

Racism: the hidden cost of September 11

Liz Fekete



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Globalisation has set up a monolithic economic system; September 11 threatens to engender a monolithic political culture. Together, they spell the end of civil society.

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Introduction

Following the events of September 11, it became commonplace to say that the world would never be the same again. Now, the true nature of this changed world is being revealed as the government of the United States (US) embarks on a 'War Against Terrorism' with the backing of an international coalition which includes the European Union (EU). The war in Afghanistan, the proposal to extend the war against terrorism to Iraq and other countries believed to have stockpiled weapons of mass destruction has, alongside greater US deployment of troops across the globe, clearly fashioned a new world order, dominated by one superpower, the US. But what is less clear is the way the new world order and the War Against Terrorism are shaping the very foundations of European political culture. That is the subject of this report.

Parts 1-3 outline the seismic shifts that are occurring within the political culture of Europe as a direct result of the events of September 11. Here, the effect of new anti-terrorist measures, in terms of the erosion of democracy, the denial of civil liberties and the removal of refugee protection, are examined. Do these developments mean that we are moving into a new political epoch in which a trade-off between freedom and security will lead to a fundamental change in the nature of state power and the emergence of 'The Security State'?

European anti-terrorist laws, adopted post-September 11, are breeding a culture of suspicion against Muslims and people of Middle-Eastern appearance, who are increasingly treated in the same way as were 'enemy aliens' during the first and second world wars. And the popularisation of Huntington's 'clash of civilisations' theory not only undergirds such suspicion but appears, also, to set the boundaries for government policies on race relations and integration. Thus, in the final section of this report, the ways in which the 'sus' culture adds a new layer to xeno-racism (the demonisation of foreigners and asylum seekers) is outlined. In sum, we are entering a new era in domestic race policy, where old, discredited ideas of monoculturalism and assimilation into the dominant White, European, Christian culture are once again in the ascendant. And the hidden cost of September 11 is an unashamed racism.

I. The EU approach to combating terrorism

We call on all governments to refrain from excessive steps, which would violate fundamental freedoms and undermine legitimate rights... The purpose of anti-terrorism measures is to protect human rights and democracy, not to undermine the fundamental values of our societies.

— Mary Robinson, UN High Commissioner for Human Rights

To link protest groups to terrorism, under the EU framework decision defining terrorism, confirms the worst fears of civil society that, despite assurances, to the contrary, this was always the intention of a majority of EU governments.

— Tony Bunyan, editor *Statewatch*

At the UK Labour Party annual conference in October 2001, the prime minister, Tony Blair, linked the future security of the world to the fight against global poverty and for global justice, promising, in the aftermath of September 11, the introduction of a new world order that would uphold human dignity and social justice 'from the slums of Gaza to the mountain ranges of Afghanistan'. His implicit message that the breeding ground for the terrorist attacks on New York and Washington was global economic inequity, has been repeated throughout the EU. It has spoken of the need for reconstruction, diplomacy, disarmament, aid, information and education over and above military force. Then, on 15 December, following the EU summit of prime ministers, the Laeken Declaration was issued, committing the EU to furthering democracy and human rights and to playing a 'stabilising role worldwide' which would 'point the way ahead for many countries and people'. Yet, every anti-terrorist measure that the EU and member states have enacted since September 11 forecloses on any nuanced understanding of the roots of terrorism in favour of an approach in line with the US world view and driven by overriding security concerns.

The EU Council agreed to rush through two measures in December 2001; first a framework decision on combating terrorism, and, second, a common position on combating terrorism (see below). The framework decision comprises an instruction to member states to include as terrorist offences a number of acts which could 'seriously damage a country or international organisation'. But the subsequent list of terrorist acts included in the framework decision has been drawn up in such a way as to make no distinction between legitimate political activity and the sort of religious or politically-inspired violence which is so indiscriminate or disproportionate as to its aim that it forfeits the protection accorded to 'political crime'.¹ It is this broad definition of terrorism which has led civil libertarians to ask whether the EU is using the events of September 11 to link protest movements to terrorism and undermine legitimate political dissent. But what has not been so widely commented on is the link that the EU is making between terrorism and migration, particularly the migratory movements of asylum seekers.

War on terrorism = war on migration

Even prior to the post-September 11 'War Against Terrorism' the EU had deployed the rhetoric of war against another phenomenon, that of 'illegal migration'. Under various anti-trafficking initiatives adopted by the EU as part of this 'war', refugees seeking the help of traffickers to reach Europe were treated as criminals and even terrorists.²

In fact, this stigmatisation of asylum seekers as criminals and potential terrorists is a process that has been developing since the late 1970s, when the Trevi group of ministers and police chiefs began to devise ways of creating an impregnable outer border protecting western

Europe from 'terrorists, drug smugglers, other criminals, refugees and other undesirables'.³ But while the themes of policing, security and illegal migration have gone hand in hand since the 1970s, far more far-reaching attempts have been made, since September 11, to criminalise asylum seekers who enter Europe illegally by defining them as members of a suspect terrorist community in need of a separate system of surveillance and control.

Following US pressure,⁴ which also led to EU wide moves to lower the standards of refugee protection, the EU adopted in December 2001 a common position on combating terrorism whereby member states were instructed to prevent the public from offering 'any form of support, active or passive' to 'entities or persons involved in terrorist acts'. Here, crucially, the EU fails to distinguish between individuals who consciously assist those involved in terrorist acts and individuals who simply share the same goals as 'terrorists'. Kurdish-Turkish refugees may, for instance, share with the PKK the desire for self-determination and, similarly, Sri Lankan Tamils may identify with the goals of the LTTE. However, such refugees may not pursue these goals by violent means or knowingly assist with the preparation of violent acts. But the EU's common position fails to distinguish between support for 'terrorist' groups and support for liberation movements. From here, the common position on combating terrorism goes on to instruct all member states to vet all asylum seekers to determine whether they have any connection to terrorism, including giving 'any form of support, active or passive'.⁵ In this way, the common position forecloses on any attempts by refugees within Europe to campaign for democracy abroad and encloses asylum seekers in a special system of national-security-inspired surveillance measures.

At the same time, member states are linking the war against terrorism both to the war against trafficking and the need for a deterrent asylum system. In the Netherlands, where a special police unit investigating human trafficking has been extended under the Action Plan on Terrorism and Security to research possible links with terrorism, biometric identification measures will be increasingly used for refugees and those seeking visas. In the UK, home secretary David Blunkett, announcing new reception arrangements and the introduction of identity cards for asylum seekers, has stated that, in future, all asylum seekers will be tracked from arrival to removal because, in the past, terrorists have used the asylum system to gain entry to the UK. Similarly, in Germany, where the interior minister Otto Schily has introduced a wide range of new measures aimed at asylum seekers and 'tolerated refugees', the Law of Obligatory Residence (which restricts asylum seekers from moving outside a designated area) has now been justified on the grounds that 'the restriction of the basic rights of asylum seekers is justified in order to protect national security and public order.' In Norway, the government has recommended several changes in asylum policy after the Tromsø police chief described it as providing an 'oasis for terrorists'.

Emergency powers and special measures

The EU's lead was followed by the introduction in some member states of emergency legislation and new anti-terrorist laws, while others have preferred to amend existing public order, criminal justice and aliens legislation and extend police powers. Both approaches imply that foreign nationals are a specific threat to national security. Thus, Spain responded to the events of September 11 by strengthening the Corcuera Law (Article 20 of the law 1/02 on Protection of Public Safety), giving the police new powers to fingerprint foreigners and to pass on personal data – including photographs and fingerprints – to the Group for Analysis and Treatment of Information (GATI) and the Central Unit for Criminal Intelligence. Greece, for its part, is to strengthen the residence law so as to allow for detention pending deportation of foreign nationals deemed a public security threat and to strip of their residence permits all foreign nationals, considered 'undesirable' by the immigration authorities. And Denmark, as part of its contribution to the international fight against terrorism, made several amendments to the aliens act which allow for greater cooperation between asylum authorities and police and military intelligence services and enlarge the scope for expelling foreigners from the country in the interests of national security. In future, the intelligence services will have complete access to all the personal details of foreigners, asylum seekers and refugees living in Denmark. Emergency anti-terrorist legislation has been introduced in France (the Law for Everyday Security), the UK (Anti-Terrorism Crime and Security Act) and in Germany. There the government announced a 3 billion DM anti-terror programme and almost all the federal states have introduced security packages. In October 2001, the Netherlands launched an Action Plan on Terrorism and Security which listed 43 measures to increase national security. Within all these approaches from member states there are variations. But by removing civil rights from foreigners and subjecting them to special measures within a less protective and more punitive legal system they all institutionalise xeno-racism and justify hysteria against non-nationals.

The UK favours a model that allows for the indefinite detention without trial – internment by any other name – for non-Britons whom the home secretary 'reasonably' believes are a risk to national security but cannot be deported (for instance, if they are nationals of countries with which Britain has no extradition agreement, or if they might be tortured or executed in the country to which they are deported). Individuals can be detained indefinitely (subject to a six-monthly review by the special immigration commission on information supplied by the intelligence services alone). Such a form of indefinite detention, warns the civil liberties organisation Liberty, is actually worse than imprisonment, in that it is carried out on the basis of suspicion rather than charge or conviction.

In Germany two security packages have been intro-

While in the UK eight people of Arab origin have so far been interned under new anti-terrorist legislation, no one has been charged in connection with the September 11 attacks. Nor have any charges been brought against the Algerian pilot, Lotfi Raissi, arrested after the US authorities sought his extradition.

Lotfi Raissi was held for five months without charge in Belmarsh top security prison after US intelligence services alleged that he had been the key flight instructor of four of the September 11 hijackers. On five occasions, when Raissi appeared before a judge, the US authorities were invited – but declined – to bring forward the evidence against him. On the sixth occasion, the judge released Raissi on bail on the grounds that the link between the defendant and terrorism had not been substantiated.

An unlikely Islamic fundamentalist (his wife is a French Christian and his uncle was chief officer in the anti-terrorism branch of Algiers police), Raissi was dragged from his bed at gunpoint in the early hours of the morning. Despite his release, the US authorities are still seeking his extradition on the grounds that he lied on an application form for a pilot's licence, omitting to declare knee surgery for an old tennis injury and failing to declare a conviction for theft which dates back to when he was 17.⁶

duced containing a plethora of special measures aimed only at foreigners, asylum seekers and 'tolerated refugees'. One such measure is the amendment to para 129 of the German criminal code. In future §129b will allow for the prosecution of foreign criminal or terrorist organisations, not only within the EU but in any other-state. Over and above this, the German government is following an approach whereby security services trawl for information on aliens by means of what is described as 'dragnet control' (a blanket non-suspect-related police operation characterised by vague criteria) and also build up targeted information on Islamic communities by means of religious profiling. Legislation also ensures that, in future, the security services will have comprehensive on-line access to all information on foreigners living in Germany stored on the Central Register of Aliens (in the past, security services had to provide specific justification for data requests). Foreigners applying to visit Germany also fall under the scope of the act; in future, fingerprints and digitised photographs will be taken and stored by German consulates abroad. As immigration authorities and security services will also be able to scrutinise those who have

Germany: targeting foreigners and asylum seekers

- Under consideration is a proposal which would allow the immigration and asylum authorities to pass on to the Federal Office for the Defence of the Constitution without any restrictions all data considered to be of interest. This is to include reasons given for asylum applications, which the Office for the Defence of the Constitution will allow to be passed on to the police and secret services of the countries of origin.

- While the introduction of passports and identity cards with biometric data from hands, fingers and/or faces has been indefinitely postponed for Germans, new proposals permit the introduction of such identity cards for foreigners, together with reference files that can be used by the police.

- Speech analysis is being introduced to determine foreigners' place of origin. These speech profiles are to be kept for ten years and put at the disposal of the police for purposes of comparison, e.g. in the context of phone-tapping measures.

- Hitherto, all refugees' fingerprints have been kept in a separate file, which can be used by the police in individual cases. In future, fingerprints of a considerably larger group of foreigners are to be stored in the Federal Office of Criminal Investigations, which can then be used for comparison purposes by the police without any restrictions.

- Security checks on visa applicants by embassies and consulates via enquiries of all the security authorities, from the secret services to the Federal Office of Criminal Investigations, in accordance with standards of the interior and foreign ministries, will be possible. The data handed over can then be kept there and used further.

- Not only the police forces, but also the secret services will be able to carry out computer searches for wanted persons using all the data in the Central Register of Aliens. No concrete threat is needed to justify this.

- Secret services will have unrestricted access to all data in the Central Register of Aliens, ending the separation, demanded by the Constitution, between the administration and (largely unsupervised) secret services.⁷

issued invitations to visa applicants (and even people with close connections to applicants), Turkish grandmothers who want to visit their grandchildren (and the grandchildren), or non-EU foreigners on business trips, will, in future, fall under a blanket suspicion of being potential terrorists.

Such measures will not only allow the German security services to collect a vast stream of electronic data on foreigners but to filter data on particular groups of foreigners according to ethnic group, place of origin, or religious affiliation. Indeed, since October 2001, the government has used racial and religious profiling combining data from many different agencies to compile computerised lists of young, financially-independent Muslims speaking several languages and studying technical subjects, in order to locate 'Islamist terrorists'. The government also placed a duty upon universities to hand over personal data on overseas students, suspected not of any criminal offence but of 'Islamic religious affiliation'; however, it did not anticipate resistance from student bodies, particularly in Berlin, North-Rhine Westphalia and Hesse. The PDS spokesperson on interior affairs in the Bundestag, Ulla Jelpke, sharing the students' concern, asked why the same ministers who had stated that there was no immediate danger of terrorist attacks were also the ones who launched the computer scanning. By October 2001, student organisations from twenty cities had passed resolutions which declared that creating a database of Arab students legitimised racism and was leading to the exclusion and persecution of innocent people on the basis of racial hostility. Courts in Berlin (January 2002) and Hesse have ruled that students' personal data should not be handed over in this way. In one case in Berlin, however, this was not before the police had amassed a vast amount of data on thousands of students. For while initially, universities were asked to provide information on students from sixteen Arab countries, this was extended by November 2001 to twenty-eight countries, including Bosnia, Israel, Egypt, Indonesia, Bangladesh and France (stateless persons were also included on the list). And in Berlin, the police's mania for collecting data was not confined to the universities. Data on employees from the twenty-eight countries was also demanded from the electricity supplier Bewag, catering and cleaning companies, the transport services, public utilities, waste disposal companies and airlines. The Court of Appeal in Düsseldorf, however, has laid down a legal precedent which legitimises official discrimination against foreigners of a particular faith. It has declared that data collection on nationals of Islamic countries is legal, but that data collection on German nationals is illegal.

2. Removing refugee protection

No one should underestimate the impact of September 11 on refugees themselves and the damage to the principle of refugee protection.

— Rachel Reilly, Human Rights Watch

Even as European governments criticize the United States for its treatment of Taliban and Al Qaeda prisoners at Guantanamo Bay in Cuba, they are showing new willingness to expel terror suspects to countries that were previously shunned because of records of torture and execution.

— Peter Finn, *Washington Post* 29.1.02

The emergency powers and other policing measures adopted by member states amid one-dimensional parliamentary and media debate, are generating a climate and culture of suspicion across Europe against foreigners, with Arabs, asylum seekers and those of Middle-Eastern appearance emerging as the new 'enemy aliens'. It is a 'sus' culture which has been given respectability by the EU's attempts to abandon international laws which, first, guarantee asylum rights to those involved in legitimate acts of political violence in their home countries (on the grounds that rebellion is sometimes necessary to overthrow repression) and, second, grant protection to those foreign nationals who are, by international law, 'non-removable' because they cannot be sent back to countries that practice torture or capital punishment. It is a 'sus' culture, that, in demonising asylum seekers as terrorists, leads to the lowering of standards of refugee protection by increasing possibilities for exclusion. While this power to exclude is not entirely new (the Refugee Convention itself provides that protection should not be given to those reasonably believed to be guilty of 'war crimes, crimes against humanity, acts contrary to the purposes and principles of the UN, or serious non-political crimes, committed outside the country of origin'), its extent and scope is no longer clearly limited and defined. And this power to exclude has, of course, been further legitimised by the EU Council's attack on refugees' right to oppose tyranny abroad (as evidenced in the failure of EU law to distinguish between terrorism and legitimate political violence).

The following cases illustrate the ways in which the standards of refugee protection have been lowered, and a climate of suspicion has been ratcheted up since September 11.

Zari and Ahmed Hussein Agaiza, who have lived in Sweden since 1999 and whose asylum applications are still pending, were forcibly returned to Egypt on 18 December 2001 on an Egyptian government aeroplane. Agaiza had been sentenced in absentia in Egypt to 25 years hard labour on charges of taking part in an armed attack on the Egyptian embassy in Pakistan – charges which he denies, saying that he was living in Iran at the time of the bomb attack. The Swedish authorities recognised that the men had a well-founded fear of persecution but still excluded them from protection on the basis of connections to organisations which had been responsible for acts of terrorism.⁸

In October 2001, Muhammad Abd Rahman Bilasi-Ashri, an Egyptian asylum seeker sentenced in absentia to 15 years in prison for supporting Egyptian Islamic Jihad, was arrested in Austria. A court quickly ordered his extradition, even though in 1999 the Supreme Court had ruled against his extradition. Bilasi-Ashri's name

surfaced during a British investigation of London-based Islamic radicals suspected of involvement in the bombings of two US embassies in Africa in 1998, according to a British police memo. But the British inquiry on him has been dropped.⁹

A Kurdish woman, Nuriye Kesbir, who is a member of the PKK's presidential council in Turkey, has been in detention in the Netherlands since her arrival on 27 September 2001 and faces extradition despite her asylum claim and despite the likelihood of torture (rape and sexual humiliation of women prisoners in Turkey is well documented) and the death penalty. The PKK is not banned in the Netherlands.¹⁰

Mohamed Chalabi had already served an eight-year prison sentence in France for his role as head of a support network of the Group of Armed Islam (GIA). As he was born in France, and is the father of four French children, he should have been protected from deportation to Algeria. Moreover, normally such prisoners, having served their sentence in France, would be deported to a safe third country rather than being sent to a country where they would face the death penalty. Nevertheless, on 9 November 2001, the French government acceded to an Algerian request and returned Chalabi to Algeria.¹¹

Zakaria Toukal, despite support from the computer company which employs him, could be deported to Algeria. Toukal, who spent eleven months in custody awaiting trial, was originally picked up for questioning in the course of an inquiry into the Chalabi network. Subsequently released, but still awaiting the court case, Toukal married a French student, fathered two children, completed a degree course in robotics and gained employment as a research and development engineer. Then, in March 2000, Toukal was convicted, but the instruction that he be permanently removed from France was not enacted and he continued to live and work legally in France, with his residence permit regularly renewed. But after September 11, the authorities – concerned about his robotics degree – arrested him and placed him under administrative detention. A first attempt to deport him to Algeria failed when he refused to board the plane. An appeal has been launched and Toukal has asked the interior minister to place him under house arrest with the right to work. The Alcatel company has kept his job open for him.¹²

In Germany, a new law has been introduced to allow the state to disband religious organisations with suspected links to terrorism. At the same time, the government is negotiating with Turkey for the extradition of the radical Islamist Metin Kaplan, who heads the Cologne-based Islamic group, the 'Caliphate State', and is wanted in Turkey on treason charges. Previously, Germany had resisted the extradition of Kaplan, who has been imprisoned in Germany since 1999 on public order charges, on the grounds that Kaplan would be subjected to torture and the death penalty. But now it is pressing ahead with extradition.¹³

From demonisation to exclusion

The background to these exclusions predates September 11. Indeed, for several years, there has been pressure on European governments from countries such as Turkey, Saudi Arabia, Algeria and Sri Lanka, to alter asylum policies so as to make extradition of political dissidents easier. The allegation, repeated over and over again, was that Europe's asylum system provided a safe haven for terrorists, thereby allowing terrorist organisations to regroup in Europe and exploit it as an organisational and logistical base from which to raise funds, procure arms and plot terrorist attacks in their country of origin. Many European countries had attempted to appease their overseas critics with whom they had military, diplomatic and economic ties. But, prior to September 11, this did not so much involve caving in to extradition requests as institutionalising the 'dissident=terrorist' equation through anti-terrorist laws which proscribed various political parties and associated social organisations and created new offences based on association with proscribed organisations rather than on actual involvement in illegitimate violence.

But since September 11, while there has been further pressure towards proscription, the most significant development has been the increasing willingness to acquiesce to extradition requests,¹⁴ to appease not just international partners in the Coalition Against Terrorism but also the UN Security Council. Previously, extradition requests from countries that practised torture were refused, on the grounds that refugees and asylum seekers were protected under international treaties, European law and the tradition that the threat of torture overrides any extradition requests. But, in September 2001, in the first clear prompt to change existing practice, the UN Security Council passed a resolution urging that states 'ensure in conformity with international law, that refugee status is not abused by the perpetrators, organisers or facilitators of terrorist acts, and that claims of political motivation are not recognised as grounds for refusing requests for the extradition of alleged terrorists'. Then, on October 16, president Bush wrote to Romano Prodi, president of the

European Commission, suggesting 40 measures to combat terrorism, including a request to bypass the extradition process and 'explore alternatives to extradition including expulsion and deportation'. This was followed by the publication of an EU working document in December that suggested that, in future, it would be legitimate to extradite people to states that practice torture, as long as 'legal guarantees' were received from that state that no such torture would be practised. Ominously, the EU working document stated that after September 11, the European Court of Human Rights may need to rule again on the balance 'between the protection needs of the individual set off against the security interests of the state'.

It is this pressure, principally from the UN Security Council and the US, then, that provides the background to the cases outlined above – cases that are viewed by civil libertarians across Europe as constituting human rights abuses carried out by European governments. Many human rights organisations in Europe have alerted the public to the degradation of democracy and human rights standards that such secret and sickening deals incur. Thus, the League of Human Rights described the secret deal between the French ministry of foreign affairs and the Algerian government to deport Mohamed Chalabi as a 'sordid procedure' amounting to 'extradition in disguise', only made possible in the post-September 11 climate. In Austria, lawyers for the Egyptian facing trial at home for Islamic activism, have condemned the government's decision to extradite as nothing more than 'revenge for September 11'. The Swedish branch of Amnesty International (AI) has described the proceedings surrounding the deportation of the two Egyptian asylum seekers who the Swedish Security Police (Säpo) accused of being members of an armed Islamist group, as grossly unfair. It accuses the Swedish government of being in breach of its international obligations not to send anyone back to a country where he or she would be at risk of serious human rights violations. Another case, involving four Islamists arrested on the information of a tortured al-Qaida suspect in Algeria (information he later retracted) is causing consternation in the Netherlands (see overpage). Yet, politicians seem impervious to criticism. In Germany, the federal interior minister responsible for new anti-terrorist legislation, has promised that the new laws will make deportations such as that of Metin Kaplan easier and the Right's candidate in the 2002 presidential elections, Edmund Stoiber, only agreed to back anti-terrorist legislation on condition that more such deportations followed.

Partners with state terror

Governments justify extradition on the grounds that they have, or will receive, guarantees that those sent back will not be tortured or subjected to the death penalty. But AI has pointed out that such guarantees are an 'insufficient safeguard', as acknowledged by the

European Court of Human Rights which, in 1996, told the British government to refuse an extradition request from the government of India for a Sikh resident in Britain on the ground that written guarantees of proper treatment could not facilitate extradition because whatever the 'good faith of the Indian government', the violation of human rights 'is a recalcitrant and enduring problem in India'. AI has already documented evidence that Ahmed Hussein Agaiza, extradited from Sweden to Egypt, has been held in isolation, tortured and now has difficulty in moving. And although Algeria guaranteed not to imprison Chalabi (p.7), he was immediately arrested on arrival in Algiers and charged with 'creating and belonging to an armed terrorist group which had intended to commit crimes of devastation and destruction'. Such facts do not seem to concern politicians unduly. Germany's interior minister, Otto Schily says that he would be happy to return suspects to such countries as Egypt, Algeria and Turkey as long as he can get guarantees that they will not face the death penalty.

In fact, what these cases demonstrate is Europe's increasing links with authoritarian regimes that practice state terror, something that has long concerned human rights organisations and lawyers who have been exposing the close working relationship between European security services and secret services abroad involved in widespread human rights abuses. For example, Germany, which proscribed the PKK in 1993 and Kurdish associations believed to finance the PKK, has had a close working relationship with Turkey while France has worked with the Algerian government to target Islamic fundamentalists living in France. The UK's Terrorism Act 2000, with its list of proscribed organisations, undoubtedly reflected the close working relationship the British secret services were developing with

their counterparts in countries like Sri Lanka, Turkey and Algeria.

But since September 11, these informal relationships are being institutionalised at the highest level, thanks to the imperatives of the International Coalition Against Terrorism.¹⁵ The deals being struck, the information exchanged, go well beyond the fight against al-Qaida. The US and Europe are launching a 'War Against Terrorism' which has in its sights a myriad of organisations and political movements across the globe, which are not connected to al-Qaida and cannot be understood simply as 'religious jihads'. Rather, they require a contextual understanding of the concrete political and social problems of their countries. The War Against Terrorism is leading European governments to embrace those countries that, in practising state terror, create the very culture of repression which drives oppositional groups towards rebellion and may lead them to respond to terror with terror tactics of their own. A European-wide approach to the anti-terrorist fight, which would have examined cause and effect in particular countries and adopted specific policies accordingly, has been thrown out in favour of the instant gratification of immediate arrests for the benefit of appeasing coalition partners, particularly the US.

On 13 September 2001, four suspected members of the al-Qaida terrorist network were arrested in Rotterdam, following a joint European police operation involving French, Dutch, Belgian and German police. Rachid Z, Saad I, Jérôme C and Mohammed B were arrested on the evidence of Djamel B, a French national born in Algeria who was arrested in Dubai in July 2001 for carrying a false passport and was subsequently interrogated and tortured in prisons in the United Arab Emirates. In October 2001, Djamel B was extradited to France where he retracted his evidence and a medical investigation confirmed his claim of torture. Subsequently, two of the four men arrested in the Netherlands were released. One of the detained, Algerian national Rachid Z, who has received financial compensation for the time he spent in jail, was, it seems, an informer for the French Intelligence Agency. He has since disappeared.¹⁶

3. Racism and the security state

Measures against terrorism should not and need not reduce standards of protection of fundamental rights which characterise democratic societies.

– Opinion of EU 29 Data Protection Working Party 14.12.01

Once national security is defined as a threat against any friendly state, and terrorism is defined to include all political violence, the authorities of the receiving country are in a position to redefine refugees out of existence.

– Frances Webber, human rights barrister

Europe is no stranger to political movements which target civilians for bombings and other attacks. The 30-year war in Northern Ireland, the ongoing conflict between Spain and Basque separatists, and in France over the future of Corsica, are the most obvious examples of conflicts which have claimed the lives of civilians, either at the hands of the state or at the hands of paramilitary movements. But despite this post- World War II history of internal conflict, the EU has never felt compelled to adopt the concerted, unified approach to fighting terrorism that was prompted by the attack on the World Trade Center. Now, as emergency powers are adopted across Europe, and special surveillance structures instituted at the EU level, citizens are being told that the suspension of democracy is needed in order to protect national security; and that, in order to catch terrorists, the authorities must be given extended powers of surveillance allowing them, effectively, to spy on all of us.

While no reasonable person could argue against Europe utilising all its constitutional powers in realistic protection of the public, it is the very breadth of the EU's approach to anti-terrorism and its resort to unconstitutional powers that lower standards of legality and bypass parliamentary and public scrutiny that concern civil libertarians. Indeed, since September 11, European governments have enacted legislation, adopted policies and threatened procedures that are not consistent with established laws and values and would have previously been unthinkable. For, just as in the global arena international law is seen as an obstacle to US dominance, in the European arena, constitutional and common law, it would seem, are now seen as obstacles to national security. One example already covered is in the field of refugee protection, but there are other areas in which governments are trying to bypass national, European and international laws – implying that the erosion of freedom is a necessary trade-off for greater security.

These varied attempts to circumvent the law are leading civil rights activists to ask a number of questions about the nature of state power in Europe today. Are European governments, for instance, using the panic generated by the attacks on the US as an excuse to bring in laws which criminalise a whole range of protest movements – from anti-globalisation to environmental activism, from animal rights campaigners to anarchism, and even youth groups? The Spanish-held EU-presidency argues that as 'violent urban youthful radicalism is increasingly being used as a cat's paw by terrorist groups in order to achieve their criminal aims', a standard form for exchanging information on related terrorist incidents must be introduced, with information exchanged between member states and Europol.¹⁷ While the Europol 'Situations and Trends' report on terrorist activity in the EU mentions the new trend of 'eco-terrorism', it neither gives a definition of 'eco-terrorism' nor details evidence of terrorist attacks spearheaded by so-called eco-terrorists. The Italian prime minister, Silvio Berlusconi, has repeatedly alleged that there are links

between international terrorism and anti-globalisation movements. One case he cites to prove his case is that of Suna Gol who was arrested during anti-globalisation protests at the Genua Summit. Far from being a terrorist, Gol is, in fact, a refugee from Turkey where she was the victim of state torture due to her involvement in a Marxist-Leninist party. She has lived in Switzerland, where she receives medical treatment for her injuries, for five years.

Civil libertarians are also questioning new surveillance structures across Europe and asking whether we are now witnessing a subtle change in the nature of state power wherein surveillance has become a 'mode of government' rather than 'a limited and accountable tool of criminal investigation'¹⁸ How alarmist or how real these fears are will be revealed over the next few months. But there is already a great deal of concern about the effect of national-security-inspired institutional changes within the criminal justice system and intelligence agencies on refugees, immigrant communities and ethnic minorities – and particularly the young.

Security versus freedom

Usually, anti-terrorist laws involve a limited suspension of democracy in that they are emergency powers which involve the curtailment of certain rights protected under European Law by the European Convention on Human Rights (ECHR). Thus, as civil rights (freedom of association, assembly etc) can only be abandoned if there is a threat to the national security which protects other more fundamental freedoms (ie the freedom to life), emergency powers can also involve governments formally derogating from the ECHR. Hence, in the UK, in order to bring in internment without trial for foreign nationals, the UK government has had to issue a derogation, asserting that 'a public emergency threatened the life of the nation'. Yet when home secretary David Blunkett was questioned about the nature of this public emergency in October 2001, he had to admit that there was no 'immediate intelligence' indicating a 'direct threat' to the UK.

To what extent, then, are emergency powers being introduced in Europe today as a means of avoiding parliamentary scrutiny – and, if so, what does this say about the nature of executive power today? When the EU adopted the common position on combating terrorism (see p.3), it did so by 'written procedure'. This ensured that the measures were simply circulated by the EU Council to EU governments to be adopted. In this way, the Council managed to bring in measures targeting refugees and asylum seekers, without any reference to the European parliament or any democratic scrutiny, ensuring, furthermore, that their validity and effect could not be challenged in the European Court of Justice.

Within the national parliaments of member states, as well, the manner in which anti-terrorist laws are introduced also involves a loss of democracy in that

they are fast-tracked through parliaments in a way that avoids proper parliamentary scrutiny. Whereas the UK does not have a written constitution, many other European countries do, and this ensures that authoritarian or discriminatory aspects of laws can be deemed unconstitutional and scrapped before they reach the statute book. However, the German and French anti-terrorist laws have been brought in in a way that bypasses constitutional safeguards and/or parliamentary debate. Thus, in Germany, parliamentarians have described the speed with which anti-terrorist legislation was rushed through parliament as 'scandalous', pointing out that it denied parliament the opportunity to hear expert opinion on legislative proposals with far-reaching restrictions of citizens' civil liberties. And, in France, Michel Tubiana, president of the League of Human Rights, has criticised the passing of the Law for Everyday Security. 'There is without doubt little precedent for a law – the object of which is the restriction of fundamental liberties – not being brought before the Constitutional Council for review.' The Green Party and the League of Human Rights have pointed out that much of the detail of the law, particularly increased police powers to carry out identity checks, has less to do with fighting terrorism than with policing North African youth. For in the troubled banlieues, relations between police and young people are already at breaking point, over the many deaths in police custody.¹⁹ Indeed, such is the concern about the nature of the government's new 'security ideology' that a number of prominent intellectuals and Green Party members have come together to form the Network Against Police Violence and Security Hysteria, pinpointing the 'policed state' as a worrying development for the future.

In fact, the use of the anti-terrorist climate to increase police identity checks is EU-led. Its Justice and Home Affairs Council has instructed the member states to strengthen Article 2(3) of the Schengen Convention to step up identity checks. In the UK, a leaked memorandum revealed that Metropolitan police officers were being instructed to use the stop and search provisions in the Terrorism Act 2000, not because of any real terrorist threat but because greater use of stop and search would provide the statistics that would justify future applications to extend the Terrorism Act's stop and search measures. Another provision within the new Terrorism Act allows ministry of defence (MOD) police to act nationally wherever the home secretary deems fit. Unlike the national police, MOD police are armed – so the UK faces the prospect of armed police patrolling the street with absolutely no national debate. As MOD police are also responsible to the defence ministry not the home office, it also means that MOD police are not answerable for their actions to a regional police authority.

Accountability versus secrecy

Just as worrying are the vast new powers of surveillance being amassed by state agencies which are moving beyond the realms of public scrutiny. In a democratic society, where a firewall exists between the secret service and criminal justice systems, the state must justify intelligence gathering measures as a targeted approach to investigating specific crimes. And, in a democratic society, safeguards and checks exist to ensure that those involved in gathering intelligence on the public do not act unconstitutionally or unlawfully. But such safeguards are in danger of falling apart in the post-September 11 climate of national security hysteria.

This can be seen, first, in relation to the EU-wide police force Europol, now at the centre of the EU's counter-terrorist programme. Hitherto, Europol's 225 staff have been restricted by the Europol Convention (1995) to 'non-operational activities', but the Justice and Home Affairs Council now wants Europol's counter-terrorist unit to take on an operational role. It now seems that the EU is attempting to preempt any campaign that Europol should become accountable. It has been proposed that the Europol Convention be revised so that, in future, national parliaments will be excluded from having a say in future changes, which will be the sole preserve of the Council of the EU.

The same lack of democratic checks applies to the EU Police Chief's Operational Task force and the newly-created EU Secret Services Task Force, both of which now have a counter-terrorist role but have no rules of operational procedure, formal mandate, provisions for accountability or reference to data protection rules.

The culture of suspicion

On a day-to-day level, democracy is being eroded in Europe with hardly a murmur of protest. But how is this lack of democracy, when combined with fears about foreigners, impacting on those unfairly suspected of Islamic fundamentalist allegiance? Already, the EU is planning to compile, as part of its 'anti-terrorism roadmap', a database on all third country nationals inside the EU, residents and visitors, involving a huge extension of the EU's internal security system – the Schengen Information System. (Already, 90 per cent of the information stored on SIS involves immigration rather than criminal cases.) And at a member state level, the climate of hysteria is encouraging immigration officers to act upon suspicions based on little more than religious stereotyping. And, as the following cases demonstrate, this 'sus' culture legitimises the overreaction of police and intelligence agencies to snippets of hearsay and gossip about newcomers to a district.

Three representatives – two Britons and a Jordanian – of a British publisher, Al Khalifah Publications, were in Germany to attend a book-fair, and were staying in a flat in the Gallus

region. A neighbour became suspicious after seeing parcels being taken down to the cellar and the flat was placed under police observation. Eventually, police raided the premises, arresting the three men, as well as the two tenants of the flat, a Yemeni and a Palestinian. Police, who suspected that the British publisher was linked to Osama bin Laden, alleged that the men's passports were forged. The men were later released without charge when it transpired that no such links existed and that their passports were genuine.²⁰

Jamal Karsli, a German parliamentarian for the Green Party in North Rhine-Westphalia, is of Syrian origin. He was visiting his wife's family in north-east Italy, when he came under suspicion because of his Arab appearance. Police came to the family's home and first questioned Karsli's mother-in-law about the 'Arab visiting you'. Karsli was then interviewed and asked questions like 'do you have a pilot's licence?' and 'have you been in the US recently?' Karsli says that, after the police's visit, there was repeated interference on his mobile phone.²¹

Six African-American Muslim students were due to begin their studies at al-Hirah College in Birmingham when they were denied entry to the UK by immigration officials who questioned them about their views on Osama Bin Laden and September 11. A spokesman for the college confirmed that the students had received a grant to attend the college which would be responsible for their accommodation and care.²²

A Swiss actor of Kurdish origin was subjected to humiliating treatment by immigration officers at Bilbao airport in an incident which was immediately blamed on the atmosphere created after September 11. Ironically, Duzgun Ayahan was on his way to the Bilbao film festival to receive the Concha de Plata award for best actor for his role in 'Escape to Paradise', in which he plays a Kurd dealing with immigration problems in Switzerland. Because of his treatment, Ayahan refused to take part in the festival's closing ceremony where he would have received the award.²³

Refugees and the 'straitjacket of fear'

It is ironic that refugees, often the victims of terrorism, have come to be seen as terrorists in the minds of public and politicians. Yet this is a direct consequence of definitions, prompted, in part, by the new international anti-terrorist alliance, which imply that all attacks on 'friendly states' are a terrorist threat to Europe and which fail to acknowledge the possibility of legitimate political violence against authoritarian regimes. Such

definitions which serve to criminalise refugee communities are, in the words of the human rights lawyer Gareth Peirce 'a gift from our governments to a number of other governments throughout the world'.²⁴ The gift given by the EU to its international partners in the war against terrorism is the deliberate stifling of refugees' legitimate attempts to achieve democracy in their own countries. A further consequence is that refugee communities are placed in what Peirce describes as 'a strait-jacket of fear' – the result of increased intelligence gathering on asylum seekers and refugees, and increased cooperation between the security services of refugee-producing countries and the security services of the EU. This puts many refugees in trepidation of any contact with the police for fear that information on them will be passed on to the security services in the country from which they have fled. This would, in turn, put family members, still in these countries, at risk. Thus, European police forces come to be seen as 'agents for foreign regimes, in close contact with their police'.

There is also an additional fear that failure to cooperate with European intelligence agencies will jeopardise asylum applications and it has been suggested, after the case of Reda Hassaine that intelligence agencies are using the vulnerability of refugees' status as a lever to recruit them as informers. Hassaine fled to the UK in 1994 with his wife and children with the help of the Algerian security services which assured him a safe passage in exchange for help in putting down the Islamic insurgency. Having posed as an activist from the Groupe Islamique Armée (GIA), in order to obtain information for the Algerian authorities, he was then recruited by the French who promised him citizenship in exchange for identifying suspected terrorist attacks on World Cup fixtures in France. During this time, in which he even edited a newspaper in the UK publishing propaganda for Osama Bin Laden, he made contact with Special Branch which recruited him in 1998 when the French ended their relationship and refused him the promised passport.

Special Branch asked him to infiltrate the Finsbury Park mosque in north London and gather information on the controversial preacher Abu Hamza, a veteran of the Afghan war, accused of being behind the taking of western hostages in the Yemen. In exchange for this, Hassaine was assured that the Home Office would sort out his asylum application. Special Branch then passed him on to MI5 which promised backing for his citizenship. But his task of posing as a GIA activist became more and more dangerous. And when he balked at carrying out more and more illegal burglaries, he was threatened with expulsion. Eventually, the Islamists discovered his duplicity and he was badly beaten at the Finsbury Park mosque. Soon after, the Home Office refused his asylum application, granting him just temporary permission to stay in the country, subject to review at any time.

In particular, Hassaine alleges that MI5 blackmailed

him into carrying out illegal burglaries in Muslim places of worship by threatening him with expulsion if he refused. He concluded, 'I wanted to be a British citizen to be safe and I wanted to fight the extremists who have destroyed my life. But everyone has betrayed me. I have lost my country, my family, my health and my profession. I have spoken out because I have now lost hope.'²⁵

All these fears are not imaginary. Following the EU's adoption of the common position on combating terrorism, which ensures that all asylum seekers and refugees are vetted by police and security services, a file is created on each person/family, detailing information on their political and trade union activity in the country of origin or any other country they have stayed in. Now, with increased cooperation with security services in refugee-producing countries there are very real fears that European intelligence agencies will hand over such data to regimes that use torture and capital punishment. The EU is already debating a strategy for paying informers in third countries, thus raising the prospect of Europol actually having people on its payroll who may work for the government of the persecuting country.

There are other developments at a member-state level. Lawyers for the two suspected al-Qaida members presently detained in the Netherlands (see p.14) claim that an Algerian national was recruited by the French intelligence services to act as agent provocateur. It was he who brought videos of speeches of Osama Bin Laden to the detainees' home as well as instruction videos on how to make bombs. In Belgium, the government has proposed a new law on special investigation measures which places emphasis on working with informers. The UK Anti-Terrorism Crime and Security Act grants wider powers to MI6 and GCHQ to carry out 'intelligence gathering' outside Britain as does s129b of the German criminal code which allows the federal public prosecutor to collect evidence on terrorists abroad, in close collaboration with foreign law enforcement agencies. Also in the UK, the home office has set up a special unit to deal with asylum claims based on membership of organisations that are on the proscribed organisations list. It is believed that all such claims are referred to Special Branch which then liaises with intelligence services in countries such as Turkey, Sri Lanka, Egypt, India and Algeria. In Germany, a proposal under the new Security Package, will allow the immigration and asylum authorities to pass on to the Federal Office for the Defence of the Constitution, all data considered to be of interest, including reasons given for asylum applications. The Office for the Defence of the Constitution could then pass the information on to the police and secret services in the refugee or asylum seekers' country of origin.

Of course such partnerships existed before September 11. But governments now are far more dismissive of human rights concerns, confident that cooperating with intelligence agencies that practice state terror can be justified in the name of the wider fight against terrorism. Prior to September 11, governments

would have been sensitive to criticism that actions against liberation struggles were prompted by relationships with military and secret services in authoritarian regimes. Not so now. Voices of criticism are simply brushed aside, as was that of the PDS in Germany which, after a series of raids on Kurdish organisations and individuals, accused the government of consulting with the Turkish military and secret services now recognised as 'advisors and informants of German domestic policy'. A raid on the home of a committee member of the Association of Kurdish Employees was condemned by Darnstadt city council as completely without foundation and possible in breach of the constitution. There have been other similar cases.

Workers at the Turkish-language Socialist magazine *Yasadigimiz VATAN* (Homeland We Live In), in the UK, believe that a police raid on January 6 2002 was connected to the British intelligence service's links with the Turkish secret services. During the raid, police confiscated the most recent issue of the magazine (previously distributed legally) on the ground that it was 'property for the use of terrorism'. A month earlier, in December 2001, Turkish police raided the Istanbul head office of the magazine, arresting its editor and detaining its workers, who were all tortured.²⁶

Filipino organisations believe that a police raid in Brussels on 20 September of 29 flats belonging to migrant workers was linked to the new post-September 11 climate. This was no ordinary immigration raid – the majority of those detained had papers or were in the process of regularisation – but was linked in their view to the migrant's activities in political solidarity work in the Philippines.²⁷

There are also intimations that police forces across Europe are using the events of September 11 to target immigrant communities for more intrusive and provocative forms of policing. Religious profiling in Germany (see p.4) immediately after September 11 has created a precedent which will legitimise racial profiling in operational policing. This is also clearly a concern of the Network Against Police Violence and Security Hysteria in France. In Spain, too, there is increasing opposition to a new police measure to single out Colombians and Ecuadorian nationals for special security measures. 'Operation Ludeco' involves the close surveillance of 157,000 Colombian and Ecuadorian immigrants. All information collected by police, including photographs obtained from security cameras, is sent to the Group for Analysis and Treatment of Information (GATI) which will store data on its supercomputer. The Spanish Ecuadorian association, Rumiñahu is clear that the operation 'feeds xenophobia and leaves Ecuadorians at the mercy of arbitrary police behaviour'.

European governments seem to have no awareness of how these actions are viewed abroad. They deepen the perception that non-EU citizens are treated as second-class and that European governments which preach democracy and human rights abroad practice racism at home. Thus, the Brussels raids on Filipino migrants, described above, were angrily denounced by sections of the media in the Philippines, with some politicians demanding that the Belgian government issue a formal apology for the treatment of its nationals. And Ecuador's ambassador to Spain has called for the immediate suspension of Operation Ludeco.

Prior to September 11, ethnic minority youth in particular were already singled out for a different style of policing. But the 'War Against Terrorism' has undermined any attempts to combat discriminatory policing by giving new legitimacy to stereotypes of ethnic

minorities as disproportionately involved in crime. Thus, in the UK, where the release of racially codified crime statistics on the particular offence of street crime was discredited in the 1980s, the Metropolitan police now feels confident enough to re-release such statistics involving young Afro-Caribbean males whom, they claim, are disproportionately involved in the theft of mobile phones. Both the Metropolitan police commissioner and the home secretary call for greater use of discredited stop and search measures on the black community. And in Norway, where the police were earlier criticised for their penchant for racially coded crime statistics, Tromso police chief Truls Fyhn has opened up an aggressive debate about asylum seekers and crime by claiming that Norway has become an ideal hideaway for foreign criminals and potential terrorists.

4. Popular racism: one culture, one civilisation

There is no incompatibility between Islamic civilisation and Western civilisation. For many centuries of their coexistence, Islam was the more advanced civilisation. It set standards of tolerance that Christianity never even aspired to – for a very long time, Muslim Europe was the only place where Jews felt safe. It was from the Muslim world that Christendom received its early education in medicine, architecture, science, mathematics and many other areas. It was through the Muslim world that Europe was reconnected to the philosophical traditions of the classical era. Without Islam, there would have been no Aquinas, no Newton, no rocket science, no computers, no modern civilisation at all.

– The Tablet 29.9.01

The basic paradigm of West versus the rest ... is what has persisted, often insidiously and implicitly, in discussion since the terrible events of September 11.

– Professor Edward Said

There are no essential differences in the value systems of religions, only in their rituals, social habits and customs.

– A. Sivanandan, Director, Institute of Race Relations

Post-September 11, a massive debate about racial integration has opened up. Politicians are increasingly taking the view that social exclusion of ethnic minorities can be put down to those cultural values and traditions within immigrant communities which run against the grain of Europe's liberal and humanist traditions.

In public pronouncements, mainstream politicians (with a few notable exceptions) have gone out of their way to reassure the Muslim world that the War Against Terrorism is not a war against Islam and that it does not signify a 'clash of civilisations'. Some European leaders have also warned against a backlash against Muslims and police forces have stepped up protection of mosques. Unfortunately, though, the comfortable view that flows from this – that European society is tolerant and that governments are capable of launching a just war against Islamic fanatics while upholding religious freedom and individual liberties – does not accord with reality. The creation of a culture of suspicion against what could be termed 'enemy aliens' (and Muslims are now widely regarded as the 'enemy within') is legitimising the view that all Muslims are guilty of fundamentalism until proved innocent. And there are plenty of voices, both in the media and in parliament, which are happy to propagate this view.

Muslim communities across Europe have spoken with anger about the way in which the media have demonised them as terrorists if they exercised their democratic rights to oppose, in any way, the nature of the war in Afghanistan and, now, US threats to invade Iraq. While non-Muslim Europeans can disagree with the tactics deployed to counter terrorism without being demonised as religious fanatics, Muslims who do so are immediately suspected of fundamentalist inclinations or asked for their anti-fundamentalist credentials, as in Germany where Christian Democratic Party politicians have repeatedly demanded that Muslims disassociate themselves from fundamentalism. The stereotyping and scaremongering of the media has angered Muslim groups, which have found it difficult to get their voices heard. Thus, in Spain Muslim community representatives condemned the media for unfairly stereotyping Muslims as a whole and for its complete failure to report Muslims' total condemnation of the September 11 atrocity. And in the UK, Muslim groups have similarly attacked the media for constantly broadcasting the views of fringe fanatics and implying that extremist isolated individuals are part of mainstream Muslim thought. Alexis Kooris, of the Delegation Against Racism in Finland, has commented on the biased information in the press about Islam, with most articles relating to Islam dominated by discussions about terrorism, extremism and the abuse of human rights in Islamic societies. He has drawn attention to the difficulty Muslim communities had to gain a public platform in order to defend themselves and their faith.

Diversity of political opinion and freedom of speech, it would seem, are not respected if dissent emanates

from Muslim communities. In the words of the Catholic journal, the *Tablet* (29.9.01), commenting on the western media, 'The television screen's incessant need for visual excitement crowds out the calm voice of moderate Muslim leaders who speak for the overwhelming majority. But the public does not understand the internal politics of Islam, does not appreciate the relative weight of moderate and militant opinion, and believes what it sees.' Humiliated, stigmatised and held responsible for the crimes of a small group of individuals, Muslims believe that powerful influences in European society now feel free to vent their fury against their cultural and religious traditions.

West versus Islam – the clash of civilisations

The comfortable portrait of Europe as tolerant and culturally diverse masks a painful reality of racism and racist violence (conveniently labelled a minority opinion or reaction). A significant component of that post-September 11 racist reaction is the rise of a Eurocentrism based on cultural chauvinism and cultural intolerance towards immigrant communities – which are perceived as locked in fixed identities and unchanging cultural traditions. Responses to ethnic minorities are increasingly being shaped by a discourse that posits European values as under threat from non-European cultural practices within, and anti-western civilisations, without. This new, popular racism draws heavily on the ideas of the right-wing US theorist Samuel Huntington who, prior to September 11, argued, in a seminal piece in *Foreign Affairs* (Summer 1993) that, after the end of the Cold War, world politics had entered a 'new phase' in which the fundamental source of conflict is not primarily ideological, or economic, but cultural with 'the principal conflicts of global politics' occurring between nations and groups from different civilisations. Giving primacy to the clash between Islam and the West, Huntington concluded that the fault lines between civilisations would be the battle lines of the future.

Huntington's thesis sought to remodel the Cold War idea of the 'West versus the Rest' on a different plane; the threat posed by the Soviet bloc now being transferred from politics to culture, principally Islamic culture. By drawing up emergency laws and other measures that establish Arabs and people from the Middle East as suspected terrorists, European governments, even as they distance themselves from the notion of a 'clash of civilisations', have created a body of law and a separate criminal justice system for suspect foreigners that, in turn, popularise and broadcast Huntington's themes.

From Huntington to Berlusconi

Italian prime minister Silvio Berlusconi is the most high-profile proponent of Huntington's thesis. It was Berlusconi who opened up the 'West versus the Rest' can of worms which other, more sophisticated

European politicians wanted desperately to avoid. During a visit to Berlin in September 2001, Berlusconi made a series of highly controversial statements to the press. During a joint press conference with the German Chancellor, Berlusconi declared that he and his host 'consider that the attacks on New York and Washington are attacks not only on the United States but on our civilisation of which we are proud bearers, conscious of the supremacy of our civilisation, of its discoveries and inventions, which have brought us democratic institutions, respect for the human, civil, religious and political rights of our citizens, openness to diversity and tolerance of everything.' He had earlier told Italian journalists covering his visit: 'We should be conscious of the superiority of our civilisation, which consists of a value system that has given people widespread prosperity in those countries that embrace it, and guarantees respect for human rights and religion.' He added 'This respect certainly does not exist in the Islamic countries.'

Berlusconi was roundly condemned by other European leaders. Yet Berlusconi's views cannot be dismissed as the individual opinions of a fringe politician. He is, after all, the prime minister of Italy – the fourth largest economy in the EU. And Berlusconi, although not the dominant European political voice, is by no means an isolated one. In fact, Berlusconi is at the forefront of a discourse which although widely propagated by the extreme Right, also embraces Christian Democrat and Conservative politicians like the former British Conservative prime minister Lady Thatcher. She has written that the War against Terrorism amounts to a new Cold War with Islamism, replacing the threat posed by Bolshevism. 'The western world and its values', are under 'deadly threat' from the 'enemies of western values and interests', she concluded. In the Netherlands, the former television talk show personality, Pim Fortuyn, who is now the leader of the largest new political movement in the Netherlands for 35 years, has called for a 'Cold War Against Islam'. In Denmark, Pia Kjaersgaard, the leader of the anti-immigrant Danish People's Party, told parliament that 'It's been said that 11 September was the start of the clash of civilisations. I disagree, since a clash would indicate that there are two civilisations, but that's not true. There's only one civilisation, and that's ours.' And in France, the leader of the MNR, Bruno Mégret has consciously taken up Huntington's theme and declared that East and West have been in confrontation for centuries. While 'Islamism threatens world peace', 'immigration is the breeding ground of Islamism'.

Berlusconi's is the most prominent voice in a new popular racism. In much the same way as the anti-immigration views of the extreme Right came to dominate mainstream political thinking towards the end of the twentieth century, the pro-Huntington views of Berlusconi seem set to inform political debate at the start of the new century, as examples from all around Europe demonstrate.

More than any other political party, the anti-immi-

gration Danish People's Party (DPP) benefited electorally from the events of September 11. The popularity of its leader, Pia Kjaersgaard, soared after she attacked Palestinians televised celebrating in the streets and asked 'terrorist sympathisers' to leave Denmark immediately. A DPP election poster showed a young blonde girl with the caption 'When she retires, Denmark will have a Muslim majority'. Kjaersgaard also used her parliamentary privilege to compare Islam to a terror movement and the DPP's number two figure, Kristian Thulesen Dahl added that 'Islam is a serious threat to the West, it devours us from within, destabilises our societies. It's like the young cuckoos in the nest.'

In the run up to the German presidential elections, the CDU has been accused of exploiting the events of September 11 for electoral gain and creating anti-Islamic hysteria. The Bundestag CDU group's spokesperson on European policy, and party deputy leader Wolfgang Schäuble implied that all adherents of Islam in the Federal Republic were collectively answerable for acts of terror in the USA. The Bundestag CDU's spokesperson on European policy, Friedbert Pflüger, speaking to the DPA news agency, demanded 'a revolt of the decent Muslims' in the form of demonstrations disassociating themselves from terror, adding that only on that condition, was future peaceful coexistence conceivable. *Junge Welt* believes that Pflüger's constant refrain that 'every means is justified' in the fight against Islamist terror comes close to an incitement to xenophobes to prepare for violence. The paper predicts that it will not be long before fascist killers, brought before courts, will be invoking a right of self-defence against possible Islamist extremists.²⁸

In Italy, both the Alleanza Nazionale (AN) and the Northern League (NL) have campaigned against Muslim religious practices and called for borders to be closed against Muslims. For instance in October 2001 both the AN and NL described the religious festival of Ramadan as posing a 'grave danger' and organised an anti-Ramadan protest after a school decided to shift its traditional mid-term holiday to November so that Muslim schoolchildren could celebrate Ramadan properly. At the NL annual Padania Day rally in Venice in September a poster was on display bearing the slogan 'clandestini = terrorist = islamic'. Speaking on a regional television show 'Telelombardia' on 16 October, the NL MEP Francesco Speroni said, 'We should apply the principle of precaution: close our borders, at least temporarily, to Muslims.' In an explicit reference to mad-cow disease, Speroni added that it was not possible at present to eat veal cuts 'not because we are sure that they are harmful, but because a real risk exists. Since there is a risk, let us close our borders because nobody can oblige us to receive any Muslim.'²⁹

In France, both the Mouvement National Républicain (MNR), which staged an anti-Islamic demonstration outside the Afghan embassy in Paris, and the Front National have used the events of September 11 to call for a halt to immigration. While Le

Pen does not support the US war against terrorism, he has called for 'systematic frontier checks, a total halt to immigration and the expulsion of illegal migrants'. Bruno Mégret, on the other hand, has launched a plan which consists of the redeployment of all police forces at borders, the rehabilitation of the concept of 'reasons of state', the reestablishment of the death penalty, the unification of the intelligence services and the formation of a national guard.

Significant gains in Dutch local elections for the new far-Right anti-immigrant party have been attributed, in part, to the reaction to September 11 and to its leader Pim Fortuyn's open antagonism to Islam. The party of Pim Fortuyn now controls Rotterdam (the Netherlands' second-largest city) and is expected to do well in the May general election. Fortuyn, who is openly gay, uses his sexuality to fuel fire against Islam which he describes as a 'backward culture'. He articulates such views at length in a book *Against the Islamisation of our Culture*. Fortuyn is most popular with the young. Nearly half of 18-30 year-olds polled want to see zero Muslim immigration, and said that they would vote for Fortuyn in the May general election.

Catholicism and Islam

As part from politicians, Huntington's views have been taken up by a minority of influential Catholic bishops. While their views are not in line with mainstream Catholic thought, and particularly the ecumenical message of the Pope, they may well tap into an ignorance about Islam among some Catholic clergy, as pointed out by a Jesuit theologian and professor of religions at the University of Comillas in Spain. Prior to September 11, professor Galindo, working with the Association of Religious Journalists and the Spanish Religious Conference, carried out a survey of the opinions of priests and monks and found that the majority of the 500 people who responded to the questionnaire were ignorant of Islam, despite the fact they worked in areas which have for centuries been in close contact with Islamic communities. Galindo concluded that the western view of Islam has been deformed by 'centuries of intolerance and contempt' and that many Catholic bishops could well subscribe to the views of Silvio Berlusconi.

There is some evidence from other European countries to back up this assertion. In Austria, Bishop Kurt Krenn, regarded as the leading representative of the conservative wing of the Catholic church in Austria, gave an interview after September 11 to the news magazine *Format* in which he said that Islam was characterised by a 'certain fanaticism and nationalism' and was in contradiction to human rights. (Cardinal Christoph Schönborn, chair of the Austrian Assembly of Bishops, immediately rejected these remarks.) In the same interview, Krenn called Islam a political religion, upon which the state needed to keep watch. 'Above all, we have to say – and I say this with great conviction –

that we Christians have the better measure of humanity.' Poland's Catholic Primate Jozef Glemp also caused consternation when, during a conference on demography, he said that Poland does not want the 'culture of terrorism' that Muslim immigrants bring.

In Spain, too, the Archbishop of Granada, has courted controversy with remarks that, according to members of Granada's Muslim community, pander to widespread ignorance about Islam's historical roots in Granada. According to Archbishop Antonio Cañizares 'The diversity of cultures does not of itself give place to a better humanity', adding that 'it was the arrival of Christianity in Andalusia which was the most decisive event for its history, while the Islamic presence remained solely as a residue in culture, aesthetics and folklore.' At the heart of the Archbishop's comments, lies a dispute about Andalusia's history and the importance of Moorish influence. Those who hold that Moorish influence was unimportant have used the events of September 11 to air their views more confidently.

Intimations of cultural and religious superiority

The 'clash of civilisations' argument, as well as being ahistorical and superficial, also implies that the clash is between a superior and inferior civilisation. But why are such ideas resurfacing now, in Europe, where one would have thought that the old notion of racial and cultural superiority had been essentially defeated with the defeat of Nazism?

In fact, many of Huntington's arguments were pre-figured in the writings of what has been described as the New Right. The New Right, which came to prominence in the 1980s Reagan and Thatcher years, did not utilise old (and discredited) ideas of white racial superiority, based on scientific racism, but adopted more apparently sophisticated arguments based in culture; explicitly the idea that different cultures do not mix and it is only natural to prefer your own kith and kin. The New Right repeatedly sought to establish the incompatibility of non-European and European cultures.

Now, since September 11, it is becoming more acceptable to introduce into this New Right discourse intimations of European cultural superiority. It is an intimation injected under guise of the moral and spiritual superiority of Christian western values over Islamic, Oriental ones. And it can only be made now because of a concrete situation in which it is deemed acceptable for the US and its Western allies to invade non-western countries to effect 'regime change' or further the War Against Terrorism.

When global politics are debated in such terms, it is inevitable that the plurality of influences that create civilisations are dismissed. And different religions, too, come to be viewed as fixed entities, as though there is only conflict between, and not within, religions; as though there were not progressive and fundamentalist

tendencies within all religions; as though all religions do not share common universal values. European civilisation is increasingly portrayed as developing from only one religious root, Christianity, as though, in Edward Said's phrase 'Islam has not been part of European society from the start.' And this obsession with Europe's Christian heritage feeds far-Right demagoguery. The Italian NL MEP Maro Borghezio has ranted against the Muslim advance and promised that the Northern League will 'stop them at Ceva, in the foothills of the Alps, just as the Christian armies stopped the invading Muslims at Poitiers.' He completed his denunciation by talking of 'new crusades' to be launched by 'Christian Padania'.

Too often, when politicians use phrases such as 'multiculturalism', 'pluralism', 'diversity' it is not out of respect for historical truths but as a shorthand reference to a particular model of Europe's race policies adopted over the last decade or so. But post-September 11, even a limited multicultural model of integration (a model not without shortcomings) is being jettisoned in favor of Eurocentric ideas of monoculturalism. In the words of Peter Westenthaler, the leader of the Austrian Freedom Party's parliamentary group, 'multicultural society was buried on 11 September'.

Multiculturalism versus monoculturalism

The orthodox view of what constitutes good race relations is that the integration of immigrants can only be achieved by firm immigration controls and limitation of numbers. The post-World War II belief, that if integration is to succeed mainstream society must remain overwhelmingly monocultural, has been challenged as immigrants became settlers. (Of course, this has not been true across the board: each European country's understanding of its culture and history differs. A huge chunk of German political opinion, for instance, still insists that Germany is not a multicultural society or a country of immigration. Central to French political thought is a suspicion of multiculturalism which is seen as a direct threat to the French secular tradition and enlightenment values of 'equality, liberty and fraternity'.) As the EU harmonises more and more of its immigration and social policy, the buzzwords of multiculturalism have become more prevalent in EU documents and within EU social thought.

But it is this leaning towards multiculturalism that has been undermined by the post-September anti-terrorist climate, as, increasingly, race policies are balanced against national security concerns. It is as though a huge wave of panic has swept across the Continent, with the events of September 11 leading politicians and press to home in on all the negative aspects of non-EU cultures. In the process, cultural prejudices and stereotypes have been let loose and politicians and the media have let their most basic hatreds hang out. Increasingly, the conservative cultural traditions which are practised by minority fringe groups are treated as though they are the norm for immigrant communities.

It is not just the extreme-Right which is attacking the concept of multiculturalism. Across the whole political spectrum mainstream politicians are opening up a debate over the integration of immigrant communities which places a large emphasis on the duty of immigrants to abandon their cultural practices and integrate into European values and norms. In the process, extreme practices such as forced marriages and genital mutilation are presented as omnipresent in all minority cultures and a lack of language competence is deemed a major barrier to employment and integration. And as the following examples demonstrate, the debate about integration and immigration is having major repercussions, both in terms of changes to immigration law and in terms of electoral politics.

In France, the events of September 11, and the subsequent disturbances at a French-Algerian football fixture during which North African youth chanted 'Osama Bin Laden' and booed the French national anthem, have started a debate about integration which has now become a key theme in the presidential election campaign. From left to right of the political spectrum, candidates are declaring themselves against multicultural policies, with right-wing candidates blaming what is described as the Left's *angelisme* (false ideology), which celebrates cultural difference and only sees the good in immigrant culture, for failures of integration.

In the UK, Austria and Denmark, the events of September 11 have led to new immigration regulations. British ethnic minority organisations have protested at the government's white paper on nationality and immigration which questions arranged marriages with spouses from overseas and lack of English among immigrants. For the first time, immigrants will be expected to take an oath of allegiance to the monarch and applicants for British nationality will be required to attend English language classes and attain a certain competency. According to home secretary David Blunkett, practices such as forced marriage and genital mutilation had been allowed to continue because of an over-emphasis on 'cultural difference' and 'moral relativism'.³⁰

The Austrian government, heavily influenced by its junior coalition partner, the Freedom Party, has introduced a new integration contract whereby new arrivals, as well as some foreigners living in Austria, will have to study German and undergo a course on civics and knowledge of Austria. Those who do not learn German within four years could be told to leave the country. The language requirement only applies to foreigners from non-EU countries. New family regulations in Denmark establish a minimum age at which immigrants may marry a foreigner and bring a spouse back to Denmark. This will be raised from 18 to 23 and the newly-wed couple must put up 50,000 Kroner (\$6,000) as proof that they will make no recourse to public funds. A further measure allows for the deportation of a spouse who comes from abroad if the marriage breaks down within seven years. Bertel Haarder, Denmark's minister for integration, defended the measures by saying that

the restriction would apply to native Danes as well as foreigners.

The tragic murder by a family member of Fadime Sahindal, a Swedish-Kurdish woman who had campaigned against extreme patriarchal values in the Kurdish community has led to a massive debate about integration with the minister responsible, Mona Sahlin, saying that key aspects of Swedish immigration policy have failed. But while the integration debate has not been conducted entirely in conservative terms, the parliamentary committee subsequently set up to investigate integration measures has focused solely on cultural practices as a barrier to inclusion. The committee has proposed a ban on marriages of immigrant women under the age of 18, after reports that many girls were being married off by their families against their will. Some political figures are calling on the government to go further, deporting or withdrawing the citizenship of immigrants who commit crime.

The killing of Fadime Sahindal has had repercussions in Norway too, where it combined with the attacks of September 11 to open up debate about integration. While the Norwegian government has entered into an unprecedented legal agreement with the Pakistani government to help prevent cases of forced marriages through liaison and intelligence gathering, the Socialist Left Party has called for stiff economic penalties against immigrants who do not complete compulsory language and work training schemes.

In Spain, the integration debate is focusing on Islamic cultural practices. In a highly-publicised case, the government has been forced to backtrack after lending its support to the headteacher of a school who refused to allow a Muslim girl to wear the traditional headscarf on the grounds that she did not want any girl 'coming with a veil, a chador or any type of dress that is a symbol of submission, of women in this case, and which violates citizens' civil rights'. The furore about this particular case is all the more surprising given that in the predominantly Muslim Spanish enclaves of Ceuta and Melilla, and in schools in parts of Andalusia, girls in hejab routinely attend state schools. Education minister,

Pilar del Castillo, who supported the headteacher on the ground that the hejab is not a 'religious symbol but a sign of discrimination against women', declared that she was prepared to legislate over the issue, and Juan Carlos Aparicio, minister for labour and social affairs, told a meeting of the ruling Popular Party that 'there are customs which are always unacceptable, and we can cite two examples – the use of discriminatory clothing, or, very clearly, the practice of female genital circumcision; it cannot be understood as a cultural or religious concept, but only as savagery'.

The moment of civil rights

Such a limited debate around integration is leading to the further stigmatisation, humiliation and marginalisation of ethnic minorities and refugees. By putting the blame on European liberalism for allowing primitive cultural practices to thrive, politicians are guilty of a dangerous oversimplification. For such a view conveniently ignores the inherent weakness in any purely cultural race policy. European governments did not introduce multiculturalism out of a misguided but benign wish to celebrate cultural difference. Rather, multiculturalism, as policy, was based on the idea that integration could be achieved, not through effecting racial justice and the granting of full, political civil and social rights, but through affording cultural rights. Governments were quite simply encouraging the development of separate cultural enclaves, within which 'immigrant leaders' would control their own communities.

But the headlong pursuit of authoritarian policies which further stigmatise and humiliate immigrant communities is leading to a fight-back. Not least in the Muslim community where progressive elements, previously isolated by the ethnic policies of governments, are finding the courage to speak out and elucidate a path that neither accepts government patronage and hand-outs nor accommodates fundamentalist forces. They are, quite simply, fighting for their civil rights and, in the process, upholding the fundamentals of democracy.

References

- 1 The framework decision covers acts committed with the aim of 'seriously intimidating a population, or unduly compelling a government or international organisation to perform or abstain from performing any act, or seriously destabilising or destroying the fundamental political, constitutional, economic or social structure of a country or an international organisation.' The acts cited under the definition include 'extensive destruction to a government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property likely to endanger human life or result in major economic loss.'
- 2 See Liz Fekete, 'The emergence of xeno-racism', *Race & Class*, Vol. 43, no. 2, October-December 2001.
- 3 See Tony Bunyan, 'Towards an authoritarian European state', *Race & Class*, Vol. 32, no. 3, January-March 1991.
- 4 Following the attacks on the World Trade Centre, president Bush wrote to the EU asking it to change immigration and asylum policies in a number of areas. This was followed by a secret meeting between US officials and the EU's high-level Strategic Committee on Immigration, Frontiers and Asylum where the US demanded greater efforts not only to counter terrorism but also to combat all forms of illegal migratory movement. Following this, the European Commission produced a paper recommending a lowering of standards of refugee protection which could result in refoulement (forbidden under international and European law) of asylum seekers suspected of terrorist acts to countries which practice torture and the death penalty.
- 5 A breakdown of the Council Common Position on Combating Terrorism can be found at www.statewatch.org/news/2002/jan/02euter.htm
- 6 *Guardian* 14, 15.2.02
- 7 *Tageszeitung* 26.11.01
- 8 *AI Index EUR* 42/003/2001
- 9 *Washington Post* 29.1.02
- 10 *Migration NewsSheet*, March 2002
- 11 *Libération* 26.11.01
- 12 *Libération* 21.1.02
- 13 *Tageszeitung* 5.12.01
- 14 What has particularly interested most European commentators has been the new Euro-warrant which will count as a complete request for the location, arrest, detention and surrender of a fugitive in another EU member state. But the Euro-warrant will also affect refugees since Kurds, Algerians and others could potentially be arrested, for example in the UK, on a Euro-warrant for extradition to France or Germany, where they could face removal to Turkey or Algeria, without the normal safeguards against such re-extradition.
- 15 Europol has called for a common EU strategy on the payment of informers in third countries. As the civil liberties lawyer Frances Webber points out 'the disturbing prospect is of refugees being fingered by Europol as suspected terrorists (and so excluded from status and/or prevented from reaching the territory of the member states) on the anonymous evidence of a paid informer, who might work for the government of the persecuting country.' (IRR staff working paper no. 16/02)
- 16 *Statewatch*, Vol. 12, no. 1, January-February 2002
- 17 See *Statewatch News* online: Doubts on EU presidency proposal to target protestors as 'terrorists' (www.statewatch.org/news/2002/feb/07protest2.htm)
- 18 This idea was first propounded by the US civil liberties scholar Frank Donner in the 1970s. See Bruce Shapiro 'All in the Name of Security' *The Nation* 22.10.01.
- 19 Another detail of the anti-terrorist law which has been greeted with consternation is a provision that allows for prison sentences for those who travel without tickets in the metro or regional express network.
- 20 *Frankfurter Rundschau* 16.10.01
- 21 *Junge Welt* 29.10.01
- 22 *Muslim News* press release 25.2.01
- 23 *Kurdish Observer* 4.10.01
- 24 See Liz Fekete, 'The terrorism act 2000: an interview with Gareth Peirce', *Race & Class*, Vol. 43, no.2, October-December 2001.
- 25 *Observer* 18.2.01
- 26 *VATAN* press release 18.1.02
- 27 *Solidaire* no. 37, 3.10.01
- 28 *Junge Welt* 15, 16.10.01
- 29 *Migration NewsSheet*, November 2001
- 30 The white paper on nationality and immigration is also seen as a response to riots in summer 2001 among Muslim youth in the northern towns of Bradford, Oldham and Burnley. A government Community Cohesion Task Force has been set up to open up a national debate around the need for a new framework of core values based on 'community cohesion'.

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