission impossible. The futile hunt can lead only to worldwide civil war. Military superiority ensures only a victorious rush into our own graves. The postscript to security must be justice, because human security coexists most happily and abundantly in

the company of justice, not fear, force, repression and hatred. There is no military, coercive or repressive solution to terrorism compatible with human security.

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