

## **Against Freedom**



Valerie Morse

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# Against Freedom

**The War on Terrorism in Everyday New Zealand Life**



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## Contents

Acknowledgments	vii
1. Welcome to the War	1
2. Legislating Against Terror	16
3. The First Casualty of War – Privacy	34
4. The Second Casualty of War – Refugees and Migrants	52
5. Dissent	68
6. Exporting the War	84
7. The Winners and the Losers	101
8. Media Myths and War Lies	116
9. Where in the World Will the War Take Us Next?	132
Notes	149



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## **Welcome to the War on Terrorism**

**W**e are living in a war zone. Every day our freedom, indeed our very survival, is under attack. Since September 11<sup>th</sup> 2001, when two aeroplanes flew into the World Trade Center in New York City and another into the Pentagon in Washington DC, this war has been openly declared. On the surface, the war on terrorism may appear to be a new phenomenon, marked by extraordinary events. It is not. It is merely the continuation of the same domination and exploitation that has been practised for hundreds of years by those with power against those without — workers, ethnic and religious minorities, people of colour, indigenous people, women, and any other group that challenges this elite power. It is the war of those above against those below. It is the class war; it is the race war; it is a war for power.

In our lifetime, the exercise of continual war has been most notably practised by the United States government. For the generation born after World War II, the perpetual enemy was communism. Like terrorism, communism could manifest anywhere at any time. It was the threat, rather than the reality, which was useful for controlling the domestic population and building a compliant, fearful society. Globally, the enforcement of elite power by the US military was manifested in the bombing of 22 different countries<sup>1</sup> under the guise of

## AGAINST FREEDOM

fighting communism or the corollary, 'spreading democracy.' In the US, the marriage not just of state and corporate power, but of state power and the military-industrial-media complex has created a totalitarian state with all of the appearances of a democracy to its docile, drugged population. In the past 20 years, the accelerated growth of multinational corporations, weapons and communications technology has had the effect of transforming this marriage into a set of interconnected and often incestuous relationships between Western capitalist nation-states and global corporate power.

This concentration of power, coupled with modern technology, is one of the most striking ways in which the war on terrorism is markedly different from the war as it has been waged in the past. New technologies of control available to the state and to corporate entities make waging this war easier. These technologies of control include both the subtle and the overt: extensive surveillance over public and private spaces; data collection of nearly every transaction — from telephone calls and banking transactions to DNA samples — coupled with the centralisation of that data; the militarisation of police and their use of ever-more deadly crowd-control weapons such as tasers; the application of science to developing interrogation techniques and non-detectable torture methods; and finally, the conversion of prison systems to privately-run human warehouses of undesirable people. These are the technologies of the war. The invasion of privacy by the state, the demonisation of refugees and migrants, and the silencing of political dissent, are some of the tactics of the war. The events of 9/11 simply made it easier to apply these technologies and tactics. George Orwell's dystopian nightmare articulated in his book *1984* should have been a call for action against this intense concentration of power; instead, it has provided a blueprint for oppression.

I do not believe that the war on terrorism is about terrorism. It is about control, and it has both external and internal components. Externally, the war involves the extension of elite and corporate control over natural resources and trade routes, as well as the imposition

of a capitalist economy. By extension, it includes the domination of militarily strategic areas around the globe. Throughout US history, corporate and elite interests have coalesced around similar goals to drive foreign policy. These powerful interests — the oil, natural gas, weapons, chemical, pharmaceutical and media sectors — dictate foreign policy and dominate domestic decision-making. In short, their agenda is to maximise exploitation and control while assuming no responsibility beyond the ability to continue these practices. In order that this agenda can be most fully carried out, it is essential that people believe their government is acting on their behalf and for their benefit. This is the internal component of the war on terrorism. In this regard, there are few political tools that are better than war for controlling the domestic population of a nation-state: for uniting people in common cause, for securing consent to abrogate freedoms in exchange for security, for cementing loyalty to the state, and for punishing dissent. The Bush administration needed a war to fulfil the agenda of corporate and elite power. The war on terrorism is not an orchestrated conspiracy: it does not need to be in order to extend state and corporate power. When state and corporate power become inextricably linked, and war is not only central to fulfilling their agenda but actually is one of the goals, it is inevitable that it will be waged.

Capitalism needs war: on one hand, corporate and elite interests can never be satisfied — they can never be too big, too powerful, and too rich — as a result, conflict will ensue as they continually seek to exploit resources and profit from waging war. On the other hand, their theft of global resources and inexcusable exploitation periodically becomes so obscenely obvious to the vast majority of people, who are not content to sit back and get fucked over, that war must be manufactured and manipulated to appear desirable and even necessary for people's survival. The rich gear up the propaganda machines, create a good enemy and make sure that the people are too distracted by fear and fervour to remember what is actually happening to them. One only needs to look at the history of wars waged



by the United States to see this recurring theme: World War I, II, Korea and Vietnam were all wars about elite control, not, as they would have us believe, about ‘fighting fascism’ or ‘fighting communism.’ It is an old saying that “when the rich wage war, it’s the poor who die.” This is truer now than ever.

The war on terrorism emerged from the particular political circumstances in 2001 that required the Bush administration to find a new enemy in order that its corporate sponsors could continue their age-old exploitation of people and planet. The war was not launched as a result of the attacks on the World Trade Center and the Pentagon. In 1993, the World Trade Center had been the target of an attempted bombing, allegedly by al-Qaeda operatives, that put Osama Bin Laden on the US government’s most wanted list. Yet at that time, no war was declared. None was needed by elite power to maintain its position of privilege and carry out its agenda of global exploitation. By 2001, that had changed. Growing resistance to state-imposed economic changes required both a new external military strategy and

*Above* The link between the free-trade agenda and the war agenda is made crystal-clear at a protest against the meeting of the World Trade Organisation in 2003.

a new domestic diversionary tactic. For anyone paying attention, the 9/11 attacks were utterly predictable, if somewhat spectacular in their execution. Similarly, the resulting declaration of war was equally predictable.

The end of the cold war signalled a 'threat deficit,' as it is known in the war business — the lack of a credible opponent to the us military. In academic and policy circles, there was significant discourse about the downsizing of the us military and its redeployment as a peacekeeping army throughout the 1990s. This sent shivers up the backs of a small group of morally conservative and economically liberal men in power, including Donald Rumsfeld, who would become Bush's architect of the war on terrorism and the subsequent invasion of Iraq. These men were determined to ensure us military domination of the world, and by extension, the corporate profits of those in the war and oil businesses. For them, the timing of 9/11 was prophetic. By 2001 the effects of the great neo-liberal economic experiment carried out voluntarily in most Western nations in the mid-1980s, and by threat of force in many other places, could now be seen: wealth concentrated in the hands of a very, very few people, massive privatisation of public assets and services, rampant foreign direct investment and widespread currency instability. The tangible reality for many people was sweatshop labour conditions or unemployment; no health care, clean water, food or shelter, massive inflation and a polluted environment. Grassroots resistance had been growing throughout Latin America and the 'Global South' for a very long time: resistance to a massive 'free trade zone of the Americas,' resistance to further forced economic adjustments dictated by the World Bank and International Monetary Fund, and resistance to the destruction of traditional ways in exchange for us consumer culture. When resistance to 'globalisation' — the clever new name for the same old hyper-exploitation — came to the us in the late 1990s, the powerful elite understood that it was time for more sustained action if they were to maintain control. They responded by inventing the war on terrorism.

## AGAINST FREEDOM

Who are the enemies in this war? Anyone who does not endorse the same world-view as these elites. Who are the allies of the elites in this war? Anyone who can profit from it or who is willing to propagate its message, encourage the loyalty of people to their rulers, instil a fear of the enemy, arm or equip the soldiers, or fight the battles. It does not take much imagination to appreciate why Middle Eastern Muslim men were cast in the role of the stereotypical enemy: they are not 'us' — they are not white, they are not Christian, they do not endorse the world-view of Western elite power, they have control of vast oil and natural gas reserves, they live in a strategically important area, and they are sufficiently menacing. They are not the only enemy, of course. They are just the most visible. September 11<sup>th</sup> delivered them to elite power: a worthy opponent, one who could fly planes into the heart of the us military and bring down the symbols of us capitalism; one that people would rally against, send their sons and daughters to fight and die against.

It was as if September 11<sup>th</sup> was specifically stage-managed for maximum impact on the psyche of the us people. It is difficult to appreciate the monolithic power of television in daily life, but in the us, where the average person watches nearly five hours of tv *every day*,<sup>2</sup> it does not imitate life, it is life. The images played over and over and over again cemented the idea of a nation under siege. These images coupled with rhetoric declaring "you are with us or you are with the terrorists"<sup>3</sup> gave the Bush administration free reign to do whatever it wanted — both domestically and throughout the world.

The start of the "war without end" was officially declared by George W Bush on 6 October 2001 when the bombing of Afghanistan began. To most people in the us, the response seemed appropriate, even natural. Drunk on nationalist propaganda, the us population was happy to sanction the bombing of 23 million people in exchange for a false sense of justice done.

It is important to see that the war on terrorism is not the creation of a small number of people who are intentionally manipulating

events in a sinister conspiracy to pervert the course of democracy, although certainly some events have been totally manufactured to serve an unseen agenda. Rather, it is that the entire system exists to carry out a fundamentally violent and exploitative agenda while appearing to be in the service of the people. Further to this, the war on terrorism has arisen in a particular way because a broad range of corporate and elite interests with common goals have coalesced with the technologies capable of delivering those things. Internally, the domestic population is subject to ever-greater totalitarian control under the pretence of 'security.' Externally, the military invades and occupies to enrich the elite through war-profiteering and in order that they may steal the natural resources of the Middle East, Central Asia and Africa.

It is perhaps easy to see these imperial practices in operation in the us. Where does New Zealand fit in this global war zone? It may seem extreme to call New Zealand a nation-state run by imperial warlords and an elite clique who seek only to consolidate their power and access to resources. I do not believe that it is extreme.

Colonisation, systematic discrimination against Māori, racist immigration policies, support for UK, then US wars, worker oppression, crumbs given to the masses, the illusion of democracy and media complicity, are all part of the history of this war. Like the us, the war on terrorism is nothing new in New Zealand; rather, it is the continuation of the same exploitation practised by those in power for more than 165 years.

New Zealand history is, to be sure, contested ground. What is not contested is that it is a nation-state founded on waves of colonial settlement, primarily British, on-going war with some Māori iwi (tribes), and the establishment of a Westminster-style parliamentary democracy. Given the settlement process established by the 1975 Treaty of Waitangi Act, it is hardly extreme to suggest that there was outrageous theft of land and resources committed by both the Crown and individual colonisers. It is also hardly extreme to suggest that Māori have suffered continual alienation from their lands, cul-

## AGAINST FREEDOM

ture and language for nearly 200 years. These are not the subject of debate; indeed, the Crown has admitted as much in its apologies to individual iwi, including Kai Tahu, Tainui and Te Arawa. But these are not the incidental by-products of an otherwise kind and generous government trying to do the right thing. They were and are the concerted acts of imperial warlords aiming to systematically control the country. Study the people's history of the 1860s confiscation of land from Taranaki Māori or the 2004 confiscation of Māori land under the Foreshore and Seabed Act and you will see this imperial agenda in operation. These are but two examples in a long history of exploitation.

The background for staging the current phase of the war on terrorism was set during the fourth Labour government of the mid-1980s. Its actions on the nuclear-free issue vis-à-vis the neo-liberal economic reforms provide an illuminating example of how the war works: the elite give some small, moral victory to us while stealing on a massive scale. The nuclear-free declaration appeased a large proportion of the political left, coming as it did after a very long, sustained grassroots campaign. This was seen as a major snub to the United States and a strong statement about New Zealand's independent and principled stand on international relations. But in the Beehive and the boardrooms, the vast resources of the country were being sold off to multinational corporations and enriching a few who were in the know. Moreover, the schism with the US military was more a ruse, a façade, than a reality. New Zealand's supply of intelligence information from the two spy bases located here continued uninterrupted. Similarly, New Zealand's military continued to follow the US around the world in its invasions and occupations, albeit quietly.

What in particular marks the war on terrorism as a new, more virulent assault by the powerful against us? That is the subject of this book.



### **Legal changes post 9/11:**

In terms of domestic politics after 9/11, a wave of legal changes followed in the wake of manufactured public hysteria. Both government and opposition party members fully endorsed military action, along with the near-complete abrogation of civil liberties and long established rights in order to support us demands for revenge and control. The history of the initial days after 9/11 and the resulting legislation are the natural starting point for understanding the profound impact that this war has had on everyday life in New Zealand.

The United Nations urged countries to pass legislation regarding terrorist financing following the 9/11 attacks. In New Zealand, the Terrorism Suppression (Bombings and Finance) Act was passed immediately in response to this international effort to cut off the flow of money to terrorist organisations.

This was the first act passed in a suite of legislation aimed at putting strict monitoring and controls over potential terrorism activities. Other legislation followed in rapid succession, including the Crimes Amendment Act (originally the Counter-terrorism Bill), the Border Security Act, the Maritime Security Act and the Telecommunications (Interception Capability) Act. More changes are presently working their way through the parliamentary process, such as a major revision of the Immigration Act and the Aviation Security Bill,.

A strong us directive to the United Nations prompted it to recommend a broad anti-terrorism platform. The New Zealand government chose to copy the us legislation almost verbatim for use in the statutes. This government was not the only copycat. The British, Australian and Canadian governments all passed similar legislation. In all cases, these laws were based on hastily drafted and constitutionally dubious ones such as the USA PATRIOT Act, a catchy acronym that stands for Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (2001), crafted out of hysterical fear and a desire for control.

## AGAINST FREEDOM

The on-going UN-mandated international framework for controlling terrorism has been largely directed by the United States which aggressively ‘persuades’ other countries to adopt legislation similar to that now adopted in New Zealand. When carrots are not persuasive, the stick is at hand. This is certainly the case for many Pacific Island nations, where the tangible needs of the local population must now be ignored so that US-dictated counter-terrorism measures can be implemented.

Chapter one, ‘legislating against terror’ will examine in detail the overall agenda of this so-called *counter-terrorism* legislation, demonstrating that its net extends far beyond catching terrorists.

### **The first casualty:**

The first casualty of the war agenda was personal privacy. The events of 9/11 were a gift to the security and intelligence community, units that had been long ignored by successive governments. Money was lavished upon the police, Security Intelligence Service and Government Communications Security Bureau while their powers were significantly expanded. With plenty of scaremongering propaganda, all of a sudden it seemed that there was a need to ensure ‘national security’ and identify potential terrorists. The counter-terrorism agenda gained political momentum and public acquiescence.

With bigger budgets came new tools and toys with which to conduct surveillance of the population. The technology of the 21<sup>st</sup> century allows vast quantities of detailed data to be collected on our daily lives. The targets of this surveillance are largely those on the margins of society — refugees, migrant communities, low-paid workers, political activists, Māori and Muslims. Those who are not mainstream, those whose language, skin colour, religion, history or politics do not fit the mould, are the ‘other’ New Zealand — not white, not middle-class, not content with the status quo. In this war, to be the ‘other’ is to be the enemy.

### **The targets:**

There is a widespread view among many liberal human rights advocates that “what should be a struggle against terrorism [has been turned] into a war on minorities.”<sup>4</sup> But the war on terrorism has never been about terrorism, it is about race and class. It is about who is in charge, in New Zealand and around the world.

Both before and after 9/11, boatloads of desperate refugees fled Afghanistan only to be caught in the anti-terrorist hysteria. The people aboard the ship, *MV Tampa*, were treated as a threat to the Australian state and deemed politically disposable. As a result, most of them were off-loaded to the desolate pacific island of Nauru. Some who were subsequently invited here received little more consideration; upon arrival, they were placed in long-term detention.

In another instance, Ahmed Zaoui, the democratically elected politician fleeing persecution in Algeria, was greeted by an extended interrogation session with the New Zealand Security Intelligence Service. Here was a man escaping a country where the torture and political assassinations of his colleagues were commonplace, only to be imprisoned in solitary confinement in what he imagined to be a fair and just country. An exhaustive inquiry deemed him a legitimate asylum seeker; nevertheless, he continues to be a pawn in an international effort to demonise the entire Muslim world.

His situation can be contrasted with that of two Israeli intelligence agents who were found guilty of fraud for illegally obtaining New Zealand passports. After a slap on the wrist, they were returned home to continue their trade. Those on the ‘right’ side of the war are friends to be treated with due courtesy and the benefit of the doubt.

In any era, to be a refugee, to be an asylum-seeker is to be on the extreme margins of society, highly vulnerable to the whims of state intelligence services and unscrupulous individuals. That vulnerability has increased greatly as the label ‘terrorist’ is unjustifiably affixed and freedom is sacrificed in a ceaseless quest for total security.

## AGAINST FREEDOM

Intelligence agents have not limited their search for elusive threats to refugee communities. They have targeted the opponents of government policy who question the legitimacy and the motives of the war agenda. Auckland peace activist Bruce Hubbard, arrested in October 2003 for sending an offensive email to the United States embassy, was just one of many such victims. His sentiments articulated the revulsion felt by many people following the invasion of Iraq in 2003. He served as a useful example to others of the 'big stick' wielded by the US government to ensure compliance with their world-view.

Campaigners on a variety of issues, including genetic engineering and ownership of the seabed and foreshore, are also viewed as potential threats to the status quo. A climate of fear generated by the draconian counter-terrorism laws serve to channel our dissent into a narrow range of acceptable protest.

### **Overseas investment and development re-defined:**

'National security' became synonymous with the domestic economic agenda behind the war, thereby propelling further trade liberalisation and overseas investment initiatives. The narrow, politically correct range of debate in New Zealand politics meant that no alternative was suggested, let alone entertained. Trade agreements followed in rapid succession. Immediately after 9/11 in the US, Bush urged people to go shopping as a means of fighting terrorism and upholding the 'American way of life.' Economic security, defined as the rich getting richer, was equated with personal security from terrorism. Those in charge are simply cashing in on fear, ignorance and well-sown patriotic fervour.

Not content with simply imposing the US war agenda within New Zealand, the Labour government has sought to export the war overseas. Development aid, a largely self-serving exercise most of the time, has been harnessed to fight the war on terrorism. Under the guise of aid, the Ministry of Foreign Affairs and Trade has seized upon the war agenda to impose disastrous neo-liberal economic re-

forms in various Pacific Islands. Out in the Pacific, the naked economic agenda of the war on terrorism is exposed. Local priorities for development are shunted aside in favour of improved security measures. In diplomatic exchanges more reminiscent of Britain's imperial age, Pacific Island states are told to conform or face severe economic repercussions.

When an opportunity for exploitation becomes evident, the government cloaks imperial intervention in the rhetoric of the anti-terrorism crusade. The 2003 invasion of the Solomon Islands by Australia and New Zealand was nothing but a thinly veiled campaign of conquest.

The deployment of New Zealand's defence force engineers to Iraq can be viewed as a similarly self-serving act. With development funds and rationalisations, New Zealand soldiers were sent on a mission of mercy — one that was under the control of, and which strengthened the resources of, the occupying us army. There is still a widely held view that New Zealand did not participate in the war in Iraq; it is clear that the Labour party's media spin-doctoring was frighteningly effective.

### **The winners and losers:**

It is not the soldier nor the average person that reaps any benefits of participation in Bush's (and Clark's) war. For the taxpayers this war is an expensive undertaking. Material costs include millions in system upgrades to improve border security, passport controls and surveillance systems, all in the name of countering terrorism. Similarly, the costs of New Zealand troops deployed on 18 different missions in 12 countries are borne by us.<sup>5</sup>

Of course, there are winners in this war. Multinational defence, security, oil, and even dairy interests have a stake in the war. War profiteers are certainly not unique to this conflict. In the modern globalised economic environment, where the average profits of transnational mega-corporations exceed those of small countries, these corporations are in charge.

## AGAINST FREEDOM

But do not be misled — the war is not about oil. It is about power. It is about strategic control over the resources that fuel the capitalist system. It is also about constructing and controlling how people see the world. Our consent is manufactured by creating, then dehumanising the enemy, by making the ‘other’ deserving of our wrath. This gruesome reality is cleverly cloaked in evocative nationalistic phrases such as ‘defending our way of life.’

### **The media:**

The complicity of the media is required as part of the ‘hearts and minds’ campaign to win public approval for the war. The local media have been compliant in this respect, but are hardly acting patriotically or altruistically. Rather, the few major media outlets, almost all owned by offshore transnational conglomerates, serve up well-crafted propaganda to the population for their own ends. The uncritical view of New Zealand’s involvement in the war on terrorism must be challenged if any change is going to occur. Without an informed population, we are left to swallow the official line, allowing the powerful to pervert the language and discourse for their own ends.

This war is in its sixth year; the invasion and occupation of both Iraq and Afghanistan have been failures for the local people, who are dying by the thousands and enduring unimaginable deprivation and pain. The continuing bellicosity from within the White House suggests that such failures have not diminished the administration’s blood-lust and penchant for military intervention. The very nature of this war means that it must continue. If there is not an enemy, one will be created. Where, then, will the war take us next?

In terms of military targets, obvious victims are Iran, Syria and North Korea. Certainly, Israeli aggression in Lebanon set the stage brilliantly for a US assault on Iran and/or Syria, both Hezbollah’s patrons. The assault on political, economic, social, and religious spheres of life is likely to continue as this manufactured *clash of fundamentalisms*<sup>6</sup> becomes more strident. While the preservation of freedom and

the extension of democracy are extolled as both the purpose and the goal of this war, they become ever more elusive.

### **An alternative future:**

As an alternative to these malevolent forces, a different conception of security is possible. It is one that requires the engagement of every person in our society. It is a different way of viewing New Zealand and its relationships with the world. In the immediate term, New Zealanders can deal effectively with terrorism by refusing to participate in it. We can take direct action against war, by refusing to serve in a military that fights wars of conquest, by refusing to work for companies that profit from bloodshed, and by creating tolerant and informed communities. As importantly, we must be determined to eliminate the intrinsic hierarchy of governments and nation-states. Fundamentally, these structures exist only to protect the power of the elite over our lives. That is the root of this perpetual violence. We must dismantle domination in our ways of being, every day.

United States vice-president Dick Cheney said that the war on terrorism could last for 50 years or more. This war without end is not a war without victims. Any war, regardless of how it is defined, has casualties. The greatest casualty now is freedom. If we don't fight for it, we can be sure that George W Bush, Helen Clark and all those with power over our lives will happily sacrifice it for us.

## Legislating Against Terror

The sensational imagery of September 11<sup>th</sup> 2001 gives rise to the notion that terrorism, in particular Islamic terrorism, started that day. In fact, the United States has been the staging ground for countless attacks by people seeking to advance one political agenda or another. Over the past 100 years in New Zealand, parliament has been passing laws intended to protect the country against terrorists. Laws such as the International Terrorism (Emergency Powers) Act of 1987 exist to “make better provision to deal with international terrorist emergencies.” This particular law was passed immediately following the 1985 bombing of the Greenpeace flagship *Rainbow Warrior* in Auckland harbour that resulted in the death of Fernando Pereira.

But it was the scenes of people jumping to their deaths amid burning rubble and the hysterical screams of passengers as flight 77 slammed into the Pentagon that cleared a wide berth for the us government to make harsh new anti-terrorism laws. In the days following September 11<sup>th</sup>, the United Nations and the New Zealand parliament took steps to respond to the us government’s demand for action.

In a state of shock, politicians from all over the world were anxious to be seen to be doing something to combat terrorism. Begin-



ning with United Nations resolution 1373 — “a comprehensive package of counter-terrorism measures to be taken by member States of the UN”<sup>1</sup> — politicians began to formulate how their own governments could best meet the legally binding obligations dictated by the United Nations Security Council.

Here in New Zealand at the time of the attack the Foreign Affairs, Defence and Trade select committee had been preparing to pass a law to be called the Terrorism Bombings and Financing Act. Its purpose was to make two of the existing United Nations conventions against terrorism part of New Zealand law.<sup>2</sup> However, in the wake of September 11<sup>th</sup>, nearly all lawmakers believed it was necessary to tack on a raft of strict new anti-terrorism measures.

On 12 September, parliamentarians from across the political spectrum endorsed a resolution condemning the attacks:

That this House records its sense of outrage at the callous acts of violence that took place in New York City, Washington DC, and Pennsylvania in the early hours of this morning, its distress at the resulting horrific loss of life and injuries, and its condemnation of the systematic acts of savagery; expresses its profound sympathy to the injured and to the families of all those who lost their lives; conveys the sincere sympathy of this Parliament and of the people of New Zealand to the people and the Government of the United States of America, for the distress and loss they are suffering; and expresses New Zealand's strong resolve to work with all other countries in the international community to stamp out terrorism and swiftly bring terrorists to justice.<sup>3</sup>

From this point forward, members of the House had very different views as to how ending terrorism would best be accomplished. Some of the comments issued in the House that day foreshadowed the particular policy positions that parties have subsequently taken in passing anti-terrorism measures.

For example, ACT party leader, Richard Prebble, suggested that the flour-bombing of Eden Park during the 1981 Springbok rugby

## AGAINST FREEDOM

tour was an act of terrorism akin to the September 11<sup>th</sup> attacks. In keeping with his usual reactionary rhetoric on law and order, Prebble declared, “We will not bow to any terrorists.”<sup>4</sup>

National party defence spokesman Lockwood Smith echoed similar vengeful sentiments, offering whatever support so that “no effort is spared in tracking down the evil bastards who planned this thing.” He then juxtaposed the people who carried out the September 11<sup>th</sup> attacks with what he called the “anarchists who smash up everything in sight as they oppose trade, trade liberalisation, and globalisation” as two sides of the same coin, opposed to global peace and security.<sup>5</sup>

Green party co-leader Rod Donald, on the other hand, expressed his horror, calling it an “undeclared war,” while cautioning against a knee-jerk response to the attacks. “Even when the perpetrators are identified — and they must be punished — we would urge restraint and insist that a rash and violent response would only increase the loss of life, especially of the innocent.”<sup>6</sup>

Reflecting on what he viewed as the roots of terrorist activity, then Alliance party MP Matt Robson said “One of the outstanding causes of violence is the collapse of good governance.”<sup>7</sup> He was specifically speaking about New Zealand’s development aid to the Pacific. His analogy between Pacific countries and Afghanistan on that day gives a clue to his later support for military intervention not only in Afghanistan but also in the Solomon Islands as part of the on-going war on terrorism.

Foreign Minister Phil Goff evoked images of a coming world war by suggesting that September 11<sup>th</sup> “will go down as a day of infamy.”<sup>8</sup> Graham Kelly, head of the Defence select committee, noted the irony in that the House was already in the process of passing anti-terrorism measures. “[W]e should think about what role we can play as a good international citizen and how we can build ... civil societies in those countries that the perpetrators of this evil deed may well have come from ... That is not easy. It is a long-term action...”<sup>9</sup>

Given that people labelled as ‘terrorists’ come from all sorts of societies, including the United States, it is difficult to make the connection between the acts of specific individuals and the lack of so-called ‘good governance’ in a particular state. Oklahoma City bomber Timothy McVeigh is a good case in point. McVeigh had been in the US Army where he received his training in explosives. His rationale for committing the bombing was too much governance, not the lack of it, on the part of the federal government.

Similarly, New Zealand’s support of the subsequent invasion of Afghanistan under the pretext of capturing those responsible for the September 11<sup>th</sup> attacks cannot be justified on the grounds that Taliban governance was bad or insufficient. As we ultimately learned, 14 of the 19 people directly involved were from Saudi Arabia.

More chilling was the response from United Future leader Peter Dunne who accepted as natural and obvious that, as a result of the event, “we will be forced to accept changes, limits to our freedom, and limits to live our lives the way we did yesterday, as we seek to remove this cancer from amongst us.”<sup>10</sup>

Against this backdrop the Foreign Affairs, Defence and Trade select committee sat down to reconsider the Terrorism (Bombings and Financing) Bill. Chairman Kelly related that there was a strong feeling among the members that the bill needed to be strengthened “to take into account the new environment we are in.”<sup>11</sup>

The committee made a decision to use the pending bill, which had already gone through its second reading, as the vehicle to give effect to the United Nations’ demands for more stringent domestic laws on terrorism in the wake of the attacks.<sup>12</sup> In most cases no substantive changes to legislation are made following a second reading, as there is no opportunity for wider comment or input.

The committee hastily addressed the demands in the United Nations resolution 1373 that required countries “to report to it within 90 days of actions they have taken or will take to implement the resolution.” These reports were due by 27 December 2001.

## AGAINST FREEDOM

Staff drafted significant and far-reaching amendments to the original bill. Changes encompassed everything from the name, now to be called the Terrorism Suppression Act, to the inclusion of a definition of terrorism and stiff new criminal penalties. All were “intended to cover gaps in New Zealand law.”<sup>13</sup>

Pressured both directly by the US and indirectly through the UN Security Council, members of the select committee felt that urgent action had to be taken. In order to move swiftly most of the members of the committee felt it was appropriate to call for private supplementary submissions on the proposed amendments from a small, handpicked group of stakeholders.<sup>14</sup>

The *New Zealand Herald* reported that “just eight organisations [were] given the chance to make submissions, and in less than a week.” The organisations were: the Council of Trade Unions, Business NZ, the Law Society, the Law Commission, the Council for Civil Liberties, Amnesty International, the Bankers’ Association and the Institute of Chartered Accountants.<sup>15</sup>

Disturbed by the sweeping powers being included in the amended bill and the abrogation of proper democratic processes, Green MP Keith Locke exposed the secretive hearings to the press in what was labelled a breach of parliamentary privilege.<sup>16</sup> Outraged at the broad changes that were being planned the Auckland and Christchurch Councils for Civil Liberties considered boycotting the submission process, saying that “they should not be stampeded into wartime measures.”<sup>17</sup> Following this furore the select committee opened up the submission process. It rejected Locke’s call for a two-month window, but allowed three weeks, and travelled to Auckland and Christchurch to hear oral submissions.

Meanwhile in the House debate raged as to the proper contribution that the government of New Zealand should make to the newly declared US war on terrorism.

The day after the World Trade Center attacks, Winston Peters questioned the wisdom of allowing the Afghani refugees, rescued by the *MV Tampa*, to be offered asylum here because he believed that



*Above* US Ambassador Charles Swindells' attempting to speak at Victoria University in Wellington immediately after the invasion of Iraq. He never delivered the speech as it was shut down by students.

they posed a security risk. In reply Jim Anderton said that it was “intolerable to link someone to suspected terrorists on the basis of his or her nationality.”<sup>18</sup>

Collective punishment is indeed illegal under international law. Yet that is precisely what the government did when it offered the New Zealand Special Air Service (NZSAS) to assist the United States in Afghanistan. It linked all 17 million people in Afghanistan with the September 11<sup>th</sup> hijackers.

The commitment of military troops to the invasion of a country was not without political cost in New Zealand. In an urgent debate and series of questions to the prime minister on 18 September, Helen Clark revealed that a range of possible contributions were on offer, including the special forces. She was not willing to go quite as far as Australia did and invoke the ANZUS treaty, a motion that was put by the ACT party. The 1951 ANZUS treaty is a security agreement between the US, Australia and New Zealand. The proposed motion was peculiar not the least because it was the United States, not New

## AGAINST FREEDOM

Zealand, that had abrogated its commitments under this treaty in 1986. At that time, the us Navy would neither confirm nor deny the presence of nuclear weapons or power on board its vessels that were seeking access to New Zealand harbours.

Green party co-leader Jeannette Fitzsimons called upon the government to act only upon a specific United Nations resolution that explicitly authorised the use of force and not to endorse a military invasion by the us. The prime minister did not agree with Fitzsimons instead preferring to follow us directives.

Clark was committed to bolstering the United States military response to the attacks in New York, Washington DC and Pennsylvania. Despite claims by the opposition that Clark was “dithering”<sup>19</sup> in her response, she never hesitated to offer intelligence services and to send military personnel to Afghanistan.

Throughout New Zealand there was an outpouring of sadness and shock at the attacks. There was also an overwhelming consensus that any response must be reasonable and consistent with international law. At an Auckland peace vigil on 17 September, local activist Jen Margaret urged that we “keep in mind that two wrongs don’t make a right.... The best hope for a de-escalation of this sort of terrorism is to try and understand the possible reasons why it is happening.”<sup>20</sup> In Wellington thousands of people converged on the streets at lunchtime on 20 September in a rally hastily arranged by two concerned mothers from Island Bay.

Operation Enduring Freedom was launched on 7 October 2001. This attack on the people of Afghanistan was ostensibly incited by the us desire to capture Osama bin Laden. Yet, there is evidence that suggests that bin Laden’s extradition to Pakistan to stand trial had been negotiated at the end of September. us ambassador to Pakistan Wendy Chamberlain was aware of the deal.<sup>21</sup> For whatever reasons, the immediate capture and prosecution of bin Laden on criminal charges did not suit Washington’s interests. The bombings began.

A debate in the House on 3 October reinforced the New Zealand commitment to the war, both overt and covert. The Labour party

and the Alliance both endorsed sending the NZSAS, justifying the deployment under Section 51 of the United Nations charter.<sup>22</sup> Jenny Shipley and Richard Prebble, staunch loyalists to the United States, moved stronger motions supporting military action. Wyatt Creech said that not supporting a military response was equivalent to doing nothing about terrorism.

Foreign affairs minister Phil Goff's comments, however, revealed that the greatest contribution that New Zealand would make would not be the troops on the ground, but rather the intelligence information supplied by the Waihopai intercept facility near Blenheim. Uncle Sam has subsequently recognised this useful contribution to the war on terrorism in a Congressional report.<sup>23</sup>

While Clark shielded her decision to send troops under the cover of the United Nations, the government refused to support an amendment that would have limited the nature of their support by proclaiming that the response was "in accordance with international law, with the objective of apprehending terrorists and bringing them to trial, not for revenge or retaliation."<sup>24</sup> Does this mean that Labour was happy to sanction a military invasion that was *not* in accordance with international law or was carried out for revenge?

The Alliance supported the amendment, which subsequently failed. Nevertheless, when the debate closed, the Alliance in concert with all of the other parties voted to send NZSAS troops to Afghanistan. Only the seven Green party MPs voted against military intervention.

This decision resulted in the great fracturing of the Alliance party. By 25 October the leader of the party, Jim Anderton, was desperately trying to defend his support for the war to party members who were deeply uncomfortable about it.<sup>25</sup> West Auckland members passed four strong resolutions at their October meeting, the most critical of these being that their members of parliament withdraw support for the motion passed on 3 October.<sup>26</sup> While this demand was watered down at the annual conference a month later, it required all members to review their support for the war.

## AGAINST FREEDOM

The turmoil within the Alliance over the war on terrorism was matched by turmoil in the Defence, Foreign Affairs and Trade select committee that was considering the Terrorism Suppression Bill. The Committee received 143 submissions on the Bill — a striking contrast to the original, to which no submissions had been made.<sup>27</sup> This level of response reveals the concern about many of the provisions in the draft, particularly given the short time frame for responses.

There was unanimous concern about the denial of basic human rights and freedoms in the draft legislation. A huge range of New Zealand society commented on the legislation, both individually and through such organisations as the New Zealand Society of Authors, Greenpeace, the Institute of Chartered Accountants, the Council for International Development, the Council of Trade Unions and the Privacy Commissioner.

The criticisms of the legislation questioned the necessity for the law — full stop — and the process being used to enact it. Particularly contentious areas of the proposed bill included the *definition* of terrorism, the *process* of designating people or organisations as terrorists, the *judicial processes* and the use of *classified* information that could not be made public.

Auckland University professor Jane Kelsey's submission was critical of Mr Goff's plan to speed the legislation, noting that it "raised serious questions of constitutional propriety ... and the bypassing of proper democratic process."<sup>28</sup> Several Auckland anarchists made the point more bluntly by proclaiming "the New York incident of September 11 seems to have had the effect of leaving governments blind to democracy..."<sup>29</sup> The New Zealand Council for Civil Liberties submission says "We are at a loss as to why this legislation needs such a massive amendment, which is clearly ill considered, and potentially draconian and possibly unworkable. Resolution 1373 and 1368 do not require it."<sup>30</sup>

A survivor of Nazism noted in her submission that "great emphasis is given to the word 'law' [but] nowhere is mentioned that the government of the day makes those laws themselves."<sup>31</sup>



Of uniform concern to all of the submitters was the definition of terrorism proposed in the original bill. The United Nations had not been able to agree on a definition of terrorism and none was included in the two resolutions relating to the attacks of September 11<sup>th</sup>.

Greenpeace offered the most comprehensive overview of the difficulty inherent in any definition of terrorism. Their submission canvassed some of the generally accepted definitions and made three critiques of the proposed New Zealand definition. Neither *violence* nor *violent crimes* were central to the definition, by including *intent* it became a very broad and ambiguous term, and the proposed list of crimes might, under some circumstances, catch non-terrorist activity.<sup>32</sup>

In the initial bill even protests and civil disobedience could be defined as terrorist activity. "I can't see how international terrorist groups can be combated by limiting free speech, dissent and peaceful protests ... Surely democracy and dissent go together like bacon and eggs," wrote one person.<sup>33</sup> Along the same lines, Aucklander David Parker noted that "it is a huge mistake to imagine that the holding of certain ideas make a crime somehow worse than it already is.... The fundamentalists will have won a huge victory if we too create categories of Thought Crime — we must resist that at all costs."<sup>34</sup>

The process by which individuals or organisations were designated as 'terrorists' also received widespread criticism. The process gives exclusive power to the prime minister in consultation with the attorney general to decide who is or is not a terrorist. Thus it is a political process rather than a judicial process and is potentially open to corruption by a prime minister "without the morals, scruples and sense of responsibility..."<sup>35</sup> Most salient is the point that "matters of innocence and guilt are usually established by the courts in this country."<sup>36</sup>

Submitters to the bill from all backgrounds expressed their concerns that support for liberation struggles such as that against the apartheid regime in South Africa, those by the Irish Republicans and

## AGAINST FREEDOM

by the Tamil Tigers would result in a 'terrorist' designation. Similarly, acts of solidarity with such groups or indeed legitimate worker struggles within New Zealand could also be classed as terrorism.

The use of classified information to make a designation, along with the provisions for a review by the court system, were two of the other areas that were widely criticised in the submissions. One submitter believed that "governance of the country was being handed over to the international intelligence network and foreign agencies, including the CIA and Mossad through this law."<sup>37</sup> Crucially, New Zealand's lack of guaranteed access to the intelligence information that the United Nations was using to designate terrorists, along with the requirement that it be accepted without questions, would leave the government in an information vacuum.

The privacy commissioner had objected strongly to the use of classified information by security agencies in an earlier law, the Immigration Amendment Act 1998, noting that it was becoming a trend to value security more highly than "cherished and long established rights." He restated these concerns more strongly in his submission and criticised the new powers extended to the police as one of the agencies with the ability to use such information. "This is a matter of concern in terms of transparency and accountability. Great care should be taken before according the New Zealand police the status of secret police."<sup>38</sup>

The provision allowing the use of classified evidence in the designation process means that once designated, the terrorist designation can only be challenged on a point of law, not on the evidence presented. If the evidence was accepted, the prime minister could designate a person as a 'terrorist,' the person had no right to see the evidence (or even a summary of it) and could not challenge that designation other than on procedural matters.

On 22 March the select committee reported back to parliament on the proposed legislation. Its report contained many changes, amendments that would satisfy some of the critics of the bill. But, for many, it remained a dangerous step towards totalitarianism.

Mr Locke lodged a minority report on the bill. It could have been called a dissenting opinion as it continued to challenge the fundamental necessity for what he described as a draconian law. He used a debate on 24 April to point out that the definition of terrorist was still so broad “as to catch many otherwise legitimate activities of New Zealanders” and that due process through the court system was still effectively being denied.<sup>39</sup> Nevertheless the committee report paved the way for its eventual passage on 8 October 2002. Aside from the Greens it had full parliamentary support.

Less than a week later a bomb ripped through a nightclub in Kuta, Bali, killing nearly 200 people, including three New Zealanders. Coming little more than a year after the 9/11 attacks, and very close to home this devastating blow in a popular New Zealand holiday spot made many members of parliament more anxious to legislate against terror.

The government had already signalled that the Terrorism Suppression Act would be complemented with other terrorism-related laws. On the eve of the long Christmas holiday, the government introduced the Counter-Terrorism Bill. It is not uncommon to have a push on the last day of the year to tidy-up loose ends, pass controversial bills and introduce new ones. That was certainly the case on 17 December 2002.

Setting the stage for the coming year, Phil Goff indicated that the NZSAs might well go back to Afghanistan. Locke asked if the United States would use nuclear weapons to attack Iraq and ACT MP Ken Shirley called for an urgent debate on a suspected terrorist who had been detained by the New Zealand Immigration Service. The request for this debate was denied because the speaker of the house Jonathan Hunt did not believe “that the detention of one possibly illegal immigrant needs to be the subject of an urgent debate.”<sup>40</sup>

The person detained was Ahmed Zaoui, whose case was soon to explode across the headlines amid allegations that the New Zealand Security Intelligence Service (NZSIS) lost crucial evidence, and suspicion that the inspector-general of Security Intelligence was openly

## AGAINST FREEDOM

biased. The Christmas holiday would come and go while Zaoui sat in solitary confinement in Paremoremo prison.

Throughout the world the dawn of New Year 2003 was filled not with joy and hope but with apprehension and anxiety about the seemingly inevitable war in Iraq. The United States administration was absolutely unmoved by rational evidence and domestic and international political pressure. The Bush administration was busily fabricating evidence of weapons of mass destruction, and manufacturing propaganda linking Iraqi leader Saddam Hussein to the 9/11 attacks to justify its case for the invasion.

Here, while Clark criticised Bush, she committed New Zealand assistance to efforts in Iraq following the war. Like our other traditional Western partners — Australia, Canada and the United Kingdom — the government wanted to stay on the right side of the us. New Zealand has always strongly supported the United Nations. Given us arrogance towards the United Nations and its failure to acquire a Security Council endorsement to provide adequate political cover from the potential fallout, Clark would not risk making a commitment of troops to the initial invasion. However, Clark's government was supporting us campaigns, albeit less obviously and with better public relations than the Australians were. The frigate *Te Kaha* had been deployed to the Gulf of Oman and air force Orions had been sent to assist in surveillance missions. Clark went to great pains to manufacture a strict delineation between the mission in Afghanistan and the mission in Iraq. The separation of these two missions was not made by the Bush administration. Without a doubt, New Zealand forces were freeing up the us military to do other things.

Media hysteria that portrayed Saddam Hussein as an evil villain with direct connections to the September 11<sup>th</sup> attacks created fertile ground for the acceptance of additional counter-terrorism measures in the us. These measures included military on the streets of major cities, armed air marshals on commercial airliners and the passage of the USA PATRIOT Act which effected draconian anti-terrorism meas-

ures and gave a free hand to the federal police and security agencies, including the CIA and FBI.

Some of these additional measures were imported into New Zealand in the form of the Counter Terrorism Bill. It was referred to the Defence, Foreign Affairs and Trade select committee on 1 April — just ten days after the start of the war. Under the guise of ratifying additional United Nations conventions specifically against plastic explosives and nuclear materials, its intention was to create a new area of law relating specifically to terrorism.

The committee received 25 submissions on the bill. Most were highly critical of the inclusion of non-terrorist offences within a law about terrorism. The committee heard from Professor Matthew Palmer, dean of the Victoria University school of law, who eloquently argued that terrorism is no different from other criminal behaviour except in its motivation. He noted that while motivation was an element to consider when sentencing a person, it should not be the basis for a new area of law.<sup>41</sup>

There were several major areas around which criticisms of the bill revolved. These included interception warrants, computer assistance orders and tracking devices. Almost without exception all submissions on these sections of the bill believed that civil liberties and privacy were being seriously compromised.

The clauses allowing intercept warrants were largely seen to give police broad powers to go fishing for evidence of crime. As the bill did not mention anything specifically related to terrorism, it could be used for any offence.

Similarly, forcing people to assist police in accessing computer data represented “a significant extension to existing police powers and a departure from established common law and statutory rights.” A person would effectively either be denied the right to avoid self-incrimination or be charged with an offence for exercising the right to remain silent.<sup>42</sup>

The Crown Law Office affirmed that some of the provisions were *prima facie* inconsistent with the New Zealand Bill of Rights. Crown

## AGAINST FREEDOM

counsel advised that the ability to track people directly “constitutes an intrusion on reasonable expectations of privacy....”<sup>43</sup> That particular official, however, believed that the value of this measure in combating terrorism justified this intrusion.

Computer programmer Stephen Blackheath of Lower Hutt prepared a cogent submission detailing precisely why this legislation was dangerous to democracy, in that it went far beyond its stated aim of deterring terrorism and, rather, greatly increased state power. He likened this gradual, but discernible, erosion of freedoms as a move towards a totalitarian state and invited the committee to carefully consider its motives in passing such a law.<sup>44</sup>

A more distressing expression of concern was sent to all of the members of the select committee after the formal submission process had closed. A senior doctor employed by the New Zealand police emailed a letter in which he said, “I am now examining my conscience to decide whether I can continue working for the police. As a private citizen, I am terrified at the potential for abuse of this power. I am devastated by the threat it poses to the property and privacy of individual law-abiding New Zealanders.... This law-to-be represents a huge step towards the establishment of a police state.”<sup>45</sup>

The debate on the Counter Terrorism Bill did not go off without a hitch. On 21 October, under urgency, the House considered splitting off many facets of the bill into separate laws. After a long night of charged debate during the second reading, curious bedfellows emerged.

In a rare marriage of ideological opponents, Stephen Franks said, “I rise for the ACT party to take the unusual step of supporting Mr Keith Locke’s warnings...” Clause 7, bringing changes to the 1961 Crimes Act, created concern for both parties. Specifically, the penalty of seven-years’ jail for merely threatening to do harm or causing significant disruption to a commercial activity or a civil administration was unduly harsh and left the law open to interpretation.

Franks argued with National MP Wayne Mapp, rightly pointing out that many things could be captured by the definition of “causing

risk to one or more people” — including the promotion of smoking. “This provision does not have an exception for proper purpose, or good faith or political debate” he concluded.<sup>46</sup>

Therefore you will not find the Counter Terrorism Act in the annual Statutes of New Zealand but its provisions are still there. The bill was split into amendments to six existing laws including the Misuse of Drugs Act, the Crimes Act, the Terrorism Suppression Act, the Security Intelligence Service Act, the Sentencing Act and the Summary Proceedings Act.

Deaf to the demands of the submitters and the New Zealand public at large, the government had more anti-terrorism legislation underway before the Counter Terrorism Bill emerged from the select committee.

The Maritime Security Bill and the Border Security Bill were introduced in 2003 and were quickly and conveniently referred to the Government Administration select committee. This committee has largely dealt with financial reviews of various government bodies and miscellaneous legislation that does not fit easily into the ambit of another select committee. It is difficult to understand why these two bills, with obvious connections to national security and international trade, were not referred to the Defence, Foreign Affairs and Trade select committee. Both laws were motivated by a desire to meet United States requirements in the wake of September 11<sup>th</sup>.

The committee’s report back to parliament on the Maritime Security Bill indicated that significant issues covering international security, trade and treaties were canvassed in this proposed legislation. New requirements under the International Convention for the Safety of Life at Sea and the International Ship and Port Facility Security Code had been pushed through by the US shortly after 9/11. Those provisions dealt with search and seizure powers, international container shipping, identification systems at ports and designation of security areas.

The Government Administration committee noted the difficulty of not actually defining the word *security* in the law. The commit-

## AGAINST FREEDOM

tee members placed that difficulty in the too-hard basket and proclaimed that the meaning of security was implicit. The word security has been defined in New Zealand law three times but those were considered inappropriate in this context. Thus the committee avoided its responsibility as law makers and left it open to later judicial interpretation.

Furthermore, the committee was comfortable in making it legal to violate the New Zealand Bill of Rights when dealing with a security incident. The report states that “we believe that the constraints imposed are necessary.”<sup>47</sup> These lawmakers are willing to err on the side of violating fundamental freedoms in order to provide security that they cannot define.

This was not the end of the terrorism agenda. Subsequently, the Telecommunications Interception Capability Bill (2002) was introduced. It requires that telephone and internet companies help in snooping on citizens. The major companies, Telecom and Clear, had only one concern: the cost of compliance. The question of privacy and civil liberties issues were hardly touched upon in the submissions to the select committee. All of the companies were supportive of the intention of the law.

In the process few voices of dissent were heard. The National Council of Women suggested that perhaps the protection of privacy was under threat. The Anti-Bases Campaign, a grassroots group working to end US listening posts in New Zealand, argued that the wording of the legislation did little to protect the privacy of a person whose emails or phone calls might inadvertently be caught up in an interception warrant. Nevertheless, no changes to protect privacy were included.

The Labour government then introduced the Identity (Citizenship and Travel Documents) Bill. The provisions of this bill include vast new powers for politicians. The minister of Internal Affairs is granted powers to refuse to issue, or to cancel, a New Zealand travel document on the grounds of national security. The minister can also



apply to the High Court, when it is sentencing a person for a terrorism related offence, to forbid the issue of a passport.

In April 2006, the Immigration Department began the process of reviewing the 1987 Immigration Act with a view towards making significant changes. Without a doubt, the review is being driven by the agenda of the war on terrorism and numerous aspects are cause for serious concern. The use of classified information, the storage and use of biometric information about applicants, the extension of powers to detain people, and the removal of all but one right of appeal, all signal the government's intention to restrict not only immigration but the ability of people to seek asylum here.

This web of new legislation is the framework of the agenda against freedom. It is a highly structured and well thought out plan to extend state power further into every New Zealander's daily life, to erode our privacy and our freedom.

The world of international terrorism may seem very far from our daily life. However, its effects are very real.

## **The First Casualty of War – Privacy**

While the events of 9/11 were changing the entire political landscape in New Zealand almost overnight, bubbling beneath the surface were the longstanding agendas of intelligence agencies that would now become a centrepiece in the government's response to terrorism. The agendas were simple: larger budgets, greater emphasis on security issues in Cabinet and increased powers. The NZSIS and police had patiently waited for an opening that would positively shift the government's attention to them. September 11<sup>th</sup> provided them with that opportunity. The first casualty of this war became our privacy.

Supporters of the war on terrorism argue that greater state powers to invade personal privacy are not only necessary but are a common good to protect everyone's freedom.<sup>1</sup> This linking of increasingly repressive and invasive state force with ideas of freedom is one of the most alarming tactics of the war. Similarly, the notion that surveillance technology is politically neutral, natural and inevitable is a potent myth propagated by those in power who are intent on retaining it.

New technology, when used to watch, listen and record both personal events and public spaces, makes surveillance almost undetectable. The events of September 11<sup>th</sup> provided an opportunity for

quickly manifested new laws to further erode of individual privacy. This chapter outlines the moves towards greater state surveillance: which agencies are charged with conducting that surveillance, the tools they are using to do it, and who uses the 'intelligence' they gather.

A great majority of people in New Zealand are under the impression that we have a right to a certain degree of privacy. What happens to that right when the country is at war? Does privacy enjoy some particular boundaries that cannot be breached even in wartime? To what extent will the New Zealand government use the ruse that they are keeping us 'safe from terrorists' in order to further invade our privacy? Certainly in the aftermath of September 11<sup>th</sup> the New Zealand government said it needed to have far greater access to the intimate details of our lives in order to avert a terrorist attack. "Post-September 11 and 'the Bali tragedy' there was an understanding by politicians of the importance of security issues," said one director of a New Zealand intelligence agency.<sup>2</sup>

Under New Zealand law you do have a right to privacy. The Privacy Act of 1992 theoretically places limits on the government's right to collect and keep information about you. The fourth of the *Privacy principles* provides assurances that personal information collected by an agency shall not be collected by unlawful means.<sup>3</sup>

Privacy is certainly not absolute in Western liberal countries, however. The argument for the invasion of privacy by the state is that in order for it to operate effectively it must know something about the people that it serves. If you accept that argument then the extent of the invasion of your privacy is merely a matter of negotiation. An alternative notion is that governments actually collect information not in order that they may better serve their citizens, but rather that they may better control them. The stealthy movement towards total surveillance by state agencies certainly lends credence to this idea. Regardless of how you conceptualise the role of the state vis-à-vis personal privacy, the ramifications of data collection are the same: the state has vast stores of information about all of us.

## AGAINST FREEDOM

Despite this, most of us are not terribly worried about a few of our details being recorded in a computer database. We willingly sign up for Fly-buy points, we complete entry forms at the grocery store for free prizes and pass our credit card numbers over the phone to the pizza takeaway. The state collects information about us every day, including the amount of our pay cheques, our health histories — after a visit to the emergency room or a cervical smear — and our car registrations, just to name a few.

Are there limits to this data collection? How much information does the government hold about you and what can they do with it? Who gets to decide?

Under the guise of improved security prompted by 9/11, privacy is being eroded in increasingly dramatic ways through new counter-terrorism laws, greater police and intelligence powers and advances in surveillance technologies. Together, these laws, powers and technologies form an impressive arsenal for the counter-terrorism initiative the government wages in the name of so-called ‘security.’

The agenda of this part in the anti-terrorism campaign includes the further extension of the state into your private life. Why? Put simply, if the government knows its citizens intimately — by collecting statistics about the whole population and about individual citizens — it has greater power to control them. Knowledge is power.

The tension between personal privacy and the state’s desire for information is ancient. The data collection technology, however, is relatively recent. Fingerprints, ID cards, data matching and other privacy invasion schemes were originally used on populations with little political power, such as welfare recipients, immigrants, criminals and members of the military. Subsequently it was applied to groups higher up the socioeconomic ladder. Once in place, the practices are difficult to remove and inevitably expand into more general use.<sup>4</sup>

With little public debate or understanding, two laws were passed in late 2003 and early 2004 that significantly changed the parameters of state involvement in your life. The first of these was the Crimes Amendment Act (No. 6) along with Supplementary Order

Paper 85 (sop 85). The second was the Telecommunications (Interception Capability) Act.

Prior to 9/11, security and intelligence issues in New Zealand were very far down the political agenda. A restructuring of the defence force eliminated air combat capability that was deemed extraneous. The emphasis was shifted to participation in international peacekeeping efforts and protection of the country's exclusive economic zone that extends more than 300 kilometres off the coast. The physical isolation of the country meant the government was far more engaged in hyperactive trade negotiations at the behest of multinational corporations and in dampening the demands of its citizens for decent healthcare, free education, and sustainable welfare than on fighting global terrorism. As a result, the arrival of the Crimes Amendment Act (No. 6) and the subsequent sop 85 to the parliamentary select committee stage had taken years. Given the events of 9/11 and the subsequent expansion of electronic communication, the timing seemed prophetic.

The media labelled this amendment to the Crimes Act as an anti-hacking law — in effect, a law intended to stop the unauthorised access of communications. The implications for the security and intelligence community could have been significantly limiting. However, the sop provided a specific exemption for intelligence agencies including the NZSIS, the Government Communications Security Bureau (GCSB) and 'law enforcement agencies,' such as the police.<sup>5</sup>

The Act also amended the definitions of 'private communication' to extend it to e-mail, faxes and pagers, not just oral communication as had previously been the case. The term 'listening device' was changed to 'interception device' and the definition of 'intercept' was broadened to recognise the range of technology that might be used to facilitate an interception of a private communication.

It is worth noting that the Law and Order select committee reported that it was *current NZSIS policy* to comply with *Privacy principle 9*, e.g. that government agencies were not to keep information longer than necessary for the purpose it was collected. The wording

## AGAINST FREEDOM

of this report suggests that NZSIS picks and chooses which of the *Privacy principles* it wishes to comply with and when it wishes to do so.

It is peculiar that the select committee did not view this Act as an expansion of surveillance powers since the privacy commissioner had warned more than five years earlier that greater transparency in the NZSIS process of obtaining an interception warrant was essential to protecting the rights of New Zealanders.<sup>6</sup> This Act was a useful tool to consolidate the power of the intelligence community, as it provided greater clarity on how far they could legally violate your privacy.

The passage of the Telecommunications (Interception Capability) Act then further smoothed the way for the government to access electronic information by removing technical barriers that could impede their ability to hack into your computer system. Internet Service Providers (ISPs) — those companies that provide you with dial-up or broadband access to the internet and email — were saddled with a ‘duty to assist’ in the legal execution of a search warrant, including providing encryption keys.

The Law and Order select committee report emphatically stated that the “bill does not change or extend in any way the existing powers of surveillance agencies to intercept communications.”<sup>7</sup> This statement was either naïve or intentionally misleading. New telecommunications technology has, of course, fundamentally changed the way that we communicate. As one researcher noted, “the potential to intercept all of someone’s electronic data in 2003 is a much, much larger intrusion into somebody’s life than it was to intercept all of somebody’s electronic data and communications 25 years ago.”<sup>8</sup> In other words, the data available from modern communications technology has the potential to provide far more than just the content of your communications. It can pinpoint your location and the location of the recipient, for example. The law provided a technical means for amassing detailed surveillance without the necessity for broadening the legal right to do so.

## Who is acting on these new powers?

There are four agencies that are primarily concerned with the operational side of intelligence and information gathering. These are the GCSB, the NZSIS, Defence Force Intelligence and Security (DFIS) and the newly created Police Strategic Intelligence Unit (SIU). These agencies form the core of the security-intelligence complex, each covering a different aspect or sphere of information.

For years the NZSIS, GCSB and defence forces have been at the bottom of budget priority lists for both National- and Labour-led governments. The splendid isolation of the country in geographical terms means a traditional attack or invasion is extremely unlikely.

Like their counterparts overseas, security agencies have struggled to find a role in the post-cold war era. In the early 1990s defence and intelligence experts actually predicted a downsizing of the US military as the red menace of communism faded into history. Threatened with obsolescence, these agencies seized upon the war on terrorism with fervour because it provided an excellent new purpose. Not only would this war provide a fresh reason to exist — and require an injection of money — it would continue to do so, as the threat of terrorism was continually redefined as the ‘war without end.’

Revitalised by the threat of a new enemy, the security and police forces have sought to strengthen their traditional spheres of operation. The first of these agencies is perhaps the least known. The GCSB focuses on signals and communications intelligence. Since 9/11, the GCSB has grown to a staff of 303. In 2005 it received a substantial budget increase from \$30 to \$38 million.

The existence of this highly secretive agency was completely unknown to the New Zealand public, and Prime Minister Muldoon had little idea of its true function when it was established in 1977. It took the courage of several agents within the organisation and the work of researcher, Nicky Hager, to reveal the agency’s work to the world in a book called *Secret Power*. It was here that the existence of the five-member spy-network UKUSA — that includes not only the United Kingdom and the United States but also Canada, Australia

## AGAINST FREEDOM

and New Zealand — was exposed and the ECHELON network data-gathering methods revealed.

The GCSB is one spoke of this global communications network. Each station in the ECHELON network has computers that automatically search millions of intercepted messages for those containing pre-programmed keywords or fax, telex and email addresses. For the frequencies and channels selected at a station, every word of every message is automatically searched.<sup>9</sup> Interception, however, does not stop with digital satellite communications. Land-based communications, like our standard home telephones, are monitored by intercepting the microwave transmitters.<sup>10</sup>

There is significant evidence that the GCSB is dominated by the US National Security Agency. A glance at the GCSB job vacancies for linguists demonstrates a predominant interest in speakers of Farsi, Arabic and Hindi, not Fijian, Samoan, Tongan, French or even Chinese, as might seem logical given New Zealand's location and political sphere of influence. It seems clear that the GCSB is serving not only the so-called 'national interests' of New Zealand, but those of the other UKUSA nations, specifically the United States.

The GCSB has regular internal clients that include the Department of Prime Minister and Cabinet and the Ministry of Foreign Affairs and Trade. These are in addition to the foreign consumers of their 'product,' who are the secret intelligence agencies of the other member countries.

Curiously, the exemption from anti-hacking legislation had little impact on the GCSB. It is, after all, ostensibly engaged in surveillance of foreigners. As noted in one legislative submission, "the satellite interception capabilities of the Waihopai base already allow virtually complete and unaccountable interception of emails, faxes, telephone calls, and data transfers transmitted by satellite."<sup>11</sup>

As the GCSB data-gathering practices had been surreptitiously and successfully integrated within the five-nation ECHELON network since 1977, there was no agency interest in drawing attention to itself vis-à-vis the anti-hacking legislation. As security expert Bruce



Schneier observed, “intelligence organizations are high risk and publicity-averse.”<sup>12</sup> The GCSB terms of reference, coupled with a non-existent definition in any publicly available document of what ‘foreign’ actually means, indicates that in practice the agency operates with impunity.

The second agency, the NZSIS, is a primary recipient of the new powers accorded in the wake of September 11<sup>th</sup>. It is responsible for amassing and analysing information for domestic purposes. After years of being ignored by governments uninterested in military and intelligence matters, the NZSIS saw the opportunity of re-fashioning its role into being leaders of the war on terrorism, and were rewarded.

Immediately prior to September 11<sup>th</sup> the NZSIS annual report indicates that this was an organisation in crisis: they started the year with 115 staff and ended with only 100. The agency actually underspent its budget in the area of security intelligence. At the time, the service’s annual budget was \$11.5 million.<sup>13</sup> By comparison, three years later director Richard Wood’s 2004 report put international terrorism as the single greatest threat. He then extracted an additional \$6 million funding from government and filled 25 new positions within the agency.<sup>14</sup>

The director of the NZSIS has the legislative authority to decide what intelligence will be collected and to whom it will be communicated.<sup>15</sup> This is a tremendous power, particularly as parliament’s oversight of the NZSIS is largely limited to administrative and financial matters. Operational matters are beyond its scope.

The NZSIS director for all intents and purposes operates outside of scrutiny. While this theoretically should have been mitigated by the establishment of the inspector-general of the NZSIS, as the Ahmed Zaoui case all too poignantly illustrated, this position does little more than reinforce the agency’s power rather than provide safeguards against the abuse of it. In its annual report the service explicitly stated that international terrorism continued to be its main preoccupation during 2003–04, as it had been in recent years.<sup>16</sup>

## AGAINST FREEDOM

The defence force has also seized upon the war on terrorism to expand its roles and budget. Defence Force Intelligence and Security (DFIS) provides military intelligence. It has agents based in New Zealand embassies around the world, and in the United Nations. Along with intelligence work, it ensures the security of NZDF personnel, resources and facilities. They would be likely consumers of information generated by the GCSB and the NZSIS, although they have both the technology and expertise to gather their own intelligence.

At the vanguard of the war on terrorism, members of this unit are currently based at Bagram Air Force Base in Afghanistan and at US Central Command (CENTCOM) in Florida. There, they share a close relationship with US military intelligence and enjoy access to US military decision-makers. Military attachés at a number of New Zealand embassies and high commissions are also feeding back intelligence of various types.

This is the side of the New Zealand defence force kept carefully out of public view while a concerted campaign of nationalist propaganda is waged. The defence force has carefully spin-doctored its so-called 'humanitarian deployments' to Afghanistan. Their media team has been anxious to tell the nation about its great work sending provincial reconstruction teams (PRTs) to assist in a wide variety of work, including building infrastructure, training, and election education and monitoring. There is, however, stunning silence on both the well-documented and widespread torture at Bagram Air Force Base and on the repeated deployment of the Special Air Service (NZSAS) to assist in combat missions that have involved the death of civilians. The commendation of NZSAS soldiers for their work in Afghanistan by George W Bush was not a matter widely publicised. The defence force did not want undue scrutiny of its real activities in Afghanistan.

The commendation by Bush, in December 2004, highlighted the nature of the NZSAS involvement. Their combat missions under the control of US forces included "quick strikes, raids, ambushes, direct assaults, attacks from the air, ground and sea, guiding pre-

cision weaponry, conducting independent sabotage, and anti-ship operations.”<sup>17</sup> This side of the war on terrorism is much less visible to the public than the nicely presented PRTs with their well-publicised missions of goodwill.

“The popular perception of the armed forces is of concern and recruiters are looking at ways to improve their image” notes the 2004 Financial Review of the NZDF. Framing defence force troop deployments as humanitarian relief efforts ensures that public endorsement has been secured and that their image is enhanced. This public-relations spin on the missions to Iraq and Afghanistan is nearly impossible to counter. Language creates powerfully positive images. Meanwhile, its intelligence collection goes on virtually undetected.

Not wanting to be left out of the spoils of war, the New Zealand police have carved out an expanded role and secured significant new funding. The police have responsibility for developing a National Security Strategy and leading the Joint Intelligence Group. The development of both of these initiatives has been driven specifically by 9/11. The Joint Intelligence Group, comprising a range of government agencies headed by the police, has the ability to share information in times of a security threat. Who gets to define this potential threat is one of the most compelling questions. During a ‘terrorist incident’ it is the Joint Intelligence Group that coordinates the flow of intelligence. The New Zealand police declined to release information under the Official Information Act (OIA) outlining how, when or what volume of agency specific information can be shared. As importantly, the police declined another OIA request for any details of the National Security Strategy, including a definition of the threat that would enable these agencies to share information.

Their specific contribution to the security-intelligence complex is the Police Strategic Intelligence Unit (SIU). Through it, the New Zealand police force is now in a central role as intelligence gatherer relating to internal security threats. In 2003 the agency received an additional \$2.5 million to increase its intelligence infrastructure through the establishment of this unit. In 2006 the development of

## AGAINST FREEDOM

the Police National Security Strategy defined a role for it that “goes much wider than traditional policing activity.”<sup>18</sup> This is part of an international trend to extend police powers into quasi-military roles.

Together, the technical ability provided by the Telecommunications (Interception Capability) Act, coupled with the legal extensions provided in the Terrorism Suppression Act and the exemption provided under the Crimes Amendment Act (No. 6), have given broad powers to the security and intelligence agencies to spy. The express purpose of the supplementary order paper appended to the Crimes Act in 2003 was to clarify the ability of the NZSIS, GCSB and other intelligence-gathering agencies to conduct surveillance.

The puzzle fits together as follows: the GCSB captures civilian interceptions, Defence Intelligence does foreign military intelligence, the NZSIS primarily gathers domestic intelligence and police do domestic intelligence and enforcement. It is worth bearing in mind that the primary role of both the GCSB and the NZSIS is to keep the information flowing. They do this by keeping their informants *alive* and *well*, not by apprehending terrorists. They have a stake in keeping their sources fully operational rather than in enforcing laws.

In addition, there are other peripheral players collecting information as part of the security-intelligence complex. These include: the Customs Service, the External Assessments Bureau that make their own assessments of intelligence (part of the Department of Prime Minister and Cabinet), the Ministry of Agriculture and Forestry, the Maritime Safety Authority, the Immigration Service, Foreign Affairs and Trade, Fisheries, the Civil Aviation Authority, Aviation Security Service, Land Transport Safety Authority and the Ministry of Health — these agencies form the broad network identified in the government’s plan to “manage threats to national security.”<sup>19</sup>

### How do they watch?

David Banisar, editor of *Covert Action Quarterly*, classifies the new technologies available into three categories: surveillance, identification and networking.<sup>20</sup> Unlike the old fashioned gumshoe detective

who required dogged determination to follow his target, making notes and taking photographs, the combination of these new technologies allows for widespread surveillance of large segments of the population simultaneously.

### *Surveillance technology:*

Significant budget increases for both police and intelligence agencies has permitted the upgrade of their inventory of watching and listening devices and the acquisition of advanced technology including audio bugging, video surveillance, face and voice recognition software and satellite surveillance devices. The term 'dataveillance' has been coined to describe the systematic monitoring of people's behaviours or communications through the application of information technology.<sup>21</sup> Included in this definition is a broad array of tools including internet cookies, spam and spyware, digital signatures, biometrics and chip-based identification among others.

Currently New Zealand intelligence agencies' tools include items such as parabolic microphones that can monitor a conversation up to a kilometre away, and vehicle recognition systems that can identify a car license plate and track a car around the city using smart geographic information systems (GIS). A new surveillance vehicle was on the list of purchases for the NZSIS in its 2003 budget, although its particular capabilities remain unknown.<sup>22</sup>

The surveillance possible with simple adaptations to everyday household and office tools is the most far-reaching and invasive, and therefore the most alarming intrusion. For example an ordinary laptop computer can be adapted to tune in to all the mobile phones in the area. The modern telephone system, by its very design, can serve as a tapping device as the protocols it uses can "take phones off hook and listen to conversations occurring near the phone, without the user being aware that it is happening."<sup>23</sup> Spyware software performs certain tasks on your computer, without your knowledge. This may include bombarding you with advertising or collecting personal information about you and what you do on the computer for the benefit of agents anywhere in the world.

## AGAINST FREEDOM

Delegates at a February 2005 criminology conference in Wellington were told that New Zealand police might not need a warrant to use a computer keystroke-recording device to intercept email or other internet communication.<sup>24</sup> Certainly this technology is readily available and how far police can go has yet to be tested in the courts.

### *Identification technology:*

Some surveillance tools are combined with identification technologies to provide concise personal profiles. These latest innovations are broadly called biometric technologies.

Biometrics is the identification or verification of someone's identity on the basis of physiological or behavioural characteristics. The science involves comparing a previously captured unique characteristic of a person to a new sample usually, but not always, provided by the person. The most popular forms of biometric ID are fingerprints, retina or iris scans, hand geometry, voice recognition, DNA and digitised (electronically stored) characteristic-images. The most controversial form of biometrics — DNA identification — is benefiting from new scanning technology that can automatically match DNA samples against a large database in minutes.<sup>25</sup>

In New Zealand the police have been actively collecting human DNA samples. Some 50 000 people have either voluntarily or compulsorily given their genetic material to be held by the police indefinitely. Changes to the Crimes Act and the Criminal Investigations (Bodily Samples) Amendment Act in 2002 gave police the powers to compel people to give samples for a variety of offences, including minor acts such as burglary.

Closed-circuit television systems (CCTV) used by both public entities (such as local councils and police) and private firms in Auckland and Wellington are becoming common. "We have a fantastic ability to track people with great clarity," Auckland Heart of the City chief executive Alex Swney said.<sup>26</sup> There is no accurate count of CCTV monitors nor is there a requirement to warn people that they are being watched, even when they are in a public space. Neither is there

any control of how they are used or by whom. Mr Swney went on to say that central Auckland was 'exceptionally well-monitored' by 49 CCTV cameras installed two years ago in a joint venture between his organisation, the police and the Auckland City Council at a cost of \$650 000. There are an estimated 500 private security cameras operating in Auckland's CBD.<sup>27</sup>

### *Networking technologies:*

The combination of sophisticated surveillance and identification tools enables the collection of a vast array of personal private data. It is the data-matching techniques, however, that allow it all to be synthesised into a coherent picture. Networking, through shared databases, protocols and agreements, is on the rise. The result is that a disturbingly intimate profile of you can easily be assembled.

Imagine the range of information available about you in government agencies: birth, marriage, whakapapa and other family details; medical conditions, travel itineraries, car registration, arrests, academic transcripts, loan details, employment histories, mortgage, housing and rental information. These are just the bits that are routinely and legally collected from nearly every citizen.

The ability of government agencies to share information was limited in the past. Now, however, many of those barriers have been broken down based on the argument that the information is needed for the efficient running of the government. Thus with impunity agencies can engage in what is known as data-matching.

This could involve, for example, putting together details of your current court fines and the social-benefits you receive. The National Data Match Centre (NDMC) is a unit within Benefit Control (part of Work and Income New Zealand) that specialises in information matching between the Ministry of Social Development and other government agencies including Inland Revenue, the Customs Service and the Department of Internal Affairs.<sup>28</sup>

More sinister, however, is the matching of private information such as your detailed telephone bill with, for example, your application for a visa. This should be protected under the Privacy Act.

## AGAINST FREEDOM

But hysteria about terrorist threats has resulted in vast quantities of personal information, particularly relating to travel, being legally collected by the government directly and indirectly by the airlines. Terrorism-driven security measures such as the advanced passenger processing (APP) system, have facilitated far greater corporate-government information sharing.

Government moves towards outsourcing information gathering, surveillance and compliance to private companies effectively ensures a strengthening of the marriage between state and corporate interests. By blurring these lines, it compounds the difficulty in discerning where public property ends and private property begins.

The current catch-phrase 'whole-of-government approach' accurately describes the intelligence and information gathering of a vast store of private data by means of networking. Meanwhile, this so-called 'seamless delivery' of government services and benefits is being sold to citizens under the guise of improved efficiency. While the situation does not yet resemble the Orwellian Ministry of Information, amendments to some agencies' principle Acts (the act of parliament that created them) give them far greater power to share information, particularly in times of a potential threat.

We are left with no choice but to trust them to decide when there is an emergency and how much power they should have to violate our privacy during such an event.

### **So who are the likely targets for all of this surveillance?**

Of course, the GCSB and the NZSIS are not pursuing every email that mentions the near universal desire to kill George W Bush. Rather, the agencies focus on identifiable and often vulnerable targets such as political dissidents and activists, minorities and migrant communities. The effects on these communities have been palpable since September 11<sup>th</sup>, 2001. These people and the impact of the war agenda on them are the subjects of later chapters.

New Zealand is not unique in funding and facilitating increased surveillance and invasion of privacy. It is a global trend. In the rash



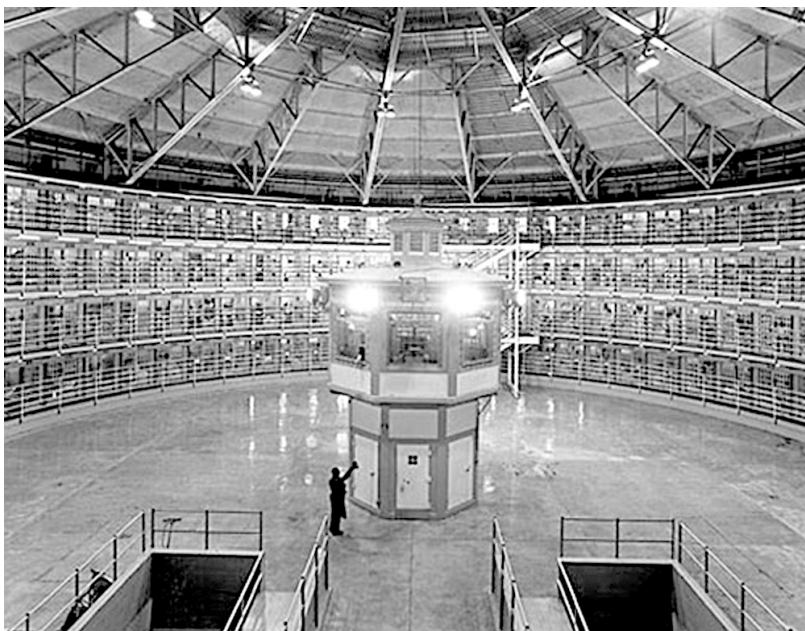
of terrorism-hysteria it would be easy to make the assumption that it is necessary for the government to have lots of information in order to do the work that it needs to do. But is this really the case? We need to be asking: does the government really want to increase efficiency in the delivery of services and prevent international terrorism, or is it seeking greater power and control over our lives?

### **The panopticon effect**

In the late 1700s, Englishman Jeremy Bentham designed a prison called a panopticon (from the words *pan* meaning all or completely and *optic* of vision or the eye). This prison was a ring of cells built around a central watchtower. The idea was that the cells were built in such a way that no prisoner could see what any other prisoner was doing, nor could he see if the prison guard was watching him. For that matter he couldn't even see if there actually was a guard in the watchtower at all.

The theory of the panopticon is that if we believe that we are under surveillance, even if we cannot see who or what is watching us, we will behave as if we are being watched. The panopticon was intended to be an effective control technique for prisoners: few guards would be needed if prisoners modified their own behaviour rather than having to be forced to behave.

Bentham's panopticon was never built, but his idea of potential surveillance as a means to create self-discipline has been used in later prison design and has since spread throughout many aspects of social life. Indeed, the trend towards surveillance of all aspects of modern life is, in one sense, creating a global panopticon. The regimes of both China and the USSR (Russia) built a vast surveillance society using all three of the techniques of surveillance, identification and networking. The reality of early morning visits by the secret police — torture and imprisonment — meant widespread fear of the state, one's neighbours, friends, and even children. Today the citizens of both countries continue to behave as if they are being watched. By modifying not only their behaviour but also their thoughts, ideas



and words, they commit the ultimate act of self-censorship.

While it is difficult to reconcile the relative freedom available in New Zealand with the likes of totalitarian China, it is important to see that, in fact, the difference is only a matter of degree. What's more, the technology available today far exceeds anything used at the height of the cold war.

A good example is the use of vehicle recognition software. In China, state authorities used this type of technology to identify people involved in the 1989 Tiananmen Square demonstrations. People's images were broadcast over state television and rewards were offered for information on their identities and location. In London this system was originally used as a traffic management system. Now, however, it is part of the 'ring of steel' around the city to identify all vehicles entering or leaving the city on a specific day and as a secu-

*Above* The panopticon creates conditions of constant surveillance such that people modify their behaviour of their own accord.

rity measure intended to help identify terrorists.<sup>29</sup> In New Zealand police ticket speeding cars using this same system. Few people would argue that we tend to regulate our speeding when we know one of these cameras is around. It requires little imagination to see one use of this technology extended to the other.

In a liberal democracy, privacy is not absolute. It is a negotiable right, one which the state acquiesces to in varying degrees depending on the perceived threats to its survival. The war on terrorism has provided the New Zealand government with a convenient opportunity to expand its powers to infringe upon our privacy. This has been significantly enhanced by newly available technologies. Since 9/11, the Crimes Amendment Act and the Telecommunications (Interception Capability) Act have greatly widened the state's legal rights to spy on us and to compel others to do so. The expanded budgets and newly defined roles of the security-intelligence agencies and police simultaneously gives them greater power, clearer focus, and broader scope for their work. The surveillance, identification and networking technologies in wide use by the state and private enterprise, coupled with the almost complete lack of public knowledge or accountability, mean that we live under constant watch. Big Brother would be proud.

## **The Second Casualty of War – Refugees and Migrants**

Every year thousands of people arrive in New Zealand as immigrants, as refugees, and as asylum seekers. Most enter through our airports because our remoteness discourages travel by boat.

The war on terrorism is having a significant global impact on refugees and migrants, as well as on the way we perceive such people in our society. The war agenda includes:

- demonising refugees and migrants as terrorists;
- conducting secret trials of asylum seekers;
- enacting strict new citizenship laws; and,
- limiting the public scrutiny of all security and intelligence agencies.

This chapter will explore these trends and detail some personal experiences of individuals who have been negatively impacted by this war.

There is great diversity in the people who come to call this land home. The population has changed significantly since 1840 when it was nearly 100 per cent Māori. At the turn of the 20<sup>th</sup> century it consisted largely of English and Scottish migrants. Today, growing Asian and African populations live alongside Polynesian, Afghani and Chilean neighbours in Auckland. To a lesser extent this diversity is apparent in all of New Zealand's larger population centres.

In coming here most people are seeking the same things that we all seek: a better life, a safe and comfortable home and an opportunity to participate as a citizen in a peaceful and democratic country. New Zealand's reputation as the first place to grant women the vote, a perception of amicable race relations, and the beautiful landscape lure many to these shores.

Yet there is another reason why some come to New Zealand. It is one of only a handful of world nations that has a refugee quota. What this means is that every year the New Zealand government accepts 750 refugees who have the option of becoming citizens. Unlike Pakistan, where millions of refugees from Afghanistan have fled, or Jordan where generations of Palestinians have lived out their lives in camps, this select group of people are welcomed into New Zealand and given some of the opportunities and tools necessary to participate in our society.

For both the refugees and for New Zealand as a whole this regular influx of new people is enormously beneficial. While the greatest numbers of new arrivals still come from places like the UK and Australia, the injection of Croat, Korean, South African, Russian, Iraqi and Afghani people has made New Zealand a multi-cultural place.

The refugees who come to New Zealand have often endured years of hardship and persecution. They have successfully negotiated a difficult process — being recognised by the United Nations as eligible for resettlement.

But what about the people who cannot wait? The people who are in imminent danger of assassination, of torture, or of being 'disappeared'? For these people, often the only option is to enter a country and seek asylum. In some cases they might enter on a tourist visa. They might try to enter illegally with a stolen passport or no passport at all or with a false passport if they can afford the documents.

Before September 11<sup>th</sup> the New Zealand government's approach to refugees and asylum seekers was often racist and discriminatory towards non-whites. Today, New Zealand's participation in the war

## AGAINST FREEDOM

on terrorism presents a new excuse for the same old policies, although they are not quite as xenophobic as our Australian neighbours.

Immediately before the attacks on the Twin Towers and the Pentagon, a small wooden ship carrying Iraqi and Afghani refugees left Indonesia, hoping to reach Australia and safety. The ship was not seaworthy and began to sink en route. The 433 passengers rescued by the Norwegian freighter *MV Tampa* in Australian waters were largely women, teenagers and children. They had travelled thousands of miles and had paid, in most cases, all of their life savings, in order to flee the repressive regimes of Afghanistan and Iraq. Given the documented persecution in both countries it is hardly surprising that people would be willing to risk their lives and their last remaining possessions in order to get to a safe place. They thought that place was Australia.

John Howard's racist government, however, refused to allow the refugees to land. Instead, it kept them adrift near Christmas Island in a bid to keep them off Australian soil and so unable to apply for asylum. This continued for more than a week. By that time an election-year war had broken out between incumbent prime minister John Howard and Labor party leader Kim Beazley. The pivotal issue was the fate of the *MV Tampa* refugees and the navy's practice of forcibly removing vessels from Australian waters, even when it was clear that they were not seaworthy, as it had been doing over the intervening weeks.

Howard's immigration minister Philip Ruddock made the outrageous claim that sparked a response across the political spectrum. "All we know is that children were thrown in [the sea]," he stated, citing reports from the military. He actually said that the refugees on board one boat were throwing their children into the sea in an effort to secure asylum for them and thereby intentionally evading the Australian government and the Australian navy. The prime minister then compared these refugees to terrorists saying, "you don't know who's coming and you don't know whether they do have terrorist links or not."<sup>1</sup> This highly effective propaganda enhanced Howard's

reputation as tough on terrorism and immigration, and ensured his re-election. The 'children overboard' incident had no basis in fact, yet Howard continued to claim its truth in a speech to the National Press Club 48 hours before the Australian Federal election and days from the start of the bombing of Afghanistan.<sup>2</sup>

Howard's *Pacific Solution* was very convenient. Most of the boat people would go to the desolate island of Nauru in exchange for an injection of \$20 million by the Australian government into that desperately poor nation's budget — 'out of sight, out of mind.' Australia agreed to take responsibility for all costs associated with accommodating the refugees. The largest portion of the 433 boat people did go to Nauru. Later about 125 people were accepted by New Zealand, a good way for Howard to further shift more of his political burden.

It was easy work to portray these people as potential terrorists. In the days immediately after 9/11, the media hysteria fuelled by racist governmental policies cemented the stereotype of Muslim extremists in the minds of many Australians and New Zealanders.

The refugees from the *MV Tampa* were not welcomed with entirely open arms in New Zealand either. Then leader of the National party Jenny Shipley said, "we don't know whether these people are genuine refugees, economic refugees or criminals."<sup>3</sup> In a parliamentary attack on the Labour party, she compared the acceptance of these refugees to the granting of residency to the former Foreign Minister of Afghanistan, Najibullah Lafraie who she claimed was a terrorist. Certainly there is credible evidence that Lafraie is a terrorist,<sup>4</sup> despite him having dined with Australian cabinet ministers and having been recognised as a bona fide refugee by the UN. There was no such evidence regarding the many desperate refugees aboard the *MV Tampa*, however.

Both the ACT party and New Zealand First cashed in on the populist demagoguery by backing Shipley's analogy and calling the refugees 'queue-jumpers.'

## AGAINST FREEDOM

After torturous travel over land and sea, the people aboard the *MV Tampa* accepted by New Zealand were put into the Mangere Refugee Resettlement Centre for a period of nearly five months. While this centre is considered by some as more of an 'open facility' rather than a detention centre, it is, nevertheless, a place where the immigration service holds people against their will pending processing.

The perception of a terrorist threat has profoundly changed the reception extended to new arrivals. This is particularly true of those who, in language, religion, behaviour or appearance, are deemed *risky* because they call to the minds of some people the terrorist stereotype. Prior to September 11<sup>th</sup> only about 5 per cent of refugees coming into the country were detained at Mangere. Now, about 95 per cent of refugees are held there for a minimum of six weeks.

New detention instructions issued by the general manager of the New Zealand Immigration Service on 19 September 2001 mean that nearly all refugees and asylum seekers are either jailed or held at Mangere.<sup>5</sup> The instruction concerned the "exercise of discretion pursuant to Section 128(5) ... to detain persons who have claimed refugee status."<sup>6</sup> The Human Rights Foundation challenged these operating procedures, noting "that there remains no specific provision in the Immigration Act for detaining refugee status claimants while their claims are processed."<sup>7</sup> The case went all the way to the Court of Appeal where the foundation's argument was rejected. This was despite damning documentation about New Zealand's treatment of asylum seekers including the detention of children, lack of access to lawyers, and extended questioning without food or rest by both police and immigration service officials. Many people in New Zealand are under the false impression that the imprisonment of Ahmed Zaoui was unusual but, since 9/11 nearly 80 asylum seekers have been detained in Auckland Central Remand Prison where they have been treated as common criminals, often suffering abuse at the hands of other inmates.<sup>8</sup>

These procedures came into effect just days after 9/11 and in the midst of the *MV Tampa* incident. Fundamentally altering both the le-



gal treatment and the public perception of refugees, these detention instructions still stand.

The United Nations Committee Against Torture noted in its 2004 report on New Zealand that it had serious concerns about the government's use of solitary confinement in prison for refugees because it breaches the Convention against Torture.<sup>9</sup>

### **The case of Ahmed Zaoui**

One who was not held at Mangere was Ahmed Zaoui, an Algerian politician, who arrived in New Zealand at the end of 2002 on a false South African passport. Zaoui's story began with his arrival at Auckland International Airport, where he was held and questioned by the NZSIS for seven hours. After that he was placed in solitary confinement in Paremoremo prison.

Zaoui had requested asylum in New Zealand; he feared for his life should he be forced to return to Algeria. Because he was a political leader, opposed to the ruling undemocratic regime, he had reason to worry. Late in 2002 the Refugee Status Appeals Authority heard his case and it was accepted as *bona fide*. In March 2003 he was granted refugee status.

At the same time, the NZSIS issued a security-risk certificate under the Immigration Act of 1999 that allowed the minister to override his refugee determination. This was the first ever issue of such a certificate.

The events that followed are a twisted tale of security-service secrecy, government ineptitude and the power of people committed to challenging the system in the face of widespread scaremongering about terrorists.

Under the Immigration Act, the validity of a security-risk certificate is reviewed by the inspector-general of Intelligence and Security, who subsequently makes a recommendation to the minister of immigration regarding the person's status. Unlike in any other judicial-review process, Zaoui had no right of access to the evidence against him. He was trying to defend himself in a vacuum, with no idea of

## AGAINST FREEDOM

his alleged crimes or actions. The NZSIS would not even give him a summary of the evidence, declaring that disclosure of classified information compromised security methods and sources.

Zaoui's two lawyers, Deborah Manning and Rodney Harrison, sought a judicial review by the High Court seeking redress of the inspector-general's findings. They argued that Zaoui's human rights had to be taken into account in the inspector-general's review of the security-risk certificate. They also demanded a summary of the evidence against Zaoui. The Crown prosecutor argued the opposite and again cited the security issue.

If the certificate was deemed to be valid by the inspector-general, and the person was judged to be a security risk to the country, the minister of immigration would then have three days to make a determination — either allow Zaoui to remain as a refugee, or deport him. The High Court ruled in Zaoui's favour, forcing the inspector-general to make available a summary of the classified evidence, and to consider Zaoui's human rights in his review.

During the proceedings, NZSIS incompetence became apparent, as the videotapes of a seven-hour interview at the airport and other evidence against Zaoui were revealed. In an incident reminiscent of Watergate, the NZSIS had lost an hour of the audio on the seven-hour-long interview tape and had lost two minutes of tape altogether. It then claimed that it could not make the tape available to the court as it did not have the specialised equipment for viewing it.

The Crown's case against Zaoui was further compromised by revelations that the director of the NZSIS, Richard Woods, was the New Zealand ambassador to Algeria based in Paris at the time when Zaoui was in Algeria. His service there elicited allegations of his bias concerning Zaoui's political party, the Front Islamic du Salut (FIS). There is no doubt that some of the evidence against Zaoui was received from French intelligence agencies. "His previous posting as our ambassador to France and Algeria could have a bearing on the case ... France has collaborated in the suppression of democracy in Algeria and may also be upset that the Refugee Status Appeals Au-

thority has given refugee status to such a prominent opponent of a regime that is so friendly to France.”<sup>10</sup>

Prime Minister Helen Clark’s government would not let the Zaoui case rest. Some argue that Clark was keen to appease the us with a demonstration of her commitment to the war on terrorism. She continued to make amends to the us administration for her 2003 gaffe, when she had said that the invasion of Iraq would not be happening if Al Gore had been elected president, by zealously pursuing the Zaoui prosecution. The Crown appealed the High Court ruling, taking it to the Court of Appeal.

In an extraordinary plea, the Crown suggested that the inspector-general did not need to consider Zaoui’s human rights when reviewing the certificate, but rather that he need only look at the secret evidence before him. Subsequently, it argued that only the minister of immigration needed to consider his human rights, balancing them against any perceived security risk.

By this time, Zaoui had been in jail for more than a year, and inspector-general Laurie Greig had made several public comments that tarnished his position as an independent arbiter in the review process. In an interview with Gordon Campbell, which appeared in the 29 November 2003 issue of the *Listener*, Greig said that if it were up to him Zaoui would be “outski” on the next plane. He then went on to speak as a private citizen, “we [New Zealanders] don’t want lots of people coming in on false passports [that they’ve] thrown down the loo and saying, I am a refugee, keep me here.”<sup>11</sup> These comments from the man who was meant to protect the rights of refugees against unreasonable or unlawful security-intelligence actions was damning.

Going into the Court of Appeal, Zaoui’s persistent lawyers had strategic advantages over the Crown. Zaoui had been granted refugee status in an exhaustive report. The High Court had upheld that his human rights were central to the security-risk certificate process and the public had had a glimpse of the so-called evidence against Zaoui. In addition, a major public campaign helped to raise aware-

## AGAINST FREEDOM

ness of his plight and increase the pressure on the government to release him from prison.

The Court of Appeal considered all of the issues of the case and ruled in favour of Zaoui. It further ruled that, despite the security-risk certificate, it had the ability to consider an application for bail, saying that any further delays would be oppressive. On 9 December 2004 Zaoui was released on bail into the care of some Auckland-based Dominican friars.

With an election approaching, appearing to be soft on its international commitments in the war on terrorism was not on the Labour party's agenda. For it, Zaoui was our battlefield in the war, our contribution to the so-called international effort, and Helen Clark would ensure that New Zealand was toeing the line. The Crown appealed the case once again — this time to the highest court in the land.

On 21 June 2005, the Supreme Court of New Zealand made its decision, one that will have significant implications for all future refugees. In it, they placed the decision about human rights into the hands of politicians. In their decision, the judges unanimously agreed that the inspector-general of Intelligence and Security “is not to determine whether Mr Zaoui is subject to a threat which would or might prevent his removal from New Zealand.”<sup>12</sup> His fate now is thrust into the hands of the minister of immigration, who does not have access to the classified information upon which the security-risk certificate is based.

“He is absolutely vulnerable to becoming a political football.”<sup>13</sup> In 2007, his future and his personal safety remain uncertain. Are the politicians who now hold his fate willing to accept responsibility for his torture or death as a consequence of being deported?

\* \* \* \* \*

This government's war on terrorism is terrorising not only refugees and asylum seekers; it is also terrorising communities of legal migrants in New Zealand, people who are citizens and permanent residents. Increasingly, they retreat rather than assimilate.

The July 2005 bombings in London elicited hate and racism in New Zealand directed at these communities. In Auckland, three mosques were attacked and vandalised with the slogan “RIP London,” allegedly by a former member of the white supremacist National Front.<sup>14</sup>

New Zealand First leader Winston Peters inflamed more hate in a racist election speech to a Grey Power gathering, accusing the Islamic community of being “like the mythical Hydra — a serpent underbelly with multiple heads capable of striking at any time and in any direction.”<sup>15</sup> He accused New Zealand Muslims of being intolerant, questioned their loyalty to the country and called them anti-Semitic. Incidents such as these illustrate the torment experienced by these people.

### **The case of Mohammed Abbas & Western Union**

In the bizarre case of Auckland resident Mohammed Abbas, Western Union halted for almost a month a wire transfer of money he was trying to send to his uncle in India for a kidney transplant. Why? Simply, his name matched several on a US terror-watch list. Abbas was given only a vague explanation by the company and received no apology when it discovered that in fact he was *not* the person on the list.

Not only does this raise serious concerns regarding privacy, it also illustrates the inherent racism of the intelligence services about people of Middle Eastern or Asian origin. In essence, these peoples are stereotyped as potential terrorist threats. Mr Abbas rightly asked “is my religion, the fact that I’m Muslim, and my name a reason to be discriminated against?”<sup>16</sup>

In this case, Western Union checked US terror-watch lists, not those of New Zealand. The fact that he was a legal permanent resident with no criminal record did not enter into the company’s decision. Multinational corporations, like Western Union, operate with the assistance of the New Zealand state. This distinct violation of his rights clearly was of no concern whatsoever to the government.

## **The free movement of people**

Part of the war programme is to restrict the free movement of people. On one hand, this means targeting vulnerable people: stateless people, asylum seekers, refugees and non-English speakers. It is easier to control people if you can restrict where they can and cannot go. On the other hand, it means the tightening of citizenship and passport laws so that a higher threshold of acceptability to the visited country is required.

It is not surprising then that laws passed in 2005 by the House will bring sweeping changes to New Zealand's current passport and citizenship laws. Many of these changes are in direct response to paranoia about terrorism; most copy those legislated in the US.

Amendments to the 1977 Citizenship Act and the 1992 Passports Act started out as a single piece of legislation called the Identity (Citizenship and Travel Documents) Bill. As it wound its way through the select committee stage many of the most draconian measures were removed or mitigated. However, the Auckland Council for Civil Liberties called some of the provisions "the mark of totalitarian regimes, not New Zealand." They remained in the law.

Entire new sections of the law were inserted to deal specifically with the issue and revocation of passports on national security grounds. Sections 11, 15, 19 and 21 of the Passports Amendment Act 2005 effectively give the minister carte blanche to decide who gets legal passports and travel documents based on secret information. As the Ahmed Zaoui case illustrates, it is nearly impossible to defend yourself against classified security information. You do not know and cannot find out what the evidence against you actually is. The minister makes a decision about your fate without access to that information. It is a vicious cycle in which construction of the truth is solely in the hands of intelligence agencies.

Changes to the Passports Act have also substantially widened the definition of a terrorism-related offence. Any crime committed under any of the following acts could result in your passport being revoked by a judge in addition to any other penalty: the Crimes Act,

the Aviation Crimes Act, the Maritime Crimes Act and the Terrorism Suppression Act. This incorporates a vast range of crimes, from very minor acts such as being on a port or airfield without permission, to serious offences such as trafficking in people. The law gives very wide powers to a court to decide what constitutes a terrorist act. Non-violent civil disobedience such as sitting on the tarmac to stop a military aircraft from leaving for a war zone could be defined as a terrorist act.

Today amendments to the Passports Act, means that even fewer such people will ever make it far enough to seek asylum. The use of advance passenger processing (APP) systems will stop any person seeking asylum in New Zealand long before he or she would even be able to get on an aeroplane. Internal affairs minister George Hawkins dutifully notes that APP systems “help airlines identify persons carrying unauthorised and stolen travel documents before they depart for New Zealand.”<sup>17</sup> Unfortunately, these systems cannot begin to document the state-sponsored violence and terror that many asylum seekers are escaping.

These systems match personal details, travel itineraries, passport data and visa requirements prior to boarding. Thus an advance visa would be necessary, something that would be nearly impossible for anyone in a life-threatening situation.

Under the terms of that law, the following information must be provided to the New Zealand Immigration Service about passengers coming into the country: name, date of birth, place of birth, nationality, gender, passport data, contact details, any special conditions that person has made with regard to travelling, where the person has booked the travel, on what date the travel was booked, and whether the person has checked baggage.

For the purposes of the Passport Act, any information about a traveller's activities relating to national security will be generated by the police and intelligence agencies that are conducting an investigation. These are the very same agencies that have demonstrated an inability to provide accurate and unbiased information not com-

## AGAINST FREEDOM

promised by the US political agenda. As the Zaoui case so clearly illustrated, French political interests may have tainted the intelligence information. However, this only became evident after the court battle to get a summary of the classified evidence was successful.

Rather than upholding the principle that a person accused of a crime should have access to all the allegations and evidence, this new law will explicitly protect intelligence information from scrutiny by both lawyers and the accused. It presumes that such information is objective, unbiased and not politically motivated. Yet, the very means by which such information is obtained ensures that it is none of these things.

### **The case of the Israeli agents**

This selective use of information is further evidenced in the passport-fraud case of two Israeli intelligence agents. This incident occurred at the same time as the graphic evidence of torture and abuse by US military personnel at Abu Ghraib prison and the use of Israeli Mossad interrogation techniques in Iraq were exposed to the world.

Here in New Zealand, two Israeli men were arrested for attempting to steal the identity of a New Zealander in order to get a passport. A third person involved in the identity theft, Zev Barkan, fled the country before he could be arrested.

It was not the New Zealand intelligence services that raised the alarm about Uriel Zoshe Kelman and Eli Cara, but the Department of Internal Affairs that became suspicious of the two men. "Cara set up a base in Sydney and travelled to and from New Zealand 24 times between October 2000 and March 2004 without any apparent interest from the New Zealand intelligence services."<sup>18</sup> It is hardly surprising that the NZSIS was not interested in either man or in Zev Barkan, as he has had a long career in the Israeli Foreign Service and worked at their embassy in Vienna from 1996 to 2001.<sup>19</sup> There is little doubt that he was known to the NZSIS.

There is evidence that the Australian security services were well aware of the identities of the men as Mossad agents and that Cara



actually engaged in liaison meetings with Australian Security and Intelligence Organisation (ASIO) agents.<sup>20</sup> The Australians, it seems, were equally unconcerned about their activities, and did not bother to alert their New Zealand counterparts to the presence of known Israeli agents here. After the conviction of the three men, Helen Clark said that there were “very strong grounds” to believe that the men were Mossad agents, although she would not reveal how she obtained that information.<sup>21</sup> No doubt the NZSIS had been eager to make a face-saving contribution after the men had already been arrested and charged.

There is speculation that the bogus passport would have been used by an assassin to assume a false identity. This is an often-used technique of the Mossad to eliminate Israel’s political opponents both inside and outside that country.<sup>22</sup>

The government’s response to this incident was predictable. Sanctions were imposed on Israel and limits placed on visits by Israeli tourists. Ultimately, a suitably worded apology was received from Israeli foreign minister Silvan Shalom, saying Israel wished “to express our regret for the activities which resulted in the arrest and conviction of two Israeli citizens in New Zealand on criminal charges and apologise for the involvement of Israeli citizens in such activities.”<sup>23</sup> Helen Clark trumpeted the apology as an admission by Israel that the two were in fact Mossad agents.

The jail term served by the convicted spies was two months. The jail term served by bona fide refugee and elected Algerian parliamentarian Ahmed Zaoui was two years — most of it in solitary confinement.

### **Asylum seekers : the bottom of the pile**

The agenda of the war on terrorism seeks to make migration and asylum-seeking more difficult by shortening the time that a passport is valid, by including extensive terrorism-related clauses in legislation, by tightening the requirements for citizenship and by making it nearly impossible to get into this country. It also means view-

## AGAINST FREEDOM

ing legally resident communities of immigrants as potential terrorist threats and subjects for surveillance.

This war endorses expanding the collection and retention of information by the intelligence services that will not be divulged to the courts, to human rights organisations, and particularly not to those charged with terrorism-related offences. At the same time, the New Zealand government entrusts the detection of offenders to those same multinationals and agencies that have demonstrated a clear bias in favour of US intelligence interests.

Newly arrived migrants and people genuinely seeking asylum are some of the most vulnerable people in our society. They usually have little knowledge of the language, laws and customs of the new country.

Ostensibly, the New Zealand judicial system adheres to the principle that anyone charged with an offence is innocent until proved guilty. The turning tide of immigration and border security controls means that the law is now heavily weighted against individuals over so-called 'national security.' In effect, it presumes the guilt of people while denying them the opportunity to defend themselves. We are closing the door on people in dangerous, even life-threatening, situations.

Back in the 1950s, being a communist or even a sympathiser was hazardous. The US successfully demonised communism then. Today it demonises Muslims. There is a stereotypical picture of a Muslim — a young Middle Eastern man. They are the new enemy. Anyone fitting that description will be the first victim of this state-endorsed racism.

Every day people's lives are being affected by this war agenda. Refugees and migrants are indeed major victims of the war. This chapter illustrates some of the dramatic changes in the laws dealing with refugees and asylum seekers that have been enacted since 9/11. Both the Zaoui case and the Israeli passport scandal paint a picture of the deeply-held prejudices within the New Zealand security-intel-

ligence services. These are prejudices based on race and religion as well as historical alliances not fact or evidence.

The personal experience of Mohammed Abbas with Western Union sadly illustrates the vulnerability of minority communities as targets for both the state and private enterprises. The result of the changes are subtle; New Zealand is being re-fashioned into a 'fear society' where the mass media feed prejudice and intolerance of people who are not just like us, while the economic system destroys communities and fuels distrust of our neighbours and the wider world.

It is clear that the demonisation of refugees and migrants, the conducting of secret trials of asylum seekers, the passage of strict new citizenship laws, and the limiting of public scrutiny of security and intelligence agencies are all part of the war on terrorism. These changes are not unique to New Zealand, rather, they are part of a global trend against human freedom and greater state and corporate control. The war has provided a very good excuse for those in power to carry out measures that otherwise would have met strong resistance. The cases of Ahmed Zaoui and Mohammed Abbas are but two examples of the very real impacts that this war is having on the everyday lives of people here in New Zealand. Without a doubt there are thousands of other people who every day are facing the same discrimination and whose very lives are being sacrificed in this war on terrorism.

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## Dissent

“War is the health of the state. It automatically sets in motion throughout society those irresistible forces for uniformity, for passionate co-operation with the government in coercing into obedience minority groups and individuals. The machinery of government sets and enforces the drastic penalties, the minorities are either intimidated into silence, or brought slowly around by a subtle process of persuasion ...”<sup>1</sup> This is as true today, in the context of the war on terrorism, as it was when it was written, just after the end of World War I. Throughout history, one of the most debated and struggled for rights in any society has been the right to disagree with, or dissent from, the majority view. This is particularly true in times of war. Government has long worked to control, manage and suppress dissent. Dissenters have been cast as violent, crazy or exceptionally rare. In the post-September 11<sup>th</sup> environment, dissent is portrayed as a form of terrorism.

Undoubtedly you and your friends discuss political issues of the day. Often you have opinions that oppose those that you read in the newspaper or hear on the radio. It is not uncommon for the views of ordinary people on the streets to be more open-minded and tolerant than the politicians or the media would have us believe.

Since 9/11 the media and the government have told us that global terrorism is a major threat to New Zealand, based on events in the us. This is a government-constructed myth that serves the specific purpose of inducing fear in order to better control and exploit the population. The media propagates the myth for its own related ends. The threat of terrorism is characterised in this myth not only as nebulous, dark external forces but internal ones as well.

Does political dissent actually form part of that so-called 'domestic terrorism' threat? Since 9/11, individual dissenters and political groups have been directly linked, or likened, to terrorists. They are targets for surveillance because they challenge power. While some of these individuals are associated with groups that oppose various government initiatives, they have never been charged with participating in a conspiracy. Nevertheless, as we shall see later, some of the groups that disagree with the government's agenda have received attention both from New Zealand and from overseas intelligence-gathering agencies.

What are the motives for agencies to watch individuals and groups? Do they have a stake in targeting these people and keeping the war going?

### **Those who resist the war**

Anger about the invasion and bombing of Afghanistan motivated thousands of people in New Zealand to become more politically active. Peace groups formed in many parts of the country and long-time activists were called on to educate, organise and mobilise. Some political parties also actively engaged in public marches, vigils and meetings. The mainstream Alliance party was split in two by the war while other left-leaning parties expanded their membership.

As in the past, political action erupted on many New Zealand university campuses. Students at Victoria University are within easy walking distance of parliament and have regularly used that proximity to seek redress on a range of issues. The war was no exception.

## AGAINST FREEDOM

One of the most active Victoria University students immediately after the start of the war was Nick Kelly, an elected officer of the Students' Association. Until the start of the war, he had been an active member of the Labour party. However, during the party's annual conference in 2001, Kelly made a stinging attack on Helen Clark and other Labour MPs who supported the bombing of Afghanistan saying, "What about the bloody war? Stop the war! In 1999 you [Helen Clark] opposed the bombing of Kosovo. Why aren't you doing the same now? It is unacceptable to support murder in Afghanistan to get a free trade deal with America." Kelly was forcibly removed from the conference, handed over to police and his delegate card was ripped up.

Despite being a member of the Labour party since January 1997, Kelly was ejected from a conference he was entitled to attend for opposing the war against Afghanistan. In June 2002 he was expelled from the Labour party for standing against cabinet minister Paul Swain in the working class electorate of Rimutaka, in the Hutt Valley. Unlike Swain, Kelly stood on a strongly anti-war platform, consistent with the Labour party constitution's aim to "promote peace and justice throughout the world."

Subsequently, Kelly joined the Anti-Capitalist Alliance (ACA), a Marxist-Leninist party formed in April 2002. It advocated 'revolutionary' change of government based on five principles, including an end to Western intervention in the Third World, a living wage and shorter working week.

The ideals of the party are not so different from many earlier communist groups that have existed in New Zealand. The ACA was born from two separate Marxist organisations, the Revolution Group who were pro-Trotsky and the Workers Party who were pro-Mao.

The emergence of this vocal group, who supported armed resistance in some overseas conflicts, soon attracted the attention of the police. While engaged in legal political organising and activity, Kelly was approached by the police and asked to become an informant. The police wanted him to provide them with the personal details and

political leanings of the ACI (Anti-Imperialist Coalition), a broader coalition of left parties, in which members of the Auckland ACA were active. Kelly declined to rat on his friends. He circulated the police email widely in the peace and activist communities.

Dissent was silenced and the views of people who challenged the Labour government's involvement in the war on terrorism were marginalised. The police sought out disaffected dissenters as potential informants.

In another case, Aucklander Bruce Hubbard was arrested for allegedly sending an offensive email to the United States embassy. The circumstances surrounding his arrest and the content of the email were peculiar to say the least. The original email was sent to the embassy in March of 2003 at the time of the invasion of Iraq. It was not until 30 October, immediately after the passage of new counter-terrorism laws, that Hubbard was arrested.

Hubbard claimed that he had not sent the email.

Apparently it had been tampered with, as it read "To the USA, Embassy. Fw: drop narparm [sic] on babies and kids in Afganistan and Iraq and have invaded 72 other nations since to install us backed military dictatorships to smash popular democratic freedom..."<sup>2</sup>

Hubbard was charged with improper use of a telephone, a violation of the Telecommunications Act. There was speculation that the US embassy had demanded his arrest. Hubbard, a member of Global Peace and Justice Auckland and the Palestine Group, has a long history of opposition to US military intervention abroad and was actively involved in organising demonstrations outside the US consulate.

The timing of his arrest seemed a clear tactic to induce wariness in New Zealanders who might also wish to express their disgust and horror at the illegal invasion of Iraq to the US representative. That his email was in no way threatening or even untrue did not dampen the US embassy's enthusiasm for retribution.

Later the police admitted that they did not have the standard of proof required for a conviction and dropped all charges against

## **AGAINST FREEDOM**

Hubbard. Nevertheless, the long reach of Uncle Sam had been exerted and was felt in the peace community.

Since 2003 more than 100 people in Wellington alone have been arrested on charges relating to anti-war activities. Most of the arrests have occurred in the context of legal protest actions, such as the mock citizens' weapons inspection of the us embassy which took place in February 2003 immediately before the invasion of Iraq. This was a clever action intended to draw attention to the hypocrisy of the us regarding weapons of mass destruction in Iraq. The anarchist-organised group had no intention of storming the embassy gates; nevertheless, the police response was brutal. The more than 20 arrestees that day included a former New Zealand police officer and a 60-year-old peace activist, both of whom were non-violently participating in the protest. In the overwhelming majority of these cases, people have been found not guilty. Meanwhile, local judges have consistently noted the excessive use of force by police, tantamount to assault, at these protests.

The lack of evidence presented by police in these cases would seem to indicate that the motive for the arrests was to get photographs and fingerprints of those who are considered to be leaders or organisers. Profiling of political activists includes collecting information about their associations, friends, physical movements and beliefs. Such data collection and analysis requires expanded resources and big budgets.

### **Eco-terrorists?**

At the time that Bruce Hubbard was arrested, environmental campaigners had organised a camp outside parliament's gates in a last-ditch attempt to block the lifting of the moratorium against field trials of genetically engineered (GE) crops on 29 October. Both anti-war and GE-free activists had mobilised people in 2003, and actions were occurring around the country on a regular basis. Many people hoped that there would be a political change of heart before it



was necessary to take direct action to stop the contamination of the country.

Meanwhile newly passed counter-terrorism laws incorporated provisions for prosecution of a range of poorly defined offences. For example, under counter-terrorism changes to the Crimes Act, anyone found guilty of contaminating water or crops could be punished with up to 10-years' prison. There was concern about this charge being used to arrest people removing GE crops. There is potential for crops to cross-pollinate, thereby contaminating non-GE crops, if they are removed from the ground in a haphazard way.<sup>3</sup>

The moratorium was lifted on 29 October. Many of the people camped outside parliament felt a sense of betrayal and desperation, believing that the outcome would irreversibly damage the New Zealand environment. Once such plantings occurred there was no way to stop contamination. It was inevitable.

It did not take long for GE-free activists to be labelled as potential 'eco-terrorists.' While these activists were prepared to take direct action against laws viewed as unjust, they paused at the 'terrorist' label.

The opponents in the debate over the release of genetically engineered organisms struggled to control the media's portrayal of the issue and the language that they used. The pro-GE lobby group, Life Sciences Network, repeatedly evoked images of balaclava-clad vandals destroying the fields of hard-working farmers. On the other hand, environmentalists declared that it was the government that was committing acts of eco-sabotage by irreversibly contaminating the country with GE pollution.

Considerable evidence supports their assertion. Cases of cross-pollination have been reported in Canada, the us, Argentina and Mexico.

Of primary concern to many involved in the issue was the potential to be classified as a terrorist as a result of participation in non-violent direct actions. While there were assurances by the police that the new counter-terrorism laws would not be used specifically

## AGAINST FREEDOM

in the instance of crop decontamination, ultimately, they remain to be tested in the courts.

In the US today, the police, the FBI and the justice system routinely treat non-violent direct actions as terrorist activity. In preparation for the 2004 Republican National Convention in New York City the police department assigned teams of six officers to trail “primary anarchists” around the clock, and other teams of officers to infiltrate protest groups.<sup>4</sup> US attorney general John Ashcroft linked terrorism and protests, saying that the post-9/11 policy was to target demonstrations aggressively as these large gatherings of people were opportunities for terrorists and anti-government people to operate.<sup>5</sup>

The link is not related exclusively to anti-war protesters. Like attempts to link GE-free campaigners in New Zealand with eco-terrorism, the FBI has recently targeted Native Americans, blacks, animal-rights activists and environmentalists in their zealous quest for terrorists. While the targeting of these groups by the FBI is certainly not new, in the aftermath of September 11<sup>th</sup> it has taken on new ferocity. These groups are threats to the status quo. Many of them want fundamental changes to the political system, not just cosmetic ones.

### **The wharfies and the seafarers**

Another threat to the economic security of big business in New Zealand, the seafarers and waterfront workers, have become specific targets for anti-terrorism legislation that curbs their freedom of movement and the legal right of their union to organise. Many will remember the involvement of the waterfront workers in the anti-nuclear campaign against the *USS Buchanan* in 1985. These workers are well known for their effective direct action tactics and their willingness to use them. Because of the potential infringement of worker's rights by the counter-terrorism agenda, the Maritime Union of New Zealand actively campaigned against the passage of the Maritime Security Act in 2004.

This law is a direct response to US demands for increased security on ships and in port facilities in the wake of 9/11. On the face of it, the Act is inconsistent with the New Zealand Bill of Rights, in that it limits freedom of movement. It designates some areas off-limits, and requires all ports and ships to have security designations. It also extends broad search powers to both the minister of transport and to port chief executives in response to a “threat to maritime security.”<sup>6</sup> However, it does not define any parameters for determining such a threat.

The Maritime Union’s right to organise workers is affected by the extension of state powers. Any port may be declared a port security area by the minister or by the chief executive. If this happens, no person “may enter or remain in a port security area unless authorised by the chief executive or the port facility operator.” Union delegates attempting to access a port worksite during an industrial dispute could well have access denied in circumstances where national security was at stake. This was effectively the situation in 1951 when the waterside workers in Wellington were locked out for 151 days. “The government invoked the 1932 Public Safety and Conservation Act, which included a prohibition on publicising the waterside workers’ case and penalties for those who paid or fed or otherwise assisted families disadvantaged by the strike.”<sup>7</sup> Because of New Zealand’s reliance on maritime trade, the lockout effectively shut down the country. It is little wonder that multinational corporations were dead set on curbing workers’ organising activities.

In this modern war, maritime workers can become terrorists if their strike action impedes the free flow of global capitalism. “Post 9/11 security measures are criminalising innocent seafarers...Many international seafarers in American ports are denied shore leave and some companies have even been required to hire armed guards to prevent foreign seafarers from leaving their ships” said the International Transport Workers’ Federation.<sup>8</sup>

### **Māori now terrorists, too?**

There are many people and organisations willing to challenge the legitimacy of the state to control their lives, their working conditions and their lands. Increasingly, their struggles are interconnected by the common forces of oppression: corporate exploitation and state violence.

Māori have been challenging the political status quo for nearly 200 years. They have always been cast as the enemy by the state and the media. Now, their increasing numbers and willingness to take action disturbs the delicately balanced parliamentary coalition. In 2004 a large number of Māori converged on a fundamental issue — ownership of the seabed and foreshore. A 25 000-person hikoi (march) to the steps of parliament was met with a stony response from the Labour-led government. The government plan to extinguish customary title to this area would be realised regardless of iwi consultations or international law. Just after the passage of the legislation, applications to mine the seabed of the West Coast for both gold and iron were received. The timing of these applications, coupled with the work in 2005 by Treasury to determine how to value the seabed and foreshore and thus include it in financial statements, provided hard evidence of the government's agenda: confiscation of land for corporate profit.<sup>9</sup>

As a result of this new grievance, the Māori party was formed. This political party, led by former Labour member of Parliament Tariana Turia, has united much of Māoridom. It is a serious challenger for all of the Māori seats in parliament that have been traditionally held by Labour.

The rise to prominence of the Māori party and the militancy of some voices within Māoridom interested the NZSIS. In a remarkable exposé, the *Sunday Star-Times* alleged that NZSIS agents had been conducting 'Operation Leaf,' involving surveillance of prominent Māori, the Māori party and other Māori organisations.

When asked in one interview about the risk to national security posed by the Māori under investigation, one NZSIS agent said that he



Above The 2004 Hikois approaches parliament.

was told that it was to help fight the war on terrorism. But he said he knew it was for collecting dirt on the individuals involved, noting that “the government was keen to get any useful nuggets from internal communications between Maoris ... peace groups, academics, activists, politicians, gang leaders.”<sup>10</sup> When asked about the timing of the operation — September 2003 — he said that it was not a concern because he knew that “the service could find a way around” the new law prohibiting access to or tampering with computer equipment that was to take effect on 1 October.<sup>11</sup>

A subsequent review of the matter by the inspector-general of the Security Intelligence Service could not corroborate these claims and he dismissed the entire matter as a “work of fiction.”<sup>12</sup> The sources could not be located and the editor of the *Sunday Star-Times* has apologised to the NZSIS and the public. This elaborate hoax perpetrated on a major newspaper raises some serious questions. Who would benefit from such a hoax? What were they hoping to achieve?

## AGAINST FREEDOM

In an interview immediately after the inspector-general's report, terrorism expert Dr Paul Buchanan, a lecturer at the University of Auckland, speculated that the hoax could well have been perpetrated by the NZSIS. He outlined four possible scenarios for the hoax and concluded that this was the most likely. The sources quoted by the newspaper were described as contract agents of the NZSIS. Dr Buchanan noted that the use of such agents is common in smaller intelligence agencies such as that of New Zealand. The newspaper had been a particularly harsh critic of the service over the handling of the Ahmed Zaoui affair. The agency would have had strong reason to want to discredit the paper and make its editor reluctant to publish any more negative articles about the NZSIS.

The timing of the affair and the subsequent inspector-general's inquiry indicate that those involved were keenly aware of the political processes that would make this issue cleverly disappear before the 2005 election. The service's involvement in both intelligence and counter-intelligence activities suggests that it has the capability to pull off such a caper.<sup>13</sup>

It would hardly be surprising if the NZSIS did orchestrate this hoax in order to silence a newspaper that was critical of it. Intelligence agencies have conducted far more serious operations. It is also not surprising that the review by the inspector-general was a whitewash; he is unable to independently investigate the matter. He is a servant of the state and can look no further than the evidence presented by either side. The review process is useless in protecting the public from abuses of power by the service because it is entirely dependent on them. It seems unlikely that the truth about 'Operation Leaf' will ever be known.

### **Expatriate dissidents**

The monitoring of dissident voices in New Zealand is not limited to those who criticise the government here. Expatriates who actively campaign against their government from New Zealand also face surveillance and harassment.



*Above* Acehnesse refugee Bakhtiar Amin outside of the headquarters of Mobil NZ in Wellington in 2004.

People from the Indonesian province of Aceh are one prominent example. Struggling against domination by Indonesia, the Acehnesse people are seeking independence in much the same way as the people in East Timor. In 1999, a UN referendum was held to determine the fate of East Timor. It subsequently became an independent nation. The Indonesian government is not willing to consider independence for Aceh, as it possesses significant natural gas reserves and provides 11 per cent of the entire country's revenue.

For this reason the Acehnesse people living in New Zealand have been the subject of surveillance and harassment by the Indonesian government. The Acehnesse living in New Zealand were accepted under the refugee quota system. Several have been active in the peace movement in Wellington and in mobilising a solidarity campaign for the people of Aceh. This campaign has focused on both the violence of the Indonesian military and on the Exxon Mobil corporation that supports this violence.

It may seem that separatists from Aceh are a long way from the war on terrorism and certainly from daily life in New Zealand. But

## AGAINST FREEDOM

there are disturbing links tying New Zealand police to anti-terrorism activity in Indonesia that could include monitoring Acehnese. Another link to the war is Exxon Mobil's participation and funding of assassinations in Aceh that have been conveniently dismissed in the name of national security.

New Zealand police and Indonesian police have a memorandum of understanding for joint operations targeting international terrorism and transnational crime. The relationship between the police forces came about as a result of the Bali bombing. The memorandum, signed in early 2004, outlines the extent of the co-operation: training and development, operations, exchange of information and analysis, police sciences and technology.

In other words, it covers all areas of policing. At present there are two New Zealand police officers based in Jakarta, and the memorandum includes planning for leadership training of New Zealand police in Indonesia.

Bearing in mind that the stated reason for this relationship is to combat international terrorism, it is worth noting that the Indonesian police have a well-documented record of human rights abuses that include torture, rape and murder. Not everyone would choose to ally with such forces in a war on terrorism, or any other war.

Because of the Aceh Support Group protests about Exxon Mobil Corporation's human rights abuses in Indonesia, the group claims that it gets the attention of Indonesian intelligence officers in Wellington. To understand the issue a bit of background is necessary.

Exxon Mobil has been operating in Aceh since 1968. In that time the company has employed the Indonesian army (TNI) and police to protect their facility, the PT Arun gas liquefaction factory. Members of the TNI in Aceh have been accused of gross human rights violations, yet they enjoy total immunity and continue to serve in high-ranking military positions.

In mid-2001 the us-based International Labour Rights Fund attempted to bring a case on behalf of 11 villagers against Exxon Mobil in the us District Court, charging it with providing funding and



logistical support to the TNI to commit human rights abuses. The logistical support included providing buildings for interrogations and executions, and earth-moving machinery for digging mass graves. The rationale for the case was that Exxon Mobil was the employer of the TNI and thus responsible for their behaviour in providing security around their site.

Shortly after the case went to court, Exxon Mobil suggested that the US State Department provide an opinion on the impact of the case on US-Indonesian relations. In 2002 the State Department asked the court to dismiss the case, saying that “the case would interfere with US foreign policy, harm the Bush administration’s campaign against terrorism, and diminish the US government’s efforts to promote human rights in Indonesia.”<sup>14</sup>

This response was hardly surprising, given that Exxon Mobil was the largest campaign contributor after Enron to Bush’s re-election campaign.<sup>15</sup> This is corporate terrorism protected by the war on terrorism.

The Aceh Support Group in Wellington has made visits to the headquarters of Mobil New Zealand several times, demanding to see the chief executive. On one visit people paraded *Mobil Murders* banners and held a noisy demonstration outside the high-profile Lambton Quay corporate tower for several hours, informing people of Mobil’s actions. This campaign has made local Acehnese targets for surveillance by Indonesian intelligence agents based in Wellington. A community dinner held at St John’s Presbyterian Church in Wellington to raise funds for Aceh was attended by a white male who identified himself as a staff member of the Indonesian embassy. People questioned him at the dinner and he revealed that he was there to collect information and to monitor the Acehnese people. One Acehnese man was later followed by embassy staff and photographed going about his daily business.

In 2005 the Indonesian government and the Free Aceh Movement (GAM) signed a historic peace accord. In spite of this, New

## AGAINST FREEDOM

Zealand dissidents remain vulnerable targets of the Indonesian government and its representatives here.

Dissidents of varying backgrounds, ethnicities and political views have been the specific targets of the war on terrorism. The stories presented here are only a few of the examples of what that targeting means and how it is manifest in New Zealand. A significant part of the agenda of the war is to further marginalise views that are unacceptable to the ruling elite in our society. These people who hold power over others, be it politically, economically or socially, wish to enforce our allegiance to the status quo. They work hand in hand with those who benefit directly from the criminalisation of political dissent, such as the intelligence and security agencies that have received greater funding and enhanced attention. The perception of internal threats is an important part of keeping government support for the war going.

As in so many wars before, dissenters are portrayed as anti-patriotic. In World War I, there was a significant group of conscientious objectors who subsequently formed part of the Labour government that was in power during World War II. The men of this war cabinet were so threatened by the power of dissent that they imprisoned the objectors, even though they themselves had been in that same position not 20 years earlier. Those who challenge the authority of power, particularly in wartime, incur the wrath of the state.

It is clear that political dissent is now more perilous and more treacherous than before September 11<sup>th</sup>. Given the new counter-terrorism laws, the possibility of being not only labelled a terrorist in the media, but prosecuted as one, is a reality. By casting political dissent as terrorism, the government, its agencies, the media and other vested interests assault our freedom of expression. We can only hold a narrow range of acceptable opinions — those sanctioned by the state. In this war there is little choice but to swallow the government's line on issues of security, simply because they have a monopoly on information.

In challenging the truthfulness of the New Zealand government, individuals and groups are subject to surveillance and harassment by the state, as several examples have demonstrated. Similarly, those who challenge other governments such as the US or Indonesian, from New Zealand, can quickly become victims of harassment and even criminal prosecution.

This war portrays any view that opposes the use of military force as a response to international terrorism as naïve, idealistic, unpatriotic or just plain stupid. Hard issues, such as New Zealand's contribution to civilian deaths in Afghanistan or New Zealand police involvement in surveillance of people opposed to tyranny in Indonesia, do not get debated, let alone answered. In most cases the questions don't even get asked.

## Exporting the War

In 2003 Helen Clark hinted that New Zealand would be a willing agent to carry the war on terrorism to the Pacific. Answering the call of George W Bush, Clark endorsed a range of counter-terrorism initiatives for Pacific Island nations.<sup>1</sup> New Zealand's close links with many Pacific Island countries places it strategically to implement the war agenda.

Ostensibly, war and development are opposites. War is destructive while development is liberally conceived of as being constructive and beneficial. It would therefore appear contradictory that the war on terrorism is being sold to New Zealand's Pacific Island neighbours as a development opportunity. There is a different view of development in which it is a largely self-interested undertaking by the donor country for both material and ideological gain. The evidence supporting this view is that a considerable portion of development aid money is spent in the country *giving* the aid, rather than the country *receiving* it. Seen in this light, the New Zealand government's actions are not contradictory. Fighting a so-called 'Pacific war on terror' with development money, while spinning propaganda about high-minded development goals, makes perfect sense when you see it as an exercise in greedy self-interest. Our Pacific neighbours are being shortchanged while we are led to believe our government is generous

and altruistic. This is not to say that development aid cannot have beneficial outcomes. It is more that any beneficial outcomes must be viewed with the understanding that they are secondary to New Zealand's interests.

How is New Zealand's support for the war on terrorism specifically serving its own ends in the Pacific and beyond? First, it is necessary to understand both New Zealand's aims and some of the responses from the Pacific. One part of this is an analysis of the cost of the war in the amount and type of development assistance New Zealand is giving to help carry out the goals of the agenda. This includes what New Zealand is not doing in order to be able to continue the war.

There are two poignant examples to illustrate this: the Regional Assistance Mission to the Solomon Islands and the deployment of military engineers to Iraq. The invasion of the Solomon Islands in 2003 is part of the agenda of the war clothed in development rhetoric. Beyond the Pacific, the government has used the public perception of beneficial development aid to mask the deployment of New Zealand Defence Force troops to Iraq in support of the occupying armies. New Zealand is aggressively pursuing the war agenda for its own self-interested gain, at the expense not only of real Pacific needs, but of the very survival of these island states.

### **The New Zealand government's relationship with the world**

Unlike the United States, New Zealand is not "an island unto its self."<sup>2</sup> Its written history is testament to the forces — both internal and external — that have shaped and influenced its development as a player on the world stage.

New Zealand has a reputation for taking seriously its place in the Pacific region. At times, New Zealand has acted on imperial ambitions; at other times, it has seemingly given practical, albeit self-interested, patronage. For example, as a result of significant and sustained grassroots pressure on the issue of nuclear testing in the Pacific, the New Zealand government has favoured the creation of a

## AGAINST FREEDOM

nuclear-free region in the South Pacific. Similarly, the circumstances that lead to the 1987 declaration *nuclear free* were entirely as a result of the work of people unafraid of confronting US military dominance in the region. Now, the United States is again demanding unwavering loyalty in its global war on terrorism. New Zealand is a part of the global community — the US is the only superpower. This New Zealand government is only too happy to acquiesce to its will and help export the war to the Pacific.

By way of background, the New Zealand Ministry of Foreign Affairs and Trade (MFAT) is the agency charged with the management of the country's external affairs. From its website, we learn that, "[t]he Government's overarching foreign policy goal is to influence the international environment to promote New Zealand's interests and values and to contribute to a stable, peaceful and prosperous world." This 'goal' is actually two separate goals that are not necessarily compatible.

MFAT pursues these goals through various strategies including, importantly for our purposes, (1) aid and (2) trade. While some would claim that these strategies are not in apparent harmony, when development aid is understood as the self-interested propaganda exercise that it actually is, then these two goals are, in fact, quite complementary.

The agency within MFAT responsible for aid is the Agency for International Development (NZAID) "that has as its central focus the elimination of poverty in developing countries through working with partners to achieve sustainable and equitable development for those most in need." Toward that goal, in 2005 New Zealand budgeted 0.7 per cent of its GDP, a 21 per cent increase over 2004, to development aid. However, that focus is a poor fifth among the ministry's overarching goals.<sup>3</sup>

The ministry's first two goals focus on trade:

- (1) Representing New Zealand in its relationships with foreign governments and organisations, including international fo-

rum such as the United Nations and the World Trade Organisation.

- (2) Advising the government on foreign, security and trade policy issues.

The ministry claims key relationships with Australia, the us, the European Union, Japan, China and Pacific Island nations in that order. At present, it appears that its primary allegiance is to the us. The nature of its relationships with Pacific Island nations has changed dramatically since 2001 as a result of the September 11<sup>th</sup> attacks. The government sees the Pacific as its sphere of influence, and it is keen to ensure that the us anti-terrorism agenda is being followed.

From the first Asia-Pacific Economic Cooperation (APEC) meeting after 9/11, George W Bush has sought to define the war on terrorism in economic terms. In Shanghai, he intoned "Terrorists did not just attack the United States on September 11... they attacked the world and free trade."<sup>4</sup> At the most recent forum in Santiago, Chile, Bush again challenged his colleagues in pursuit of APEC's main goals — trade and prosperity — to "do more to combat global terrorism."

Bush's press secretary Scott McClellan observed: "The big priorities will focus on the security and economic side because they really go hand in hand. You need to make sure you have security so that you can move forward on the economic side."<sup>5</sup>

Given New Zealand's lust for trade agreements, coupled with the relentless pressure from the us, even the pretence of meeting traditional development goals has been subsumed by the war. At present, the goal of eliminating poverty through the promotion of sustainable development appears to have been annihilated by the war on terrorism.

### **The war in the Pacific**

The war's agenda in the Pacific is advancing in two stages. The first aims to change the definition of development while retaining its good public image. Words such as 'security' and 'good governance'

## AGAINST FREEDOM

are part of the lexicon of the war. The second stage of the war advances fundamental economic and social changes which can broadly be described as *neo-liberalism*. This system advocates minimal state intervention in favour of market mechanisms in areas such as health, education and welfare. It includes the privatisation of public assets, unfettered foreign direct investment and capital flow, and strict rules-based trading. Neo-liberalism has been called ‘capitalism with the gloves off’ because business forces are stronger and more aggressive, and face less organised opposition than ever before.<sup>6</sup>

The war on terrorism is being linked intimately with development through the need for ‘security’ and ‘good governance’. In this discourse, ‘security’ is defined by the needs of Washington, Canberra and Wellington, not those of Pacific Island nations. This is not ‘security’ that seeks to ensure adequate food, clothing and shelter for the residents of these island nations. Nor is it about addressing urgent environmental issues such as global climate change, coral reef destruction or fish-stock depletion that threaten the livelihoods and survival of thousands of people. This is an imported definition of ‘security’ as a war against some nebulous threat of terrorism. This definition of security translates to mean more military, more police, more restrictions on movement, more intelligence gathering, and harsh counter-terrorism laws in order to deter activities that hinder the war. Not surprisingly, the expenditure for these counter-terrorism measures is subtracted from New Zealand aid dollars ostensibly intended for basic needs to eliminate poverty through the promotion of sustainable development.

In Tonga, for example, new legislation against terrorism passed in the wake of 9/11 includes a definition that bears a striking similarity to that of sedition. The charge carries the death penalty.<sup>7</sup> Within the past three years, the now deceased King banned the New Zealand-published *Tongan Times* because he considered it seditious. Does it follow, then, that this new counter-terrorism law could be used to brand newspaper editors or journalists as terrorists? It remains to be seen.



At a more fundamental level, subversion of the language in favour of the war is demonstrated by the focus on what is termed 'good governance.' This term sounds like something beneficial. However, it means something quite different.

The term 'good governance' as sold to the New Zealand public means a government that is financially accountable, has fair and transparent processes, consults with and is responsive to the populace, and makes information available to citizens. But this definition obscures the implicit directive to adopt a particular way of being — democracy defined by free markets. As George W Bush interpreted the 9/11 assault, it was an attack on "the world and free markets."

This is the second phase of the war, one in which democracy becomes the New World Order's euphemism for neo-liberalism.<sup>8</sup> Beneath the language of development, the true agenda of the war on terrorism is exposed. Clothed in benevolent, paternal words, greed and racism lie at the heart of the war on terrorism: pushing the West's way of doing things onto the Pacific. New Zealand seeks to gain access to markets in the Pacific and to rich natural resources through liberalised trade. NZAID endorses a strategy of trade for the promotion of sustainable democratic development. Despite the environmental and economic vulnerability of most Pacific Island states, NZAID is pursuing a so-called 'development strategy' that has the possibility of destabilising the entire economy of these nations. It is a development strategy designed to enhance the New Zealand economy, not the Pacific. It spends nearly \$100 million on such 'development' in the Pacific while the government aggressively pursues a free-trade zone of six million Pacific peoples that would be a significant boost to New Zealand business.

Transparent rules-based trading is promoted as the great panacea for poverty in the Pacific. It belies the reality that most Pacific nations have a narrow and homogeneous range of products for export. They are reliant on remittances from abroad for hard currency, and in most cases practise subsistence agriculture. "As one NZ government official confirmed with disarming frankness: when it comes to

## AGAINST FREEDOM

trade there is no 'special relationship' with the Pacific. International trade strategy takes priority over the views of Pacific governments and the needs of Pacific peoples."<sup>9</sup>

The NZAID *harnessing international trade for development* strategy is at best good propaganda. At worst it is a lie — with devastating consequences for Pacific peoples. This approach is hardly surprising. NZAID is a part of the Ministry of Foreign Affairs and Trade. It is the agency responsible for negotiating free-trade agreements.

The response of Pacific Island nations to New Zealand's approach, linking development with the war on terrorism, has been mixed. New Zealand's demands mirror those of Australia, for example, on Fijian Foreign Affairs officers "to live up to the expectations of good governance and accountability required of us these days."<sup>10</sup> These are not the demands by the people of Fiji, but of the us and other major donor countries influenced by it.

The 'free and frank' expression of Pacific Island leaders' views at the 2004 Pacific Roundtable on Counter-Terrorism held in Wellington were not released, despite a request under the Official Information Act. The Ministry of Foreign Affairs & Trade invoked the section of that Act that states that, if made available, it would be likely "to prejudice the international relations of the Government of New Zealand."<sup>11</sup> Perhaps the devastating realities alluded to in the chairman's report, that "even without the counter-terrorism agenda, we are stretched to deal with pressing economic, social, health and environmental needs," would be exposed. Similarly the bullying by the us, Australia and New Zealand to demand first priority for the counter-terrorism agenda might well be revealed in those discussions.

Like many other countries, Pacific Island nations have felt considerable pressure to adopt the counter-terrorism agenda. At the Pacific Island Forum in 2002, the Nasonini Declaration committed member countries to "immediate and sustained regional action" on countering terrorism. Leaders of many of the Pacific Island nations

now realise that failure to fall into line with Washington's demands will result in serious economic repercussions.

Meeting these demands, however, means forgoing other more pressing priorities. More fundamentally, it means changing their societies to reflect Western governance structures and ways of life, and to open their markets. It also means that they must become customers for the security apparatus prescribed by Washington. These are the real aims of the Pacific war on terrorism.

New Zealand is providing substantial assistance towards fighting the war in the Pacific. The largest part of this support comes from the establishment of a \$12 million Pacific Security Fund to be used over four years. Established in 2003, the fund is coordinated by the Ministry of Foreign Affairs and Trade.

One might think that such funds go to Pacific Island nations to take whatever counter-terrorism measures they judge necessary. This is not the case. "The Pacific Security Fund provides money to New Zealand Government Departments to meet the costs of advisory, training and technical support for Pacific Island countries in order to address external threats posed to them as well as risks to New Zealand's national interest."<sup>12</sup> The real reason for the fund's establishment is clear — New Zealand's self-interest. The New Zealand government directs both how the fund is spent and who benefits from it.

In addition to a number of other counter-terrorism initiatives, the fund is sponsored in the name of development by NZAID. These initiatives are a direct result of the events of September 11<sup>th</sup>. These include \$100 000 for a new fence at the airport in Niue that complies with new international aviation rules. Implementing new international maritime obligations that are a direct result of US demands cost \$420 000 in 2003 and \$480 000 in 2004. NZAID has provided \$380 000 for airport and post office security scanners in Fiji. As a point of comparison, NZAID's Pacific regional education programme was allocated \$2.5 million and its health programme \$2.75 million in 2004.<sup>13</sup> The security fund received \$3 million.

## AGAINST FREEDOM

These monetary costs are some of the more significant and obvious ones demanded of the Pacific war on terror. These costs displace urgent local development needs, such as food, clean water, shelter and basic education, in favour of external demands for security. There are other costs to this war that are simultaneously more direct and yet subtler. These costs are on-going military and police involvement in the Pacific Island nations, exemplified by the intervention force sent to the Solomon Islands in 2003.

New Zealand has been criticised for its grossly inadequate overseas aid and has been urged by the UN to treble its annual aid budget. The Solomon Islands, Papua New Guinea and the Marshall Islands are all on a UN critical-watch list of countries that are unlikely to meet poverty-reduction goals.<sup>14</sup> The NZAID contribution to these countries in 2004 was \$16 million, \$9 million and \$835 000 respectively. The other side of the picture is the Mutual Assistance Programme (MAP) in which New Zealand provides ongoing support and training to police and military units in Samoa and Papua New Guinea. New Zealand has endorsed the establishment of a regional police college in Fiji, to be funded by the Australian aid agency AUSAID that, again, blurs the distinction between development and counter-terrorism assistance, and props up the repressive forces of the state.

### **New Zealand aid to the Solomon Islands**

The 2003 Regional Assistance Mission to the Solomon Islands (RAMSI as it came to be called) provides an excellent example of the war agenda clothed in development rhetoric. The timetable of events makes it clear how the mission came about and who stood to benefit from it.

An influential right-wing think tank, the Australian Strategic Policy Institute (ASPI) published a paper on 10 June 2003 entitled *Our failing neighbour — Australia and the future of Solomon Islands*. This paper outlined the situation in the Solomons as one of near lawlessness and recommended an Australian-led intervention force to restore order. The paper detailed the millions of dollars of income

available to Australian companies if the political situation was stable and hospitable to foreign investment.

It outlined the loss of income due to mine closures by Australian company Ross Mining. That company operates the Gold Ridge mine on the island of Guadalcanal. The report concluded that Australia could not afford to have so-called 'failed states' on its doorstep because of the potential for them to become terrorist havens. It concluded that Australia could not undertake such a military operation on its own because it would be considered a colonial invasion.

The political instability in the Solomon Islands is long-standing. It had been occupied by colonial powers since the mid-1800s when missionaries arrived. The Westminster-style parliament in Honiara is historically weak because its centralisation is not consistent with traditional village-level governance. Ethnic rivalries between the people of the islands of Guadalcanal and Malaita are rooted in beliefs about land ownership and their access to employment. Between 1999 and 2002 the ongoing conflict included looting, kidnappings and assassinations.

In 2003 the situation in the Solomons had begun to stabilise, and the government was more able to enforce its will around the islands. The government was functional, although there was still lingering violence in the Weather Coast area of the country. A December 2002 Australian Foreign Policy desk report concluded that the "Solomon Islands is still a going concern, and may indeed have bottomed out."<sup>15</sup>

Just weeks after the release of the ASPI report, John Howard's government decided to assemble a 'coalition of the willing' to send military and police for Operation Helpum Fren. In language nearly word for word from the ASPI report, Howard asserted that the risk to Australia from terrorists operating in a failed state was imminent. The point about the potential for terrorism was crucial for securing Pacific and international support for the military operation involving 2000 Australian troops and several hundred police officers. In

## AGAINST FREEDOM

the post-September 11<sup>th</sup> world, no nation dared oppose a mission to stamp out terrorist threats.

It was not without reason that this mission was viewed, by many in New Zealand and the Pacific, as a colonial invasion. The economic benefits to Australian business were substantial. These benefits included not only sizeable development aid contracts and access to rich natural resources but also a large market for Australian goods. More importantly, Australia wanted to flex its authority in the Pacific and claim leadership of its 'patch.' Despite the long-standing nature of the conflict, Australia refused to seek a UN security council resolution in advance of the mission, citing time constraints. The RAMSI force did eventually receive the blessing of the Solomon Islands government and 16 Pacific leaders.

Prime Minister Helen Clark agreed to contribute defence force troops and police to the mission. The initial commitment consisted of four Iroquois helicopters, crews, engineering and support staff, plus additional staff in support of the Australian-led mission. The defence forces deployed 228 personnel in late July 2003.<sup>16</sup>

Before this military deployment, constitutional reform was occurring and had been working, albeit slowly. These reforms were intended to shift power away from the centre to villages, thereby alleviating problems of perceived ethnic domination of the government and lack of participation due to the remoteness of many islands. This work was effectively scuttled as "soldiers, armed to the teeth, storm[ed] ashore ... to restore law and order and provide protection for police and other officials."<sup>17</sup>

In 2005 the RAMSI force largely concluded its work in the Solomon Islands, although defence force and police personnel remained. In an extraordinary demonstration of its imperial ambitions, Australian members of the participating police force conducted a raid on Friday 20 October 2006, which resulted in the breaking down of a door and removal of equipment from the office of the prime minister of the Solomon Islands.<sup>18</sup> "These actions are certainly a serious violation of Solomon Islands territorial sovereignty and integrity,

and are inconsistent with the UN Charter of the Respect for the Principles of Sovereignty” was the comment from the Melanesian Spearhead Group (MSG) of countries that includes Papua New Guinea, Solomon Islands, Vanuatu and Fiji.<sup>19</sup>

Equally outrageous were comments by the Australian foreign minister in January 2007 that the Solomon Islands’ government was “tarnishing the reputation of the mission [RAMSI],”<sup>20</sup> as if it was the Islands’ responsibility to ensure the positive portrayal of Australian and New Zealand troops and police.

For the vast majority of Solomon Islanders there has been little benefit from this invasion. The cost of the mission for the NZDF is difficult to quantify; it would certainly have run into millions of dollars. However, New Zealand’s economic interest was well served by this invasion. Like Australia, the \$11 million worth of exports to the country would undoubtedly grow if the political situation were conducive to foreign investment. Similarly, the availability to New Zealand of natural resources and markets presents substantial value. Of greater importance than any of those isolated benefits, however, is the normalisation of governance regarding trade.

A goal of both the Australian and New Zealand governments is greater regional integration and the formation of a Pacific free-trade zone. The war on terrorism is a convenient cover to divert attention away from the factors that underlie this economic agenda. It also blurs the line between war and development in the eyes of the public so that, effectively, the war is seen as a necessary and beneficial precursor to development.

### **New Zealand aid to Iraq**

The military deployment to the Solomon Islands under the pretence of bringing order is not an isolated instance, nor is the practice limited to the Pacific. The government’s redirection of development aid funds to the war on terrorism was also manifest in the 2003 deployment of defence force troops to Iraq. The prime minister staunchly maintains that there is no link between the war on terrorism, in



which New Zealand is an active participant, and the invasion of Iraq. By contrast the Bush administration has repeatedly linked the two — calling the war in Iraq an extension of the war on terrorism.

*Above* Anti-war protest outside Ohakea Airbase as troops leave for Iraq.

Almost immediately after the invasion of Iraq, Clark committed New Zealand to assist in the reconstruction of that country. By June 2003 the nature of that assistance became clear: 61 defence force engineers would be sent to serve with the British based in Basra. The role of these soldiers was ostensibly to “play an impartial reconstruction and humanitarian role ... not be part of the us-British military occupation.”<sup>21</sup>

The New Zealand public was not told of the extent of the soldiers’ involvement with the occupying armies. Nor was it told how this deployment was to be funded. Subsequent revelations exposed the nature of the deployment. NZDF rules of engagement authorised soldiers to shoot-to-kill to protect designated coalition property and coalition soldiers. The soldiers were under the direct command of the British army, and under the overall command of the us. One



source of funding for this operation was nearly \$5 million of development aid to cover expenses.<sup>22</sup>

There is a move by many countries for their military to do work traditionally defined as 'development.' This is a concerted effort to associate the military with something that is widely viewed as beneficial. It is difficult to understand how armed soldiers can, in any way, be considered the best tool for rebuilding a war-torn country. However, when the deployment is sold as 'reconstruction' and the mass media endorse the deployment by depicting feel-good stories about rebuilding schools, it becomes an easy sell. There was little dissent from the government's line.

It appears that the New Zealand deployment of engineers to Iraq had little or nothing to do with assisting the Iraqi people. Iraq is a country of some 26 million people: it seems likely that they have a considerable number of qualified electricians, builders and plumbers who can do precisely the kind of 'reconstruction' that the NZDF was sent to do. The mission did, however, have a considerable political agenda. This agenda was to make amends with the US and to secure valuable reconstruction contracts for New Zealand businesses, while selling the public a military mission labelled as humanitarian aid. It worked on all accounts.

\* \* \* \* \*

The New Zealand government has exported the war on terrorism in a self-interested manner. By linking development goals and aid to the war agenda, New Zealand serves its own economic advantage. New Zealand's secretary of defence in 2004, Graham Fortune, paternalistically noted that "Pacific Island countries need to be convinced of the relevance, and importance to them, of tackling new, additional issues, such as those deriving from the war on terrorism and they need to be assured of the financial and technical support to do so."<sup>23</sup>

He is correct. They do need to be convinced, because the push for security, mandated by the war on terrorism, is not the development agenda desired or needed by the Pacific people. When Fijian

## AGAINST FREEDOM

leader Ratu Sir Kamasese Mara “warned the Forum Leaders in 2001 that Pacific Island countries need to be vigilant and ensure they are fully in control of their destiny because ‘too often aid comes with strings attached’, NZ prime minister Helen Clark described Mara’s comments as ‘unfortunate’.”<sup>24</sup>

In 2005, Fiji started singing a different tune: one that harmonises with New Zealand’s efforts in the war on terrorism. On 10 June, Fiji and New Zealand signed a memorandum of understanding strengthening cooperation against international terrorism covering cooperation in law enforcement and border control, and stemming illegal arms trafficking. Phil Goff, then New Zealand minister of foreign affairs, proudly proclaimed of the agreement, “It is pleasing and appropriate that it should be with a Pacific nation, especially Fiji, because we share the common goal of a safe and secure Pacific.”<sup>25</sup>

A safe and secure Pacific? Fiji has undergone four military coups d’état in the past two decades. The government with which Phil Goff was so pleased to be doing business was a direct beneficiary of the 2000 coup that overthrew the democratically elected government of Mahendra Chaudhry. This event, called an “act of terrorism” by Australian Prime Minister John Howard, resulted in the Fijian prime minister and cabinet being taken hostage for 56 days.<sup>26</sup> The signatory to the co-operation memorandum, Fijian foreign minister Kalipate Tavola, is a member of the ruling Soqosoqo ni Duavata ni Levenivanua Party that was in coalition with the Conservative Alliance whose members included former coup leader George Speight.

In essence, the New Zealand government has signed a diplomatic understanding about stopping terrorism, with a Fijian government that was in power largely as a result of a terrorist act. The rulers of the New Zealand government are rewriting history in order to fit their current agenda. It is hardly surprising then that the most recent military coup in December 2006 has been met with condemnation by both Australia and New Zealand. The man behind the Fijian military, Commodore Frank Bainimarama, has no reservations about telling both countries to stay out of Fijian affairs. He is unwilling to

blindly follow their self-interested agendas, and as a result Fiji has been blacklisted with sanctions and travel restrictions. He is on the wrong side of the war.

### **What does development mean**

In order to understand the relationship between the war on terrorism and development aid, it is necessary to question the nature of development itself. Development is a carefully crafted propaganda exercise done largely for self-interested economic reasons. Yes, there are some beneficial effects of some development programmes; there is no doubt about that. However, there are as many programmes with neutral or even negative effects.

New Zealand is using the language and the programmes of development to export and enforce the agenda of the war on terrorism. It does this in two ways: first, it is subtly changing the connotation of the word 'development' to include acts of war and second, by pressing economic liberalisation on small Pacific nations.

Control of the description of 'development' has meant the incorporation of 'security' and 'good governance' as parts of the definition. This definition, coupled with military deployments portrayed as 'reconstruction,' subtly distorts the widely held view of what development is. This new 'development aid,' however, is still viewed unquestioningly as an altruistic act. Carefully managed propaganda has ensured that 'development' continues undisturbed by protest, while the real priorities for the Pacific languish.

The New Zealand agency charged with both trade and aid pursue one goal: enhancing New Zealand's economic interests. To this end, the agency aggressively seeks greater trade liberalisation and other neo-liberal economic reforms. This is the second part of the war. It has devastating consequences for Pacific people as traditional ways of life are swept away by the economic changes dictated by the war's proponents.

The linking of war and development, in the cases of both the Solomon Islands and Iraq, are powerful examples of the develop-

## **AGAINST FREEDOM**

ment agenda of the war on terrorism. As with the entire agenda of this war, the goal is not limited simply to military supremacy or economic might. It is an ideological war that seeks the power to define how we exist and how we conceptualise the world around us.

## **The Winners and the Losers**

In any war there are winners and losers. The war on terrorism is no different. In this case the winners are not victorious armies and patriotic citizens; the losers are not defeated, imprisoned and disheartened terrorists — or rogue states.

In this war the winners are modern-day imperialists fighting against freedom for greedy self-interest and what I define as 'Western fundamentalism.' By this term I mean the elevation of Western modernity above all other ways of knowing and being and it includes adherence to capitalism, individualism, patriarchy, scientific rationalism, 'Christian' morality, commodification of the environment, private property, and a belief in progress.

The losers in this war are the ordinary tolerant people, the vast majority, in New Zealand, and around the world, whose complicity in the war is secured through propaganda, force and superficial concessions. They are nothing more than the disposable parts in the machine of empire.

What is imperialism? The *New Penguin English Dictionary* defines it thus:

the policy, practice, or advocacy of extending the power and domination of a nation, especially by territorial acquisition.

## AGAINST FREEDOM

In today's world it is not the domination of a nation that characterises the empire, but the domination of a system — capitalism. The United States government is a committed adherent to this system of exploitative social relationships. New Zealand is one of its most devoted disciples. Having shed its old social democratic ways in the 1980s, the Labour party now embraces the neo-liberal agenda as true believers. Like empires of the past, the rulers and elite flourish from the toil of the masses. Today the rulers of the world are not despotic kings, but multinational corporations and the small group of people who control them.

The muscle for the multinational corporations is provided by the US military, a force vastly experienced in fulfilling this role. In 1935, US General Smedley D Butler testified to his perception of the military's role:

I spent 33 years and four months in active service as a member of our country's most agile military force — the Marine Corps. I served in all commissioned ranks from a second lieutenant to major-general. And during that period, I spent most of my time being a high-class muscle man for Big Business, for Wall Street, and for the bankers. In short, I was a racketeer for capitalism.... Thus I helped make Mexico and especially Tampico safe for American oil interest in 1914. I helped make Haiti and Cuba a decent place for the National City Bank to collect revenues in.... I helped purify Nicaragua for the international banking house of Brown Brothers in 1909-1912. I brought light to the Dominican Republic for American sugar interest in 1916. I helped make Honduras 'right' for American fruit companies in 1903.<sup>1</sup>

In the succeeding 70 years, military technology has fashioned more practical methods for mass murder. It has progressed to the point where rulers can annihilate entire civilisations with the push of a button. The possession and proliferation of nuclear, biological and chemical weapons exists on a scale unimaginable in any preceding generation.

This chapter will explore the role of New Zealand in this global empire by examining two questions: who benefits from and who pays for the war on terrorism. There are plenty who benefit from the empire-building and expansion of the Western liberal ideal. In New Zealand these are multinationals involved in the weapons industry, private security services, the oil companies and even that sacred cow of the economy, Fonterra. They are intimately interlocked by common ownership and common goals. They possess the influence and capital to control the New Zealand economy and the political agenda.

There are also plenty of losers in this war. Changes to the laws covering travel, transport and shipping, incurring significant new expenditures, are obvious examples of who will pay for the war. The costs are not just financial but include invasions of privacy and endless inconveniences. Hailed as a public good, the private benefits of improved security are being underwritten by individuals. In large part, business has opposed and successfully organised to reject these new compliance costs when they have been threatened with them. The Border Security Act, the International Ship and Port Security Code (2002) and the International Civil Aviation Organisation have placed costly requirements on exporters and those involved in transport, all of which are ultimately passed along to us.

### **The losers**

If you have travelled overseas in the past five years you will have experienced some measure of the new counter-terrorism regimen. This is perhaps the most obvious and widespread effect of the war on terrorism. The airline industry has been a particular target of new legislation and regulation because of the manner in which the September 11<sup>th</sup> attacks were carried out.

Before you even get on a plane to London or Los Angeles you are thrust into the government's new security straitjacket. The United States has demanded new standards for passports that require biometric data to be included on an embedded microchip. New Zealand's

## AGAINST FREEDOM

passport office has willingly complied, upgrading new passports to meet US requirements that came into force in 2005. Travel to many parts of the world is nearly impossible without passing through, or over, the US, making avoidance of this requirement untenable.

If you have a proper passport it will be checked against terrorist watch lists. Data collected in the advanced passenger processing (APP) system will match all of your personal details along with your travel itinerary, when and where you made your booking and the contents of your baggage. You can probably get on your flight, assuming you aren't unlucky enough to have a name that is the same or similar to that of a suspected terrorist. That is, after you report to the airport three hours early, have your luggage searched and pass through a series of intrusive security checks. There are exceptions: an Air Canada check-in agent in Calgary told a passenger he could not board his return flight because he was a security risk. The name on his ticket — his first name followed by his last name — didn't match the name on his ID — his last name followed by his first name.<sup>2</sup>

All of this new airport security is costly. However it will not cost the airlines or the airports — it will cost all of us. The New Zealand Treasury is working out a formula to determine who will pay for all of these new requirements: the public as a whole, or individuals through surcharges.

The greatest beneficiaries of this increased security are not passengers or the airlines but the security companies. Estimated costs for the screening of all baggage for explosives are \$21.4 million. Perhaps you imagined that this was already being done? Additional staff at New Zealand airports to analyse all of the data being collected will cost another \$5.4 million. Updating the APP system and links to both Immigration and Customs departments cost a mere \$1 million.<sup>3</sup>

These initial charges are just the start. The Identity Act of 2005 has shortened the validity of a passport from ten years to five years, but it will cost you the same amount of money for each renewal. Along with additional costs, future passports will be equipped with



data allowing facial recognition software to match you and your photograph. You will be asked to pose in order that your face can be scanned and matched with the image in your passport. It may be further checked against a database of images held by New Zealand and US immigration authorities. This is the preferred method of identification endorsed by the International Civil Aviation Organisation in their *New Orleans Resolution* adopted in 2002 as a direct result of the World Trade Center attacks.<sup>4</sup>

Individual travellers are not the only ones paying for the war on terrorism's demands. People who export goods from New Zealand are also facing both stricter regulations and costly new inspection regimes dictated by the United States. The USA PATRIOT Act requires stringent border security, including the inspection of incoming goods arriving by land, sea or air. As the US is New Zealand's second largest trading partner, conformity with their rules is essential for the survival of many businesses.

When customs minister Rick Barker announced that business would pay the cost of such measures since they reaped the full benefit, there was an uproar. Following the introduction of the Border Security Bill in 2003, businesses banded together as the Travel and Trade Industry Coalition to lobby government. Some 30 organisations including airports, shipping companies and manufacturers railed against the introduction of user fees that would have added an additional \$400-600 per cargo. These charges were the ongoing cost of meeting new counter-terrorism requirements. "Nothing is more important to New Zealand than tourism and exports. Both depend on security and it is a matter of public good," one coalition member insisted.<sup>5</sup>

But the taxpayers have already paid more than \$30 million for the infrastructure of this new system. The costs being passed along to business were to be the ongoing operational costs, estimated to be \$20 million a year.<sup>6</sup> As with empires of old, the moneyed power won this battle. The issue of who pays for border security has now been sent back to Treasury to find a different solution — one where busi-

## AGAINST FREEDOM

ness does not pay. It will be the New Zealand public who underwrite the costs for exporters to sell their goods overseas, all in the name of border security.

Shipping and port security were the subject of special legislation passed in 2004. The Maritime Security Act requires significant upgrades to port and ship security and extends the government's power of regulation. The law requires that each port have an approved security plan and a standing security committee. All New Zealand flagged ships must have a security officer on board. Ships intending to enter a port must provide advance information, including the details of the last ten ports visited, if requested.

Customs officers now have vast new powers to seize goods and hold shipments based on terrorist threats. In fact, shippers may be responsible for paying for the seizure of their own goods if those goods are prohibited on board a ship or in a port security area. No doubt there are significant costs to both the ports and the shipping companies to comply — but not complying could be even more costly.

Business sectors have joined forces to effectively block the imposition of new counter-terrorism taxes and levies, or shift them onto the public. It is far more difficult for individuals to see the costs of the war, let alone resist them.

Extending the surveillance state has cost plenty. In the wake of September 11<sup>th</sup> the government committed \$30 million directly to extending police and security agency powers and improving responsiveness to terrorism. New Zealanders have also subsidised the cost of protecting their rulers. In the days immediately following 9/11, parliamentary security was beefed up at a cost of some \$31 000 a week.<sup>7</sup> There is no overall accounting of the government-wide spending on post-September 11<sup>th</sup> security. Certainly, whole systems have been upgraded to keep bureaucrats safe from dangerous terrorists, or possibly just from troublesome people.

Much to the annoyance and inconvenience of locals, further counter-terrorism measures have been put in place in central Wel-

lington. In the Thorndon suburb of Wellington, new protection for the us and Australian embassies have frustrated and angered residents. The possibility of a terrorist bombing the Australian embassy resulted in street car parks replaced with yellow lines, prompting one resident to ask: “if they’re deranged what are some yellow lines going to do? Really?”<sup>8</sup>

At the us embassy new security measures include concrete bunkers along street frontages, an upgraded security checkpoint, extended camera surveillance and a steel platform at the entranceway capable of repelling a car bomb. This fortress now resembles a maximum-security prison. In 2005 the us embassy simulated a terrorist attack to gauge the response of police and fire service. The New Zealand public pays to protect us territory (as the embassy is defined) and the us marines who are based there.

One bizarre tale of the cost of new security in the wake of September 11<sup>th</sup> is the vetting of staff members of Tallowman, a company involved in delivering and retrieving animal fat (tallow) used in deep fryers at most fish and chip shops. Because the fat can be used as an explosive, their staff now have to undergo a security check in order to cart off the fat from takeaway restaurants.

The actual financial expenditure by taxpayers is considerable. Yet these millions of dollars pale in comparison to the much greater payments in basic freedoms that the war extracts. “The warpath leads not to freedom but to bigger government and higher taxes.”<sup>9</sup> We have more government, more taxes and more regulation now — but do we have any greater security?

### **The winners**

The interlocking nature of the global corporate superstructure implicates many New Zealand industries in the war’s agenda. Some are more involved, however, than others. In New Zealand the weapons, oil, and security industries support the war’s aims in a very direct way. Similarly, they benefit from the war’s aims in tangible, financial terms. A less obvious winner is New Zealand’s biggest co-operative



Fonterra. It is a tailgater, riding the military push into new markets to sell its milk powder around the world.

It is generally understood that the weapons industry benefits from war. These companies exist to supply armies and thus, in order to survive, they must continue to supply their products. The industry is represented by an organisation euphemistically named the New Zealand Defence Industry Association (NZDIA). Its members include private companies and government departments. The NZDIA exists to promote weapons-trading as a source of revenue and employment for the country.

Noting the possibilities, “Officials have urged the government to enter the arms race and make a killing off the war in Afghanistan ... the opportunities are not just for weapons — defence is a huge customer for nearly every product — from clothing to IT to consulting services.”<sup>10</sup> In the period between 1996 and 2001, it is estimated that the New Zealand weapons industries’ export earnings more than doubled from \$70 million to over \$145 million.<sup>11</sup>

*Above* Police and private security guards use violence to stop the hundreds of people participating in a non-violent blockade of Te Papa during the annual weapons conference in October 2006.

Indeed the government has been a major sponsor and supporter of the local weapons industry, providing both funding and a venue for the annual industry conference. The association's website reveals that "there is an active focus on export opportunities, in conjunction with New Zealand Trade and Enterprise, New Zealand's economic and trade development agency. The site also notes that members of the New Zealand Defence Force (NZDF) and the New Zealand Ministry of Defence (MOD) are active supporters and participants in NZDIA activities."<sup>12</sup>

Like the intelligence and security agencies that have benefited from a renewed sense of purpose, the weapons industry is exploiting this newly created market for better war technologies. Aside from the immoral nature of war profiteering, its activities are not always within the law.

One of the New Zealand companies involved in selling weapons overseas is Osmar International that manufactures realistic shoot-to-kill laser training equipment and shoulder-launched anti-tank weapons simulators for use in urban warfare training centres. Osmar has just been implicated in an attempt to circumvent New Zealand trade laws by selling to the Israeli Defence Force via the United States.<sup>13</sup>

Another beneficiary of government support is Flexisolutions, a small company that makes hand grenades. It was recently awarded a \$100 000 grant by Industry New Zealand to test its 'jungle sweeper' grenade described as "likely to be popular with anti-terrorism forces."<sup>14</sup>

Christchurch-based company Steelbro benefited directly from the invasion of Iraq selling their self-loading trailers to the US army for use in the current occupation. The trailers are called sidelifters — they lift shipping containers on and off trucks without the need for a forklift. Steelbro's managing director, Bill Lee, proudly noted that "the sidelifter permits containerised and palletised arms and munitions to be moved quickly and safely. Its compact design also enables

## AGAINST FREEDOM

it to be carried aboard some military cargo aircraft.”<sup>15</sup> Conveniently, it fits inside the C-130 Hercules used extensively by the us military.

Auckland-based company Rakon is reaping the rewards of the continued us occupation in Iraq as it produces a component of the guidance systems in the ‘smart bombs’ being used there. Over the period 2000-2005, Rakon was awarded more than \$600 000 worth of government money. Helen Clark bestowed the ‘exporter of the year’ award on the company in 2004. Meanwhile, us and Israeli air forces are delivering thousand-pound bombs on civilians with the help of Rakon’s technology.<sup>16</sup>

The New Zealand weapons industry will continue to grow and continue to provide resources for fighting the us war on terrorism. With taxpayer money this industry is helping to support militaries involved in illegal invasions, torture, rape and murder. The industry is strengthening capitalism by endorsing a world-view that elevates war as the ultimate arbiter of truth and justice.

In the capitalist empire might is right.

Just as the defence industry benefits from the war on terrorism, so too does the security industry. New Zealand companies involved in providing security guards, alarms, surveillance and crowd control have grown exponentially since September 11<sup>th</sup>. At present there are some 4000 registered security professionals in the country.

Chubb Security, a business unit of multinational United Technologies Corporation (UTC), employs over 1200 people throughout the country. Worldwide it has an annual sales turnover of more than us\$6 billion. Its services include not only traditional security guards but also covert and electronic surveillance.<sup>17</sup>

Chubb’s connection with the war on terrorism is two-fold. First its parent company, UTC, is owner of Pratt & Whitney Aerospace and Sikorsky Helicopter, both are major suppliers to the us military. Pratt & Whitney supplies engines for large and small aircraft and sophisticated weapon systems, including those for the us Air Force’s F/A-22.<sup>18</sup> Sikorsky manufactures the infamous Black Hawk helicopters deployed for both attack and troop transport purposes in Iraq

and Afghanistan. Both companies' number one customer is the US military. United Technologies is one of the world's largest corporations (number 139 on the Forbes list for 2004) and is a major stakeholder in an ever-increasing military budget. The war on terrorism ensures just that.

Chubb also contributes to the war as part of the growing private army of security agents around the world. It provides security at the Australian detention facility for *MV Tampa* refugees on the island of Nauru.<sup>19</sup> It provides security at the Mangere refugee detention centre. The dominance of the surveillance market by two companies in New Zealand — Chubb and Amourguard — is alarming. Their major clients are government departments, city councils and private businesses throughout New Zealand. The power they wield comes from the network of cameras, alarm systems, electronic surveillance devices and human guards covering every aspect of life, from work, to home, to sporting events and cultural institutions.

Significant personal information is collected and maintained in private hands without our knowledge or consent. As an integral part of the security apparatus, these firms benefit from the climate of fear manufactured by the war on terrorism. At the same time they nourish that climate through their ubiquitous surveillance and monitoring activities.

To overlook the role of oil companies would paint an incomplete picture of the dominance of multinational corporations' role in the war on terrorism. While there are only a few that operate in New Zealand they are truly the rulers of global empires.

Mobil, BP (British Petroleum), Caltex and Shell are all subsidiaries of larger multinational corporations involved in petroleum exploration, production and refining around the world. These corporations have more than a stake in the war on terrorism — they are major players in it.

US addiction to cheap petrol makes oil security synonymous with political security. In New Zealand, the situation is not significantly different. The export-driven economy requires ever-increasing fuel

## AGAINST FREEDOM

supplies, and energy demand for transportation alone is expected to grow by two per cent per year for the next 20 years.<sup>20</sup>

The oil and gas sector, collectively, donated nearly us\$2 million to the Republican presidential campaign in 2000, making the industry among the top ten special interest contributors to Bush.<sup>21</sup> Individually, the us oil and gas multinationals gave us\$26 million to the Republicans in the 2000 election campaign cycle and us\$20 million in 2004.<sup>22</sup> Their contributions to the us Democratic party would be nearly equal. No matter who is elected, they remain in charge.

Clearly, oil companies must do business where there is oil. The Middle East and Central Asia have vast proven reserves of petroleum and natural gas. But, the oil companies do not just do business there, they control the political situation, they wage wars, they destroy the environment and they kill people in the process.

The murderous exploits of Exxon Mobil in Indonesia were documented in Chapter 5. The company's endeavours hardly stop there. It is also part of a consortium led by BP known as the Azerbaijan International Operating Company (AIOC), along with some eight other companies, to exploit the offshore oil field in the Caspian Sea approximately 100 km east of Baku. It has proven reserves of 5.4 billion barrels.<sup>23</sup> The consortium plans to ship the oil via Kurdistan, where long-standing demands for independence from the Turkish state have been ignored, resulting in civil conflict.

Washington and London are blind to gross human rights violations in Kurdistan because Turkey is a key ally in the war. One human rights activist has been tried in Turkey for attempting to document cases of abuse related to land appropriation along the pathway of the pipeline. The British public is unwittingly underwriting the whole project through a government loan of us\$106 million.<sup>24</sup>

Royal Dutch Shell is deeply involved in Central Asia. It has interests in CPC, a 1600 km pipeline from West Kazakhstan to the Black Sea that has been operational since October 2001. The Shell New Zealand chairman notes that "global events had a significant impact on the New Zealand market in 2003, with threats to supply in the



Middle East pushing up the price of crude oil and refined products worldwide.”<sup>25</sup> What he doesn’t say so loudly is that the company enjoyed record profits,<sup>26</sup> as did all of the oil companies.

The Turkish route and the pipeline secured by Shell through Kazakhstan are remote from the ultimate goal of these companies — rapidly growing Asian markets. A more attractive alternative, a route through Afghanistan, presented the best option and the best reason for war. In January 1998 the Taliban signed an agreement that would have allowed a proposed 1450 km, US\$2 billion, 1.9-billion-cubic-feet-per-day natural gas pipeline project to proceed.<sup>27</sup> But the project had to be abandoned due to the Taliban’s inability to provide security along the proposed route. Now the installation of a regime that is friendly to Washington has put the project back on track.<sup>28</sup>

Following the Afghan invasion in 2001 there was worldwide opposition to what was then clearly seen as a war for oil. Yet it would be naïve to imagine that the war on terrorism was simply about oil. Afghanistan embodies not only rich resources of oil, natural gas, coal and precious metals, but it sits strategically between Russia, India, China and the Middle East. Billions of potential customers live in this region, and multinational corporations seek to ensure that they are captive clients of their global empire.

As the oil flows out of the Middle East and Central Asia, Fonterra works to expand the volume of milk flowing into the region. Fonterra is New Zealand’s largest company and the sixth largest dairy company in the world. The link between war and milk might seem tenuous but Fonterra, too, reaps the benefits of the war agenda.

Fonterra management would have been distressed at the US invasion of Iraq, but not because of the thousands there who would soon be slaughtered by US bombs. Rather it would have lamented its lost income — it had contracts totalling \$37-50 million a year to provide milk powder as part of the UN oil-for-food programme.<sup>29</sup> New Zealand’s initial lacklustre support for the invasion might have cost it the contracts. However, the Labour government’s well-calculated

## AGAINST FREEDOM

move to offer troops for reconstruction secured New Zealand companies' continued eligibility for contracts with the Coalition Provisional Authority in Iraq.

One might be inclined to think that providing milk is both a desirable and necessary requirement in rebuilding Iraq. But is it? Fonterra is wearing the new emperor's clothes by aggressively pushing the free-trade agenda and Western fundamentalism:

Fonterra is a company built on a behaviour no other species on earth pursues – drinking another species' milk. It is either naively or ruthlessly introducing dairy to the diets of largely lactose-intolerant cultures (including Māori, Pacific Islanders, Asians, Hispanics and African Americans), where dairy has never been part of the traditional food intake.<sup>30</sup>

Fonterra's free-trade agenda trumps all other priorities, including human rights. When exiled leaders of Burma asked foreign minister Phil Goff to support a trade embargo on that country in April 2005, because it is being ruled by a military dictatorship committing grave human rights violations, he flatly refused. New Zealand's trade with Burma consists almost entirely of milk powder and he said that not providing milk to the people would be punishing them. The people of Burma do not support this view. They wish to cut off export income to the military by whatever means necessary. In an election year, though, Labour was totally unwilling to cut into Fonterra's profit margin and risk the company's wrath.

Because of the increasingly interlocking nature of multinational corporations, it is difficult to single out just a few industries and identify them as the beneficiaries of the war's agenda. After all of the links are made between multinational corporations and their subsidiaries it simply becomes one giant corporation. It is business writ large that benefits from the war on terrorism. While one company or another may falter, overall, war is good for business. Certainly the people are the losers — new charges are passed along to them for the benefit of private enterprise, while truly public goods like health care and education are left wanting.

Central to understanding the agenda of the war is recognising its twin underlying motives. Greed is surpassed by only one other aim in this war — the adoption of Western fundamentalist ways of being — deemed necessary to create the brave new world desired by the emperors. Western fundamentalism equals or surpasses in stridency that of its stated enemy, Islamic fundamentalism. It is far more widely held, and possibly more dangerous. It actively works to eliminate any competing world-view.

Banished are collectivism, equality, tolerance and intuition. These are the proverbial dark sides for the rulers who seek the light of a clinical and calculable existence. So embedded is Western fundamentalism that few people recognise it as only one of a range of possible ways of organising our world. Ruthlessly, these emperors seek to destroy anything that may undermine their power or diminish their profits.

The corporate emperor is the new ruler of the world with the power of life and death.

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## Media Myths and War Lies

“Our war on terror begins with al Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated...It may include dramatic strikes, visible on TV, and covert operations, secret even in success.”<sup>1</sup>

How did we know that war had been declared? The media told us, then they showed us horrific images to prove it. George W Bush’s words were broadcast on virtually every television station and re-printed in every newspaper in the world

“New Zealand will help in any way we can,” said Helen Clark.<sup>2</sup> She indicated to the New Zealand public via the major newspapers, radio and TV that she would support this war with Special Air Service (NZSAS) troops, a frigate and aircraft.

The global propaganda machines quickly swung into action to support the war effort.

Most New Zealanders use the mass media as their source of information about world events. Approximately 90 per cent of the adult population of this country claims to read a daily newspaper and about one-third of those judge it as the most reliable source of information about New Zealand politics.<sup>3</sup> Used properly, it is an

extremely effective vehicle for establishing the image of a societal consensus around the waging of war.

Only a few New Zealanders have travelled to Afghanistan or to Iraq in the past five years; we can only assume that a state of war exists in those two countries. We assume that the media are reporting on real events, with a greater or lesser degree of accuracy.

Many people truly believe that the media report an objective reality that is verifiable. They rely on the media to deliver reasonably accurate and credible facts. They also expect the media to provide some context and lend understanding to the world. The ideal medium is presented as objective, fair and balanced in its reporting. This is the liberal construct of the media as providing a public arena where citizens can even expose abuses of state and corporate power.

However, there is another view that more accurately reflects the reality of today's media conglomerates. In this model, powerful economic and political interests discreetly manipulate the public's knowledge and opinion of political issues. These interests go beyond just influencing opinion on an issue. They actually determine what the issues are. Indeed, they create public opinion.

The war on terrorism is to some extent a creation of the media. It is an issue that has been subjected to 'image branding' and marketing by the Pentagon and by the NZDF publicity office. The New Zealand media have unquestioningly accepted the discourse of the military and been a vocal supporter of it. In order to appreciate the extent of this media creation we must first set the scene with an overview of the power of propaganda and how our consent is manufactured. Then, by turning to examine who owns the New Zealand media, whom they serve in their coverage of the war on terrorism can be exposed.

A great example of this manipulation is the reporting of the *Dominion Post* and the *New Zealand Herald* covering the NZDF deployment of provincial reconstruction teams (PRTs) to Afghanistan. No New Zealand media outlet has ever questioned the fundamental rationale for sending troops there. It simply acts as a cheerleader for

## AGAINST FREEDOM

the soldiers and, by extension, the US occupation. It is a microcosm of the media's treatment of the whole war and as such is an excellent case study.

Beyond this case study, the war's larger agenda will be examined in view of the media coverage. As you read I ask you to consider what you really know about this war.

### Media bias

Bias in the media is nothing new. The war on terrorism has simply strengthened the role of the press in shaping opinions and reinforcing societal norms. Because there are close economic relationships between major media outlets and weapons manufacturers there is mutual interest in supporting and continuing the war.

As an example, General Electric owns NBC — one of the three major television networks in the US — along with CNBC, Telemundo, and msnbc.com. General Electric is one of the Pentagon's top ten defence contractors doing business worth US\$2.2 billion in 2005.<sup>4</sup> It produces jet engines and nuclear reactors as well as the *Entryscan* walk-through explosive detector and the *CommerceGuard* shipping container security system. These last two items are fundamental equipment required to enforce the new counter-terrorism laws now in place worldwide. Needless to say, General Electric's media outlets have been uncritical of Bush's 'war without end' because it means profit without end.

As important as these obvious economic influences are, of perhaps greater significance is the mass media's Western fundamentalist bias that undergirds its support of the broader war agenda. This is fundamentalism that elevates Western culture above all others and seeks to impose it universally. This ideological bias is present in nearly all Western mass media. It is, in fact, evident in nearly all aspects of modern Western culture.

Edward Said, a distinguished Palestinian intellectual, wrote a groundbreaking book, *Orientalism*, on the conception of 'the Orient' by the West. In it he defines Orientalism as "a manner of regu-

larized (or orientalist) writing, vision, and study, dominated by imperatives, perspectives, and ideological biases ostensibly suited to the Orient.”<sup>5</sup> The masterminds of the war on terrorism rely on this body of Western scholarship that supports the construction of Muslims as irrational, menacing, probably Middle Eastern, untrustworthy, anti-Western and dishonest. The media feed upon it and lend further credibility to the construction of this stereotype.

Ideological bias is based on the use of several techniques that secure our acquiescence and consent.<sup>6</sup> One technique is the process of ‘legitimation’ by which something is made credible through the use of expert authorities or the impression of popular support. This is the case when select academics, politicians, leading businessmen or military generals are asked for their opinion.

A second technique, ‘fragmentation,’ is evident when media present groups of people as opposed to each other, when in fact they may not be. People are depicted as competing for resources against each other, when in many cases they actually have common goals. A good example is when refugees are portrayed as unrightfully depleting essential public health services. They are portrayed as taking a portion of something that belongs to someone else. In fact health care is a universal necessity and should be universally available, regardless of income or citizenship. By extension, it is in the interests of all community members that their neighbours are healthy.

Thirdly, the media isolate particular incidents from their underlying processes and context — individuals often appear to be responsible for problems when in fact the problems are structural. This is certainly the technique being used in the case of prisoner torture by US soldiers at Abu Ghraib prison in Iraq. Individual guards have been charged with violating human rights when they were clearly following standard operating procedure and orders from above. The media have published extensive personal profiles and exposés on the marines charged with these horrific crimes, depicting them as uniquely ignorant, mean and racist, and thus more likely than other soldiers to carry out these acts.

## AGAINST FREEDOM

Finally, presenting the world as having one accepted normal and natural way most cogently conveys ideological bias. This 'common-sense' view of the world actually obscures the particular interests being served. The equating of a democratic political system with a free-market economy is an example of this technique.

### Media ownership in New Zealand

The power of this ideological bias to shape New Zealand foreign policy and military deployments becomes evident when juxtaposed against the concentration of New Zealand media ownership. With one exception, two multinational corporations own all major daily newspapers in the country: Fairfax and Wilson and Horton.

John Fairfax Holdings Limited is Australasia's largest newspaper publishing group. Its New Zealand mastheads include the *Dominion Post*, the *Press* and the *Sunday Star-Times*. The *Timaru Herald*, *Manawatu Evening Standard* and *Waikato Times* are also part of its empire. In Australia, its mastheads include the *Sydney Morning Herald*, the *Age*, the *Australian Financial Review*, *BRW* and the *Sun-Herald*. Until 2003, these papers were all part of Rupert Murdoch's Independent Newspapers Limited (INL). His rabid support of the war in Iraq is well known.

The serious ideological motives of INL were revealed in the 1999 election when INL admitted making donations to both New Zealand's National and Labour parties, as "an indication of support for the political process."<sup>7</sup> At the time, Murdoch was attempting to secure support for complete deregulation of ownership restrictions. In the US, he successfully lobbied for the removal of laws against ownership across more than one type of medium. In the past, newspaper owners could not also own television or radio stations. This limitation on ownership was to ensure a diversity of views, content and opinions in any particular area. As was anticipated, the effect of this deregulation has been the consolidation of ownership, and concomitant limitation on the viewpoints expressed across media formats.



Wilson and Horton is the other major player. It owns the *New Zealand Herald*, the *Northern Advocate* (Whangarei), *Bay of Plenty Times*, *Daily Post* (Rotorua), the *Wanganui Chronicle* and dozens of weeklies and magazines, including the *Listener* and *NZ Women's Weekly*. Its ideological bias was exposed in allegations by a former editor who said that "he felt under more pressure as *Herald* editor than during his 10 years on Fleet Street."<sup>8</sup> More controversial still are allegations that Wilson and Horton management, its board, or its marketing department tried to influence news coverage.<sup>9</sup> Wilson and Horton is owned by APN News and Media, Australasia's largest operator in regional newspapers, that is in turn owned by Independent News & Media, a global media corporation controlled by Irishman Tony O'Reilly.

Ownership of television, radio and even internet service providers (ISPs) is similarly concentrated in a few hands. As an example, the successful independent ISP provider Paradise Net was swallowed by Telstra Clear Corporation, Australia's second largest telecom empire.

The free-market model that purports to make the industry more competitive has in fact had the opposite effect. It concentrates ownership and control into the hands of a few people with enormous power over what the issues of the day are and how they are portrayed. The media are not just a vehicle for communicating the views of powerful people in society. They go well beyond that to create public opinion.

But who decides, who chooses the 'news' on any given day? In practice, the issues of concern to those who own the media become the issues of larger societal discussion and debate. The media normalise the views of those who own them; they deem them acceptable so that they become the only reasonable or possible beliefs. This process becomes apparent in the following media analysis.

### A case study

The power of the media to manufacture consent on an issue is best demonstrated with an example. The deployment of New Zealand Defence Force (NZDF) provincial reconstruction teams (PRTs) to Afghanistan during the period 2003 to 2006 is illustrative. The analysis of the newspapers provided here is both quantitative (about counting things) as well as qualitative (a judgment of the content).<sup>10</sup>

A review of the *New Zealand Herald* and *Dominion Post* coverage of the deployment during the initial war years is illuminating. We first heard about the deployment of PRTs on 9 June 2003 in a statement by the prime minister. The significant news that day was that 61 soldiers were going to Iraq.<sup>11</sup>

Buried in fine print, the deployment of PRTs to Afghanistan received only secondary attention in her statement. Clark briefly described the initial NZSAS operation to Afghanistan. She then went on to say that it was now time to help with reconstruction. She stressed that the PRTs were not combat units, rather their role was to assist the central government to “expand its influence outside of Kabul...while monitoring and assessing civil, political and military reforms through community engagement.”

The following day, 10 June 2003, both newspapers picked up Clark's statement. The *Herald* page-one article entitled “PM orders boost for risky Iraq, Afghan missions” uses much of her press statement verbatim. Criticism of the decision is levelled from both the right, by then National party leader Bill English, and the left, by Green party defence spokesperson Keith Locke. Both accuse Clark of pandering to the United States.

Two curious photographs accompany the article: one of Iraqi men reconstructing a railway track, the other of the fledgling Afghan army. Neither image has any relevance to the deployment of Kiwi soldiers. Certainly neither photograph suggests the violence and massive death toll in those war zones. In the case of the Afghan army, there was no discussion of the connection or relationship of the New Zealand reconstruction team to this army's actions.

On page six of the same-day *Herald*, political commentator John Armstrong wrote that this is “Operation impress the us.” He noted that the Bush administration would have been aware of New Zealand’s intended contribution long before the announcement, and possibly even before the Iraq war. Armstrong questioned the legality of the us-sponsored Operation Enduring Freedom in Afghanistan. He suggested that the us claim to self-defence was a thinly veiled justification for invading and occupying the country. That claim was based on the argument that the us had to protect itself from further attacks. The world community of nations acquiesced to us demands for military action, although on the ground, the UN and us operations are separate. Indeed, there is a distinction between the us operation in Afghanistan and that of the United Nations. The UN deployment, known as the International Security and Assistance Force (ISAF), includes a broad coalition of nations and has taken some operational responsibility for PRT teams.

That same day the *Dominion Post* also carried a page-one piece entitled “160 Kiwi troops off to hot spots.” In this piece New Zealand’s contribution is compared with that of Norway and Canada, which have also committed troops for Iraq’s reconstruction. The PRTs received little attention and, other than describing them as stepped-up military observers, no information regarding their role was provided. The following day, 11 June 2003, the *Dominion Post* followed up with two more pieces on the subject. Again, correspondent Tracy Watkins obtained front-page coverage with “us signals thaw in praise of NZ troop offer.” This was followed by an editorial suggesting that with this deployment “NZ comes in from the cold” where it had been banished by the us. Like Armstrong’s piece in the *Herald*, both of these articles noted that the troops are, in effect, a peace offering, a ‘make nice’ gesture to the Bush administration to make amends for Helen Clark’s criticism of the initial us invasion of Iraq.

The next headline about the PRT informs that the “NZ team is set for Afghan mission” in a *Herald* piece of 8 July 2003. Again this followed a press release from defence the day before. The by-line

## AGAINST FREEDOM

read, "Defence: military group of 100 will help rebuild the postwar nation."

In this article defence minister Phil Goff said that "the job of the PRT would not be to rebuild." Instead the 8 July article regurgitated the duties listed in the earlier NZDF press release of "monitoring and assessing civil, political and military reforms through community engagement." However, the article described the composition and operating base of the PRTs, and volunteered that all troops would be armed and would use US military equipment.

Again, two photographs accompanied the article: one of the ill-fated Buddhist statues destroyed by the Taliban, the other of a US marine escorting a shackled and hooded prisoner. The only source of information quoted by this article was the minister of defence. Certainly the demolition of the statues caused international consternation. The image was useful in linking the role of the PRTs to both civil and cultural preservation by tapping into liberal sentiment about the importance of artefacts.

Before further news of the Kiwi detachment, two articles about Afghanistan appeared. The "Bad bounty hunters of Kabul" and "On the Taliban career path" (*Dominion Post*, 26 August 2003) detailed the situation on the ground. The first article focussed on shady war profiteers that were there to cash-in on US rewards for the capture of key Taliban leaders. The second focussed on the recruitment of a young man into bin Laden's army.

Both articles were reprinted from other newspapers and contained no New Zealand content. They were stories about individuals, and were absent any broader contextual information about the war. The technique was to personalise the stories in order to hide the much more serious underlying structural problems with the occupation. These include the lack of accountability of mercenaries operating in foreign countries and the contradiction of attempting to restore order in a desperately poor society by offering rewards for killing the US's stated enemies.

The next mention of New Zealanders in Afghanistan did not mention the PRT. Rather, it addressed the injury to two NZSAS troops.

If you are confused, that is understandable. You probably thought that phase of the war was over and the New Zealand defence forces were helping to rebuild the country, not to engage in war.

Apparently, that was not the case. The reporting of the incident followed a NZDF press release on 20 June 2004 admitting the presence of the NZSAS in Afghanistan. The *Herald* noted that their injuries resulted from “a pre-dawn battle with anti-coalition forces.” Meanwhile the *Dominion Post* piece called it “direct action missions against Taleban and al Qaeda forces.” The *Herald* cited an Amnesty International report that outlined the deteriorating situation and extreme vulnerability of women and children.

Subsequently, the winter 2004 reports of the PRTs were feel-good stories in which the “Kiwis get a vote of confidence” (*Dominion Post*, 14 July 2004) and “Offer hope from the ruins of war” (*Herald*, 24 July 2004), along with “Cold days and warm smiles” (*Herald*, 21 February 2005). These articles praised the work of the PRTs in making Afghanistan safe for democracy by “persuading more than 50 per cent of the women to register to vote.”

Again, the *Herald* article carried two photographs. An image of a woman and child sitting on the ground in a hovel, was juxtaposed with an image of a soldier taking care of a sheep recently introduced into the country.

In January 2005, the NZ government agreed to extend its commitment of the PRT to Afghanistan until 2006 following a request by the US. Another rotation of soldiers was dispatched to Bamiyan province. This time, several New Zealand police officers were included. The purpose of their mission was to lend support to the training of Afghan police. “Failure to stabilise Afghanistan would have consequences for the campaign against terrorism. The Taliban and elements sympathetic to Al Qaeda continue to provide resistance to the Afghan authorities and to the multinational force mandated by

## AGAINST FREEDOM

the United Nations” noted Helen Clark in January 2005.<sup>12</sup> What she did not say was that New Zealand’s two PRT units were under the command of the US military in Afghanistan, not that of the United Nations.

In June 2005, the Prime Minister announced that the NZSAS would be deployed on a third rotation to Afghanistan. While the PRT was ostensibly reconstructing one part of the country, the NZSAS was helping to bomb the other part into submission. Operation Enduring Freedom was on the offensive again.

In 2006, the propaganda campaign continued as the troop commitment was extended for another year. A glossy three page Saturday *New Zealand Herald* spread dated 5 August celebrated the “Forgotten heros” who were enduring a “hostile and alien landscape to build peace.” The article says the “focus of the PRT is developing sustainable rural livelihoods and helping to provide health and educational systems.” It is astonishing that this comment receives no critical analysis. Not once does the reporter ask why the New Zealand military is involved in health care, education or farming.

The *Dominion Post* continues the government’s work on 17 October 2006 when they announce that “Goff pushes for NZ soldiers to stay on in Afghanistan.” The article, accompanied by a colour photograph of a soldier farewelling his young daughter with hugs and smiles, outlines the extensive awards by the US military to the PRT soldiers including bronze stars for bravery. The rationale for staying on in Afghanistan is that they have been doing such a good job. Clearly the Pentagon recognises when they have found not only willing soldiers, but a willing government to pay for helping them wage their war of conquest. They are more than happy to pass out shiny stars as rewards.

In examining how the media contribute to the manufacture of our consent we need to look beyond the obvious propaganda that seeks to convince us of the righteousness of the mission. In this case that is blatantly obvious.

By uncritically using the exact words that the military and government use in their press releases, the media become part-propagandist for the government's 'hearts and minds' campaign. Phrases like 'establishing security,' 'rebuilding society,' 'community engagement' and 'confidence building measures' convey the strength and sureness, the correctness, and the righteousness of purpose of the New Zealand mission. Other than one quote from Green MP Keith Locke, there were no dissenting views ever presented on the situation. The views of peace and religious groups were ignored. As far as the mainstream is concerned, such views did not and do not exist.

Britain's experience with the PRTs has been better examined than that of New Zealand, although not by the mass media. Development agencies doing work in Afghanistan have been frustrated by the lack of clarity in the role of the PRTs. A 2004 report by Save the Children outlines some of the fundamental problems with the PRTs. "Militaries commonly undertake activities that may readily be confused with humanitarian assistance; these activities include 'hearts and minds' operations, or 'quick impact projects' intended to gain support from local communities to enhance military operations."<sup>13</sup> These development agencies are frustrated because the military is stepping on their turf.

Other issues identified in the report include: how PRTs blur the distinction between military and humanitarian objectives; how PRTs may contribute to the 'militarisation' of aid; increased risk of insecurity for humanitarian agencies; and a lack of accountability regarding relief operations undertaken by PRTs.<sup>14</sup> The report also notes that, in the case of the British PRT, agents of the US government act as part of the team. These include members of the State Department, Department of Agriculture, and Agency for International Development. Similar agents are part of the New Zealand-led PRT.

None of these issues has been raised in the New Zealand media. Instead, a litany of feel-good stories, such as the *Dominion Post* article of 30 June 2005 entitled "Just what the doctors ordered," continue to propagate an uncritical view of the PRTs. In this case, the

## AGAINST FREEDOM

article gleefully told readers of the generous donation of five-year old medical textbooks by a member of the PRT — a practising anaesthetist in Dunedin.

The photographs that are used are also powerful weapons in winning the hearts and minds of New Zealanders. These pictures do indeed say far more than a thousand words. In the articles cited above the photographs were chosen to depict ‘dark age’ Afghanistan. The images of the woman and child and of the desecrated Buddhist statues are synonymous with the grim and violent days of Taliban rule.

Several articles placed these next to images of clean-cut soldiers doing good works around the country. With these images New Zealand virtue and correctness were confirmed.

Maps contribute to the impression that the PRTs are far removed from the prisoner torture and other human rights abuses being committed by US forces at Bagram Air Force Base in Afghanistan. None mention that NZDF staff officers are based at Bagram. Maps also situate the New Zealand PRT far away from the ongoing violence along the Pakistani border where there clearly is a war going on.

These elements — the press releases, the photographs and the maps — are all part of a careful public relations campaign to divorce NZDF actions from those of the US military, and secure our consent.

In fairness, both the *Dominion Post* and the *Herald* exposed the political quid pro quo — the New Zealand contribution in return for favoured status with the US. In spite of that criticism, both newspapers did far more to manufacture our consent for this mission than to dissuade us of its rightness.

There is deeply grounded ideological bias in the reporting of both newspapers. They presented no news reports about the PRTs that were initiated independently of a press release by the NZDF or the prime minister. This confirms the impression that an event is not a story until the powerful say it is. In addition, there are no journalists on the ground in Afghanistan from New Zealand media to provide valid independent reporting.



Neither newspaper has questioned when or how the war on terrorism will be won in Afghanistan or what the US administration's intentions are there. They do not seek to explain any of the economic factors involved in the initial invasion of Afghanistan. Neither reported that the Taliban and the Bush administration were doing deals in the months leading up to September 11<sup>th</sup>.<sup>15</sup> Both papers paint a picture of a defence force that is acting utterly altruistically without questioning the \$50 million price tag for the deployment.

This is not an attack on the work of individual soldiers. It is, rather, a criticism of the whole agenda in which vast numbers of Western troops are permanently stationed in other countries, telling those people how to reconstruct their lives and controlling the purse strings to do so.

The ongoing war in Afghanistan is far from the public's consciousness. The media, along with other powerful interests, are keen to see that it stays that way.

Despite the enormous power wielded by a few corporations over the content in major mass media, the channels for communicating information are now more extensive than at any time in human history. Anybody can create a webpage, a blog, send emails around the world, take digital video with ordinary mobile phones and transmit images in real time. This technology has been used extensively to disseminate a very different picture of the war in Afghanistan. People exposed to the horrors of war have been able to show and tell their stories and as a result have challenged the mainstream view being presented in the newspapers.

While this is a positive development for defeating the singularly narrow view presented, the reliance on mainstream media is still extremely strong. Newspaper readership has not yet declined as a result of the internet. Moreover, the same corporate media giants have very active websites — often making the same content free of charge online. With paid staff they can afford to update the site throughout the day.

## AGAINST FREEDOM

The ideological bias in the mainstream media is subtle and largely undetectable, particularly when it squares with our own view of reality. The constant barrage of images and data has an impact upon our world-view that is both profound and yet imperceptible. As a result of what we are fed by the mass media, it is often difficult to reject their conception of the world and to view it in starkly different terms.

The example of the PRTs provides a good case study precisely because there are absolutely no dissenting opinions to be heard in New Zealand about the role of these soldiers. The NZDF public relations team has done its job very well. This is not an isolated case, however, and in this war the New Zealand media have thoughtfully constructed a particular commonsense view of reality for us to digest.

On behalf of the government, they have convinced us that it is honourable to send armed men into a country when invited by the occupying army. In addition, they persuade us that such troop deployments are preferable to giving funds directly to the people who have suffered from years of warfare and a subsequent illegal and immoral invasion, and who face more years of suffering.

They were only able to convince us of that by way of media compliance and complicity in this immoral campaign. That same media serve elite interests with their eyes squarely on the profit margin at all times.

In a 30 August 1948 speech to the New York State Publishers Association, the publisher of the prestigious *New York Times* newspaper, Arthur Hays Sulzberger, warned: "Obviously a man's judgment cannot be better than the information on which he has based it. Give him the truth and he may still go wrong when he has the chance to be right, but give him no news or present him only with distorted and incomplete data, with ignorant, sloppy or biased reporting, with propaganda and deliberate falsehoods and you destroy his whole reasoning processes and make him something less than a man."<sup>16</sup>

At the beginning of this chapter, you were asked to consider what you really know about this war and how you know it. Are you in

possession of a complete picture vis-à-vis the war on terror? Is your picture based on propaganda, biased reporting, or deliberate falsehoods?

“In a time of universal deceit, telling the truth is a revolutionary act.”<sup>17</sup> Whose truth do you believe?

## **Where in the World Will the War Take Us Next?**

US vice-president Dick Cheney described the war on terrorism as a “war without end,” and the New Zealand government has made a commitment to participating in it. They say that they are acting on behalf of us, the people, when they send the SAS to Afghanistan, the Navy frigates to the Gulf of Oman or negotiate a trade deal with the US. It makes little difference if the architect of the Iraq war, Donald Rumsfeld, has resigned and Bush is on his way out; capitalism and the desire for Western domination will ensure the continuation of the war on terrorism.

What will the next stage of the war bring and what can we do to resist it? The agendas of the warmongers in Washington are the first obvious place to discover where this war will go.

First, it appears that actual military combat will continue unabated. As the situation in Afghanistan deteriorates further, US and UN forces will dig in deeper, in an increasingly desperate attempt to impose Western modernity there. Afghanistan is a strategically valuable prize as it is situated immediately next to the US arch-nemesis Iran, at the under-belly of the old Soviet satellites and within stabbing distance of both India and China. The Washington elite are loath to abandon their puppet government even in the face of ever-stronger resistance.

Realising that the military mission was an utter failure, in mid-2006 the US transferred military control of Afghanistan to a UN-mandated NATO. This is a clever public relations tactic whereby the US avoids responsibility for the revitalised Taliban, for the exponential poppy production, and for the resurgence of violence against women, while it continues to extend its economic and political tentacles into the foundations of Afghani life.

The quagmire of Afghanistan will not be matched by that in Iraq, however. The neo-conservatives in Washington will not endure another Vietnam. They will withdraw US troops and any useful logistical support, while claiming both a moral and military victory. In a 2005 memorandum, the influential ultra-right wing think-tank, the Project For a New American Century, alluded to this withdrawal: "Although the Pentagon is surely accurate in saying that no final determination to reduce troop levels has been made, it is almost certainly the case that Secretary of Defense Donald Rumsfeld has been pressuring the military to do precisely that."<sup>1</sup> Despite Bush's commitment of an additional 21 500 troops in January 2007, this will not fundamentally alter this strategy. A shift to a Democrat-dominated US Congress will result in troop withdrawal, with the false moral claim that they never supported the war.

The withdrawal cannot come too soon for the people of Iraq. Well over 140 000 troops still occupy every corner of Iraq. As a direct result of the US invasion, the civilian population is being massacred in an undeclared civil war. Evidence of the lasting occupation, however, is not the troops, but rather the gargantuan US embassy constructed in the centre of Baghdad. Construction of the embassy is the only reconstruction project that is on-time and within budget. "Located on a 104-acre site on the Tigris river where US and coalition authorities are headquartered, the high-tech palatial compound is envisioned as a totally self-sustaining cluster of 21 buildings reinforced to 2.5 times usual standards. The installation is touted as not only the largest, but the most secure diplomatic embassy in the world."<sup>2</sup> The embassy will be staffed by more than 1000 people in-

## AGAINST FREEDOM

cluding, we can presume, a number of CIA agents and special forces. US influence will extend far greater than the embassy walls; legislation enacted under the transitional Coalition Provisional Authority ensures that Iraq's resources are firmly under US corporate control.

Iran, named as part of George W Bush's axis of evil, would appear to be the next military target for invasion. In an interview with noted investigative reporter Seymour Hersh, a source within the Pentagon observed: "This is a war against terrorism, and Iraq is just one campaign. The Bush Administration is looking at this as a huge war zone...Next, we're going to have the Iranian campaign. We've declared war and the bad guys, wherever they are, are the enemy. This is the last hurrah — we've got four years, and want to come out of this saying we won the war on terrorism."<sup>3</sup>

The history of US meddling in Iranian affairs dates back to the 1950s when the CIA engineered the overthrow of premier Mohammad Mossadeq. The 444-day Iranian hostage crisis (1979-1981), in which 60 hostages were held captive in the US embassy while the Shah was driven from the country, traumatised the US public. It was the incident that cemented the radical Islamic militant stereotype in the minds of most Americans. More importantly, it successfully demonised Iran as a perpetual enemy.

Iran then, unwilling to bow to the hypocritical demands of the US regarding its nuclear programme, is on Washington's hit list. With a successful nuclear device and the long-range missile, the Shahab-3, Iran will have the ability to deliver nuclear weapons to Israel.

Certainly, in mid-2006 the Iranians appeared determined to continue their nuclear development activities, despite EU, US and world opinion. Their choice of a hard-line successor to the more moderate outgoing president is telling.

Washington and Tel Aviv have prepared for this. The US Defense Department civilians, under the leadership of Douglas Feith, have been working with Israeli planners and consultants to develop and refine potential nuclear, chemical-weapons, and missile targets inside Iran.<sup>4</sup>

## WHERE IN THE WORLD WILL THE WAR TAKE US NEXT?

The pieces are being put in place for the next front in the war. Unless there is radical political change within Iran, it seems 'pre-emptive' us action is only a matter of time. Will the New Zealand government support this? Will New Zealand intelligence, NZSAS soldiers or equipment be offered up in the ceaseless quest to root out evil-doers?

The forward march of the war's foreign agenda is equalled by its domestic goals. In both New Zealand and the United States, these goals have not changed significantly. In the time since George W Bush declared war on terrorism in 2001, New Zealand society has changed dramatically, although often imperceptibly. The subtlety in the concentration of government and corporate power has largely been obscured by stealth, hyperbole and sensationalism.

In the United States, the implications of the war on terrorism for society have been far more overt. As a result it is easier to see the war's final goals. Activist and author Dave Stratman whose recent book *We CAN change the world: the real meaning of everyday life*, offers a concise summary of the war:

The war on terror is the new strategy for elite domination of us society. It is their desperately-needed successor to the Cold War, which for fifty years legitimized government power and Pentagon budgets and held people in thrall to Mutually Assured Destruction. The war on terror is intended to strike fear in the hearts of Americans, so that they sacrifice liberty for security and mobilize behind their leaders to smite the foe wherever and whomever he may be. It is meant to justify the far-flung bases of Empire and to make Americans eager to sacrifice their sons and daughters and treasure in the noble cause. It is meant to turn an alienated and ever more unequal and undemocratic society towards unthinking, patriotic zeal. Most of all, it is meant to focus on carefully-selected foreign enemies the anger and revolutionary solidarity which should be focused on the enemies of democracy and peace here at home.<sup>5</sup>

## AGAINST FREEDOM

In New Zealand, the agenda is largely the same. Although it does not rival US zealotry, we must nevertheless resist its insistent assaults on our freedom. This book is an attempt to illustrate what this war means to us, to our freedom, to our society and to our future.

If present trends continue, we can expect:

### *Increases in military spending and the militarisation of society:*

The New Zealand government is increasingly tied to the US military regardless of which political party is in power either here or there. By continuing down this path, there will be more counter-terrorism laws and greater participation in foreign wars of conquest, which will be called 'peacekeeping' missions. The corollary to this is that there will be an increase in military expenditure and a rise in nationalism. The New Zealand government will position itself as a good international citizen that is helping to bring democracy to the world, while creating a national identity intimately tied to overseas military missions.

### *Further privacy invasions:*

Privacy is one major casualty of the war on terrorism. In the name of national security we are told that the government needs to know who we are and what we are doing. The power of central government security agencies such as the NZSIS and police to collect and keep information about all of us has been significantly increased since 9/11. Laws such as the Telecommunications (Interception Capability) Act creep in almost unnoticed by the media and public, to erode fundamental rights.

The breaking down of walls between government agencies and corporations in order that data-matching can occur extends the state's power and gaze over all of us. It is not just the police, but also the ministries of health, justice, social development, customs and many others that are monitoring you. Telecom, Saturn, Baycorp and banks help to complete the profile of your life.

Ten years ago, the technology now available to collect and keep information was inconceivable. Global Positioning Systems (GPS)



and nanotechnology are just beginning to be fully exploited for these purposes. Ultimately, complete profiles of you, your family, your friends, your movements and beliefs will be held by both the government and private interests.

The July 2005 bombings in London underground stations and on a city bus brought the war back home to Britain. The British government's support for legislating against terrorism was re-ignited. A new law requiring all people to have an identification card with an estimated 49 different pieces of information on it had little support before the bombing. The card details could also be given without consent to police, intelligence agencies, customs and tax authorities and certain government departments. In the aftermath of the bomb blasts, however, many more are willing to sacrifice liberty and privacy in the name of security. Can we expect a similar requirement to be introduced soon in the New Zealand parliament?

*Increasing intolerance of diversity:*

A major casualty in the war on terrorism is tolerance. New Zealand is a nation built on continual waves of immigration — the earliest arrivals from Hawaiki to the most recent from Australia and Afghanistan. Part of the strength of society here is its diversity and ability to change and adapt by incorporating elements from around the globe.

It would be easy to dismiss the case of Algerian Ahmed Zaoui as an anomaly in a system that is generally sympathetic and receptive to new arrivals. However, the reality is that the system is fundamentally racist and punitive — so much so that the UN Committee against Torture has condemned NZ for its immigration and detention procedures. Desperate and vulnerable refugees have been thrown into Auckland Central Remand Prison alongside violent offenders as they await judgments on their fates. Meanwhile, the global security firm Chubb gets wealthier by exploiting the misery of people detained not only at Mangere but also on the island of Nauru.

Tolerance is only extended to those who come from the 'right' parts of the world, as the case of the Israeli passport scandal demon-

## AGAINST FREEDOM

strated. Known intelligence agents convicted of illegally procuring passports were given an insignificant punishment and sent home. Not surprisingly, the NZSIS helped to protect the third man who escaped with impunity.

Meanwhile, intolerance and racism are normalised and accepted as they are linked with the need to ensure national security. Foreign Minister Winston Peters' election campaign speech "The end of tolerance," wherein he effectively labelled all NZ Muslims as intolerant terrorists, was widely embraced. It is reflective of the feelings of a significant portion of New Zealand society. Like the oriental scholars of old, those who today define the construction and depiction of the terrorist stereotype control much of his political fate, too.

### *Further repression of dissent:*

Objecting to the New Zealand government's policies is a risky and dangerous undertaking with the potential to land one in prison. Counter-terrorism laws criminalise dissent and the right to strike for some workers, while protecting corporate assets and interests. Anarchists and anti-capitalists are not the only targets for surveillance. Environmentalists, unionists and Māori fall under the watchful eye of the state when they threaten the legitimacy of power.

McCarthy's communist red-hunters of the 1950s would be far too unsophisticated for this modern war. Instead the liberal government appears to accept, even encourage, dissent. It sets up transparent, accountable and participatory processes while relentlessly pursuing a pre-determined agenda that evades logic, reason or appeals to emotion. The Labour government has alienated traditional supporters of civil liberties and social justice by moving to the right. It operates under Margaret Thatcher's old mantra—TINA, There Is No Alternative. Indeed the roots of this parliamentary system are rotten; the only interests being represented in parliament are those who further consolidate power into the hands of a very few people.

This modus operandi stealthily removes the rights of citizens to hold the government accountable in any meaningful way while appearing to give people a variety of avenues of redress. Indeed, nu-

merous oversight agencies exist, such as the privacy commissioner, the ombudsman and the Police Complaints Authority. Yet they have little real power beyond criticising the behaviour of various agencies or scolding individual employees. Increasingly, anti-terrorism and immigration laws rely on secret information that is unavailable and unverifiable to anyone outside the agency that generated it. This structural subterfuge hides the increasing secrecy and power of government.

### *New Zealand intrusion in the Pacific & US 'hot spots':*

New Zealand is not just fighting the war at home against its citizens. It is successfully exporting the war's agenda of neo-liberalism to the Pacific Islands. It is imposed upon them through skilful use of language. Words such as 'development' and 'good governance' sound like positive, even necessary, parts of modern society. These words belie the self-interested programme of exploitation embodied in the war's agenda.

Pacific Island nations are being forced to adopt counter-terrorism as their primary development priority, despite pressing fundamental needs such as adequate health and education services. Instead of the freedom to prioritise their own needs, Pacific nations must abide by the demands of Wellington, Canberra and Washington and open up their fragile economies to so-called 'free trade.'

Language is power. The war's double-speak makes free trade and democracy synonymous. Similarly, the use of millions of dollars of development money to send armed troops to Iraq is described as 'reconstruction.' Now, even the most vocal supporter of New Zealand's involvement cannot describe the utter and complete breakdown of Iraqi society and infrastructure as a period of 'reconstruction.' At the time, however, many subscribed to the reconstruction myth while the New Zealand government tangibly supported the illegal and immoral occupation of Iraq, freeing up US and British troops to commit gross human rights violations. Helen Clark and Phil Goff must have congratulated each other on their success.

## AGAINST FREEDOM

### *Further enrichment of the winners:*

Members of the Labour government will not be the only ones celebrating their wartime success. The winners in the war on terrorism — the oil multinationals, weapons manufacturers and global security companies — are reaping the spoils resulting from the death of liberty, human rights and environmental degradation.

Fonterra receives special benefits from the war economy. The dominance of Western fundamentalism encourages such corporations to demand utter adherence to the development of individualistic capitalist civilisation in every corner of the globe.

Diplomacy in world affairs, it seems, matters little anymore. The Ministry of Foreign Affairs and Trade has a quasi-religious devotion to free trade as the exclusive means through which to encourage democracy. By promoting private interests, New Zealand engages economically with other nations, and in this it hopes to leverage some adherence to international laws and conventions. The results of this misguided effort further impoverish people in New Zealand while masquerading as principled foreign policy.

### *Further impoverishment of the losers:*

Working people and families are the losers in this war. As private profit is extorted from public funding, essential services for ordinary people suffer. Health, education and welfare are marginalised and increasingly criminalised by elites. Those who do not need the public purse seek to portray it as extravagant and excessive. Meanwhile, the elite's demands for public funding of private security protection and enhanced business markets are portrayed as necessary, desirable and beneficial for all.

The inconveniences and costs of the war are pushed down onto individuals as they pass from one job to another, from one neighbourhood to another and from one country to another. The rich get richer and the poor become much poorer. The 2005 *Society at a glance* study placed New Zealand's relative poverty and income disparity higher than OECD average, and public social expenditure significantly lower.<sup>6</sup>

*The ultimate war casualty:*

Most people in New Zealand would not say that we are at war. This is the supreme victory of the war agenda — “the first casualty when war comes is truth.”<sup>7</sup> The war’s proponents and cheerleaders have so successfully captured the discourse of world affairs that we can no longer recognise this government’s responsibility for the horrific crimes taking place before our eyes. We cannot say, ‘Stop this war’ when elected leaders tell us they are ‘reconstructing’ or ‘peacekeeping.’

The media are complicit in this victory. They cannot be accused of failing to do their job, because in its present form the only job of the media is to make money. Rather, most of us have been content to allow the mainstream news to construct our view of the world. The few alternative views in existence have a small profile in this country.

Sensationalised media inures us to the fact that NZDF soldiers are serving in the same war, under the same commander, as the force that is committing widespread human rights violations and mass murder. We accept the corruption of our language so readily that the right to exploit becomes equivalent to the right to vote.

The conquest of our construction of reality is the ultimate victory in this war, for he who controls the past controls the future, and he who controls the present controls the past.<sup>8</sup>

## **Creating our future**

Resistance is possible, however. It is essential to our survival and for our freedom. This war is being waged on so many fronts, in so many spheres of life, that resistance must be equally multi-faceted. The war is not just a military or political event — it is cultural, social and economic.

Increasingly, New Zealand society mimics the us trend towards becoming a fear society. Frightened by powerful propaganda about terrorists, people live in fortresses afraid of their neighbours and of the world around them. In this condition they are a docile popula-

## AGAINST FREEDOM

tion easily controlled and manipulated. This is a foreign concept to most New Zealanders. However, civility and tolerance are being worn down by language that demonises everything that is different from the norm.

**ACTION:** First, we must re-claim that language from the war-makers and their media mouthpieces. When bombs are called ‘peace-makers’ and the murder of civilians is labelled ‘collateral damage,’ the distortion of the discourse of war goes beyond the preposterous. Quite literally, the war on terrorism is not a war — what is going on has very little or nothing to do with actually stopping terrorism. Language is a powerful tool, and in order to resist we must find effective ways to challenge the discourse that defines our world.

This can be done both by creating alternatives to the mainstream media as well as challenging the media at every opportunity. This is happening — the rise of alternative media, in part spawned by the internet, has created a channel for millions of voices of dissent to be heard. Similarly, challenges to the dominant voice do happen through talkback radio, letters to the editor, art exhibitions, literature, plays and culture-jamming.

We must go beyond this. We need to create a genuinely public sphere that is devoid of vested interests. We must remove the profit margin from the production and dissemination of information. We must remove secrecy laws around information so that we can all participate on an equal level.

**ACTION:** Secondly, we must find the courage to confront and then disengage with the war-makers, in particular the United States government. No one should have the power to decide the fate of anyone else, let alone millions of people.

Untangling the web of military ties and political alliances that we have with the United States is no small undertaking. But it is not without precedence or international support. New Zealand’s nuclear-free stance in the face of US warships demonstrated steely courage. That same vein must be tapped again to resist now.

Altering this relationship will mean ceasing to provide intelligence information for US spies, ceasing to provide NZSAS soldiers for US invasions in far-flung corners of the world, and ceasing to host the US embassy. Moreover, it will require a significant re-evaluation of New Zealand's relationship with Australia, a country that increasingly links its future to the US.

Such an approach is valid for the conduct of foreign affairs. But the US and Australia are not the only governments guilty of war crimes or human rights abuses. As such this approach requires completely revising our definition of national security.

Rather than adopting isolationism, this must be a conscious decision to engage with the *people* of other nations rather than the *governments*. It is a position of global solidarity with all the world's people, not with global capitalist interests and the violent states that do their bidding in order to enhance the domination of elite interests. In practice, it means enhancing existing networks for mutual benefit and cooperation — through communes, non-governmental organisations, indigenous people, workers' collectives and co-operatives.

Such an approach to foreign policy requires that we do not speak through the mouthpiece of centralised government. It is not possible to be accurately represented by someone else who claims to have the mandate of thousands. Such positions are inevitably ones of compromise and domination by the powerful. We must create our own networks of communication and collective action around the globe, based on common interests and goals.

**ACTION:** Thirdly, we must make a determined choice to pursue genuine security. The so-called war on terrorism is ostensibly being waged to protect 'national security.' If security is a goal of New Zealanders then there are at least two ways to go about that.

One way is to acquire ever more guns and bombs, make alliances with bigger military powers, and have strict anti-terrorism laws. It means closing the doors and locking out everyone who does not agree to abide by Western fundamentalist ways of being. This is what

## AGAINST FREEDOM

the New Zealand government is doing now by participating in the war on terrorism. For this type of 'security' we must sacrifice more of our freedoms — like freedom of speech, movement, privacy and assembly.

An alternative way to ensure national security is to fortify the people of our community by ensuring equal access to power through education, eliminating poverty and providing adequate health care. It means recognising the unique place of Māori in New Zealand. It means treating all people on the planet with dignity and addressing their rights to these same public goods. This is national security where individual freedom works in concert with community well-being.

Questioning and re-defining the basis of national security and defence is fundamental to a truly peaceful and just society. Hugh Steadman, a former British Army officer, told the New Zealand Institute of International Affairs in a 2006 speech that the main threats to the country are environmental degradation and climate change, not terrorism.<sup>9</sup> We must have the power to determine our own futures and wrest control of the environment from corporate control — this must be our central 'national security' priority.

We have operated for so long with centralised government telling us what to do that we imagine that it is necessary for the functioning of our society. In fact it is not.

**ACTION:** Fourthly, we must re-order our priorities and our way of living. Moving beyond centralised government and addressing real needs in society will require that we eschew excess consumption and that we fundamentally re-order our way of life.

The war on terrorism is being driven in part by the need for oil. The United States government has demonstrated repeatedly that it will use any means necessary to ensure it has control of Middle Eastern oil. Our own consumption of oil is due to grow considerably in the next 20 years, requiring participation in more resource wars, or a change in the way we live.



## WHERE IN THE WORLD WILL THE WAR TAKE US NEXT?

In contrast to the anti-environmental propaganda, adopting sustainable ways of living does not mean retreating to some primitive form of existence. It means caring equally for the source of our survival, the planet, and the health and well-being of all species on it. It means people empowered to fully participate in decision-making about society by having access to adequate and appropriate resources and support.

**ACTION:** Fifthly, we must resist quick and easy technological ‘fixes,’ too many of which have had disastrous, unintended consequences. Many people in business and government are aware that a shift in the way we currently live is inevitable. Some claim that technology will deliver the solutions to remedy the severe economic meltdown posed by peak oil production.

Reliance on technological solutions, however, has several major flaws. In order to deliver technology many of the same fossil fuel-based resources are required — oil makes plastic, for example. The number of people who are only now achieving a standard of living enjoyed in the West is exploding. As India and China’s middle classes grow their demands for what are considered basic essentials in the West — cars, refrigerators, telephones and washing machines — will grow at a corresponding rate. As a result of these two factors we will need an ever-larger supply of oil in order to implement technological solutions.

On a related but different note, the so-called technological solutions of the past fifty years have in many cases exacerbated health problems and environmental degradation. The widespread use of pesticides and herbicides following their development in World War II has been linked to an increased incidence of cancer. So too, has the burning of toxic waste, in particular dioxin, a known carcinogen, that is a by-product of the paper industry. Technological solutions have served to make the exploitation of resources for private profit more efficient. We must reclaim science for the people, not for profit.

## AGAINST FREEDOM

Many would point to the increased life-span of the modern man and woman as evidence of our progress. Indeed, we have made great strides in addressing widespread disease in large part through better hygiene and access to clean water. The world is a spectacularly resilient place and so too are humans. It is possible to create a world that has space for freedom and autonomy as well as community and cooperation, where both people and the natural environment enjoy the best of health. In order to do this we must destroy the structures of power that allow domination and coercion, by using every tool available to us, and we must be willing to fight for freedom.

**ACTION:** Finally, we must re-ignite the activism that originally defined New Zealand — from Parihaka, to the 1913 stike, to the 1951 watersiders' lockout, to the anti-Springbok tour and the nuclear-free movements. Active resistance and the creation of alternatives must co-exist in order to bring about another world. Active resistance can be defined in this context as confronting the perpetrators of social injustice, economic exploitation and environmental damage. It means dismantling the government, corporations and hierarchical organisations responsible for the systemic injustice in New Zealand. To do this, we must embrace our role as participants responsible for the well-being of our society and the environment in which we live.

It means challenging the legitimacy of the powerful agents in society that abuse our world for private benefits. In doing so, we take on a much more active role in shaping our society and our place in it. We must also challenge ourselves and confront the impact of our own place in the world. We must cease to tolerate domination and hypocrisy.

It also means creating alternative ways of being that are not fixated on greed, material gain and exploitation. We cannot wait for another world to be created. We must work actively to bring that into being.

We must create and become involved in communities around us. The trend of modern New Zealand society is towards individualism and atomisation. The failures and successes of people are thought of

and portrayed as occurrences that are largely the result of individual action or inaction. This tactic simultaneously hides the role of negative societal forces such as racism, while it denies the contribution of communities in shaping and supporting the people in them. The isolation and alienation felt by far too many people now is acute. These feelings are the direct result of destroying social networks and promulgating fear.

Active participation in the communities we are part of, offering mutual aid and support, has the dual outcome of strengthening those communities and reducing our dependence on a centralised state. By incorporating more people, different perspectives and non-hierarchical methods of organising, communities can be strengthened.

Similarly, by supporting the full rights of all people to freedom and basic needs, we move beyond our communities to become part of the global community of humanity that is not bound by the arbitrary borders of nation-states. We cannot move beyond our immediate community without confronting the injustices of the past. Recognising the devastating effects of colonisation on Māori as well as their place as tangata whenua (people of the land) is an essential component in establishing a just society.

The components for re-ordering our world are part of an anarchist philosophy and are really very simple: the dissolution of hierarchy and exploitation (like capitalism, racism and sexism), the creation of mutual aid and community, autonomy, care for the earth, and care for each other. The result is liberation — freedom from coercion, freedom to be. The war on terrorism is an attack on freedom. It is but a continuation of the very long war waged by the 'haves' against the 'have nots.' While it may seem a distant concept from our daily lives, the impacts are immediate, pervasive and fundamentally destructive.

The war's agenda is against freedom and against people. It is an agenda of manipulation, domination and power. Now is the time for us to stand up and resist the war and all those who profit from it.

## **AGAINST FREEDOM**

Now is the time for fundamental social change, not cosmetic fixes to the existing entrenched system of exploitation. Now is the time for making revolution. By taking direct action we can create a world in which this war and every other war is history.

## Notes

### Chapter 1

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