

The Globalization of Political Violence

Globalization's shadow

**Edited by Richard Devetak and
Christopher W. Hughes**



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The Globalization of Political Violence

The events of 11 September 2001 revealed most dramatically that globalization has a shadow. While large sections of the world's population enjoy the perceived benefits of globalization, others seek to utilize globalization for their own politically violent purposes. If 9/11 demonstrated anything, it is that globalization can as readily facilitate violence and insecurity as it can produce stability, prosperity and political order.

This edited volume offers important new methodological and multidisciplinary insights into the study of globalization and political violence. It brings together studies from various disciplines in order to address the precise nature of the relationship between globalization and political violence as it seeks to offer new theoretical and empirical understandings of the types of actors involved in political violence, either as perpetrators or victims.

Examples of the studies include the changing character of state militaries and state-to-state conflict under globalization, the emergence of 'new wars' fuelled by globalization, the role of state militaries in intervention, new forms of violence directed by states against refugees and anti-globalization protesters, the role of terrorist actors post 9/11, networks for the proliferation of weapons of mass destruction and the rise of private military firms amongst others.

The Globalization of Political Violence will be of interest to students and researchers of politics, international relations, security studies and international political economy.

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Preface and acknowledgements

The rise of globalization, as a phenomenon and as an area of study, has enjoyed spectacular growth since the end of the Cold War. Much of the research into globalization has, however, focused on the economic dimensions of globalization. Indeed, not so long ago, globalization was understood to be virtually synonymous with global finance, trade and production. Western governments, in particular, have generally conceived of globalization as a great external beneficent force; one that cannot and should not be resisted if a nation seeks prosperity. But resist people did. Globalization drew the ire of radicals and conservatives alike: labour movements, nationalists and green groups perceived the increasingly global flows and networks as threats to jobs, cultural identity and the environment. The nation-state felt under siege; a borderless world seemed to be taking shape as people, goods and money traversed the planet with greater ease, in larger volumes, with fewer barriers and faster speed.

Karl Marx and Friedrich Engels' speculation about the intensifying and expanding force of capitalism thus came to fruition some 150 years after penning the *Communist Manifesto* in 1848: 'It must nestle everywhere, settle everywhere, establish connections everywhere' (Marx and Engels 1977: 224). As it spreads around the globe, old national industries are left behind, 'dislodged by new industries, whose introduction becomes a life-and-death question for all civilized nations' (ibid.). National isolation and self-sufficiency ebb with the overpowering flow of the 'universal interdependence of nations' (ibid.). This description would hardly be out of place today. But Marx's brilliant insight was to see that capitalism's globalizing push would be a 'life-and-death' struggle, necessarily involving violent encounters and transformations.

Indeed, Marx and Engels' (1977: 225) image of capitalism's 'heavy artillery' battering down 'Chinese walls' contains the kernel of a hunch that prompted the original workshop. Globalization is not reducible to economics. Marx would go further and say that not even economics is reducible to economics because it is inseparable from politics in the first instance. The same can be said of globalization. But what Marx's image

suggests is that globalization is a force, a vector of violence, in itself. It produces and maintains a complicity with violence that a focus on global finance, trade and production does not always reveal, though much recent critical international political economy has laid bare their violent repercussions. Furthermore, globalization seems to alter the character of many types of violence, including political. It is not that absolutely new types of violence were born with globalization, but that extant political violence took a different shape as it was borne by global flows and networks. Actors developed new or enhanced capacities, largely through new technologies, that allowed for the intensification and extension of violence.

Sovereign states were active participants in many of these developments. Simultaneously subjects and objects of globalization, states not only were transformed by globalization, but contributed to the transformation of political violence. They responded to global flows with the occasional show of brute force in the violent exclusion and repulsion of asylum seekers and, most prominently, in the so-called 'war on terror'. But states have not transformed political violence on their own, and certainly not on their own terms; they have been accompanied by sub- and non-state actors, from anti-globalization protest movements and private military forces to warlords, insurgents and terrorists. Though none of these actors could claim historical novelty, each is now organized and possesses capacities that, by the historical standards of these actors, are novel. Equally novel is the ability of these actors to exploit structures and networks that span the globe in the pursuit of their goals.

All of these developments, in addition to the dominant focus on globalization's economic aspects, led us to assemble a group of scholars working on different aspects of globalization. Our specific intention was to focus on a dimension of globalization that has been largely neglected: globalization's relationship to political violence. Though there has been a steady growth in the focus on globalization's implications for security, there has been less attention paid to the changing intensity and reach of political violence made possible by actors acquiring new or improved capacities. To capture the variegated nature of this relationship, we gathered together scholars from a variety of disciplines including politics, international relations, sociology, criminology, law and economics. This is by no means an exhaustive list, but it does begin to capture several of the disciplines that can help us make sense of the globalization of violence. Much more work needs to be done to this end, but we hope this volume makes a useful contribution in suggesting that political violence should not be conceived independently of globalization. Rather, as the studies here suggest in manifold ways and from various perspectives, there is a globalization of political violence that can be observed in the changing character of military force, in the emergence of new global threats, in the violence of state responses to these and other threats, in the interaction of the world economy with weak states, and in the violent resistances to the

dominance of Western societies. Political violence is being globalized; it is being carried and in some cases transformed by the ideas, technologies, practices and potentialities of globalization.

The original workshop and the eventual volume that arose out of it would not have been possible without the tremendous support and financial contributions made by Warwick University's ESRC Centre for the Study of Globalization and Regionalization (CSGR), and Monash University's Institute for the Study of Global Movements (MISGM). The respective directors, Professor Jan Aart Scholte of Warwick and Professor John Nieuwenhuysen of Monash, were both instrumental in realizing the workshop. They offered intellectual and financial support for the workshop and book idea from its inception and they have our sincere gratitude. Dr Felicity Rawlings-Sanei at the MISGM also offered invaluable support. Neither the workshop nor the book would have been possible, however, without the initial suggestion by Professor Richard Higgott, the Foundation Director of CSGR, in the summer of 2003, for us to work together on this project. His vision and continuing moral support have been indispensable.

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Not all the contributors to this volume attended the workshop, but Graeme Cheeseman, Lorraine Elliott, Peter Lentini and Sian Sullivan, graciously and promptly submitted their chapters. We thank them for that. Others attended the workshop but were unable to contribute to this volume. Nonetheless, we thank Thomas Keenan, Mark Laffey and Peter Lawler for their invaluable contribution to the workshop.

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Richard Devetak and Christopher Hughes

1 Globalization's shadow

An introduction to the globalization of political violence

Richard Devetak

September 11 revealed most dramatically that globalization has a shadow. While some of the world's citizens enjoy the benefits globalization brings, others seek to put globalization to their own politically violent purposes. If the terrible events of September 11 demonstrated anything, it is that globalization can as readily facilitate violence as it can produce peace, prosperity and political order.

The precise nature of the relationship between globalization and political violence, however, remains largely unstudied. Most studies of globalization, understandably perhaps, focus on the rise of new information and communication technologies and their transformative effects on societies. In general, it is the economic dimensions of globalization that have been widely discussed and analysed, particularly the globalization of production and finance, and the relationship between states and markets. This book was prompted by a sense that globalization is intimately connected with the changing sources of insecurity and changing intensities of violence in the contemporary world, despite the relatively scant attention paid to it. It seeks to subject the relationship between globalization and political violence to closer scrutiny. The questions behind this book are: Has globalization given rise to new forms of violence? And how, if at all, does globalization affect the character and intensity of violence?

This chapter presents a broad overview of the nexus between globalization and political violence. First, it will present a working definition of globalization. Second, it will rehearse arguments about the economic dimension of globalization, arguably the most visible side of globalization. Third, it will explain how violence has been understood in the study of politics and international relations. Fourth, it will examine how globalizing forces of political economy interact with localized violent conflicts in the so-called 'new wars'. Fifth, the chapter analyses the changing character of security. Finally, the chapter briefly outlines the contributing chapters to this volume. Its primary aim is to elaborate the context in which questions about the globalization of political violence have been or might be raised in the study of international relations, and to draw some connections among the various chapters included here.

Globalization

Goods, capital, people, information and principled beliefs, as well as arms, drugs, criminals, terrorists and pollutants, now appear to traverse nation-state borders with greater ease and speed and in larger volume than ever before. A mountain of literature has been produced to affirm or deny the different ways in which these cross-border actors, activities and products are transforming the human condition. Whether or not, and if so the degree to which, globalization impinges on the everyday existence of individuals, societies, cultures and nation-states has become a central problematic of the contemporary humanities and social sciences. The very meaning of globalization, however, remains highly contested (Higgott, 2000). This book is less concerned with precisely or narrowly defining the term than with examining how phenomena subsumed under the noun ‘globalization’ are complicit with practices and structures of violence. Nevertheless, it is important to outline in broad terms how the term is understood in this introductory chapter.

One of the most comprehensive analyses of globalization is offered by David Held and colleagues in *Global Transformations* (1999: 16). To begin with, they define globalization as the ‘widening, deepening and speeding up of global interconnectedness’ made possible by new information, communication, and transportation technologies (*ibid.*: 15). To develop more fully this definition of globalization, they divide it into four spatio-temporal dimensions: extensity, intensity, velocity and impact. First, the concept of globalization implies that social, political and economic activities are increasingly extending across nation-state borders and, consequently, appear to give rise to a global plane of human relations. Second, this global or transnational connectedness intensifies because of the greater frequency and regularized patterns of interaction that form the transnationally embedded networks. Third, the growing extensity and intensity of global interconnectedness implies a speeding up of transnational interactions and processes. Fourth, globalization implies that the repercussion of decisions or events in one part of the planet can be felt elsewhere (what many now refer to as ‘action at a distance’), and that the impact will be magnified relative to the extensity, intensity and velocity of global interconnectedness (Held *et al.*, 1999: 15).

All these dimensions combined produce what David Harvey (1989) calls ‘time–space compression’. Developments in the organization of capitalist modernity, borne by new technologies, appear to have altered the properties and coordinating functions of time and particularly space. Jan Aart Scholte (2000: 46), in a wide-ranging account, suggests that globalization has produced ‘far-reaching change in the nature of social space’. He defines globalization as ‘deterritorialization’, or differently stated, the growth of ‘supraterritorial’, ‘transworld’, or ‘transborder’ relations between people. The major consequence of globalization, in this account, is that territoriality is becoming a decreasingly significant factor in shaping social, political

and economic interaction. Telephone, fax and internet communication, electronic banking and finance, and global ecological problems, among other things, transcend territoriality, he argues. Largely unconstrained by territoriality, these transborder phenomena take place increasingly on an apparently seamless plane of global or planetary social relations. According to Scholte (2000: 48), these deterritorialized and potentially global flows and activities mark a 'distinct kind of space-time compression' where space gives way to increased 'placelessness' and temporality gives way to simultaneity and instantaneity.

It is important, however, not to equate globalization entirely with deterritorialization. Attentive to processes of *reterritorialization*, Scholte (2000: 42) carefully qualifies his argument by referring to '*relative* deterritorialization'. 'Global relations have *substantially* rather than totally transcended territorial space. They are *partly* rather than wholly detached from territorial logics', he says (2000: 59). This is an important qualification to the 'hyper-globalization' thesis that declares the end of territoriality. As Christopher Hughes (2002: 425) rightly notes, 'there is considerable territorial "drag" upon the free flow of globalization forces' that any investigation of globalization must take into account. It is not just that states are reluctant to acquiesce completely to all global flows or that states are often the initiators and bearers of globalization, but that globalization often takes the form of reterritorialization since the 'unbundling' of territory that John Ruggie (1993) discusses is usually accompanied by new 'bundling' at different and multiple levels.

The key point here is that globalization's effects do not manifest only at the global level. There are processes of globalization that, in Saskia Sassen's (2003: 1) words, do not necessarily 'scale at the global level as such'. She continues:

These processes take place deep inside territories and institutional domains that have largely been constructed in national terms in much . . . of the world. What makes these processes part of globalization even though localized in national, indeed subnational settings, is that they involve transboundary networks and formations connecting multiple local or "national" processes and actors, or involve the recurrence of particular issues or dynamics in a growing number of countries.

(Sassen, 2003: 2)

Understanding globalization in its various dimensions requires focusing not just on globally scaled practices, but on locally or nationally scaled ones that are inseparable from the set of global dynamics associated with globalization. Globalization therefore denotes a variegated social process; one which is unevenly diffused and materializes differently depending on local practices and structures. That globalization manifests itself at local,

regional and global levels reinforces the point that globalization ought to be conceived in terms of the correlative processes of deterritorialization *and* reterritorialization.

Held and colleagues (1999) are equally attuned to globalization's interplay of deterritorialization and reterritorialization. They too emphasize globalization's intersection with other (non-global) levels of social activity. They do not presume that globalization functions in separation from other process levels, they suggest instead that more spatially delimited processes, such as localization, nationalization, regionalization and internationalization, stand in complex and dynamic relation with globalization (Held *et al.* 1999: 16), rather than being disconnected or opposed to it. It therefore remains important to maintain a focus on the strategic locales where global processes materialize, whether they be at the local, national, regional or global level.

The approach of Held and his collaborators is particularly useful because it enables a more historically sensitive account of globalization. It presupposes neither that globalization is completely new nor that it is nothing new. It also avoids hasty proclamations about the death of the state. Instead, it focuses on the particular historical form taken by globalization in different eras (Held *et al.*, 1999: 413–31). It thereby allows us to answer with greater precision the question: What, if anything, is new about the forms globalization presently assumes? To answer this question we can assess the degrees of extensity, intensity, velocity and impact that characterize global interconnectedness at any point in time or across different aspects of social, political and economic life. Spatio-temporal dimensions are viewed as enduring features of human societies, but the degree to which these dimensions are 'compressed' or 'stretched' by technological innovations and social reorganization remains a matter of empirical research.

While global relations have not completely transcended territorial space, Scholte's proposition that they have been *substantially* overcome in some dimensions of social activity is reasonable. Social relations may have detached themselves from territorial logics in some respects, but considerable reterritorializations remain evident, particularly in the state's various reconfigurations. In the following section we review some of the ways that economic reorganization has given rise to deterritorialized, global social relations. Even the emerging global economic architecture, however, shows signs of intensifying violent social relations at national and subnational levels.

Economic globalization and polarization

There can be little doubt that forces unconstrained by territorial geography increasingly affect economic relations. One of the most notable features of globalization is, as Susan Strange (1996: 44) notes, change in the world economy's production structure; 'that is to say, in what goods

and services are being produced, how, where and by whom'. According to Strange (1996) and others (Cerny, 1995; Held *et al.*, 1999), the rise of transnational corporations (TNCs) and the advent of globalized systems of trade, production and finance have created a more integrated world economy than ever before. Although corporations have traded across national boundaries and continents for centuries, the volume, velocity and global reach of their operations and transactions today are unprecedented (Held *et al.*, 1999).

TNCs presently account for two-thirds of world trade. Now that the world's largest corporations have built global production, distribution and marketing networks, one-third of the world's trade is *intra*-firm trade – the transfer of goods and services across nation-state borders, but within the same corporation. The greater wealth, technology and mobility of TNCs has fuelled the impression that they are 'footloose' – able and willing to move location in search of better infrastructure, wage-levels, efficiency and profitability anywhere on the planet. Though this is greatly exaggerated, TNCs do have a capacity to relocate production and services and do exercise limited influence over governments seeking to lure foreign investment. Given that the annual revenue of the largest TNCs exceeds the gross domestic product of many mid-sized national economies, this should be unsurprising.

Instrumental to the globalization of production wrought by TNCs is the rise of global financial markets. Massive amounts of financial capital flow like quicksilver across the planet today. Foreign direct investment (FDI), international bank lending and international bonds, equities, derivatives and currency markets have all grown in their volume and intensity since the Bretton Woods system broke down in the 1970s. Foreign currency markets are perhaps the most indicative of globalization's impact; over a trillion US dollars are traded daily in this digital economic space, mostly through the financial capitals of London, New York and Tokyo. The digital character of capital today means that governments and their central banks are increasingly unable or unwilling to control capital flows across state borders (see Cerny, 1993; Helleiner, 1996; Kapstein, 1994).

The reach, intensity, mobility and impact of TNCs and financial markets explains why so much attention has been paid to the relationship between states and markets (Strange, 1988). The pressure on states to compete internationally has led them to liberalize and deregulate their national economies, opening them up to global forces and market disciplines. This has been neoliberalism's primary objective. Neoliberalism – the ideology most closely aligned with globally mobile capital – holds to the conviction that markets are more effective instruments for social organization than states. The restructuring of domestic economies (through privatization, liberalization and deregulation) to accommodate global commercial pressures has occurred at the behest of neoliberalism. Following the states' fiscal crisis of the 1970s, governments have been encouraged to relinquish

redistributive and regulatory functions that were integral to the national welfare state.

Shorn of their wide array of traditional functions, states appear to have become little more than enforcers of decisions made by world markets and private authorities. Indeed, as Rodney Bruce Hall and Thomas Biersteker (2002: 4) claim, private authorities do many of the things traditionally assigned exclusively to the state. States are increasingly caught up in systems of global governance that include multilateral economic institutions like the World Trade Organization (WTO), World Bank, and International Monetary Fund (IMF), as well as private authorities like credit-rating agencies and international commercial arbiters. As Tim Sinclair has shown, the creation of a system of global economic governance places great pressure on states to conform to neoliberal policy norms in national economic management. Policy debates now take place within the narrowing parameters of fiscal rectitude developed out of neoliberal ideologies (Sinclair, 1994, 2000).

Organization for Economic Cooperation and Development (OECD) countries in particular are relinquishing their power and authority over cross-border financial and economic transactions to private corporations and global regulators in order to reduce frictions and costs. This has led some commentators to speak of the nation-state's demise in the face of a 'borderless world' (Ohmae, 1990). While there can be little doubt that economic globalization is tremendously powerful, it is wrong to assume that nation-states are dying. They are, as we have already emphasized, transforming; relinquishing certain economic roles and functions while retaining others (Clark, 1999; Evans, 1997; Held *et al.* 1999). As Strange (1996: 44–5) reminds us, 'It was not that the TNCs stole or purloined power from the government of states. It was handed to them on a plate – and, moreover, for "reasons of state"'. This is true at least for the wealthy industrialized countries, where the vast bulk of trade takes place.

The globalization of trade, production and finance suggest that human social relations are increasingly being detached or disembedded from the geographical territory of the nation-state. To the degree that something like a 'supraterritorial' space, to use Scholte's (2001) term, outside and beyond the state, is coming into being, the way human societies function and interconnect are being reshaped. Some of globalization's more optimistic proponents believe that, by inaugurating a 'borderless world' and encouraging convergence around key neoliberal norms, it is making violent conflict less likely because of complex entanglements and greater interdependence. The alternative view is that, despite some sectors converging, globalization is uneven in its impact and benefits. It may indeed be creating a borderless world in some respects, but not equally and not for all. The story for developing countries is very different to that of the OECD countries. They too are touched by globalization, but in different ways. More often than not, they appear to be passive subjects of globaliza-

tion rather than 'globalizers'; but as we shall see, things are more complicated than that.

A point made by many critics is that economic globalization produces, at best, mixed results in the global South. Christopher Hughes (2002: 428) identifies three negative effects: 'economic exclusion for states and individuals', 'economic rivalry among states and their citizens for scarce economic resources', and 'economic dislocation within states'. All these effects, he says, exacerbate pre-existing vulnerabilities inherent to developing countries by dint of their colonial and Cold War histories (Hughes, 2002).

Though multilateral economic institutions like the WTO, IMF and World Bank were built to address the global South's vulnerabilities, they appear to have had limited success in ameliorating the situation of growing inequality both within and between states (Gill, 1995; Hurrell and Woods, 1995). Instead, the World Bank's structural adjustment programmes and the IMF's stabilization measures simply reproduce material inequality under the guise of what Stephen Gill calls the 'new constitutionalism'. The restructuring of states 'along market-driven lines', says Gill,

tends to generate a deepening of social inequality, a rise in the rate and intensity of the exploitation of labour, growth in social polarization, gender inequality, a widespread sense of social and economic insecurity, and, not least, pervasive disenchantment with conventional political practice.

(Gill 1995: 420)

Economic globalization's impact on developing countries is particularly acute. It may be true, as some have argued, that the only thing worse than being globalized is not to be globalized, but this is cold comfort for countries forced to trade off public health and education, poverty alleviation and environmental protection against fiscal discipline.

Critics of the neoliberal or 'Washington consensus' argue that governments in the global South too often divert financial resources away from welfare in order to satisfy global economic actors and institutions, including undemocratic, unaccountable ones like credit-rating agencies. This may be a viable if controversial option in many developed countries, but it can have disastrous effects on developing ones, not least by reinforcing the maldistribution of wealth that defines the North–South divide. By exploiting economic globalization, developing countries may be able temporarily to 'paper over the political and security cracks in their own societies', as Hughes (2002: 427) puts it, but they are likely to suffer the consequences later in terms of state failure (see Chapter 8).

One of the collateral effects of this polarization is evident in the global flow of people. Humanity indeed appears to be dividing into two classes of mobility, as Zygmunt Bauman (1998: 88–9) observes: the 'tourists' and the

'vagabonds'. The former are mobile cosmopolitans who travel more or less freely, enjoying the benefits that globalization has to offer, while the latter are forced to move surreptitiously across nation-state borders at great risk and often with the assistance of unscrupulous people-smuggling rackets. In spite of the differences, the net result is similar: people, like goods, capital, information and principled beliefs, increasingly survive on a global plane of social relations, one which in important respects diminishes the containing and repelling functions of boundaries and integrates the social, political and economic fates of the global North and global South.

'Migrant exporting schemes', which are designed to send people out of a country or region to more desirable destinations, and 'slave importing schemes', which are designed to supply bonded labour for economic profit (Kyle and Dale, 2001), are perfect examples of the growing integration of the global North and South through circuits of human and capital flows. Moreover, both are expanding under conditions of globalization, as David Kyle and John Dale (2001) demonstrate. There is, as Jan Jindy Pettman (1996) and Saskia Sassen (2000) both demonstrate, a growing and disturbing presence of women in these cross-border activities, especially in the illegal trafficking of women's bodies for the sex industry. They are a major part of the 19.8 million people of 'concern' to the United Nations High Commission for Refugees (UNHCR), who move across and between sovereign states, exposing their embarrassing leakiness. These stateless people, or 'abject cosmopolitans' as Peter Nyers (2003) calls them, inspire anxiety in governments of the global North. While advanced industrialized countries have freely relinquished control over flows of money and goods in the belief that globalization is good for markets, they have been unwilling to allow people to move freely across their borders for fear of its impact on societal security (see Bigo, 2001; Buzan *et al.*, 1998: ch. 6; Devetak, 2004). This has prompted them to pursue aggressive border restriction policies such as those that Pickering outlines in Chapter 6 (see also Pickering, 2005).

More than simply reproducing material inequality between the global North and South, many of the neoliberal reforms ushered in under the 'Washington consensus' have fuelled or exacerbated violent conflict in the South. As we shall see, when introduced into countries like Sierra Leone, these reforms have had the effect of diminishing the state's institutional capacity to provide public goods or political order and precipitated the fragmentation of the state's monopoly over the instruments of violence.

Upon being introduced into the global South, privatization, liberalization and deregulation have found very different domestic contexts to the ones in which they were initially devised. For a start, as Handy and Speiser point out in Chapter 8, such reforms were sometimes introduced into un-reconstructed neopatrimonial African states rife with corruption and clientelism. Moreover, as David Keen (2005) has shown, when these reforms were introduced into countries like Sierra Leone in the 1980s they simply exacerbated grievances and generated conflict. 'In practice, privatization

fed into the creation of monopolistic and oligopolistic markets' which tended to benefit only 'a small clique around the president' (Keen 2005: 75–6). Corruption flourished as industries were increasingly plundered by political elites given the freedom to operate without regulation and beyond effective taxation. In consequence, the state's revenue fell dramatically and the provision of state services was drastically reduced, especially in health and education. The political effects were disastrous as Keen (2005) makes crystal clear: uneducated and unemployed youth saw crime and war, when it came, as opportunities; underpaid or unpaid soldiers resorted to plundering to sustain their activities; and underpaid and demoralized state officials diverted public resources to private gain.

It is largely in response to this growing polarization and material inequality that many of the 'anti-globalization' movements arose in the 1990s across the global North. From Seattle to Melbourne to Padova diverse protest movements have gathered to voice deep dissatisfaction at the social dislocation that accompanies the neoliberal policy agenda underpinning global economic governance (see *Millennium*, 2000). It is in this context that Sullivan, in Chapter 11, analyses events in Thessaloniki in 2003 where the '(anti-)globalization' protest movement, as she calls it, resorted to its own forms of physical violence and destruction. As Richard Higgott (2000: 133) has astutely observed, if the benefits of economic globalization are not to be lost, globalization will need to be '*politically* legitimized, democratized and socialized'.

Violence in politics and international relations

One might well ask, what do 'time–space compression' and all this economic activity have to do with political violence? Are the stretching, intensification, velocity and impact of global interconnectedness changing the character of political violence? First, we must clarify what is meant by political violence. On the surface it may appear that globalization has almost nothing to do with it. It might be conceded that economic inequality may be exacerbated by globalization, but how is globalization complicit with acts and structures of political violence? Is globalization delinking violence from the agency and geographical limits of nation-states? In this section, first, I offer a brief account of how violence is accounted for in political thought. Second, I offer a short historical overview of the development of the territorial nation-state and its monopoly over the instruments of violence. This is an important reminder of the historical connection between violence and political organization, and an important prelude to discussion of the new wars phenomenon.

On violence

John Keane (2004: 35) defines violence as a particular type of relationship between human bodies, one where harm is done to others by means of

‘physical interference’. He then goes on to identify some of its consequences, ‘ranging from shock, speechlessness, mental torment, nightmares, bruises, scratches, swellings, or headaches through to broken bones, heart attacks, loss of body parts, or death’ (ibid.). This definition has the virtue of highlighting the central consequence of violence: bodily harm, whether direct or indirect, psychological or corporeal, individual or communal, and leaving open the matter of how or why physical interference occurs.

As Hannah Arendt makes clear in her famous essay ‘On violence’, violence is defined not by the purpose to which it is put, but by its instrumental character; the fact that it is a means. To be sure, violence always stands in need of ends to guide it, but these are infinitely varied. In order to effect physical interference, violence always uses tools or implements to enhance the perpetrator’s and weaken the victim’s physical and mental capacities. Violence becomes political when bodily harm is caused in pursuit of, or even as, a political end; that is, when it issues from, relates to, or impacts on struggles over power and authority. Political violence often seeks to maintain or reshape relations among rulers and ruled by targeting bodies in so far as they affect the freedom of speech and action available to individuals or communities. Needless to say, this generally has direct consequences for states’ capacities to deliver public goods such as welfare, political order and security.

From Niccolò Machiavelli and Thomas Hobbes to Max Weber and Kenneth Waltz the Western tradition of political thought has recognized the centrality of violence. Realist theories of international relations have long argued that states exist in a condition of anarchy where violence is always likely to be used to resolve conflicts. Speaking more generally, Weber (1948: 121) noted, ‘The decisive means for politics is violence’. It may be the *ultima ratio*, it may be used rarely and reluctantly, but the threat of physical force defines politics for Weber. Politics, he says in his great essay (1948: 125–6), is the realm which is irremediably open to ‘the diabolic forces lurking in all violence’.

This view contrasts with liberalism which tends to assume that violence is an aberration that can be expunged from political life if only the right institutions are established to govern men and women. The liberal political project seeks to counter the realist assumption that violence is irrepressible with the ‘dream of a modernity without violence’, as Hans Joas (2003: ch. 1) puts it. It rejects Waltz’s (1979: 103) assertion that ‘No human order is proof against violence’. Instead, liberals attempt to transcend forms of political organization where power is unconstrained, arbitrary and violent, by founding legitimate, democratic forms of government where authority and power are subject to the rule of law. Notwithstanding their aversion to violence, even liberals must acknowledge that physical force may sometimes be necessary to protect the institutions of liberal democracy and punish lawbreakers.¹

State-building and violence

The story of how the modern state – based as it is on notions of sovereignty, territoriality and nationhood – arose and developed is a long and complicated one that cannot be rehearsed fully here. There is wide agreement, however, that the state-building process was intimately tied up with violence, particularly warfare. Otto Hintze (1975: 181) drew attention to this connection early in the twentieth century: ‘All state organization’, he says, ‘was originally military organization, organization for war’. More recently, historical sociologists like Charles Tilly, Anthony Giddens and Michael Mann have supported this view, arguing that there is an important connection between violence and state formation in the transition from the feudal state through the absolutist state to the modern nation-state in Europe. Following Hintze, Giddens (1985: 112) argues that, ‘It was war, and preparations for war, that provided the most potent energizing stimulus for the concentration of administrative resources and fiscal reorganization that characterized the rise of absolutism’. Graeme Cheeseman, in Chapter 2, concurs: ‘Military forces are often the agent of the state’s birth’.

It was not just war-making that conditioned the state-building process; a good deal of internal pacification was also required. To consolidate and intensify their rule, states had to monopolize control over the instruments of violence, as Weber famously argued (1948: 78). This process of ‘political expropriation’, as Weber (1948: 83) named it, required the concentration of administrative power and more intensive and extensive forms of social surveillance through policing (Giddens, 1985; Mann, 1986). Equally important to the state’s internal pacification was the dismantling of what Hedley Bull (1977: 268–70) refers to as ‘private international violence’. Janice Thomson (1994) has provided a comprehensive historical account of the relationship between the state-building process and the rise and fall of private international violence, particularly the eventual disarming of pirates, privateers, mercenaries, and merchant companies. The delegitimation and subduing of these non-state actors, many of which had been instrumental to the rise of the modern European state, focused political authority around the state’s monopoly over physical violence. State-making, therefore, involved not just the waging of external wars, but the elimination or neutralization, frequently through force, of private international violence.

Norbert Elias (1982) shows that state-building also required a decisive attitudinal shift away from violence. The pacification process of state-building rested upon a complementary ‘civilizing process’ that progressively subdued physical violence. European court society, particularly from the seventeenth century on, began to recoil from displays of vulgarity and sovereign violence as new social norms of self-restraint and polite manners developed, giving rise to notions of ‘civilized’ conduct and sentiment. Only with the monopolization of physical force and assurances of security

could societies subdue violence and cultivate habits of self-restraint and civility. As Elias observes:

The monopolization of physical violence, the concentration of arms and armed men under one authority, makes the use of violence more or less calculable, and forces unarmed men in the pacified social spaces to restrain their own violence through foresight or reflection; in other words it imposes on people a greater or lesser degree of self-control.
(Elias, 1982: 239)

The formation of a monopoly over violence, he suggests, produces a pacified social space that makes the outbreak of physical force less likely. That is why the monopoly over force has been central to the state's legitimacy.

However, notwithstanding the state's promise to deliver civility, security and peace, as John Keane (1996: 26) reminds us, states are 'positively dangerous instruments of pacification'. Following Jean-Jacques Rousseau, Keane argues that, while on the one hand states achieve domestic peace, on the other they merely displace violence to relations *between* states. Moreover, and here he is more indebted to John Locke, the state's monopoly of violence means that citizens live 'permanently under a cloud of threatened violence' (Keane, 1996: 27–8). Tilly puts the point more provocatively. He argues violence is not just a permanent potential but a structural component of the state because it operates analogously to a protection racket; just like the Mafia, the state employs stand-over tactics to extract payment from its citizens in exchange for protection from the state's own violence (Tilly, 1985: 171).

The exposure to potential physical harm and violence are constitutive features of politics. They made, and continue to make, state-building possible and they haunt contemporary social struggles opposing extant power and authority. This serves as a reminder that all states, from 'failed' states to 'strong' ones, are conditioned by violence, even if the type, degree and intensity of this violence varies. While politics, especially where states are involved, cannot escape the economy of violence, it can work to establish harm conventions which may minimize violence, as Andrew Linklater (2001) has shown. But such conventions will need to work above and alongside states, not just through them, if they are to be successful.

'New wars', war economies and state transformation

Throughout the 1990s there were a number of wars in the Balkans, the Caucasus, Central Asia and Africa that seemed to depart from previous wars in their purposes and modes, and indeed seemed to reverse the state-building process. By contrast with classical or Clausewitzian wars, these appeared to lack clear beginnings or definable ends (Münkler, 2005: 13). These allegedly 'post-Clausewitzian' conflicts or 'new wars' were gener-

ally fought over the politics of identity and often produced, as Mary Kaldor (1999: 11) argues, a new type of organized violence, one that involved a mixture of war, organized crime and large-scale violations of human rights. Much of the violence in these new wars was directed against civilians rather than enemy armed forces (Kaldor, 1999; Münkler, 2005: 14). Genocide and ethnic cleansing were typical strategies, and famine, disease and refugee flows were the routine results. But, as critics of the 'new wars' literature have pointed out, these are hardly new phenomena in themselves (Kalyvas, 2001; Newman, 2004). Still, the context of greater global interconnectedness does seem to modify the character, intensity and extent of violence in some armed conflicts.

Ethnic cleansing in Yugoslavia and genocide in Rwanda; ethnoseparatist and inter-communal violence in Bougainville, Chechnya, Georgia, Kosovo and Sri Lanka; and civil wars in Angola, Liberia, Sierra Leone and Somalia are all examples of the 'new' or 'degenerate' wars analysed by Kaldor (1999), Martin Shaw (2003), Herfried Münkler (2005) and Mark Duffield (2002). These wars often unfold in the context of state implosion. In fact, what we see in these wars resembles the unravelling or reversing of the state-building process discussed above. But as we shall see, things are not as straightforward as that. It will be best to think of the new wars as having a transformative rather than simply unravelling effect on states and social relations.

Though conventionally seen as civil wars because the violence takes place largely within a sovereign state's borders, these conflicts usually have a transnational dimension to them too. In the first instance they will often involve cross-border activity and armed intervention by foreign forces, which is nothing new. But, more profoundly, as we shall see, such wars cannot be understood in abstraction from globalization as defined above. In some cases the violence, though apparently driven by ethnic hatred, in fact arises out of social breakdown and marginalization precipitated or exacerbated by the introduction of neoliberal globalization's austerity measures. These conflicts are then sustained by transactions carried out via clandestine transnational markets. The following sections observe the transformation of states through the dismantling and restructuring of social forces.

Neoliberal economic globalization and inter-ethnic violence

Münkler (2005: 8) observes that 'most of today's "failed states" have failed not only because of the tribalism of societies with an inadequate degree of social and cultural integration, but also because economic globalization has had its most destructive effects precisely where it has not encountered robust states'. We have already seen the devastating consequences on Sierra Leone as it opened itself to globalization, but there are other relevant examples of globalization's complicity with violence on different continents.

Take the wars of Yugoslav succession. On the surface they may have looked like straightforward examples of old-fashioned civil war, and this was indeed a common representation, but they exhibited many traits of the ‘new wars’ listed above. Undoubtedly the geopolitical upheavals associated with the end of the Cold War are crucial to understanding the break-up of Yugoslavia, but so too are the instabilities associated with transitional economies. Susan Woodward (2000) has argued that globalization’s emergent neoliberal economic agenda was an important source of the social breakdown and conflict. The political strains of the transition from socialism to a market economy and democracy were exacerbated, she argues, by the austerity measures introduced in the 1980s under Western pressure to stimulate economic recovery and growth. IMF intervention did little to improve the situation as well, and, if anything, probably intensified political strains within and between the various republics. By 1989 inflation in Yugoslavia had spiralled out of control to 2,500 per cent, unemployment averaged 14 per cent and national debt rose to US\$20 billion (Kaldor, 1999: 37).

Needless to say, such measures failed to generate the intended economic goals, generating instead a crisis of legitimacy that exacerbated socio-economic dislocation and political grievances and eventually triggered state disintegration. This presented a perfect scenario for opportunistic politicians to play on growing economic insecurities for political purposes. It also opened the way for the murderous use of identity politics. However, as Kaldor, Woodward, David Campbell and others have convincingly argued, it would be a mistake to suppose that so-called ‘ancient ethnic animosities’ lie behind the violence. As Campbell explains, belligerents’ appeals to history, identity and ethnic prejudice were meant to affirm distinct ethnonationalist identities and thereby serve the political purposes of shoring up the power base and economic interests of unscrupulous political elites:

As the means by which identity is inscribed and transcribed across a range of surfaces, violence can be thought of as the practice through which questions of history are deployed in the present for contemporary political goals. The result is the performative enactment of the identities subsequently regarded as preexisting and the source of the conflict. In these terms, the strategically bizarre cultural violence against symbols of identity in Bosnia – mosques, churches, museums, and memorials – and the horrific violence against bodies – mass rape of women and the disfiguration and rape of men – become comprehensible if no less justifiable.

(Campbell, 1998: 110)

Ethnic cleansing, therefore, was more an effect than a cause of the political violence. To foment ethnic animosity, a military strategy targeting populations was employed, to either displace or eliminate the ethnic

other. But the overarching goal was to establish the geopolitical conditions for state sovereignty (Woodward, 2000: 254). The proximate aim in such wars may be 'political mobilization on the basis of identity', as Kaldor (1999: 110) puts it, but the driving force lies elsewhere: in state-building imperatives. Once again, the relationship between state-building and violence comes to the fore, suggesting that 'new wars' are not entirely new. A simultaneous process of state disintegration and state formation occurs, which is best understood as 'state transformation'.

'Shadow economies' and the globalization of violence

A further significant factor in understanding the globalization of violence can be found in what Carolyn Nordstrom (2000) calls 'shadow economies'. She uses the term 'shadow' because it conjures the amorphous, evasive, clandestine sector of transactions that take place outside the formal institutions of states and markets, including the grey and black markets.² Nordstrom (2000: 35) maps the transnational 'machinery' that keeps people fed and armed during times of conflict, 'machinery that functions outside of the world's formal markets and politics – one invisible to government's formal policies but equally powerful in shaping the course of the world's progression.' These transnational networks of people, goods, and services criss-cross zones of war and zones of peace, effectively drawing state and non-state actors into the same shadowy global field of action, and sustaining the capacity of these actors to engage in violence. The effectiveness and global reach of these actors, as well as their capacities to inflict or endure violence, are inseparable from global processes.

The significance of the shadow economy during the disintegration of Yugoslavia has been analysed by Peter Andreas (2004). He argues that the Bosnian War cannot be fully understood without taking into consideration the clandestine political economy of war. His inquiry shows how civil conflicts can be globalized through a range of clandestine transnational networks used to finance and supply provisions for the warring parties. The siege of Sarajevo (from April 1992 to February 1994) presents a classic example of how this occurs. During the siege, access to clandestine flows of money, food, fuel and arms enabled Bosnians to feed and defend themselves (Andreas, 2004: 36). Black marketeers engaged in trade to supply food and fuel, and criminal gangs helped defend the city by force. These flows were truly transnational in their movement. Andreas (2004: 38) recounts how during the first phase of the siege, 'Chinese anti-tank launchers, known as "Red Arrows," arrived via Pakistan and were carried across the airport tarmac on stretchers, disguised as wounded soldiers and wrapped cadavers.' He also relates how the Third World Relief Agency (TWRA) was used as a front to provide finance to the Bosnian government. It is estimated that between 1992 and 1995 this Vienna-headquartered agency with offices in Sarajevo, Budapest, Moscow and Istanbul channelled US\$350

million from countries across the globe, including Brunei, Iran, Malaysia, Pakistan, South Africa, and Sudan (Andreas, 2004: 42). Both money and arms had to be accessed covertly through global networks. In the absence of this global interconnectedness Sarajevans would not have been able to endure the siege or maintain armed resistance.

Other cases of civil war, for example in Angola, the Democratic Republic of Congo (DRC), Liberia and Sierra Leone, demonstrate how warlords and other participants in war have a vested interest in sustaining the violence to better exploit abundant natural resources. 'Conflict commodities' have become integral to these globalized civil wars as Tony Addison demonstrates in Chapter 9. Oil and diamonds in Angola and Sierra Leone, diamonds, copper, cobalt and gold in the DRC, and diamonds, gold, iron ore and timber in Liberia were all transferred out of war zones in exchange for money and arms (Berdal, 2003: 485). In several cases, most prominently Somalia, warlords even fought against peacekeepers who were on the ground to ensure delivery of humanitarian assistance. Instead of food and urgent supplies being delivered to the neediest civilians, warlords siphoned it off for their own purposes.

Not only do these resources fund the war effort, they also build political power and wealth for those who can seize and control them. These 'war entrepreneurs' opportunistically precipitate and exploit the breakdown of state power and authority to enhance their personal wealth and assert their own political power. But to benefit fully from state failure they need access to regional and global markets, whether of a legitimate or illegitimate kind. As Mats Berdal and David Keen (1997: 817) note, 'those profiting from war often rely on networks of international trade and finance to add value to the commodities they are handling, as well as to deposit their ill-gotten gains'. Regional and global trading networks in arms, drugs, 'conflict commodities' and other contraband are made possible not just by state collapse, but by the improved communication technology and capital mobility that globalization begets. As Addison argues in Chapter 9, economic globalization opens up 'fresh opportunities for commercializing conflict, thereby internationalizing and globalizing wars with national and local origin'.

Organized violence has always been integral to politics and international relations, but its character has changed over time. As this volume demonstrates, not only has the advent of globalization permitted non-state actors to challenge the modern state's monopoly over the instruments of legitimate violence, but it has also precipitated, intensified and spatially and temporally extended violence. Globalization has transformed the economies of violence which condition both politics and international relations. As a consequence, not only are states transformed, but security acquires a different complexion as actors and threats emerge with new or expanded force.

The changing character of security

The general thrust of many post-Cold War security analyses has been to highlight the proliferation of security threats under conditions of globalization. Whereas military threats posed by enemy states were the conventional focus, recent analyses tend to broaden and deepen the concept of security to include non-military issues and non-state threats. These include terrorism, people movement, illicit weapons proliferation, transnational crime and the environment. In many respects this transformation of the security agenda is understood to be a necessary response to globalization, since traditional conceptions of security are said to be outdated or inadequate in accommodating human interests and dealing with the 'complexification of conflict' (Dillon and Reid 2000: 122) in the post-Cold War world.

There can be little doubt that broadening the security agenda to encompass transnational flows of weapons, crime and terrorism is necessary. But it is not clear that simply broadening the security agenda is enough. As critical security studies scholars have argued (Fierke, forthcoming; Krause and Williams, 1996), it is necessary to address the contested character of security as a concept and practice, and to grasp the socially constructed character of security and insecurity. Neither the actors being made secure nor the actors designated as threats, be they state or non-state actors, are pre-given. Nor is there agreement about who or what ought to be made secure. This has given impetus to the development of critical security studies.

In so far as security has been historically tied to the fate of the territorial nation-state, globalization, with its twin logics of deterritorialization and reterritorialization, appears to problematize conventional conceptions of security and threat analysis. Maryanne Cusimano Love (2003: 36) summarizes one view of globalization's relationship to security today in the formulation: 'Globalization plus weak states and trans-sovereign problems equals the new security dilemma'. Cusimano Love explains how globalization's 'trans-sovereign flows' create new difficulties for states seeking to make themselves secure without sacrificing the openness of their societies and economies. In similar vein, Philip Cerny (2005: 13) argues that 'the core problems of security in the twenty-first century world profoundly reflect . . . globalizing and transnationalizing trends'. This produces what he too calls a 'new security dilemma', whereby substate and transborder flows of violence render inter-state balances of power less effective as means of regulating international relations. 'A new sense of generalized insecurity has emerged', Cerny (2005: 16) says, 'represented not only "from above", by the threat of proliferation of weapons of mass destruction but also "from below", by the rise of civil wars, tribal and religious conflicts, terrorism, civil violence in developed countries, the international drugs trade, etc.'

Ian Clark also presents a very useful analysis of the relations between globalization, security and territorialization. He argues:

If globalization is a factor in changing security, it operates within both [domestic and international] realms simultaneously – both re-creating the state and setting new agendas as part of a single political process. We should speak less about globalization *and* security and think more about the globalization of the security state.

(Clark, 1999: 126)

Clark's argument is that globalization does not just change the environment in which states enjoy or seek security, it involves a change in the state itself; security is, after all, a social practice or construction. Globalization has created conditions under which states have 'securitized' (Buzan *et al.*, 1988: ch. 2), that is to say, placed under the 'sign of security', more and more issues. People movement, for example, has increasingly been seen by advanced industrialized countries as a security issue, as discussed above; as has crime. The same is true of the environment as well, as Lorraine Elliott details in Chapter 4. This goes to show that the construction of security (what constitutes a threat? who or what is to be made secure?) is socially and historically contingent.

Globalizing private violence: transnational criminal networks, global terrorist organizations and private military firms in the planetary 'frontierland'

The important point to note from the above discussion is that globalization conditions the construction of security by giving rise to new, more extensive and sometimes intensified forms of transnational violence. This section presents brief overviews of how three types of non-state or 'private' actor participate in the globalization of violence: transnational criminal networks, global terrorist organizations and private military firms.³ None is particularly new, but each, in different ways, contributes today to the extension and intensification of violence on a global plane. Though sometimes implicated in struggles over public power and authority, each inflicts bodily harm in the pursuit of 'private' interests. Each may also represent, though to different degrees, a challenge to the state's monopoly over the legitimate instruments of violence. Even though private militaries may be recognized and sometimes employed by states, they too are capable of, and occasionally aimed at, undermining the state's capacity to govern effectively.

Flowing across state boundaries, criminal networks adopt the *modus operandi* of TNCs to pursue their private interests, but do so without legitimacy and outside the law. They exist in a planetary 'frontierland', as Zygmunt Bauman (2002) calls it, where alternative systems of power,

profit and protection thrive. Violence is often integral to the formation and maintenance of these systems. This is the dark underside of globalization that is too frequently ignored, though Louise Shelley and colleagues (2003), Susan Strange (1996), and Phil Williams (1996) have provided insightful studies. Globalization not only enables the formal global economy to flourish, therefore, it also gives rise to an informal one made up of transnational criminal networks in people-smuggling, global prostitution rackets, and drugs. It has also given rise to transnational networks that trade in the instruments of violence. As Dan Joyner points out in this volume, the clandestine Khan network operated with great success for several years in the distribution of weapons of mass destruction (WMD)-related technologies.

Without doubt, however, the highest profile players in this global frontierland are global terrorist networks like al-Qaeda. September 11 showed the world how globalization sets up conditions that terrorist groups can exploit to devastating effect. Despite the anti-modern rhetoric of al-Qaeda, they are deeply implicated in the highly modern process of globalization. Indeed their activities depend on taking full advantage of the technologies afforded by modern industrialized societies including travel, communications, information and global finance. They also make use of modern organizational structures and techniques to maintain their elusiveness and effectiveness. Al-Qaeda is organized rather like a rhizome; that is to say, it resembles the tangled underground roots and shoots of some weeds and grasses. 'Rhizomatic' organizations or networks are de-centred and non-hierarchical with multiple intersecting lines of connection and communication between nodes. This enhances the invisibility and operational capacity of autonomous cells or nodes, and also enables them to sprout new nodes if any are destroyed. As Lentini shows in his chapter on 'neojihadism' (Chapter 10), it is not just modes of organization that are being globally disseminated, but tactics too, as models of political violence successfully executed in one place are imitated in another without authorization from any centre or ostensible leadership.

Wilfully defying the laws and borders of states, these mobile, elusive and deterritorialized actors have learned how to make full use of globalization and modernity, even if their main aim is to redirect modernity's forces back upon itself in the West. As Daniel Benjamin and Steven Simon (2005: 75) point out, although the internet serves to radicalize potential neojihadists (the term is from Lentini's chapter), its primary significance lies not in its capacity to communicate and spread propaganda, but in its capacity to spread 'tactics, technical know-how, and strategy'. These innovations mark a significant departure from the 'old' terrorism associated with the Irish Republican Army (IRA), the Palestinian Liberation Organization (PLO) and Basque ETA. These groups were always concerned with maintaining the legitimacy of their cause and keeping a level of public opinion on their side. In Chapter 7, Asta Maskaliunaite charts the evolution of Basque ETA

and the difficulties it confronts as an 'old' terrorism seeking to avoid obsolescence in a post-September 11 world. By contrast, the 'new' terrorism, according to Simon and Benjamin (2000), seems bereft of negotiable political demands, intent on causing mass death and destruction, and largely unconcerned with legitimizing their actions to world public opinion (see also Devetak, 2005).

As Cheeseman observes in Chapter 2, the post-Cold War period has witnessed the proliferation of military actors. Warlords, paramilitaries, mercenaries and private military firms have been active in many of the conflicts mentioned above, adding to the 'complexification of conflict'. The important point for us is that, as he argues, the proliferation of militaries is an aspect of globalization. Anna Leander (2002) has argued that the proliferation of such entities arises not only out of the Cold War's end, but out of globalization and its impact on the state. She suggests that insofar as the 'retreat of the state' – meaning the state's reduced capacity or willingness to maintain its range of monopoly functions – is a product of globalization, it has created demand for private military services. This is an argument supported by Bernedette Muthien and Ian Taylor, who write:

As national economies become more and more outwardly linked to the global market, and as the dominant ideology of neoliberalism demands the rolling back of the state, the neopatrimonial framework which has held certain fragile states within Africa together has begun to unravel. As this has occurred, such territories have become increasingly open and subject to exploitation by undemocratic but powerful individuals, as well as by unscrupulous irregulars.

(Muthien and Taylor 2002: 186–7)

The privatization of military force is not exclusive to the global South, however. The global North is also experiencing the increasing privatization and outsourcing of security and defence to 'private military firms' (PMFs) (Duffield, 2001a: 66, Leander, 2002, Singer, 2002).

Since the end of the Cold War, PMFs have been notable presences in many conflicts. PMFs are profit-driven organizations trading in military and military-related services ranging from 'tactical combat operations, strategic planning, intelligence gathering and analysis, [to] operational support, troop training, and military technical assistance' (Singer, 2002: 186). Such military services have, of course, been around for a long time, even if, during the twentieth century their presence diminished greatly. Unlike mercenary forces of earlier times, PMFs are large multinational corporations, 'hierarchically organized into incorporated and registered businesses that trade and compete openly on international markets' (Singer, 2002: 191). They may be structured like MNCs and may thrive on globalization, but their business is violence. They are among the most visible forms taken by the globalization of violence.

The American firm MPRI (Military Professional Resources Incorporated) not only trained and built the Croatian army out of Croatian territorial defence forces, as Kaldor (1999: 46) notes, it was also apparently involved in the Croatian push to recover the Krajina from Serb control in 1995 (Leander, 2002: 4). It later also helped in the rearming and training of the Bosnian army (Leander, 2002: 4). Not only have PMFs appeared in situations like the dissolution of Yugoslavia, they have also assisted in military expeditions of the world's most powerful nations. According to Peter Warren Singer (2002: 188), 'Every major US military operation in the post-Cold War era (whether in the Persian Gulf, Somalia, Haiti, Zaire, Bosnia, or Kosovo) has involved significant and growing levels of PMF support'.

Globalizing state violence: from humanitarian intervention to regime change

It is not just non-state actors that have extended and intensified the globalization of violence. States, as the principal actors in international relations, have also been instrumental to this development. Even in the ostensible pursuit of human interests or global security, states may extend and intensify violence.

One of the most complex moral, legal and political dilemmas to arise in the post-Cold War era, especially in view of the new wars and 'failed states', has been whether and under what circumstances armed intervention in a sovereign state for humanitarian reasons is justifiable (Devetak, 2002). The violence in Somalia, Rwanda and Bosnia, because it seemed to 'shock the conscience' of humankind, made the question of humanitarian intervention one of the most pressing matters on the global agenda.

Advocates of humanitarian intervention have argued that state sovereignty should not afford cover for governments enacting large-scale violations of human rights. When governments embark on such violations, state sovereignty is suspended and interventionary force becomes a legitimate means of ending the violence. This has been put most comprehensively by Nick Wheeler (2000) and the Canadian-launched International Commission on Intervention and State Sovereignty (ICISS 2001) who argue that under strict conditions humanitarian intervention is morally, legally and politically legitimate. Wheeler argues that the norms of international society have evolved to recognize humanitarian intervention as a legitimate exception to the normal prohibition on the use of force. The ICISS, co-chaired by former Australian foreign minister Gareth Evans and Algerian diplomat Mohamed Sahnoun, argues that sovereign states have a 'responsibility to protect' their citizens, and when they are derelict in this duty (through incapacity or unwillingness), international society may intervene, forcibly if necessary, to provide this protection.

Critics see appeals to humanitarian intervention as at best well-

intentioned but destabilizing, and at worst neoimperialistic, illegal and unlikely to reduce violence either in the short or long term. Simon Chesterman (2001) and Danilo Zolo (2002) have put forward the most sustained critiques of humanitarian intervention. Chesterman's critique is predominantly legal. He argues that humanitarian intervention threatens to weaken two of international law's key tenets, the principle of non-intervention and the general ban on war, both of which were designed to limit violence. He also argues that the introduction of an exception to these two rules would invariably lead to abuse. States would rationalize their self-interested wars by appealing to the pleasing rhetoric of humanitarianism. Zolo's critique is a more political one. The title of his most recent book invokes Carl Schmitt's (1996: 54) assertion that 'whoever invokes humanity wants to cheat'. There are three pertinent implications of this denunciation of humanitarian intervention. First, one cannot fight for humanity because humanity is not a political concept; no political entity corresponds to it. In fact, the concept of humanity is a denial of what Schmitt takes to be the irreducible element of the political: namely, the distinction between friend and enemy. Second, laying claim to the 'nonpolitical term' humanity is a political move intended to delegitimize the enemy and claim the high moral ground for oneself. Third, humanitarianism is likely to lead to more brutal and inhumane wars. The overall thrust of Zolo's argument is that humanitarian intervention is simply a cover for great powers to pursue their power-political ambitions, and will simply amplify the globalization of political violence.

William Smith and Robert Fine, in Chapter 3, weave a path between advocates and critics. They suggest that humanitarian intervention is radically indeterminate; it may be endorsed as an imperfect means of striving towards cosmopolitan goals, or rejected as insufficiently cosmopolitan. In any case, it always carries the potential to inflict intolerable amounts of bodily harm, and remains perpetually open to abuse by powers dressing up their aggression in humanitarian rhetoric.

The worst fears of humanitarian intervention's critics seemed to come true after September 11 when the US invoked humanitarian reasons to legitimize its 2003 war against Iraq. To be sure, the US shifted between a multitude of justifications, from upholding UN resolutions to preventing WMD proliferation to self-defence to humanitarianism. But the fact that humanitarianism was also used, however spuriously, indicated that the 'humanitarian exception' could always become hostage to great power interests (Bellamy, 2004a; Weiss, 2004).

Debates over the use of force have thus taken on renewed significance as both humanitarian and counter-terrorism discourses expand *casus belli*. In fact, the kind of liberal internationalism espoused by governments in Washington and London today, and by scholars such as Lee Feinstein and Anne-Marie Slaughter, deliberately blurs the distinction between humanitarian and counter-terrorism measures. Extrapolating from the ICISS's

(2001) notion of the 'responsibility to protect', Feinstein and Slaughter (2004) argue that a collective duty exists within the international community to prevent 'rogue states' from acquiring or using WMD. This so-called 'duty to prevent' WMD proliferation through the use of military force, *à la* Iraq 2003, would operate in the same way as humanitarian intervention.

But as Anthony Burke (2005), Tim Dunne (2003), Andrew Hurrell (2005) and Edward Rhodes (2003) have convincingly argued, there is in this discourse a concerning slippage from liberal internationalism to liberal imperialism. This slippage is most evident in proposals for 'regime change', a term that has become synonymous with the post-September 11 US effort to unseat Saddam Hussein in Iraq. The assumption behind regime change is that containment is no longer a viable policy option when dealing with 'rogue states' bent on acquiring WMD (NSC 2002). Proponents of regime change argued in late 2002 and early 2003 that a swift resort to force was essential to eliminate Iraq's threat to US and global security and to spread democracy. Unlikely to deliver the promised goals of democracy or global security, 'regime change' in Iraq is more likely to bolster impressions of Western imperialism and diminish the credibility of the 'coalition of the willing' (the US, UK and Australia). The important point Hurrell (2005: 163) makes is that 'regime change' is a means by which the US promotes its interests in a globalizing world through intrusive and forcible intervention in the reorganization of domestic political and economic structures.

The proliferation of actors and changed security conditions have led to the gradual blurring of the state's war-fighting and crime-fighting functions, which in turn has transformed the state. As Peter Andreas and Richard Price (2001: 31) have argued, the rise of non-traditional security threats and actors has had the effect of reconfiguring the state's coercive apparatus, resulting in the 'growing fusion between law enforcement and national security missions, institutions, strategies, and technologies'. Military equipment and technologies developed to deter military invaders are increasingly being put to policing or law enforcement ends in order to deter transnational criminals and asylum seekers (Andreas and Price, 2001: 38; see also Chapter 6). At the same time, say Andreas and Price (2001: 36), armed forces are being deployed abroad to enforce domestic law in 'military operations other than war' (see Chapters 2 and 3). If we combine this analysis with Clark's (1999) suggestion to think in terms of the globalization of security, we can see, first, that globalization is inseparable from state transformation and, second, that state transformation driven by globalization often contributes to the intensification and extension of violence.

Chapters

This book focuses on some of the many dimensions and locales in which violence materializes out of globalization and is distributed across increas-

ingly stratified and globalized fields of action. For instance, the chapters by Graeme Cheeseman (Chapter 2) and William Smith and Robert Fine (Chapter 3) draw attention to competing forces of deterritorialization and reterritorialization that accompany the changing character of military force today. Cheeseman's chapter on military force considers the global and deterritorialized aspects of globalization in its discussions of the proliferation of new forms of military organization, from sub-state and quasi-military forces, such as private armies, to 'cosmopolitan militaries'. But he is also attentive to important ways in which these processes interact with internationalization and the re-assertion of nation-state power. Smith and Fine's chapter occupies a similar terrain to Cheeseman's, exploring the extent to which the globalization of cosmopolitan principles has given rise to new norms governing armed intervention; this puts supraterritorial norms in close connection with territorializing norms. The chapters by Lorraine Elliott (Chapter 4) and Daniel Joyner (Chapter 5) focus more on the transborder flows and worldwide phenomena that generate global insecurity; the environment in Elliott's case and weapons of mass destruction in Joyner's. In these chapters the globalization of violence can be seen to occur substantially at deterritorialized or transnational levels, though reterritorialization is never ruled out.

Most of the other chapters in this volume tend to focus more on the reterritorialization processes associated with globalization. Sharon Pickering (Chapter 6) and Asta Maskaliunaite (Chapter 7) examine the ways in which globalization scales at the level of the state. Pickering, for instance, analyses state responses to the perceived problem of refugees in the global North, while Maskaliunaite examines the Spanish state's response to domestic terrorism. In both cases, the state reacts to deterritorialized forces through strategies of intensified law *and* force. The chapters by Paul-Simon Handy and Dunja Speiser (Chapter 8) and Tony Addison (Chapter 9) both address state transformation in the context of the global South. These chapters focus on the interaction between the world economy and so-called 'new wars'. In Addison's chapter the globalization of trade is shown to have mixed results in post-conflict economies – with protectionist measures in the global North and the paucity of external finance to support institutional development in the South conspiring to entrench poverty and fuel civil wars. Nevertheless, he defends the proposition that an open world economy is crucial to the provision of global public goods and to successful state-building after civil wars. In Handy and Speiser's chapter, the neopatrimonial African state becomes an important level at which globalization's impact is to be measured and assessed. They develop a typology of 'fragile statehood' ('weak', 'failing' and 'failed' states) intended to enable the international community to make more effective interventions. In these chapters, state transformation becomes the key to understanding the globalization of violence.

Finally, the chapters by Peter Lentini (Chapter 10) and Sian Sullivan (Chapter 11) focus on the micro-level manifestations of globalization's violences. Lentini examines how localized terrorist practices in Australia have been modified in the context of globalization. He argues that 'neojihadism' fuses the local and global by adopting an ideology, tactics and mode of organization in Australian terrorist cells that have proven effective in other locales. Sullivan focuses on local forms of protest against globalization. Though global linkages and networks exist among the (anti-) globalization protesters, their actions always take shape in particular sites, often in confrontation with state authorities, and occasionally expressed in militant violence. Lentini and Sullivan remind us that globalization assumes different shapes in different contexts depending on the actors involved, their political ideologies and their willingness to use violence.

Conclusion

The unbundling of territory and the loosening of the state's monopoly over the legitimate instruments of violence seem to mark an unravelling of the modern state. It is as if the state-building process has been put into reverse by globalization in some parts of the world. In fact, what we are witnessing in some instances is best understood as state transformation as power and claims to authority shift from the state to quasi- or non-state actors. This, naturally, produces a very different context in which violence is organized and security is sought.

This is why it is reasonable to suggest, with qualification, that globalization has changed the world. It has opened untold political and economic possibilities, but it has simultaneously cast a dark shadow. The conditions enabling global communication, instantaneous real-time news coverage and global financial markets are the same that make it possible for individuals to inflict novel and highly destructive forms of violence, or to spread and sustain transnational violence. Globalization is also closely tied to the 'new wars' phenomenon, since it exacerbates socio-economic conflict and political grievances in the developing world. In various ways that this introductory chapter has sought to outline, globalization creates the perfect setting for new modes of political violence and 'transnational harm'. If nothing else, the September 11 attacks made it imperative to reflect more seriously on the changing character and intensity of violence under conditions of globalization. The reorganization of violence may turn out to be the most significant feature of globalization.

Notes

- 1 Since the September 11 terrorist attacks, however, some liberal thinkers have become much more inclined to advocate violent measures as essential to US foreign policy. See Burke (2005) for a persuasive critique.

- 2 The black economy/market generally involves production and trade of illegal goods and services such as drug-, arms- and people-smuggling. The grey economy/market generally refers to trade and production of legal goods and services outside formal state-sanctioned regulation (see Sørensen, 2003).
- 3 By 'private' I mean simply independent of the state, and wish to echo Bull's (1977) notion of 'private international violence'.

2 Globalization and military force(s)

Graeme Cheeseman

Introduction

In his book *Globalization: A Critical Introduction* (2000: 3), Jan Aart Scholte argues that globalization is a 'distinctive and significant feature of recent world history' which continues to affect all areas of human achievement and endeavour. Given its broad sweep, we might reasonably expect the globalization process to have a major impact on military forces, particularly if we see them not just in strategic terms, but as complex bureaucratic/political and social/cultural entities. This expectation is enhanced by the long-standing conceptual and practical connections between military force(s) and such concepts and political entities as (in)security, society and the state. Military forces are often the agent of the state's birth. They provide the means of defending the sovereignty of the nation and the security of its peoples against various threats or sources of insecurity, of projecting the security interests of the state (or state elites) beyond national borders, and of underpinning, and sometimes enforcing, governmental authority within society and the state (Desch, 1996; Holsti, 1996). Military experiences and traditions, especially those in times of war, play a central role in the construction of national identity, and in defining what it means (and does not mean) to be an accepted member of society (Campbell, 1992). Military service, and particularly service in combat in the defence of the state and its security interests, is often posited as the most important, and noble, responsibility of the state's (until recently male) citizens (Enloe, 1983).¹ National military forces and their associated organizational and broader strategic cultures are often represented as appropriate models or means of maintaining internal cohesion and legitimacy in times of change or adversity (Cerny, 1996: 132). Indeed, in a rapidly globalizing world, state-based militaries are seen by many as one of the last repositories of national independence, pride and assertiveness.

As Scholte and others who have written on the subject make clear, in a rapidly globalizing world, many of these connections, traditions and practices, and the assumptions that underpin and inform them, are be-

ing questioned or are under challenge (see, for example, Baylis and Smith, 2001; Clark, 1997; Coker, 2002; Harriss-White, 2002; Waters, 2001). The Westphalian world order that gave birth to the modern state and its armed forces is said to be ending and we may be entering a fundamentally new era in international politics. Just what the post-Westphalian world will end up looking like remains a matter of considerable contention (see Fry and O'Hagan, 2000; Harkavy, 1997; Walt, 1998). Some, like Robert Kaplan (1994), see the world returning to the kind of situation that existed before the Treaty of Westphalia – a world of chaos and anarchy as portrayed on the screen by the *Mad Max* movies and we find in reality in places like Rwanda and Sierra Leone. Some see a continuation of existing state-centric structures based around realist, rationalist or liberal internationalist systems of world order in which states remain the key actors (Fawn and Larkins, 1996). Some suggest that future fault lines will occur between civilizations or so-called 'zones of peace' and 'zones of turmoil' (Huntington, 1996; Singer and Wildavsky, 1993). Others argue that existing state-based systems are being complemented or replaced by a complex, increasingly interconnected and globalized international political economy and associated global society, a world that has porous or no borders, and is increasingly dominated by a range of non-state entities, transactions, structures and norms. Such a system of world order could, on the one hand, be inequitable, unjust, unrepresentative, and, for many, profoundly insecure; a system characterized by Richard Falk (1999a) as 'predatory globalization' (see also Chomsky, 1994). Or it could be enlightened and humane, an imagined community for the whole of humanity (Falk, 1995).

While there may be debate and dissention over the system of world order that is likely to prevail in the future, all possible outcomes seem likely to include some form or forms of armed or militarized force. What might these be, and what roles and functions should and might we expect future militaries to play in the maintenance and establishment of a new or changing world order? How might the kinds of forces envisaged for the different systems differ in ownership, purpose, structure and motivation? Can the kinds of military forces we are familiar with today operate effectively or at all in the alternative worlds imagined by Kaplan (1994), Huntington (1996), Falk (1999a) and Linklater (1998)?

In a rapidly globalizing world, the economic, physical, cultural and psychological underpinnings of state sovereignty are being eroded or circumscribed by the unimpeded flow of goods and capital, ideas and information, lifestyle cultures, criminal activities, drugs and pollution. Governments are having to contend with increasingly powerful transnational economic actors, as well as global social movements of various kinds. They are also being confronted by a growing array of what Anthony Giddens (1999) terms 'manufactured risks' – nuclear oblivion, global environmental pressures of various kinds, AIDS and other pandemics, and so on – which are a product of human activity and against which individual states are rela-

tively powerless. The twin dynamics of globalization and fragmentation are also serving to blur the previously clear distinctions between the state's domestic and external environments, between society and the state, and between peace and war. The image of the state as posited by classical realist and neo-realist thinking is therefore becoming increasingly problematic. In some places, the 'sovereign' or 'territorial' state is being transformed to what some describe as the 'residual', 'competition' or 'enabling' state; one that is more and more the agent of global capitalism and less and less the representative of civil society (Grey, 1998; Botsman and Latham, 2001). In other areas we are witnessing the emergence of so-called 'phantom' states, or 'failed' or 'failing' states; states that exist on paper, that may have a government and be represented at the UN, but have ceased to provide the services that are paid for and expected by people within their borders (Holsti, 1999; Zartman, 1995; see also Chapter 8). These changes and shifts are said to be producing in turn, a 'crisis of governance' in which people everywhere are beginning to question and resist traditional sources of authority and to look to other individuals, institutions and ideals for meaning and leadership. Citizens in the postmodern era are assuming multiple identities or are adopting multiple loyalties which are often locally and globally as well as nationally based (van Steenberg, 1994).

These developments also raise questions about the likely status and place of military force(s) in a post-Westphalian and post-heroic age. If the state as we have traditionally understood it is evolving as a result of globalization from a 'territorial' state into a 'residual', 'enabling' or some other variant, will its armed forces also (need to) change and in what ways? In view of the multiple and complex dynamics involved, should we expect the trajectory of military reform simply to follow that of the state or might it take an altogether different course? Nor should we expect military organizations, cultures and individuals to remain immune from the processes that are serving to unsettle the relationships between the state and society and its members. As James Rosenau (1994, 1997) describes, like citizens everywhere, today's service men and women are likely to identify themselves more and more not only with a particular service or country but with specific religious, ethnic or secular groupings that exist within the state – and which also often have global connections – as well as broader social movements concerned with such transnational issues as gender, human rights and environmentalism. Such a 'disaggregation of interests' could have important operational, doctrinal and policy consequences, ranging from the need to adhere to a range of global norms and expectations, through balancing the interests of the state with those of self, family or community, to dealing with soldiers who refuse to fire on fellow or like-minded citizens.

Globalization, finally, is thought to be affecting the global security landscape in important, contradictory and contestable ways. There is the view, for example, that major inter-state wars may be becoming a thing of the

past, facilitated by growing levels of interaction within and between industrialized states in particular, and the gradual spread of globalized cultures and associated norms (Russett, 1990; Weart, 1998; for a contrary view, see Thompson, 1994). Any decline in the prospect of war between industrialized nations does not mean, however, that armed conflict will disappear completely for the foreseeable future at least. As evidenced in the upsurge of violence within Africa, the Balkans and the former Soviet Union, the post-Cold War political landscape is witnessing a range of armed disputes and conflicts that are variously called 'new wars', 'uncivil wars' or 'wars of the third kind' (Callahan, 1997; Freedman, 1998–9; Holsti, 1996; Kaldor, 1999 and Snow, 1996). These conflicts are said to differ from their predecessors in a number of important ways. They are taking place largely within a society rather than between bordered states, and in relatively remote regions on the periphery of the developed world. Unless taken up by the global media, they usually have little relevance much beyond the immediate vicinity of the site of the conflict. They often arise in the wake of the disintegration of existing states or the destruction or marginalization of local economies by the imperatives of global capitalism. They are more often directed at civilians than opposing military forces and are intruded on by such global actors as diaspora communities, foreign mercenaries, and transnational commercial corporations and non-governmental organizations (NGOs).

These kinds of developments have led many commentators to raise questions about existing military roles, doctrines, structures and mindsets. Donald Snow (1996) questions, for example, whether the high-technology weapons and forces flowing from the process of global technological change are entirely relevant or appropriate for most of the conflicts now likely to be faced by the United States and its allies. Carl Builder of the RAND Corporation suggests that the size of active forces required for war-fighting roles will almost certainly decrease, whereas missions and associated forces 'involving the rapid projection of infrastructure (transport, communications, surveillance, rescue, medical, humanitarian assistance, civil emergency, and security) are likely to increase disproportionately' (Builder, 1994: 255). Mary Kaldor (2000: 3–4) argues that security planners are failing to recognize the importance and character of the 'new wars' taking place around the globe, seeing them as secondary to traditional inter-state conflicts, and when they are engaged, responding to them in largely Clausewitzian terms. Others, including those from the environmental, feminist and critical security movements, suggest that it is time to broaden our traditional and largely militarized understandings of security to include the various non-military sources of insecurity described above, or to have individuals or the globe as a whole replace the state as the key referent in future security calculations (Buzan, 1991; Dalby, 2000; Elliott, 1997; Krause and Williams, 1997; Tickner, 1995).

The existing literature on globalization contains very few answers to, or

even reflections on, the kinds of question and concerns raised above. Indeed there is little directly written on the subject of globalization and the military, especially compared with the volumes prepared on such topics as globalization and the state, and globalization and (in)security. It is true, as we have seen, that these latter areas of examination together with aspects of the growing literature on governance and industrialization can provide us with some sense of what may be happening to military organization, art and practice as the processes associated with globalization proceed, or at least where to look to find out.² But the understanding gained tends also to be diffracted through other themes and so is often fragmented, unclear and incomplete. Nor is the work of strategic analysts and defence professionals particularly useful. As evidenced by the proliferation of workshops, articles in military journals, and conferences on such topics as 'strategic futures', 'new era security', and 'information warfare', they are aware of, and interested in, the globalization phenomenon. But their engagement with the process and their examination of its possible effects and consequences tend to be both narrowly conceived and largely non-critical.

This is nowhere clearer than in the debates surrounding the potential consequences for military force(s) of continuing technological change or what has been labelled as the 'revolution in military affairs' (RMA). There are three broad views on the meaning and effects of this revolution. Some consider there is no RMA in progress, just a series of continuing technological changes which can be incorporated into existing organizational structures and cultures. According to this view, military organizations and capabilities will simply evolve into enhanced, more technologically proficient, versions of earlier types (producing 'next militaries' rather than so-called 'militaries-after-next').³ Some suggest that the RMA is a truly technological revolution which is altering, or will alter in quite fundamental respects, the way traditional, inter-state wars can be fought. According to this view, the basic patterns of world politics will remain largely unchanged, but the capacity of states to use military force(s) to protect or pursue their interests is changing or will change in radical or dramatic ways. Like some of the earlier 'breakthrough technologies', the present RMA might, for example, and largely through the agency of air power, usher in a new era of offensive or Clausewitzian ascendancy (see Cohen, 1996; Orme, 1997/98; Shukman, 1996; and Ullman and Wade, 1998).

The third position adopted is that the technological and other forces that are driving the RMA are also fundamentally altering the political, social, economic and security contexts within which military forces operate. We are witnessing, in short, a broader revolution in strategic, security or political affairs, in which *everything* is changing or will change (see Burk, 1994; Freedman, 1998; Grey, 1997). This last view of the RMA is largely favoured by members of academe and tends to be ignored or downplayed by most defence planners and their strategic advisers in favour of the first and, especially, second models. This is certainly the case in the United

States where, in line with the objectives first raised in its 1997 Quadrennial Defense Review (Department of Defense, 1997) and later outlined in the Chairman of the Joint Chiefs of Staff's Joint Vision 2010 (Joint Chiefs of Staff, 1997), its defence planners are hell-bent on making the transition from a modern to an RMA-based force. As described by Richard Hundley (1999: 76–9), the US defence establishment has already undertaken a number of 'force transformation activities' including the 'establishment of a number of laboratories dedicated to exploring new ways of warfare'; war gaming and associated field experiments; and the testing of new organizational arrangements such as the US Army's brigade-sized Experimental Force, and the Air Force's Air Expeditionary Forces. It has also identified a range of so-called 'RMA drivers' including 'long-range precision fire', 'information warfare' and the all-encompassing 'network centric warfare'.

Entranced by this militarized version of 'globaloney', defence planners in most other industrialized states are generally following the lead of the United States, although because they do not have the resources to 'go all the way with the RMA', they will inevitably be forced to adopt some kind of 'middle course'. Britain's 1998 Strategic Defence Review (SDR) (Ministry of Defence, 1998) argued, for example, that it is important to try to keep abreast of new advances in science and technology because military advantage in the future would 'rest with those who most effectively identify and exploit battle winning technology. This required an ability to generate and identify technological opportunities; adapt them for military use; and integrate them rapidly into platforms' (MOD, 1998: Supporting Essay Three). The review accepted that the high cost and rate of change of technology posed Britain's defence policymakers with a number of difficult choices and dilemmas.

How much should we invest in improving 'enabling' technologies at the expense of weapons numbers? How can our equipment plans keep up with the pace of change? How do we and our allies retain interoperability with US forces given the radical changes they envisage? And will technological changes also require radical changes in the way our forces are organized and fight?

(Ministry of Defence, 1998: §33)

It also acknowledged that continuing social and technological change were likely to 'open up broader possibilities which will have a profound effect on our future security', and bring 'new vulnerabilities as well as opportunities'.⁴ Rather than seek to answer the questions being raised, or examine how some of the more radical possibilities, and their consequences, might be accommodated, the review simply stated that they would be addressed 'in the coming years'. In the meantime, 'we have taken a hard look at how we can make the most of emerging [technological] trends, including how to adapt our requirements and procurement processes so that we are not left behind by the speed of change' (Ministry of Defence, 1998: §35).

A similar process of selection applies in official appraisals of the security consequences of globalization. Most Western military planners now recognize that globalization processes are reinforcing some old, and creating many new, sources of insecurity, risk and uncertainty. These stem from a range of developments and pressures that operate at the local, national, international and global levels. They involve not only military threats and pressures, but economic, social, environmental and human ones as well. And they affect, in different ways and both positively and negatively, individuals, families, organizations, communities, states, regions, classes of people and the globe as a whole. Yet military and defence planners continue to posit these new sources of insecurity and risk as dangers to be defended against rather than problems to be solved. As with the RMA, they tend to ignore their social, economic and political roots and how these interact. They often overstate the incidence and potential impact of particular kinds of conflict in order to argue that the world is becoming a much more dangerous and unstable place militarily. And, in many countries, they continue resolutely to resist suggestions that the concept of security itself be extended beyond traditional politico-military concerns, usually on the grounds that this would divert attention from more serious threats to national security and overly complicate defence planning.

While the tendency of defence planners to restrict their analysis of the effects of globalization to narrowly defined technological and strategic considerations is understandable – any broadening of the security agenda risks the loss of both power and policy coherence – the relative absence of academic work on the subject, beyond perhaps defence industrial and arms trade concerns, is surprising, especially in view of the historical and other connections between the military and the state. An examination of globalization and the military is not only important in its own right; it could also provide a means of revisiting the debates surrounding the role and future of states and state sovereignty in an increasingly globalized world. An examination of recent changes in military policies, practices, structures and cultures may also provide some insights into the globalization dynamic itself, suggesting answers, perhaps, to some of the questions, disputes and uncertainties that Scholte and others raise about it (it may also, of course, simply add to the contestations surrounding the topic).

A detailed analysis of the impact of globalization on military force(s) is beyond the scope (and intent) of this work. Rather, the remainder of the chapter seeks to begin to set the scene for such an analysis by, first, providing an overview of the ways in which military organizations, roles, policies and cultures have changed, or have been under pressure to change, since the end of the Cold War. The changes taking place or in prospect are described under four broad headings: the diversification and proliferation of militaries; the changing roles and functions of traditional military forces; the changes occurring in civil–military relations within states; and the emergence of new forms of military organizations. Included in each section are some of the key arguments and debates surrounding, or being

engendered by, the observed changes and their implications. The chapter concludes with some preliminary observations on how the shifts, trends and controversies that are described might connect to, or resonate with, the various forces and frictions of globalization.

The diversification and proliferation of militaries

The post-Cold War period is witnessing the proliferation of military, quasi-military and increasingly militarized civilian actors beyond traditional state-based armies or military forces. These include such sub-state militaries and quasi-militaries as mercenaries, private armies, warlords, insurgent groups and movements, militarized gangs, armed criminal networks, drug cartels and pirates (Arnold, 1999; Brayton, 2002; Brooks, 2000). Many of these operate locally and are found mainly within weak or failed states. Some are motivated by ideological, political, social and even environmental concerns but many are not, seeking merely to take advantage of the chaotic, conflictual or lawless situations surrounding them to wreak further havoc, settle old scores, or gain financially or in some other way. The archetypes of these various entities are found in post-colonial Africa although they also exist in central and south America, parts of Asia and throughout the former Soviet Union.

While such locally-based sub-military or quasi-military forces have long existed, today's versions differ in some important respects from their historical precedents. Unlike in the past, many have global connections or systems of global support. They use global communications to publicise their cause, global corporations and global markets to sell local resources or develop their own trading networks (in drugs, prostitution, illicit arms, etc), and the global arms bazaar to access an array of increasingly sophisticated weapons or military technologies (MacKinlay, 2002). As international travellers are only too aware, there are also now globally organized criminal and insurgent or 'terrorist' networks that have interests and aims that extend beyond individual localities, states or regimes. These, too, have global connections, global access and global reach (Schweitzer, 2003).

Paralleling, and in part in response to, the changes just described is the increasing militarization of local police forces, customs and immigration services, and private security firms (see Chapter 6). A related change taking place in industrialized countries in particular is the privatization of certain of the military's traditional functions and responsibilities (Shearer, 1998; Silverstein, 2000; Singer, 2003). This has occurred mainly but not wholly in the areas of asset protection and logistics support where many of the civilian companies involved, such as Halliburton, are globally organized and run (and employ specialized security firms to protect themselves). But private military companies and security agencies have also been involved in UN peacekeeping and peace-building operations. They have provided training courses and facilities for national military and police forces. And

their services and personnel have been contracted by governments, private corporations, international organizations and NGOs. Their appearance reflects, in many ways, the globalization of insecurity and is facilitated by global economic factors and costs. Even though their status under national and especially international law is contentious, they have been and continue to be used in Africa, Central America, the Balkans and, of course, the Middle East. According to Deborah Avant (2004), during the 1991 Gulf War, the United States employed one contractor for every 50 active-duty personnel. The size of the private security community in Iraq in mid-2004 numbered more than 20,000 people.

Above the level of the state, we are seeing deployed a range of multi- or transnational forces including: independent 'coalitions of the able and willing'; multinational forces belonging to such regional militaries or organizations as the North Atlantic Treaty Organization (NATO), the European Union, and the Economic Community of West African States (ECOWAS); sub-regional military arrangements or forces such as the Nordic and Baltic peacekeeping battalions; and, in ever increasing numbers, UN-controlled or sanctioned multilateral military forces of all kinds (Bellamy, 2004b; Fisher, 1998; Ratner, 1995). These various transnational militaries have tended to operate 'out-of-area', and on humanitarian interventions or peace-making and peacekeeping missions in weak or failed states. In many cases they have been deployed in response to gross abuses of human rights or intra-state conflicts that, in the judgement of the international community (or the global media), could adversely affect regional or even international peace and security. Their continued deployment is seen by some to represent a new, if qualified, norm in international relations: the right to intervene in the internal affairs of states or, more specifically, a 'right to secure the delivery of humanitarian assistance by force' (Knudsen, 1996; for a contrary view, see Wheeler and Morris, 1996).

Transnational militaries are usually deployed as part of a comprehensive international response that involves not just military forces but significant numbers of civilian police, NGOs, and civilian officials and agencies (both locally and globally-centred). While based around national military components, the organizational, doctrinal and ideational structures of transnational militaries differ in important respects from traditional, state-based militaries or alliances. They are often multinational, multi-ethnic and multilingual. They have more complex command and control arrangements which incorporate a range of non-military as well as military actors and agencies. As described earlier, they often use independent UN or civilian systems of logistics and other forms of support. They give increased emphasis to issues of organizational interoperability and cultural understanding and, as discussed below, they tend to adopt more cosmopolitan or cosmopolitan-minded value structures.

The use of transnational militaries is likely to continue and even increase in the future. This likelihood has led to renewed calls to establish standing

or stand-by UN or other transnational forces, calls that to date have been ignored by the major states in particular who argue that militaries should belong to heads of states not international civil servants (Bologna, 1996; O'Hanlon, 2003). Others argue there should be some sort of demarcation between peace-enforcement and peace-making with the US and its allies responsible for the former while the UN and regional organizations would conduct the latter. Either way, the demand for such military forces is outstripping their supply creating what has been labelled 'compassion fatigue' among many of those nations traditionally at the forefront of peacekeeping.

From defence to security: the changing roles and functions of traditional military forces

As we have seen, in a rapidly globalizing world, the answer to the perennial question 'security from what?' is expanding beyond other states and their military forces, to include such new sources of insecurity and conflict as disputes over access to resources; threats to societal harmony and well-being posed by global and cyber terrorism, drugs, transnational crime, epidemics and disease; and population migration caused by poverty and overcrowding, political oppression or instability, and growing environmental degradation. National armed forces are now expected to help deal with these so-called 'threats without enemies', and to contribute to the pursuit not only of military security but of 'economic security', 'energy security', 'food security', 'societal security' and 'environmental security' as well (Barnett, 2001; Buzan *et al.*, 1998; Deudney and Matthew, 1999; Lipshutz, 1995; Terriff *et al.*, 1999).

The growing employment of national military forces in peace operations and other non-traditional security tasks is requiring them to expand their existing repertoire of functions, capabilities and skills. This is clearest in the area of peacekeeping where earlier, Cold War, understandings of the activity have expanded to embrace so-called 'second-generation' or 'wider peacekeeping' activities that include the option of peace enforcement (Daniel and Hayes, 1995 and Ratner, 1995). As Trevor Findlay (1996, 2002) describes, post-Cold War peace operations require the intervening forces to, among other things, provide humanitarian assistance of various kinds, manage the movement of refugees and displaced persons, help conduct elections, provide safe havens and protection for humanitarian workers, establish cantonment areas or demilitarized zones between warring parties, disarm military or paramilitary forces, clear mines and other leftovers from war, negotiate local ceasefires or the safe passage of aid, provide civil administration, help restore civil society, and contribute to the reconstruction and development of local economies.

Military establishments in industrialized countries in particular are, to varying degrees, beginning to recast their policies, doctrines and struc-

tures to reflect these broader and more complex roles and responsibilities. The armed forces of Great Britain and Australia, for example, are being required to defend security interests that extend well beyond their territorial boundaries, and are expected to help deal with such non-traditional military threats as illegal immigration, terrorism and cyber attack (Cheeseman, 2001; Wing, 2000). Armed forces in many places are becoming smaller, leaner, more modular and flexible in structure, and more technology oriented (Dandeker, 2002: 81). While acknowledging that their military forces will be involved more and more in so-called 'operations other than war', defence planners in most countries remain reluctant to (re)structure their military forces fully for such operations. As Ian Malcolm (1993) described in the case of Canada, they tend to see peacekeeping as an 'accepted activity rather than a core concern', and argue that national forces should continue to be structured and prepared primarily for defending the state against armed attack or threat of attack by another state. They further assert that forces structured for the defence of the state are sufficient for carrying out probable non-traditional security roles, although some changes at the margins may need to be included (Cheeseman, 1998; Morrison Taw, 1999).

The arguments for not changing are being reinforced first by the growing incidence of peace enforcement operations which require traditional war-fighting skills, structures and capabilities (Findlay, 2002). A further set of considerations stem from the (re)ascendancy of the Clausewitzian ideal that military power can be used to pursue political ends. The technological developments flowing from the 'revolution in military affairs' are providing the military forces of the advanced, industrialized world with a near real-time, high resolution, global surveillance capability. This, combined with a growing capacity to be able deliver military ordinance and forces almost anywhere in the world – so-called 'over-the-horizon' response options – has made the United States, certainly, a truly global military power. Under pressure to follow suit, America's allies and key competitors are seeking also to build up their high-technology capabilities and, although they have nothing like the military power of the United States, a number now have, or are about to develop, extensive regional power projection capabilities. Faced with this new version of the global arms race, most countries are loath to risk restructuring their forces even though, as we have seen in the British case, the cost of staying abreast of the US-driven RMA could prove to be prohibitive.

The capacity to identify and strike targets at a safe distance satisfies a second important trend in the West at least: the growing desire for what Christopher Coker (2001) has termed 'riskless' or 'humane warfare'. Technological advances are not only delivering new weapons capabilities. The advent of global civilian communications systems means that wars are being experienced vicariously on television screens across the globe, and large-scale casualties even among the 'enemy' can no longer be fully hidden

or sustained politically (at least within democratic nations). The problem is, of course, that the new military technologies may operate effectively in traditional, state-versus-state conflicts of the kind we witnessed in the first Gulf War. As the growing toll in Iraq demonstrates, high-technology weapons are much less effective (or humane) in the civil wars and intra-state conflicts that have characterized the era of the post-Cold War. These problems will be compounded as potential or likely adversaries of the US and its allies turn increasingly to 'asymmetric warfare' as the only counter available to Western technological dominance. In classic security dilemma terms, the search for military security via the RMA is serving to make us all less secure.

Changing civil–military relations: increasingly adaptive or isolated militaries?

According to some scholars at least, civil–military relations within Western democratic nations are undergoing major, even revolutionary, change (Kummel and von Bredow, 2000). Traditional military forces and military cultures are being challenged by, and forced to adapt to, pressures flowing from their supporting societies and beyond. This is serving to place under strain not just military values and cultures but the institutional and socio-political means of ensuring the military remains politically neutral, subject to civilian control, and 'in its barracks' in peacetime. As Gerhard Kummel describes, the broad changes contributing to these pressures include, in addition to the expectations of social and other global movements described earlier, a continuing shift from a materialist to a post-materialist society where greater priority is being placed on individual self-fulfilment and 'living a good life in a healthy (ecologically safe) environment' (Kummel, 2002: 78). Defence establishments and their armed forces are also being encouraged to provide for greater individual participation in decision-making, increased transparency, enhanced sharing of information between the military and civilian spheres and even the unionization of their military workforces.

These developments are said to be producing a widening gap between military and civilian value systems. While the armed services continue to emphasize authority, obedience, duty, community, comradeship, discipline, and patriotism, civil society is marked by increasing individuality, self-fulfilment, cosmopolitanism and consumerism. Kummel warns that as the gap widens we could see the 'departure of large numbers of individuals from the armed forces . . . and societies [and their leaders becoming] "indifferent" towards their armed services' (Kummel, 2002: 79–80). Don Snider agrees, arguing in the case of the United States that the balance between the social and functional imperatives of the armed forces has shifted to such an extent that 'the military has again become a battlefield upon which the nation's cultural wars are being fought' (Snider, 2000: 49). The

services are seeking to respond to these societal pressures, but in ways that are leading to a decline in military professionalism ‘whether measured by military–technical (warfighting), ethical or socio-political standards’ (Snider, 2000: 52–3). Thus, in the manner predicted by Rosenau (1994), the military has been forced to include within its ranks individuals, from the gay community for example, whose value structures and sense of identity clash sharply with the traditional military mindset. Individual military officers are becoming more politically-minded, more prepared to defend in public their preferred views and values and, as a consequence, more estranged from the country’s civilian population and its leaders (see also Feaver, 2001, 2004).

While Snider laments the need for military adaptation, others like Mathew Morgan (2003: 386), believe that failure to understand and adjust to the key trends in postmodernity – the rejection of absolutes, the dismissal of traditional authority structures, and the ‘celebration of difference’ – will ‘call into question the effectiveness of an American military in everything from attracting qualified Americans to general operations to its socialization program’. Among the suggested means of overcoming or alleviating the problems and dangers inherent in the expanding civil–military divide identified by these authors, is the notion of ‘pragmatic professionalism’ whereby members of the armed forces are encouraged to adopt a civilian as well as a military identity. Another is the fostering of a ‘post-deferential military ethos’ in which the culture of the military itself is broadened beyond its traditional, Weberian base (Dandeker, 1998).

Civil–military tensions are not only being exacerbated by social change. The continuing expansion of the armed forces’ missions and responsibilities can also produce tensions between the military and civilian leadership. Forces that have previously been developed and trained to defend the state against armed attack are now being employed on such non-traditional security tasks as border protection and coastal surveillance. As the Australian case of the MV *Tampa* showed,⁵ these tasks can involve significant party-political as well as strategic interests and calculations, leading to anger and frustration within the armed forces over such issues as the misuse of resources, and the breach of the (Western) convention that the military should remain separated from politics. In the first case, the Howard government had long hounded the defence establishment over the need for maximum frugality and efficiency. During the *Tampa* episode, however, it suddenly appeared little concerned by the disproportionate costs of employing high-technology naval and air assets to intercept a few leaky fishing vessels. In the second case, as Hugh Smith (2002) argues, many Australian Defence Force (ADF) members are angry that the government willingly flouted or ignored the basic ‘set of conventions, practices and traditions that should govern political–military relations in a democracy’. Military forces were being seen to be used for overtly political purposes. Ministers and, more particularly, members of their staff sought to interfere in the

ADF's chain of command. And, in subsequent parliamentary hearings, the reputations of service personnel were called into question by politicians engaged in political point-scoring.

The resentment shown also reflected a clash between the values that underpinned the government's approach and the military's own ethical codes. While these codes are founded on the values that traditionally underpin the profession of arms, they now also include cosmopolitan or cosmopolitan-like sentiments that many individuals had drawn either from society at large or as a result of their peacekeeping experiences. Thus, service men and women who had risked their lives 'defending freedom' beyond Australia's shores are angry at being denied those same freedoms at home by a government determined to prevent the truth about the 'children overboard' scandal – where ministers claimed, falsely as it turned out, that refugees approaching the Australian mainland by boat had threatened to throw their children into the sea in order to force the authorities to let them land – and other related incidents from being revealed, at least until after the election. Similarly those who had worked with considerable distinction and pride to protect the innocent victims of disadvantage and abuse in such places as Somalia and East Timor resent being (or being seen to be being) the perpetrators of such violence and injustice against hapless refugees.

Changing identities: the emergence of new militaries?

The growth in the number and importance of peace operations and other non-traditional security roles, and the adaptation of military doctrine and value-systems, is seen by some to be part of a broader shift in the nature of military organizations themselves, whereby the existing modern military is changing into, or evolving towards, new forms. One such postulated form is the *postmodern military*. According to Charles Moskos and colleagues, modern and postmodern militaries differ in quite significant ways (Moskos and Burk, 1994; Moskos *et al.*, 1999). The modern military organization is a product of the Westphalian and Weberian eras. It consists of volunteer and conscripted lower ranks operating under the command of an increasingly professionalized officer corps. It is 'war-oriented in mission, masculine in makeup and ethos, and sharply differentiated in structure and culture from civilian society'. The postmodern military, by contrast, is 'more multipurpose in mission, increasingly androgynous in makeup and ethos, and [has] greater permeability with civilian society'. The emergence of postmodern militaries, they continue, is marked by five major organizational changes.

One is the increasing interpenetrability of civilian and military spheres, both structurally and culturally. The second is the diminution of differences within the armed services based on branch of service, rank, and combat versus support roles. The third is the change in the military purpose

from fighting wars to missions that would not be considered military in the traditional sense. The fourth change is that the military forces are used more in international missions authorized (or at least legitimated) by entities beyond the nation-state. A final change is the internationalization of military forces themselves (Moskos *et al.*, 1999: 2).

These changes are said to be ‘observable to some degree’ in all the case studies considered by the authors – the United States, Great Britain, France, Germany, the Netherlands, Denmark, Italy, Canada, Australia, New Zealand, Switzerland, Israel and South Africa – and are driven by, or represent adjustments to, the large-scale changes now taking place in the geopolitical and social order. These include the end of the Cold War, the growth of global and sub-national social and economic organizations, the declining importance of the nation-state, and a prevailing uncertainty ‘about the meaning or purpose of central roles and institutions’ (Moskos *et al.*, 2000: 145). The authors further conclude that as these broad, systemic changes look likely to continue, we can over time expect ‘more nations to display the characteristics identified with the Postmodern era and those nations already identified as Postmodern to move even further in that direction’ (Moskos *et al.*, 1999: 275).

Others have no dispute with Moskos and his colleagues over the changes taking place, but they argue that the military’s responses are less post-modern than modern in that they represent a largely rational reaction to the processes of post-industrialism, post-Fordism and globalization which ‘can be understood as constitutive of, but not necessarily contingent upon, an emerging condition of postmodernity’ (Booth *et al.*, 2001: 324). Thus, the trend towards post-industrialism underpins the ‘increasing complexity and importance of information technologies’ to both military doctrine and practice, and necessitates an increasing ‘convergence of civilian and military spheres’. Similarly globalization processes

have shaped contemporary military forces by radically limiting the circumstances under which nations can legitimately deploy and engage their militaries unilaterally. The norm for western military deployments is now to participate with the armed forces of other nations in coalitions whenever possible, in order to promote public support and display the unity of the international community . . . [to the extent in some cases of being prepared] to subordinate national armed forces to international organizations like the United Nations.

(Booth *et al.*, 2001: 327)

Military forces, they continue, remain distinctly modern in other ways as well. They continue to be fundamentally both organized and run in accord with traditional, Weberian principles. They remain largely hierarchical in structure, emphasize training and socialization processes that are exclusive and seek to ‘eradicate individual difference’, and they staunchly assert

their primary role as the legitimate defender of the state (see also Foster, 2001).

While the changes in mission, organization and force composition observed by Moskos and his colleagues may not necessarily presage the emergence of a fully postmodern military, are they the precursors of a second postulated variant, the so-called *cosmopolitan military*? As Chapter 3 makes clear, the theoretical justification for military intervention and the use of force in support of broadly cosmopolitan purposes is both under-researched and contentious. Nor has there been much work done on what kinds of forces may be best suited for such a role and whether and how these might or should differ from traditional, state-based militaries (Elliott and Cheeseman, 2002). To the extent that they consider the issue at all, cosmopolitan scholars suggest that the key candidates for such a role are likely to be multinational forces operating under the control or on behalf of the United Nations or some other broadly recognized trans-national body, although some, such as Peter Lawler (2004), suggest that the militaries of 'good' states could also be eligible cosmopolitan agents.⁶

However they are constituted, cosmopolitan militaries are thought likely to differ from existing state-based forces in a number of key respects. Although structured for peace enforcement or even war-fighting roles, their mission would be to advance and defend key cosmopolitan values and objectives rather than vanquish enemy forces or conquer territory. Rather than just 'ending' conflict, the intervention and exercise of cosmopolitan force might also be used to enforce cosmopolitan norms, engage in rebuilding civil society, restore local legitimacy and pluralistic democratic practices, and provide space in which 'alternative forms of inclusive politics can emerge' (Kaldor, 1998). These broader, other-regarding and security-building roles are likely to require, in turn, that militaries engaged in cosmopolitan operations be capable of carrying out a range of non-military tasks, and that their soldiers possess skills and attributes that extend well beyond those normally associated with the profession of arms. Any future cosmopolitan law enforcement role is therefore likely to require considerable rethinking about existing military tactics, equipment inventories, command structures, and training regimes (Kaldor, 1999: 135). Finally, members of cosmopolitan military forces will need to be motivated by cosmopolitan rather than national myths and ideals. Whereas soldiers of the state had to be prepared to fight and die for their country, the 'cosmopolitan warrior' or 'cosmopolitan patriot' will be expected to 'save strangers' and risk his or her life for humanity (Kaldor, 1999: 131; see also Daniker, 1995 and Wheeler, 2000).

Although the need for cosmopolitan militaries is now being canvassed more in the literature, they still do not exist in practice, nor are they likely to for some time to come. This is the central conclusion of a recent study, involving the author, entitled *Forces for Good: Cosmopolitan Militaries in*

the Twenty-First Century? This examined many of the potential candidates for such a role, and concluded that

while we are seeing the United Nations and other, regional political entities becoming more concerned – in both theory and practice – with elements of the cosmopolitan agenda, the enforcement of the gathering global norms on human rights and human security by the international community remains squarely in the hands of state-based military forces.

(Elliott and Cheeseman, 2004)

The study continues to say that although their ideational and force structures remain essentially statist, militaries belonging to ‘good states’ in particular are nonetheless adjusting, to varying degrees certainly, their functions, systems of command and control, capabilities, skill-sets, training regimes and rules of engagement in the ways suggested by Kaldor and other cosmopolitan scholars.

We are beginning, in other words, to see the emergence of cosmopolitan-minded militaries in some thin operational or material sense. As the deployment of state-based militaries for broadly cosmopolitan purposes continues, [moreover,] and these experiences intrude more and more into the consciousness of both the nation and its military forces, we might expect to see this trend continue and even increase.

(Elliott and Cheeseman, 2004)

The study noted that, as in the case of the postmodern military, many service personnel are uncomfortable with the changes taking place and are seeking to resist the societal and other pressures to proceed very far in the directions observed (see also Segal and Tiggler, 1997). But there is also some anecdotal and other evidence that at least some men and women engaged in peace operations are being motivated less by modern than post-modern concerns (Battistelli, 1997) and that the loyalty of others is being transferred from the state to ‘distant strangers’, or the United Nations, or even to humanity as a whole. Militaries in other words, like the societies they serve, may be beginning to be transformed from below.

By way of conclusion, then, the era of rapid globalization is witnessing the diversification and proliferation of militaries (or military entities) at the sub-national, national and international levels. As a result of continuing technological and economic change, militaries at all these levels are enjoying increasing global connections and access, increasing regional or global reach, and increasing global power or influence. The functions, capabilities and skill-sets of the militaries of Western, industrialized countries certainly, are expanding as their roles are moving beyond the defence

of the state to include national, international and global security tasks. The previously clear division of responsibilities between the key military and non-military agents of the state is becoming increasingly blurred. Armed forces are being used more and more in the pursuit of domestic political and other interests, while civilian police, customs and security services are becoming increasingly armed, militarized and incorporated into national and international security structures and regimes. Military communities and their relations with both the state and society are under increasing pressure from outside forces and fomentations, be they social, economic, technological, political or environmental. While accommodating some of these pressures to reform, existing military and civilian defence elites are strongly resisting fundamental change in large measure because they continue to see the deployment of military force(s) in largely modern rather than postmodern, post-statist or cosmopolitan terms. This reluctance or resistance to change is fostering growing cleavages and tensions between military and civilian values and identities, between traditional strategic and emerging popular cultures and consciousness, and between increasing numbers of service men and women and their superiors.

The picture just painted would be neither unfamiliar nor surprising to students of globalization. The military experience exhibits many of the broad features, contradictions and dilemmas that characterize general considerations of globalization although, in some instances, with a particular twist in the tale. Militaries are both fragmenting and coalescing into new forms (or new versions of old forms) that operate at both the global and the local levels. Military forces are seeking to exploit the (largely technological) effects of globalization in order, often, and not particularly successfully, to deal with the consequences of some of its other (largely political and social) effects. Military planners and personnel are both embracing globalization (and its operational and other implications) and resisting its various intrusions into their previously stable and secure worlds. In a rapidly globalizing world, militaries are seen as an important symbol of sovereign independence. Yet globalization is also serving to undermine or constrain sovereignty by increasing the incentives for military intervention, reducing the circumstances under which states can now legitimately deploy their militaries unilaterally, and encouraging states to subordinate their national armed forces to international organizations like the United Nations. Military forces have an increasingly split identity or are being imagined in contrary ways. For some they are important 'communitarian relics'. Others view them, in some regards at least, as the vanguard of an emerging postmodern or cosmopolitan world.

Notes

- 1 It is not only women who are excluded from national myths constructed around wartime martial experiences. As the study by Alistair Thomson (1994) of some of

Australia's veterans of the First World War showed, soldiers who did not serve on the front line were equally disenfranchised (or at least felt themselves to be).

- 2 The changes occurring in defence industry and arms exports as a result of globalization and other factors are discussed in, among others, Buzan and Herring (1998), Haglund and McFarlane (1999), Keller (1995), Mussington (1994), Pierre (1997) and Zarzecki (1998).
- 3 The notion of 'militaries-after-next' is discussed by Bracken (1993) and Metz (1997).
- 4 These future possibilities and prospects were seen to include

new ways of fighting such as information warfare (which attacks through the computer systems on which both our forces and civil society increasingly depend); greater pressures on operational decisions (instant media reporting from both sides of the front line); the wider spread of technologies which may be used against us (such as biological weapons); and highly sophisticated civil capabilities that will be readily available both for us and potential adversaries. And where we (and our allies) exploit technology to strengthen our existing superiority in conventional weapons, our potential adversaries may choose to adopt alternative weapons and unconventional (or 'asymmetric') strategies, perhaps attacking us through vulnerabilities in our open civil societies.

(Ministry of Defence, 1997: 10)

- 5 The *Tampa* 'crisis' took place in the lead-up to Australia's 2001 election which early polls suggested the incumbent Howard government was in danger of losing. Answering a request by Australia's search and rescue service to check out a boat in distress located just outside Australian territorial waters, the Norwegian-registered container ship, the MV *Tampa*, took on board 438 asylum seekers and proceeded to transport them to the Australian offshore territory of Christmas Island. The government refused to allow the *Tampa* to dock, variously arguing that to do so would serve to aid and abet people smugglers, add to the perception that Australia was a country of 'easy destination', and encourage a flood of further 'illegal refugees' or 'queue jumpers' as they were denigrated by Australia's then Immigration Minister. In a televised electoral address, the prime minister, John Howard, declared that Australia, not people smugglers, 'will decide who comes to this country and the circumstances in which they come'. To 'protect the country's borders' from such threats to its security, the government despatched armed and balaclava-wearing special forces to take control of the *Tampa*, and deployed elements of the navy and air force to patrol Australia's northern approaches and ferry any apprehended asylum seekers to such places as Manus Island in Papua New Guinea, where Australian engineers had constructed rudimentary detention centres. The overall cost of the exercise was never revealed but would have run into the hundreds of millions of dollars. For an extended discussion of the *Tampa* crisis see Marr and Wilkinson (2003).
- 6 Lawler qualifies his view by arguing that 'good states' are only those who follow an approach to world politics that extends beyond the 'neo-liberal, predominantly instrumental form of internationalism' that characterises most Western states today, to embrace a level of genuine 'commitment towards, and concrete action in pursuit of, global distributive justice, ranging from the amelioration of the extant international order to its progressive transformation' in accordance with authentically human and 'other-regarding values and interests'. State-based cosmopolitan militaries, in short, are likely to belong only to those countries that are prepared 'not only to act *in* the world but to greater or lesser degrees, for the world as well.'

3 Cosmopolitanism and military intervention

William Smith and Robert Fine¹

This chapter explores how cosmopolitan ideas have been applied to the contemporary problem of military intervention for humanitarian purposes.² In many ways, the elaboration of a cosmopolitan theory of military intervention is interesting as much as for what it reveals about the emerging cosmopolitan paradigm as for what it offers to ongoing and heated debates about military intervention. This is because it starkly illustrates some of the dilemmas and conundrums faced by those who seek to situate themselves as cosmopolitan actors – as politicians, activists, academics or citizens – in what is, at best, only a partially cosmopolitan world.

We begin by assessing the competing pressures faced by cosmopolitan theorists when they reflect on the normative issues surrounding the use of military force for humanitarian aims. On the one hand, commitment to the cosmopolitan principles of global rights and global governance might point towards support for such a practice if military action is thought necessary to enforce cosmopolitan norms in the international legal order. On the other hand, these cosmopolitan principles, not to mention the historical association of cosmopolitanism with ideals of ‘perpetual peace’, might point towards condemnation of such a practice given the potentially antithetical relation between military action and civic freedom and the destabilizing consequences of war.

We then explore how cosmopolitan theorists seek to reconcile these tensions by developing a theory of military intervention derived from the principles of global rights and global governance. Despite differences of opinion concerning particular situations, cosmopolitans tend to advance broadly similar accounts of military intervention in general, focusing especially on the cosmopolitan character of their justification, authorization and conduct.

Finally, we suggest that internal consistency for cosmopolitanism is purchased at the cost of describing an *ideal type* of cosmopolitan intervention unlikely to be realized in current political contexts. This does not necessarily invalidate such theories, as they may still serve as valuable normative models both for judging existing military interventions and for

guiding political reform. Nonetheless, it does suggest that cosmopolitan accounts of military intervention do not and perhaps cannot resolve competing cosmopolitan intuitions when judging the justice and efficacy of military interventions in current social and political contexts. Faced with non-cosmopolitan realities, cosmopolitans are forced to choose between *endorsing* military interventions as imperfect means of securing broadly cosmopolitan goals or *rejecting* military interventions as insufficiently cosmopolitan means of pursuing such goals. Either way, cosmopolitanism proves to be radically indeterminate in its application.

The cosmopolitan dilemma of military intervention

Cosmopolitanism has developed into a wide-ranging and not always internally consistent body of thought within social and political theory. Drawing on the legacy of Kant, contemporary cosmopolitans champion the legal and moral status of all persons as rights-bearing citizens and defend the emergence of post-national forms of political institutions and identities. The aim of the new cosmopolitans is 'to reconstruct political life on the basis of an enlightened vision of peaceful relations between nation-states, human rights shared by all world citizens, and a global legal order buttressed by a global civil society' (Fine, 2003: 452). It is this dual focus on global rights and global governance that might be interpreted as the most distinctive feature of cosmopolitanism as a political philosophy.

The re-emergence of cosmopolitanism as a flourishing research project across the social sciences has coincided, surely not coincidentally, with a series of inter-related developments in the international arena: most notably, the end of the Cold War, the globalization of economy and trade, the growth of transnational political decision-making bodies and the extension of the reach of international law (Held, 1995). It has also coincided with what Michael Ignatieff describes as a 'new tide of interventionist internationalism', whereby Western nations become embroiled in various efforts to 'put the world to rights' (Ignatieff, 1999: 3). Perhaps the most contentious element of this 'interventionism' has been the willingness to use military force for stated humanitarian ends.³ The practice of 'humanitarian military intervention' goes to the heart of cosmopolitan aims to defend human rights and establish a system of global governance, raising searching questions about whether and how cosmopolitan minded actors can safeguard persons against the murderous actions of their own governments. Accordingly, theorists associated with the new cosmopolitan paradigm have spent considerable time and energy applying cosmopolitan norms to arguments about the morality and wisdom of humanitarian military intervention. However, as we shall argue, their efforts have revealed an intriguing tension within the cosmopolitan paradigm itself. The dilemma for cosmopolitans is that by starting with broadly cosmopolitan principles of global rights and governance, one can reach positions that both support

and condemn the principles and practices of humanitarian military intervention. We start with arguments that appear to push cosmopolitans towards acceptance of such a principle and practice.

The idea that intervention in the affairs of supposedly sovereign states might be necessary appears to be implicit in the cosmopolitan ideal itself. However they might be construed, the aims of securing global rights and global governance invite the imposition of certain conditions on the enjoyment of state sovereignty. Human rights and international law limit state sovereignty in that they place certain restrictions on what states can and cannot do in relation to their own and other citizens (Rawls, 1999b: 36; Cook, 2003: 146–7; Nardin, 2003: 41; Glennon, 1999: 2). Participation in processes of global governance is also supposed to place restrictions on state sovereignty; in particular, states should abide by the decisions reached and guidelines established by international political and legal institutions, especially provisions for respecting human rights (Held, 1995: 276). For cosmopolitans, state sovereignty should not be absolute but relative and *conditional* on states abiding by cosmopolitan norms.

The challenge of preventing states from flouting cosmopolitan norms has led most cosmopolitans to accept the need for some kind of cosmopolitan enforcement mechanism. According to Richard Falk,

if the governing process [in a region witnessing humanitarian crimes] has collapsed or is widely perceived as engaged in massive and gross violations of human rights amounting to ‘crimes against humanity’, especially if there is a genocidal element present, then the moral and legal requirements for intervention are surely satisfied.

(Falk, 1998: 96)

As Habermas puts it, ‘since human rights would have to be implemented in many cases despite the opposition of national governments, international law’s prohibition on intervention is in need of revision’ (Habermas, 1999a: 182). In principle, cosmopolitans accept the necessity of an interventionist regime in the international sphere, provided that intervention is geared towards implementing cosmopolitan norms (Archibugi, 1995: 430).

Of course, establishing the legitimacy of intervention is not the same thing as establishing the legitimacy of employing military force. As Iris Marion Young points out, ‘too often international relations theorists and politicians speak as though once we have established a right of intervention, then it is sufficient to sanction any form of intervention, including bombing and invasion’ (Young, 2003: 252). Other critics have emphasized that means other than force can and should be pursued in the face of humanitarian crimes (Chesterman, 2001: 236). Nonetheless, a large number of cosmopolitan writers argue that permission to use force to enforce cosmopolitan norms should not be ruled out, at least in principle (Elliott and Cheeseman, 2002: 31). Most cosmopolitans accept that the need for an

effective implementation mechanism for cosmopolitan norms may require intervention backed up, in the final instance, by the threat or use of military capability. For them, humanitarians who would delegate interventionary responsibilities in conflict zones *exclusively* to non-violent humanitarian organizations risk neglecting the potential need for a military presence that can create a space for humanitarian operations. According to Mary Kaldor 'the anti-military humanitarian position may alleviate hunger and even sometimes protect people, but, by being ineffective, too even-handed and sometimes vulnerable, it cannot stop genocide and it risks discrediting the non-violent civil society position' (Kaldor, 2003: 134).

Support for humanitarian military intervention is evident in the tone and content of writers with cosmopolitan sympathies who have commented on well-publicized humanitarian crimes throughout the 1990s. In particular, instances where the international community has been unwilling or unable to act effectively in the face of clear and substantial violations of humanitarian law, such as in Bosnia and Rwanda, have encouraged cosmopolitans to explore the place of military action in the context of a broader project to effectively implement cosmopolitan norms (Kaldor, 2001: 113). The oft-quoted urge to 'do something' in these circumstances derives from an ethic which holds that all persons are (or at least should be) of moral and legal standing and that those who have the power and capacity should act to protect persons from grave harms. Witness Nicholas Wheeler's condemnation of US failure to act in the face of massacre in Rwanda: 'stopping genocide requires a willingness to use force and to risk soldier's lives and it was this that was completely lacking in the Clinton administration in April 1994' (Wheeler, 2000: 240). Jürgen Habermas attributes his guarded support for the NATO intervention in Kosovo partly to the United Nations' inability to protect Bosnian Muslims in the declared safe area of Srebrenica in 1995 (Habermas: 1999b: 269; Postel, 2002: 1). He declares that 'confronted with crimes against humanity, the international community must be able to act even with military force, if all other options are exhausted' (quoted in Postel, 2002: 1–2).⁴ What we see here are writers with clear cosmopolitan commitments being led by those convictions to support the use of military force for humanitarian ends.

Notwithstanding such arguments in favour of humanitarian military intervention, cosmopolitanism does not offer an unambiguous defence of the use of military force. In fact, cosmopolitan principles of global rights and global governance have been invoked to prohibit the use of military force, even if its aim is to pursue cosmopolitan ends. Commitment to global rights renders arguments in support of military force problematic even when that force is geared towards the prevention of large scale rights abuses. Despite advances in military technology that allegedly enable greater precision targeting, the use of military force generally entails serious *violations* of human rights. Controversies over so-called 'collateral damage' and 'double effect' pertain to widespread awareness and concern

about the detrimental consequences of modern warfare on the lives and wellbeing of non-combatants (Shue, 2003). In a trenchant critique of humanitarian military intervention, Ken Booth argues that ‘the construction of a universal human rights culture – one of the foundations for global human security – will be delayed rather than advanced by militarized humanitarianism’ (Booth, 2001: 314). He argues that attempts to furnish military action with a humanitarian gloss can only lead to an unfortunate legitimization and spread of violence, whilst obscuring the brutal reality of modern warfare.

The idea of global governance also places strain on cosmopolitan defences of military intervention. For some, the core idea of global governance is that it should be oriented towards safeguarding international peace and security through procedural mechanisms that allow states and other bodies to resolve their disagreements without recourse to violence. An emphasis on *institutional* means of containing disagreement would caution against a policy of armed military intervention, given the potentially disruptive and destructive effects of military action on global peace and security. Iris Marion Young goes so far as to say that military violence is incompatible with the goal of governing international affairs via cosmopolitan political power, which for her can only be generated through *non-violent* processes of communicative interaction (Young, 2003: 258). A more pressing threat to the aim of global governance through law is the danger that powerful states might use cosmopolitan rhetoric to obscure hidden geo-political interests. For David Chandler, a doctrine of humanitarian military intervention undermines the basis of an international legal order by giving Western democratic states disproportionate power to interpret and apply humanitarian norms. In practice this means that ‘the rights of weaker states can be infringed on the grounds that the law does not fully apply to them, while more powerful states can claim immunity from the law on the grounds that it is they who ultimately enforce it’ (Chandler, 2003: 34). In this sense, a doctrine of humanitarian intervention might be seriously at odds with the ambition of domesticating the international arena through law.

The problem is that commitment to cosmopolitan principles places serious restrictions on the means one can employ to pursue cosmopolitan ends. The use of military force pushes at the boundaries of acceptable cosmopolitan conduct, and cosmopolitan sympathizers like Young and Booth pick up on a firmly established tradition of anti-militarism in the history of cosmopolitanism. The anti-militarism of cosmopolitanism is most famously associated with Kant, and it is no surprise that Booth draws upon Kant’s ideas in his critique of humanitarian military intervention (Booth, 2001: 323). Kant criticized war between states both as a threat to individual freedom and as a drain on economic resources; consequently he fashioned a cosmopolitan political project geared towards transcending the political conditions that made war a feature of international society. He associated

cosmopolitan right with attempts to forge ‘perpetual peace’ by replacing war with law and calling for the eventual disbanding of standing armies (Kant, 1991).

Given this strain of anti-militarism within cosmopolitan thinking, it is perhaps surprising that many contemporary cosmopolitan sympathizers support the use of force for cosmopolitan ends. Even those who advance cosmopolitan arguments supportive of humanitarian military intervention acknowledge the counter-pressures applied by their cosmopolitan commitments. For Lorraine Elliott and Graeme Cheeseman, cosmopolitan scholars who ‘argue that cosmopolitan law and the *pax cosmopolitica* . . . require the backing of coercive force, provoke a rather awkward re-interpretation of the realist mantra *si vis pacem, para bellum* (if you want peace, prepare for war)’ (Elliott and Cheeseman, 2002: 6). The dilemma for contemporary cosmopolitans is that cosmopolitan principles appear to offer powerful but competing arguments both for and against the principle of military intervention for humanitarian purposes.⁵ As we shall now see, this internal tension within cosmopolitanism sets the stage for attempts to elaborate a more systematic cosmopolitan position on this question.

Cosmopolitan military intervention: justification, authorization and conduct

In recent years, some cosmopolitan theorists have attempted to elaborate a theory of military intervention for humanitarian purposes which will reconcile on the basis of cosmopolitan principles the pro-interventionist strand of thinking within cosmopolitanism with its equally prominent anti-militaristic leanings. To speak of a unified cosmopolitan theory of military intervention may be an exaggeration since there is little consensus about how a cosmopolitan perspective might furnish a doctrine of just intervention. Sometimes theorists seem to embrace a set of propositions more informed by traditional just war theory than by cosmopolitanism.⁶ Nonetheless, there are signs that cosmopolitan theorists are gradually elaborating a distinctive account of what a genuinely cosmopolitan military intervention might look like. This project can be said to have three moments: an account of reasons that might justify the use of force; an account of institutional process through which the use of force should be authorized; and an account of the ways in which the use of force should be conducted. We shall now consider each in turn. Throughout this process of elaboration, the twin principles of global rights and global governance continue to play crucial roles.

The justification of military intervention

Cosmopolitans generally lay out a demanding set of criteria to establish when military force becomes potentially justified. The criteria relate to

the conditions that trigger the need for intervention and the appropriateness of using military force as a method of intervention. For most cosmopolitans, military intervention only becomes justifiable in the context of the most extreme and severe human rights abuses. According to Nicholas Wheeler, 'it is important to distinguish between what we might call the ordinary routine abuse of human rights that tragically occurs on a daily basis and those extraordinary acts of killing and brutality that belong to the category of "crimes against humanity"'. In the latter category Wheeler includes genocide, state sponsored mass murder and mass population expulsions by force (Wheeler, 2000: 34). Whilst no cosmopolitan writer claims to provide a clear and unambiguous distinction between acceptable and unacceptable humanitarian crimes, most, including Wheeler, trade on Michael Walzer's idea of crimes which 'shock the conscience of humanity' (Walzer, 2000: 107).

The importance of limiting military intervention to these 'supreme humanitarian emergencies' is partly to ensure that the recourse to violence, with all its dangers, is restricted to only the most urgent and rare cases. However, it also has to do with ensuring that the justification for such intervention appears plausible in the light of major global disagreements over appropriate standards of justice, not to mention disagreement within the ranks of cosmopolitan theorists themselves over the precise range of cosmopolitan rights. These crimes, involving deliberate campaigns of killing, should clearly be recognizable by all persons as unacceptable even in the absence of agreement over a particular doctrine of global justice or a general commitment to a particular set of cosmopolitan rights. According to Michael Blake, 'if we cannot agree what liberal justice demands, it makes sense to avoid intervention in all but the most obvious and clear cases of injustice' (Blake, 2003: 67). Cosmopolitans want to avoid the accusation that they are imposing through force a historically and regionally contingent 'Western' doctrine of human rights on a world that does not universally accept it. Daniele Archibugi claims that whilst debate continues to rage over the acceptability of practices such as infibulation or stoning adulterous wives, 'no one would dream of urging military intervention to foreign countries to ban these practices.' He continues, 'it is quite plain and straightforward that military humanitarian intervention is necessary when and only when blatant collective violations of human rights are being perpetrated' (Archibugi, 2004: 6).

The extent to which cosmopolitanism can and should incorporate a doctrine of *pre-emptive* intervention remains controversial. The argument in favour of pre-emption is that it is counter-intuitive to insist that intervening parties wait until mass killings have actually started before acting, at least if they are convinced beyond reasonable doubt that killings are imminent and if they have the capacity to prevent them (Wheeler, 2000: 34–5). The argument against is that intervening before humanitarian crimes actually occur dilutes the justification of military action, since it is

reasonable to suppose that there will be more disagreement even amongst a cosmopolitan international community over whether or not a massive human rights crime is imminent than over whether or not one is actually taking place (Charney, 1999: 841). Despite this counter-argument, cosmopolitans generally do not want to rule out the possibility of justifiable pre-emptive action. Cases like Rwanda are cited to support this conviction, where it is often held that speedy action *before* the genocide unfolded was possible, given that there had been clear and urgent warnings to the international community beforehand (Barnett, 2003: 175). In the light of these instances, cosmopolitans are likely to cautiously accept the possibility of pre-emptive actions, but insist that any case for such action must be compelling and demonstrable.

Once a serious enough crisis has been identified, military action becomes justifiable provided two further conditions are met. First, military action should generally be employed only as a means of *last resort*. This means that force is only justifiable if it is reasonably believed that non-violent means of influence or coercion, such as diplomacy, sanctions, or public condemnation, will not be able to prevent the humanitarian crimes.⁷ In elaborating some variant of this condition, cosmopolitans acknowledge the *de facto* preference for non-violent forms of conflict resolution, given the potentially rights-violating character of military force. In order to back up a belief that force really is necessary, cosmopolitans often require that potential interveners make a serious and sustained effort to engage in some form of action short of force in the first instance. This requirement does not mean that potential interveners must explore *every* non-violent avenue in *all* cases; for too much pre-intervention diplomacy might give aggressors excessive leeway to continue or escalate rights-violations on the ground. The stress of this condition is rather on the reasonable and considered belief of intervening states that the moment for force has arrived, given their experience and knowledge both of the offending party and conditions on the ground.

Second, military action must be thought to have a reasonable chance of both preventing an ongoing or threatened rights abuse and of not causing significantly more humanitarian harm than would occur without the use of preventative military force (Chesterman, 2001: 229; Wheeler, 2000: 36–7; Elliott and Cheeseman, 2002: 41). By establishing some sort of proportionality and/or efficiency threshold, cosmopolitans attempt to allay fears that a doctrine of military intervention will result in unjust rights violations or in counter-productive increases in instability (Archibugi, 2003: 11–13). The expected consequences of military interventions have both short- and long-term dimensions: including their short-term impact on the ongoing rights violations and their long-term impact on the political and social environment of the targeted regional area. In addition, they also impact on the overall acceptance of cosmopolitan norms throughout international society.⁸ Cosmopolitans acknowledge that judging the consequences of a

military campaign will always be difficult in practice, given the inevitable uncertainties involved in projecting possible futures. Nonetheless, they require intervening actors to publicly explain and defend the reasons that lead them to believe military force is the only effective way of ending a humanitarian catastrophe. There must be compelling evidence for believing that any military intervention will do more good than harm in order for it to be in harmony with cosmopolitan principles.

The authorization of military intervention

The criteria discussed above establish reasons that should be invoked by intervening actors to justify military actions to a community of cosmopolitan citizens. Cosmopolitans generally augment such justifications, however, with the requirement that interventions also be given some kind of institutional or procedural authorization at the global level. One of the reasons behind this is the cosmopolitan commitment to procedures of global governance. One of the original insights of Kant's vision of perpetual peace, now shared by most cosmopolitans, is that states should try to resolve their disagreements through dialogue and cooperation rather than war. If intervening states could appeal to moral principles to justify military interventions without being constrained by widely recognized procedures for impartially determining whether or not such an appeal is appropriate, the spectre of an anarchic and lawless international condition re-emerges. In the absence of a system of governance that could offer an authoritative judgement on whether substantial human rights abuses are occurring and whether military action is an appropriate response, cosmopolitanism might simply pave the way for an international order in which the powerful have the freedom to act according to their own interpretation of cosmopolitan principles. By emphasizing the importance of institutional authorization for military intervention, cosmopolitans hope to establish a framework for containing military intervention within processes of global governance. According to this perspective, military interventions should be seen not so much as a species of war but more like *police actions* designed to enforce cosmopolitan principles as cosmopolitan laws (Kaldor, 2003: 134). This means that, for cosmopolitanism, discourses of justification are closely tied to discourses of authorization.

Cosmopolitan arguments about the proper authorization of military intervention stem from a conceptual argument about the nature of a cosmopolitan international order regulated around respect for human rights. Against the view that an international legal order can *only* be based around the sovereignty of states, cosmopolitans argue that such an order must be based on rights-bearing individuals as well as on sovereign states. For cosmopolitans, rights are supposed to establish *legal* and not just *moral* entitlements and any interventionist regime geared towards protecting human rights must have some basis in cosmopolitan law as well as cosmopolitan

morality. This idea is central to Habermas' contribution to debates over humanitarian military intervention; in particular, it figures in his rebuttal of the 'Schmittian' complaint that such a practice constitutes a dangerous moralization of warfare and international relations (Habermas, 1999a: 186–93). According to Habermas,

the establishment of the desired situation of world citizenship would not mean that violations of basic human rights are evaluated and fought off in an unmediated way according to philosophical *moral* standards, but instead are prosecuted as criminal acts within a state-ordained legal order.

(Habermas, 1999b: 269)

According to Habermas' account, the cosmopolitan principles of global rights and global governance are intimately bound together, as the former presuppose the monitoring and enforcement mechanisms of the latter. At the very least it is necessary for rights to be embedded within a concrete juridical framework – a cosmopolitan legal order – and for an interventionist doctrine to be incorporated within that legal framework.

This idea is developed further by Daniele Archibugi, who argues in favour of establishing a 'World Court' to act as a suitably deliberative and transparent body that can publicly determine if a humanitarian crime is serious enough to merit military intervention. This move, he says, 'would . . . give more strength to the idea of operations of "international policing", since the use of force would follow the authorization of a juridical body' (Archibugi, 2004: 10). Similarly, for Mary Kaldor, 'what is needed is not peacekeeping but enforcement of cosmopolitan norms, i.e. enforcement of international humanitarian and human rights law' (Kaldor, 2001: 124–5). A regime of 'cosmopolitan law enforcement' presupposes 'the development of cosmopolitan governance' geared towards 'upholding cosmopolitan norms' (Kaldor, 2001: 148). Cosmopolitans resist the claim that their prescriptions are unreasonably utopian by pointing out that the United Nations Charter already establishes the aim of securing a legal order underpinned by effective human rights protection and by emphasizing the ongoing development of a human rights culture at the international level. This is manifested not only in the spread of human rights movements within global civil society but also in the greater willingness of the United Nations Security Council to construe its mandate as incorporating the aim of rights-protection.⁹

By emphasizing the *legal* entitlements guaranteed by global human rights, military interventions can be conceptualized as *lawful* responses to serious violations of international humanitarian law by state or transnational actors. In this way, cosmopolitans hope to downplay the role that narrow political interests can play in determining when and how military interventions take place. Despite disagreement over how this decision-

making process should be institutionalized,¹⁰ cosmopolitans stress that any decision to intervene should not be responsive purely to political calculations on the part of particular states and regional alliances with the capacity to intervene, but to a legally informed judgement about the need to respond effectively to criminal actions. There is also significant agreement on the general principle that associations in global civil society and regionally active civil society groups should have a significant role not only in forming public opinion but also in influencing the decision to intervene. Cosmopolitans argue that decision-making bodies should be receptive to the opinions generated and publicized by civil society associations, with some theorists insisting that formal institutional representation be given to those associations (Archibugi, 2003: 12; Kaldor, 2001: 119–24). The aim is to maximize the role that humanitarian concerns play in deliberation leading up to any decision over the use of force. By making the decision to intervene depend upon both international legal procedures and the opinions of relevant civil society groups, cosmopolitans hope to demonstrate that the potentially destabilizing effects of military interventions on international peace and security can be adequately contained. Far from undermining the aim of ordering international relations around international processes of global governance, the cosmopolitan idea is that military intervention must be contained within and determined by such processes.

The conduct of military intervention

An important and distinctive feature of this nascent cosmopolitan theory is its account of the proper conduct of military intervention. Such an account is crucial from the perspective of reconciling the pro-interventionist and anti-military currents of cosmopolitan thought and is in turn informed by the criteria of justification and authorization discussed above. For the cosmopolitan, military intervention may only be justified if it is in response to the threat or occurrence of substantial violations of humanitarian law, if it is a means of last resort, and if it has a reasonable chance of preventing ongoing rights abuses. It must be authorized by properly constituted global institutions and procedures and geared towards the enforcement of cosmopolitan laws. Therefore, military action must be carried out in such a way that it is directed towards effective protection of human rights and informed by the requirements of policing rather than traditional war-fighting. Such imperatives include restrictions on conduct familiar from ‘just war’ theory, but what is distinctive about the cosmopolitan approach is that it elaborates a surprisingly detailed account of the changes in military training, organization and strategy necessary for the emergence of ‘cosmopolitan militaries’ equipped to respond to human rights crimes.

A central challenge for writers wishing to carve out a space for humanitarian military interventions within cosmopolitan theory and practice is to respond to Ken Booth’s charge that military tactics necessarily involve

unacceptable violations of human rights. Accordingly, human rights play a crucial role in specifying what intervening states can and cannot do when pursuing a military campaign in the name of cosmopolitan principles. The cosmopolitan commitment to human rights means that cosmopolitan military interventions must be carried out in such a way that human rights violations are minimized; in particular, the rights of enemy soldiers and, especially, non-combatants must be respected (Archibugi, 2003: 13; Lucas, 2003: 93; Rawls, 1999b: 96).¹¹ Henry Shue argues forcefully that strict restrictions should be placed on the bombing of 'dual-function' facilities, which have both military and civilian functions. In particular, facilities that are 'vital to the minimal functioning of the society' should be off-limits as legitimate military targets, such as infrastructure guaranteeing the provision of electricity, clean water, medical care and basic sanitation (Shue, 2003: 108–9). For Shue, respecting this principle prevents 'total war' by preserving 'some minimal form of human society to continue during the war' (Shue, 2003: 102). Whilst it may be impossible to completely remove the possibility that rights violations might occur as a result of military intervention, cosmopolitans hope that by restricting military tactics in accordance with humanitarian considerations its human costs might be outweighed by its potential benefits in terms of preventing or deterring serious rights-violations.

The aim of making military interventions an *effective* way of promoting cosmopolitan norms has occupied some of the most original work of the new cosmopolitans. Writers such as Mary Kaldor have spent considerable time and effort studying modern forms of warfare and the kinds of emergency situations that humanitarian forces would be and increasingly are confronted with in missions to police cosmopolitan norms (Kaldor, 2001, 2003). Lorraine Elliott and Graeme Cheeseman have addressed the question of how genuinely 'cosmopolitan minded militaries' would differ from contemporary militaries and whether and how the latter can be made to more closely approximate the former (Elliott and Cheeseman, 2002). The insight that animates this work is that if cosmopolitans want to offer a robust defence of the use of force for the enforcement of cosmopolitan principles, then it is incumbent on them to explain the military strategies and resources that are most appropriate for this end.

The inadequacy of *existing* military strategies and resources is seen as a large but not insurmountable barrier to promoting effective cosmopolitan militaries. Existing military forces have generally been structured with non-cosmopolitan functional imperatives in mind. Most state-based militaries are designed according to the needs of the nation-state: 'they provide the means of defending national sovereignty, of projecting the interests of the state (or state elites) beyond national borders, and of underpinning, and sometimes enforcing, government authority within the state' (Elliott and Cheeseman, 2002: 35). Existing forces have generally been trained and equipped for fighting other states and their militaries and for inflicting

heavy damages and casualties on opposing forces, rather than for engaging in the rescue and restructuring missions endorsed by contemporary cosmopolitans. The latter requires a different understanding of military forces: ‘unlike war-fighting, in which the aim is to maximize casualties on the other side and to minimize casualties on your own side . . . cosmopolitan law-enforcement has to minimize casualties on all sides’ (Kaldor, 2001: 129–30).

The strategic imperative of cosmopolitan militaries is not primarily to win wars or overpower an enemy, but to see military victory as a tactical means of securing the main objectives of ending rights abuses and establishing conditions for cosmopolitan principles to take hold in conflict situations. This means that agents using military force to prevent an ongoing humanitarian crime must be willing to place their own troops in danger to protect citizens on the ground and not transfer risk away from their own troops to civilian populations (Archibugi, 2004: 11–12; Lucas, 2003: 78). It also means that cosmopolitan military strategies should be designed to ‘protect citizens and stabilize war situations so that non-extremist tolerant politics has space to develop’ (Kaldor, 2003: 134). In this sense, military forces should be capable of both saving citizens from victimization on the ground and creating hospitable conditions for a politics of civil society to replace that of violence.¹² Cosmopolitan militaries will have to perform various tasks, some of which are already confronting various ‘peacekeeping’ missions. For instance, according to Elliott and Cheeseman, they must:

provide humanitarian assistance of various kinds, manage the movement of refugees and displaced persons, help conduct elections, provide safe havens and protection for humanitarian workers, establish cantonment areas or demilitarized zones between warring parties, disarm military or paramilitary forces, clear mines and other leftovers from war, negotiate local ceasefires or the safe passage of aid, provide civil administration, help restore civil society, and contribute to the reconstruction and development of local economies.

(Elliott and Cheeseman, 2002: 44)

In order to facilitate ‘non-extremist’ politics in conflict areas, military forces must work closely with non-military actors working towards reconstruction, including UN personnel and global and domestic civil society actors. In this way, cosmopolitan militaries will be trained and deployed as part of a broader strategy of conflict resolution and conflict prevention.

Given the range of tasks that must be carried out by cosmopolitan militaries, it is perhaps no surprise that cosmopolitan theorists require existing military forces to undergo a radical shift in terms of their guiding ethos. This will require soldiers to think of themselves not as defenders of the national interest, but, as Kaldor puts it, as defenders of the universal inter-

ests of mankind: ‘whereas the soldier, as the legitimate bearer of arms, had to be prepared to die for his country, the international soldier/policeman risks his or her life for humanity’ (Kaldor, 2001: 131). Cosmopolitanism needs to be embedded in a concrete ethic on the part of the soldiers that will make up ‘cosmopolitan minded militaries’. In its extreme formulation, the hope of cosmopolitans is that military forces may ‘be at the forefront of the movement concerned with seeing in a more just, equitable and humane world, to become a kind of global social movement for peace and security, or a true “force for good”’ (Elliott and Cheeseman, 2002: 55). These soldiers must in effect become virtuous cosmopolitan agents making up an armed cosmopolitan vanguard. The development of cosmopolitan militaries is presented both as a goal of future reforms but also as an emerging *reality*, given the number of peacekeeping and humanitarian tasks currently being carried out by military forces. (Elliott and Cheeseman, 2002: 50).

In summary, the cosmopolitan argument is that military intervention must be justified as a response to serious and substantial violation of human rights or humanitarian law; that it must be authorized and carried out by an appropriate international body, and that it must be geared towards saving victims and promoting cosmopolitan norms. Of course, cosmopolitan theorists offer different and sometimes competing interpretations and specifications for all three of these criteria for military intervention. Nonetheless, the unifying theme running throughout the ideas of the authors discussed above is the attempt to reconcile support for the use of military force with cosmopolitan principles, by elaborating the various ways in which global rights and global governance condition the justification, authorization and conduct of military intervention. Cosmopolitan theorists seek to demonstrate how the three elements can become mutually supportive: human rights not only justify military intervention but also set limits on the military tactics that can be employed; procedures of global governance not only establish the conditions that authorize the call for military intervention but also ensure that such interventions are treated as an enforcement of legally guaranteed human rights; cosmopolitan militaries are trained and constituted not only to maximize the possibility for effective enforcement of human rights but also to minimize the chances of raising the costs of military intervention to unacceptable levels. In this way, the invocation of cosmopolitan principles conditions both the ends and the means of cosmopolitan policies.

An ideal response to a non-ideal problem? Cosmopolitanism in the real world

We have focused here on cosmopolitan theorists who hope to reconcile the tensions within cosmopolitanism between its pro-interventionist and anti-military tendencies. They aim to show how those who may harbour

serious cosmopolitan inspired doubts about the use of military force can nevertheless accept in principle that such force might be acceptable and beneficial from the point of view of cosmopolitan law enforcement. It is our contention, however, that these theorists secure internal consistency for cosmopolitanism at a cost, that is, by outlining an *ideal type* of cosmopolitan military intervention that, as most acknowledge, is unlikely to be fully or even partially realized in contemporary social and political contexts.

Cosmopolitans inject idealizations into each stage of their theory: idealizations about the political actors justifying military interventions for humanitarian purposes, idealizations about the political and legal order necessary to authorize such interventions, and idealizations about the military forces engaged in that intervention. In effect, they describe how military action would be carried out in a more or less cosmopolitan world, in which powerful states and other actors are motivated by cosmopolitan norms, international procedures exist to render a binding legal judgement about the need for intervention, and military forces are trained, equipped and willing to enforce cosmopolitan laws. In the face of the 'non-ideal' complexities of the current world order – in which powerful states have geopolitical interests that often conflict with cosmopolitan purposes, human rights law lacks reliable enforcement mechanisms, and existing military forces are centred around the organizing principle of the nation-state – the competing tensions between the pro-intervention and anti-military dimensions of cosmopolitanism, resolved at the level of theory, return to haunt cosmopolitans in the realm of practice. This is reflected in the fact that writers who share a commitment to cosmopolitan principles and endorse a broadly similar vision of what an ideal cosmopolitan intervention would look like may still disagree fundamentally over whether to support any particular military intervention or indeed any general norm that would endorse such interventions in the near future.

The consistent cosmopolitan is faced with a dilemma that is difficult to resolve: should we reluctantly endorse military intervention in present conditions on the grounds that *some kind of response* is necessary in the face of grave humanitarian crimes, or should we reluctantly condemn military intervention because the proposed cure is likely to be worse than the illness? This difficulty can be explored by re-examining the criteria governing the justification, authorization and conduct of cosmopolitan military interventions.

According to the first of these criteria, intervening actors should justify military intervention only as a means of last resort and in the context of clear and substantial human rights abuses. In this way, cosmopolitan principles of global rights are supposed to embed themselves within the motives and actions of state and inter-state actors. However, in our vastly unequal world, cosmopolitan norms play a far more ambivalent role. Powerful states or groupings of states have much more influence than weaker

states on the interpretation and enforcement of global rights, and a far greater capacity to engage in large-scale military operations. Critics of cosmopolitanism complain that cosmopolitans are dangerously naïve in introducing high-minded ideals into an arena marked by extreme power inequalities, where cosmopolitan rhetoric is likely to become a cover for more traditional imperialist ambitions (Chandler, 2003; Chomsky, 1999; Zolo, 2002). Without necessarily endorsing the thoroughgoing anti-cosmopolitanism of some of these critics, there is no doubt that their diagnosis of the manipulation of cosmopolitan or humanitarian sentiments by existing state actors is worryingly accurate. The question facing and dividing cosmopolitans is how to respond to the ambivalent realities of the existing global order.

Confronted by the fact that powerful states with the capacity to intervene often pursue or appear to pursue geo-strategic interests in conflict with cosmopolitan norms, cosmopolitans can either focus on the consequences of military actions rather than the motivations or interests of the intervening actors, or insist that, without there being genuine cosmopolitan motives on the part of intervening actors, intervention is unlikely to be carried out in a sufficiently cosmopolitan way. Cosmopolitan sympathizers such as Nicholas Wheeler are prepared to endorse non-humanitarian motivations on the part of intervening actors, on the grounds that the interests of victims should be placed over and above the motivations of their saviours. According to him, the complaint that actors might have ulterior motives for intervention 'is an objection to humanitarian intervention only if the non-humanitarian motives behind an intervention undermine its stated humanitarian purposes' (Wheeler, 2000: 39). Cosmopolitan sympathizers such as Richard Falk, on the other hand, are more sceptical of the effects that geo-strategic interests are likely to have on the pursuit of humanitarian goals. For Falk, defenders of humanitarian intervention 'overlook the extent to which interventionary claims are exclusively mounted by powerful states that have often in the past put forward self-serving rationalizations for their questionable uses of force to coerce weaker countries with what appears to be an anti-humanitarian net-effect' (Falk, 1998: 98). Unless interveners are moved to act primarily by humanitarian concerns, they are unlikely to provide the necessary resources or risk the lives of soldiers in order to save victims on the ground, and will pursue politically less costly and potentially less humanitarian tactics. In this instance, we see that shared agreement over cosmopolitan premises does not translate into shared agreement over the justification of military intervention for humanitarian goals.

According to the second criterion, cosmopolitans want military interventions to be authorized by an appropriate international decision-making procedure, if they are to be characterized as legitimate instances of cosmopolitan law enforcement. Despite disagreement over the precise way to institutionalize this practice, almost all cosmopolitan theorists agree

that existing institutional arrangements are unsatisfactory. According to the existing Charter, the Security Council has the authority to determine whether or not a particular emergency calls for the use of military intervention if it is deemed necessary to restore international peace and security. This is imperfect for at least two reasons. First, no mention is made of military intervention to enforce respect for fundamental human rights, raising ambiguities over whether or not such a practice is legal under a common sense interpretation of the Charter.¹³ Throughout the 1990s, the Security Council did interpret threats to international peace and security very widely, to the extent of defining intra-state disputes and humanitarian crimes under this register (Holzgrefe, 2003: 41–3). Although this might indicate the scope for legitimate humanitarian intervention under present arrangements, it does so because of the somewhat embarrassing fact that the Security Council – a political body – has almost complete discretion to interpret its mandate however it sees fit. Preferable for cosmopolitans would be a legal order where rights are given a less ambiguous standing in relation to state sovereignty and where judicial mechanisms are available to offer authoritative and unbiased judgements on the need for intervention. Second, and more seriously, the current arrangements allow potentially humanitarian actions to be vetoed by one or more of the Permanent Members of the Security Council. For many cosmopolitans, this makes the imperative to intervene in order to enforce existing rights law unacceptably responsive to the political interests of a minority of powerful states. Far more preferable would be a decision-making procedure that minimized the role played by the interests of the powerful and maximized the role of expert and impartial opinion (Archibugi, 2004).

Faced with the absence of satisfactory international institutions or procedures, cosmopolitans are forced to choose between endorsing either ‘coalitions of the willing’, often acting illegally to enforce human rights through force, or an existing international framework that, whilst not offering the promise of an effective regime of rights enforcement, at least offers some hope of containing powerful states within a framework of international law. Once again, cosmopolitans divide over this issue. Discussing NATO’s unauthorized intervention in Kosovo, Jürgen Habermas warily make allowances for ‘emergency situations’ that might entitle states and regional security bodies to intervene without the formal authority of the United Nations. He grants this permission as a direct consequence of the current ‘low level of the institutionalization of cosmopolitan law’, which gives rise to a tension between ‘legitimacy’ and ‘effectiveness’. For Habermas ‘the dilemma of having to act as though there were already a fully institutionalized global civil society . . . does not force us to accept the maxim that victims are to be left at the mercy of thugs’ (Habermas, 1999b: 271; see also Wheeler, 2000: 41–4). On this account unauthorized military interventions may be understood as a kind of international ‘civil

disobedience' – technically illegal acts that are nonetheless geared towards the enforcement of cosmopolitan norms.¹³

Against this, cosmopolitan theorists such as Daniele Archibugi maintain that allowing states and regional bodies to act outside existing frameworks of global governance will result in non-cosmopolitan outcomes. Archibugi argues, for example, that 'the authority of the United Nations ought to be preferred to unilateral decisions taken by states or state alliances (as happened during the Kosovo war)' and that discretion might lead right back to an international 'state of nature' where states decide on the basis of their own interests and opinions when and how to carry out controversial acts of military intervention (Archibugi, 2004: 9). Chomsky puts the matter bluntly, claiming that in the 'real world' there are two options: 'some kind of framework of world order, perhaps the UN Charter, the International Court of Justice, and other existing institutions, or perhaps something better if it can be devised and broadly accepted' or 'the powerful do as they wish, expecting to receive the accolades that are the prerogative of power' (Chomsky, 1999: 154). In this situation the imperatives to defend both global rights and global governance, united in theory via the concept of cosmopolitan law, come apart in practice in the absence of that law.

The third and final criterion demands that military interventions be conducted in a sufficiently cosmopolitan fashion, entailing that existing military forces and strategic cultures be reformed to suit the new imperatives of cosmopolitan law enforcement. The difficulty for cosmopolitans is stark. At present, military forces are often unable or unwilling to conduct themselves in a particularly cosmopolitan fashion. As is well known, existing military forces tend to be trained and equipped for combat, not rescue operations, and intervening powers are often unwilling to risk their own troops for the sake of 'saving strangers'. Those theorists who defend the need for more cosmopolitan-minded militaries are perhaps the most sensitive to the drawbacks of relying on existing military forces to execute humanitarian missions. Often these missions are carried out in circumstances where the distinction between combatants and non-combatants is blurred, raising practical difficulties in identifying and combating non-traditional military opponents. Military forces trained and equipped to fight clearly recognizable opponents, such as opposing state-based armies, struggle to adapt to these demanding new conditions.

Moreover, humanitarian missions frequently require political skills, such as winning the respect of the local populations in targeted regions and working with locally based civil society groups. As writers such as Kaldor, Elliott and Cheeseman acknowledge, existing military forces are frequently unable and, perhaps more seriously, unwilling to carry out some of the basic functional requirements of cosmopolitan law enforcers. Allied to this is the political difficulty of persuading the governments that supply the personnel for these missions to deploy them in a cosmopolitan

fashion, not least given the alleged unwillingness on the part of some democratic populations to accept high numbers of military casualties or the unwillingness of political leaders to compromise their electoral chances. In this circumstance, the consistent cosmopolitan is again forced to choose between *either* reluctantly endorsing the existing means of military force on the grounds that it is all that is available *or* reluctantly repudiating the use of force because its methods cannot be endorsed from a cosmopolitan perspective.

In summary: given that our current political system is not especially cosmopolitan – as evidenced by massive power inequalities between states, inefficient international legal and political institutions and the persistence of inter-state military practices – it is unlikely that the ideal type of interventions that cosmopolitans endorse can take place. Nonetheless, the large-scale crimes that lead to calls for intervention still persist. In the absence of an effective humanitarian response to humanitarian crimes, cosmopolitans are once again torn between competing imperatives: of endorsing some kind of effective measures to save strangers in emergency situations and of condemning the decidedly non-cosmopolitan measures which the present society of states has at its disposal. The persistence of such a dilemma indicates that, as a way of understanding the world, cosmopolitanism is an ideal expression of something that is only partial and incomplete in reality.

Concluding remarks

It is clear that cosmopolitans committed to global rights and global governance confront a dilemma when discussing military action: on the one hand, military intervention might be necessary as a way of enforcing cosmopolitan norms; on the other hand, it itself might conflict with those norms. We have argued that cosmopolitan writers only succeed in reconciling this tension by elaborating an ideal type of cosmopolitan military intervention and that, for this reason, the tension returns to confront cosmopolitans when they judge the morality and wisdom of military intervention in non-ideal political contexts. We shall now conclude this chapter by addressing very briefly where this leaves cosmopolitan theories of military intervention and in particular where it leaves the temptation of normative political theory to elaborate ‘ideal type’ models of military intervention.

The difficulty of pursuing ideal type cosmopolitan military interventions in current social and political contexts might suggest that theorists should abandon the idea as politically implausible. This judgement may, however, be a little hasty. Ideal type models of military intervention might operate in a fashion similar to Rawlsian ‘ideal theory’, serving as a means of clarifying and systematising our considered convictions and illustrating the goal of political reform (Rawls, 1999a). Interesting and relevant suggestions can be made by theorists aiming to promote long-term political,

legal and military reforms that might make genuine cosmopolitan military interventions more likely in the future. For instance, writers like Habermas are campaigning for continental members of the European Union to build upon what he sees as their more cosmopolitan approach to the use of military force. Daniele Archibugi and others are offering policy proposals, such as a reformed decision-making procedure prior to employing military force, to make humanitarian interventions more cosmopolitan in future. Kaldor, Elliott and Cheeseman are engaged in work oriented towards elaborating the requirements of cosmopolitan military strategies and cultures.¹⁵ All this contributes to cosmopolitanism as a forward-looking project of radical political reform. By discussing the various problems involved in military intervention for humanitarian purposes, cosmopolitans add substance and detail to the ideal of a cosmopolitan legal order and to the kind of mechanisms required to interpret and enforce cosmopolitan law. Such ideal type theorising will always have to face the charge that it is utopian, to which it must respond by trying to show that the destination it describes for ongoing political reform is realistic given what we know of human nature and the laws of society. In any event, this is a challenge that cosmopolitanism shares with many other projects in normative political theory. At the very least, a normative theory should not be invalidated simply because its prescriptions cannot be carried out in immediate social and political contexts.

Nonetheless, there are clear limitations present in using cosmopolitanism as a guide for deliberating about the justice and efficacy both of particular military interventions and of the general practice of military intervention in non-ideal contexts. The impression we have is that cosmopolitans are currently more adept at describing the kinds of changes necessary to bring about conditions where military interventions might become more just and effective in the future, than at informing judgements about the rights and wrongs of particular controversies in our world. This raises challenging questions about the role of cosmopolitan ideals and principles as a guide for thinking, acting and judging *in concrete situations*.

An interesting pointer for further analysis along these lines is provided by Rawls towards the end of *The Law of Peoples*. Commenting on the difficulty facing those who seek to interpret and apply the Law of Peoples in non-ideal contexts, Rawls foregrounds the overriding importance of the faculty of *political judgement*. Whether it is in a statesman's decision about how best to reconcile the long-term interests of the world with those of the nation, or in a citizen's opinion about how governments should forge a common foreign policy, the 'law of peoples' must be able to draw upon the capacity of political actors to make complex and informed judgements throughout the course of their engagement in political activity (Rawls, 1999b: 97–98). For Rawls, the necessity of judgement emerges precisely because the 'law of peoples' is incapable, by itself, of determining action in non-ideal contexts. Cosmopolitan policies can only be forged through

individual and collective acts of *interpretive praxis* informed by the particular problems that confront judging actors. Pursuing this line of thought will link contemporary cosmopolitan thinking to another Kantian thematic: not that of constitutional law but the role of judgement as ‘the faculty for thinking the particular’ (Kant, 1987: 18). The suggestion we draw from this paper is that it may prove fruitful as a future research project to explore the linkages between theories of cosmopolitanism and philosophies of judgement.¹⁶ The fruit of such a project could be a greater understanding of how cosmopolitan theories can illuminate and guide judgements of military interventions in non-cosmopolitan contexts.

Notes

- 1 This paper was completed with the help of a research grant from the Economic and Social Research Council’s ‘New Security Challenges’ Programme. Versions of this paper were presented at the ‘Cosmopolitanism and Europe’ conference at Royal Holloway, April 2004 and at the ‘Globalization and Political Violence’ international workshop at Prato, June 2004. We would like to thank participants at these events for their helpful comments. For reading and commenting on earlier versions of this paper, we thank Chris Hughes, Richard Devetak and James Brassett.
- 2 For the purposes of this paper humanitarian military intervention is defined as ‘the use of force across state borders by a state (or group of states) aimed at preventing or ending grave humanitarian crimes suffered by individuals other than its own citizens, without the permission of the state within whose territory force is applied’ (see Holzgrefe, 2003: 18).
- 3 Prominent examples of allegedly humanitarian interventions are the US’s intervention, sanctioned by the United Nations, in Somalia between 1992 and 1994; and NATO’s air campaign, this time not officially sanctioned by the United Nations, against Serbia in 1999. Such interventions were not the sole preserve of the 1990s, however. Prior to that, debate had been provoked by India’s intervention into Bangladesh in 1971, Vietnam’s intervention into Cambodia in 1978–79 and Tanzania’s intervention in Uganda in 1979. A judicious discussion of all these cases, plus an interesting comparison between the generally hostile international response to interventions in the 1970s and the more varied and ambivalent attitude adopted throughout the 1990s, is provided in Wheeler (2000).
- 4 Comments endorsing the use of force in the event of extreme violations of cosmopolitan norms, at least in principle, can be found throughout the work of writers who exhibit cosmopolitan sympathies (for instance Archibugi, 2003: 11–12; Falk, 1998: 74; Rawls, 1999b: 81; Tesón, 2003: 97).
- 5 As Richard Devetak has rightly pointed out to us, cosmopolitanism is not alone in being open to both defences and critiques of armed intervention. The same could be said of other theoretical paradigms, such as realism or liberal internationalism. Our concern here is not to allege that cosmopolitanism, alone amongst theoretical paradigms in international ethics, is prone to internal tensions, or that these tensions render the cosmopolitan project fundamentally flawed. Our interest, rather, is in exploring the specific character of the tensions within cosmopolitanism, with a view to reflecting on both why they arise and how the cosmopolitan project might be advanced despite them.
- 6 For an elaboration of a doctrine of justified military intervention for humanitarian purposes that explicitly *rejects* the use of just war theory, see Lucas (2003). For an

account that is more explicitly influenced by the just war tradition, see Wheeler (2000) especially at pp. 33–52.

- 7 Much of the debate over the Kosovo intervention revolved around whether or not the intervening NATO powers had really exhausted all diplomatic avenues to reach a solution, or whether they were even seriously committed to finding such a solution (Chomsky, 1999: 22–3; Falk, 1999b: 855).
- 8 Interestingly, cosmopolitans tend not to deal directly with the *deterrence* effect of military interventions on other potential violators of cosmopolitan norms. Perhaps this is due to unease with the idea that such long-term and uncertain consequential considerations might outweigh serious and immediate harms caused by undertaking military action. Nonetheless, the oft repeated desire to establish *effective* mechanisms for enforcing cosmopolitan norms suggests that at least one of the considerations that lead cosmopolitans to endorse the use of force is the extent to which such action brings us closer to a cosmopolitan political and legal order exhibiting widespread adherence to cosmopolitan principles. Habermas sees the NATO intervention in Kosovo in this light, implying that the action is an attempt to bridge the gap between the ideal of universal human rights implicit in the UN Charter and the all too ineffective mechanisms available to actually protect rights on the ground (Habermas, 1999b: 269). He hopes that one of the consequences of the intervention will be to entrench the cosmopolitan principle of global rights in international affairs.
- 9 When the United Nations authorized interventions in Somalia (1992), Rwanda (1994) and Haiti (1994), it did invoke preservation of international peace and security but in such a way that clearly suggested it construed peace and security not merely as the preservation of transborder stability but also the protection of human rights *within* bounded territories (Holzgreve, 2003: 41–43). Of further relevance is the growth of human rights monitoring bodies established by the United Nations to report and publicize serious violations (Farer, 2003: 72).
- 10 Disagreement often centres over the extent of reform needed at the international level in order to implement a cosmopolitan practice of military intervention for humanitarian aims. For instance, some regard the current United Nations Security Council as the appropriate body for legitimating interventions and focus on ways of making that process less responsive to the political concerns of the permanent members (ICISS, 2002). Others, such as Archibugi and Held, elaborate detailed institutional and procedural blueprints for realising cosmopolitan law and argue for the wholesale reform or gradual replacement of current international institutions and procedures (Archibugi, 2004; Held, 1995). Finally, Kaldor and Habermas elaborate and defend the general aim of developing more tangible forms of cosmopolitan governance whilst keeping open the question of the precise institutional form such governance will assume (Habermas, 2001a: 104–12; Kaldor, 2001: 148).
- 11 Cosmopolitans may leave room for some flexibility, by suggesting that some ‘supreme emergency exemptions’ might permit relaxation of strict prohibitions on violating rights of enemy soldiers and non-combatants (for instance see Rawls, 1999b: 98–9). In general, however, there is a strong presumption in favour of respecting cosmopolitan restrictions on the conduct of war.
- 12 In characterising cosmopolitan militaries as law-enforcers, theorists like Kaldor point out that the traditional emphasis on the neutrality of peacekeeping forces between conflicting sides should be replaced with emphasis on the impartiality of military forces. Neutrality would be inappropriate in circumstances where one side was actively violating cosmopolitan law, in which case military forces must fight with the victims against their oppressors (Kaldor, 2001: 127–8).
- 13 There is a large literature on the issues surrounding the legality of humanitarian military intervention in the current world order. For helpful and contrasting overviews see Holzgreve (2003), Farer (2003), Chesterman (2001) and Tesón (2003).

- 14 For an interesting discussion defending the use of military force as technically illegal action geared towards promoting reform of existing international law, see Buchanan (2003).
- 15 Cosmopolitans can and do suggest long-term preventative measures that might remove the causes of humanitarian crimes (Falk, 1998: 106).
- 16 This tentative suggestion is pursued a little further in Smith and Fine (2004). For a discussion of the role of judgment versus the role of moral rules in deciding whether or not to intervene, see Brown (2003).

4 Globalization and political violence

The environmental connection

Lorraine Elliott

One of the key themes in debates about global security is whether the nature of violence and conflict is changing. A range of problems (or ‘risk environments’) are now being defined as possible sources of violence and instability, intra- and inter-state conflict, transgression of state borders and threats to international peace and security. There is a widely held perception that states and peoples are increasingly vulnerable to a range of transboundary threats that have been exacerbated by the economic, spatial and cultural consequences of globalization. The focus of this chapter is on one such problem – environmental change – and the ways in which it is connected with political violence. This relationship is only one part of a much broader literature on how environmental degradation challenges and potentially reconfigures the ways in which we understand, or should understand, security.

One of the most recent statements to acknowledge a link between environmental change, violence and conflict, and international peace and security is the report of the United Nations Secretary-General’s High Level Panel on Threats, Challenges and Change (United Nations General Assembly, 2004). That report, entitled *A More Secure World: Our Shared Responsibility*, located environmental degradation within one of six bundles of security threats facing the world. It recognized that environmental insecurities can, in some circumstances, be caught up with violence and conflict particularly within states. But there are some serious gaps in the report’s analysis of environmental insecurity and therefore serious omissions in its recommendations. Despite its emphasis on arriving at a new security consensus, the report says little about globalization as a factor in the insecurity which links environmental change with political violence. It says almost nothing about the ways in which political violence itself, and the zero-sum mentality associated with traditional forms of security, can contribute to and exacerbate environmental degradation.

Understanding the relationship between globalization, environmental degradation and resource scarcity, and political violence is a complex process. The connections are often systemic rather than proximate, multi-

directional rather than linear, and suggestive rather than directly causal. The Brundtland Report observed that environmental stress is seldom the only cause of conflict within or among nations although it can be an 'important part of the web of causality' which demands that we understand how 'poverty, justice, environmental degradation and conflict interact in complex and important ways' (World Commission on Environment and Development (WECD), 1987: 291). Further, as demonstrated in this chapter, it matters analytically and normatively whether the empirical or policy concern is with environmental degradation as a cause or as a consequence of political violence. In other words, what exactly is it that we are trying to explain?

Exposing the relationship between political violence and environmental degradation is further complicated by uncertainty over what role to ascribe to the processes of globalization. To what extent is it even a meaningful variable in understanding the relationship between environmental degradation and political violence? Globalization is understood in this chapter as something more than increased economic openness and enmeshment of the world's economies driven by technological change and pursued through greater marketization of the world's economy. It is a process, not an end-point. It is multidimensional and uneven in its content and, perhaps more importantly, its consequences. The transactional processes which characterize an increasingly globalized world involve not just the increased mobility of capital and goods through a liberalized trade regime. Globalization is also defined by and reflected in the spread of ideas, values and images. The 'global' is also now experienced through increased movements of people within and across state borders – as skilled and unskilled labour; as migrants and refugees; as corporate cosmopolitans and tourists. As a result of the increase in the intensity and scope of open-border and transborder activity, 'decisions, and activities in one part of the world can come to have significant consequences for individuals and communities in quite distant parts of the globe' (McGrew cited in M. Williams, 1996: 116).

In the light of this admittedly broad definition, globalization could be perceived simply as the world order context within which concerns about environmentally sponsored political violence have become salient policy issues. In this sense, globalization is a catalyst, serving to create and enable a greater awareness of particular problems or risks, but the processes of globalization are generally incidental to any *casual* linkages between environmental degradation and political violence. However, it is also possible to see globalization as the delivery mechanism which makes political violence a more likely consequence of environmental change. The processes by which local environmental vulnerabilities are implicated in political violence (and, indeed, political violence is implicated in local environmental vulnerabilities) are mobilized by the inequities in material conditions that have become a hallmark of a globalized political economy (see Hurrell,

1999; United Nations Development Programme (UNDP) 1998). They are assisted by the increased intensity and ease of transactional activity across the planet. In effect, the 'outside' is being brought 'inside', directly and indirectly. At the same time, however, these 'domestic' disruptions are becoming internationalized through the processes of globalization. As Held and McGrew argue, the 'rising density of . . . economic connections . . . has expanded the potential vulnerability of most states to political and economic instability in distant parts of the globe' (1998: 223). Thus, as the 'outside' is brought 'inside', so too is the local made global.

There are three 'takes' on the connections between political violence, environmental degradation and globalization. Each brings at least one of the 'variables' into more prominent relief. The most common starting point, usually captured in the concept of environmental security, is one in which political violence is defined as a function of scarcity – of resources, environmental services and the vitality and viability of ecosystems. In this traditional or orthodox model of environmental security, solutions to political violence resulting from environmental decline can or should be understood in distributive terms. The second take demands a more careful examination of the impact of globalization itself. It reveals political violence to be a function of environmental inequity rather than simply scarcity and therefore better understood as an ethical problem. These first two 'takes' settle on political violence as the consequence of some other process, in this case environmental degradation which is exacerbated by globalization. Yet if our understanding of the relationship is to be complete, it is important to explore the ways in which political violence is a major factor in and cause of environmental degradation, a consideration that is notably absent from the High Level Panel's analysis.

Take 1: political violence and environmental scarcity

The recognition that at least some environmental problems are global or planet-wide in their reach has drawn attention to the ways in which environmental and economic practices in one country can affect and indeed are affecting environmental and economic stability in other countries. Problems such as climate change, ozone depletion and the degradation of the oceans have reinforced two often competing views of security. First, the transboundary impact of environmental degradation has raised the spectre of conflict or violence between states over scarce resources, over access to environmental services and even the potential for conflict arising from the causes of environmental decline. Yet the concept of comprehensive security, which reflects this concern with non-military or non-traditional insecurities, is limited if the security referent (that is, who or what is made secure or insecure) remains state-centric rather than acknowledging that non-traditional insecurities and political violence are a threat to individuals and their communities. Second, therefore, the often unintended trans-

boundary environmental consequences of economic activity have demonstrated that security needs to be understood in global, human and *common* terms rather than in national, statist, 'them or us' terms.

As suggested above, much attention has been paid in both the scholarly literature and the policy community to the potential for conflict and political violence as a consequence of environmental degradation. In this view, the major concern is the relationship between environmental degradation and the 'traditional indicators of insecurity: violent conflict and the outbreak of war' (Diehl, 1998: 275). In one of the most widely-read expositions of this position (and probably most Hobbesian in its pessimism), Robert Kaplan has argued that the environment is

the national-security issue of the early twenty-first century. The political and strategic impact of surging populations, spreading disease, deforestation and soil erosion, water depletion, air pollution, and, possibly, rising sea levels in critical, overcrowded regions like the Nile Delta and Bangladesh – developments that will prompt mass migrations and, in turn, incite group conflicts – will be the core foreign-policy challenge from which most others will ultimately emanate.

(Kaplan, 1994: 58)

Conflict and violence is therefore anticipated to arise over resources that are already in a condition of scarcity. This focus on scarcity as a key variable has been accompanied by a reassessment of what resources are determined to be 'strategic' and important, therefore, not only to national security, in traditional discourse, but also to the security of peoples and communities. The 1991 Gulf War and the 2002 war in Iraq have ensured that oil remains part of this equation. While there has been a sustained examination of the relationship between oil and political violence, the new strategic resources are increasingly likely to be those which have for so long been thought of as being in plentiful supply, either because they were renewable or because they were non-exhaustible – resources such as water, arable land, and the ecosystem and human services that those resources supply. The High Level Panel noted that 'the loss of arable land, water scarcity, overfishing, deforestation and the alteration of ecosystems pose daunting challenges' (United Nations General Assembly 2004, para. 52). Food and water insecurities will, in turn, exacerbate the misery and despair which already exists in many poorer parts of the world, a challenge acknowledged in the Millennium Development Goals (<http://www.developmentgoals.org/Poverty.htm>).

Water is forecast to be a major cause, perhaps even the most likely cause of inter- and intra-state tension and possibly outright conflict and political violence in the future. In its 1994 Human Development Report, the United Nations Development Programme (UNDP) identified water

scarcity as an increasing factor in 'ethnic strife and political tension' within countries (1994: 29). Hussein Solomon suggests that this is hardly surprising; for the developing world, 'water availability determines the sustainability of economic development' (2000: 6). The world's per capita water supply is decreasing. Already about one million of the world's people do not have regular access to safe water. At the beginning of the final decade of the twentieth century, over 80 countries with more than 40 per cent of the world's population were facing water scarcities. In many countries, overuse of water for agriculture, municipal and industrial use is becoming a serious public policy problem and one which has already been implicated in rioting and other forms of political unrest (see Switzer, 2002). Water is also implicated in possible cross-border conflict and violence. One hundred and fifty-five major river systems are shared by two countries and a further 59 are shared by between three and twelve countries.

Arable land is also in decline as a global 'resource' with consequences for food production and food security. In the 1980s, the total amount of cropland in the developing world grew by only 0.25 per cent a year, a growth rate half that of the 1970s. Per capita arable land dropped by almost 2 per cent a year (Homer-Dixon, 1991: 93). The decline in per capita access to land for growing crops – for subsistence or domestic consumption in particular – is in part a product of environmental problems such as desertification and soil erosion. It is exacerbated by economic and social inequities, including inequitable land tenure. The demands of industrialized agriculture are also implicated, through the acquisition of land for export crops rather than subsistence crops or crops destined for local markets. The consequence is that many developing countries that used to be net food exporters are now net food importers and food surpluses and scarcities are unevenly distributed. Food insecurities are made more acute because the world's fish catch is also declining as stocks are overfished by long-distance fishing fleets and by local commercial fishing industries seeking to compete on a more 'global' market.

The extent of political violence *between* states over environmental scarcity is uncertain. It is reasonable to assume that poor countries are unlikely to confront militarily more capable rich countries, particularly if geographic distance separates them. What is more likely is that environmental scarcity and deprivation could lead to conflict between neighbouring countries or to tension and violence *within* countries as governments and peoples attempt to adjust to the local impacts of local and global environmental stress. Disproportionate vulnerabilities to environmental change are thought likely to foster resentment and exacerbate already existing political and social tensions, leading to 'civil turmoil and outright violence' (Myers, 1989: 24). The latter constitutes a disruption to what Homer-Dixon calls 'legitimized and authoritative social relations' (1991: 91) as environmental scarcities generate tension among competing users

within countries. The High Level Panel was clear that ‘environmental stress, caused by large populations and shortages of land and other natural resources, can contribute to civil violence’ (2004: para. 22).

The consequences of environmental degradation and loss of arable land are also often important factors in a range of broader political and social grievances for peoples fighting for various forms of self-determination. Environmental decline is one of a number of factors which have contributed to the struggle in Bougainville for independence from Papua New Guinea. In South Africa, environmental degradation and relative environmental deprivation, one outcome of the homelands policies which characterized the political and social violence of the apartheid regime, was a factor in the fight for freedom in that country. Resource scarcity, including access to land, has been identified as an ‘increasingly powerful force behind . . . Communist led insurgency’ in the Philippines (Homer-Dixon *et al.*, 1993: 20). In Nigeria, there is a complex relationship between oil politics, environmental degradation, military violence and local struggle (see Douglas *et al.*, 2003).

Environmental degradation and social tensions are also bound up with internal migration. Movements of people within states can occur between rural areas, from rural areas to the cities or, as happened during the Asian financial crisis, from urban areas to poorly resourced and already stressed rural areas. Competition for land and environmental pressures on land that is already marginal, or on inadequate urban infrastructure, can contribute further to social tensions that may arise from other sources based on religion, ethnicity or political history. In turn, these frustrations, tensions and resentments – the consequences of people being forced to draw on relatively diminished or poorly distributed resources and environmental services – can result in domestic unrest. In effect, grievance becomes violence (see, for example, Goodhand, 2003).

There would seem to be plenty of examples to support these propositions about political violence within states. Indeed, the World Resources Institute reports that ‘by one estimate, one quarter of the roughly 50 wars and armed conflicts active in 2001 were triggered, exacerbated [or financed, they add] by legal or illegal resource exploitation’ (2003: 25). In its 1994 *Human Development Report*, the United Nations Development Programme identified Afghanistan, Haiti, Angola, Iraq, Mozambique, Burma, the Sudan and Zaire as countries in which internal crises could be linked to environmental degradation and food insecurity (often compounded by inequitable internal resource distribution) (UNDP, 1994: 41–3). The Commission on Global Governance nominated environmental deterioration along with population pressures as factors in the ‘social breakdown and internal conflict in Somalia, Rwanda and Haiti’ (Commission on Global Governance, 1995: 95; see also Ruff *et al.*, 1997: 89). In the case of Haiti, environmental degradation includes deforestation and loss of arable land (although, curiously, analyses often make little or no reference to the

former repressive regime in that country). Byers (1991: 70) points to Sri Lanka, Somalia and Ethiopia as countries in which pressures on the environment have exacerbated internal ethnic tensions. Extensive starvation (a by-product of food scarcity and inequity) has been implicated in the conflict in Somalia and Liberia. The Secretary-General's 1998 report on conflict and peace in Africa also identified 'competition for scarce land and water resources' as a factor in conflict in Central Africa (United Nations Secretary-General, 1998: para. 15).

The High Level Panel follows the example of a number of similarly high-level predecessors in expressing concern about the impact of environmental degradation on global peace and security. This was the position formally adopted by the 1992 summit meeting of Security Council heads of state which declared that 'non-military sources of instability in the economic, social, humanitarian and ecological fields have become threats to . . . peace and security' (United Nations Security Council, 1992). The UN Secretary-General's *Agenda for Peace*, released in the same year, identified 'ecological damage' as a new risk for stability (United Nations Secretary-General, 1992: 5). NATO's Strategic Concept observes that 'security and stability have . . . environmental elements as well as the indispensable defence dimensions' (NATO, 1999: para. 25). The UN Secretary-General's *Millennium Report* also identified a 'real risk that resource depletion, especially freshwater scarcities, as well as severe forms of environmental degradation, may increase social and political tensions in unpredictable but potentially dangerous ways' (United Nations Secretary-General, 2000: 44). Just prior to the World Summit on Sustainable Development in Johannesburg in 2002, US Secretary of State Colin Powell proclaimed that 'sustainable development is . . . a security imperative' arguing that 'poverty, environmental degradation and despair are destroyers of people, of societies, of nations [which] . . . can destabilize countries, even entire regions' (cited in Töpfer, n.d.).

The social and political tensions and violence that might arise from environmental decline in the Third World – distress signals from the periphery – are made cause for concern for developed countries (or their governments) because they might require intervention, contribute to international instability or undermine the stability of 'newly formed democratic regimes' (Butts, 1994: v). Countries suffering from environmental degradation and beset by internal conflict as a result (often in the context of many other factors) are considered to be potentially ripe for 'authoritarian government or external subversion' (Mathews, 1989: 168). This then becomes an issue for developed countries, not on *humanitarian* grounds but because the '[security] interests of the North may be directly threatened' if countries develop in the direction of extremism (Homer-Dixon, 1991: 113). The debate over how to respond to this 'new' form of threat has, in turn, anticipated the possible deployment of military force – a specific and supposedly legitimate form of violence. There are suggestions, for ex-

ample, that states could 'use military force in order to protect themselves from [the] social consequences of global environmental decay' (Brock, 1991: 410), to maintain access to already 'scarce' resources or to secure access to resources and environmental services that might be thought to be scarce at some stage in the future. Murphy suggests that 'a state may find it necessary to respond to serious environmental violations with . . . military force to protect its own vital interests' (1999: 1199). At a global level, the potential for some kind of 'direct military response' to 'poor environmental behaviour from the nations of the world' (Oswald, 1993: 129) has been cast as a kind of collective environmental security in which 'environmental problems in one country affecting the interests of another could easily come within the purview of the Security Council' (Tickell, 1993: 23). While this response is directed to a symptom of environmental degradation, it can do little to address the causes. Traditional responses to political violence in the form of combat readiness and military action cannot, as Michael Renner puts it 'reverse resource depletion or restore lost ecological balance' (1989: 38).

The apparent simplicity of the 'scarcity equals conflict' equation has been subject to extensive scrutiny. For some, there is little compelling evidence that environmental scarcity has been a 'primary cause of any major sub-national or inter-state conflict' (Dupont, 1998: 75). Lothar Brock has argued that conflict that involves resources 'is not necessarily a struggle *over* resources' (1991: 410; emphasis added). Resource conflict is also characterized as competition for wealth rather than competition over scarcity. Dalby suggests that 'greed rather than grievance [is] the motivation' as competing users 'struggle to control the rents from resource streams that [are] being exported to the global economy' (2003: 5). Scarcity of resources might motivate cooperation rather than conflict or violence. In effect, group rationality could trump individual rationality. Dimitrov (2002) and Sadoff and Grey (2002) suggest, for example, that there are plenty of examples in international water law to demonstrate that shared water resources can provide the basis for conflict resolution and the development of cooperative management schemes.

As well as potentially misreading the likelihood of conflict or violence as the consequence of environmental degradation, this emphasis on environmental conflict says little about the reasons for scarcities that are the apparent cause, or at least potential cause, of violence. It obscures the ways in which environmental scarcities are a *product* of globalization. Political violence associated with the depletion of resources and access to environmental services is not reducible to simple scarcities. The 'differences in environmental endowment' that the World Commission on Environment and Development argued could 'precipitate and exacerbate international tension and conflict' (1987: 292–3), especially as poorer countries reached the limits of their environmental sustainability, are a function of globalization. The issue then is not simply one of scarcity but one of inequity, and

it is one that focuses concern more specifically on human rather than state security.

Take 2: political violence and environmental inequity

The kinds of environmental vulnerabilities and scarcities that might contribute to some form of political violence are more than the result of geographic accident, poor management or ineffective public policy. Nor are they the result only or even primarily of population pressures in the developing world (one of the key themes of the Secretary-General's High Level Panel). They are also the product, to varying degrees, of globalization. Thinking about environmental security simply in terms of the potential for conflict over resources or environmental services obscures the causes of environmental change and depoliticizes the extent to which those changes are embedded in the ideologies and practices of globalization. Within a globalized world economy, inequity between rich and poor countries and rich and poor peoples, unequal access to the world's trading system, the paucity of international development assistance for basic human needs, the lack of appropriate investment in the poorest parts of the world, and the ever growing burden of developing country debt are entwined with environmental degradation in a complex cause and effect relationship.

Two concepts assist in exploring how these patterns of globalization are implicated in the kind of transnational environmental degradation and global environmental injustice that might result in political violence. These concepts are harm and displacement. Environmental harm can be defined in at least two ways. The first encompasses various forms of damage to the environment itself, such as pollution, destruction of habitat, depletion of resources, destabilization of ecosystems, and loss of species. Environmental harm can also be defined in terms of the harm that environmental degradation causes to people and communities. This occurs through the impact of pollution on human, animal and plant health; through the economic and social consequences of depletion of the resource base and environmental services; through damage to habitat and ecosystems within which people live and on which they rely; and, in the context of this study, through political violence.

In general terms, environmental harm is experienced locally. The patterns of globalization, however, change the ways in which the location of the causes and the location of the consequences are connected. The experience of environmental harm – and this includes scarcity of resources, environmental services and ecosystem stability – is displaced, or shifted, across space and time (see, for example, Wapner, 1997). Displacement across space occurs through the physical transportation and the unintended dispersal from one part of the world to another of the pollutants and waste by-products or outputs of economic activity. Environmental harm thus becomes transnational and global. Various forms of waste – such as toxic

chemicals, radioactive waste, or domestic waste – produced in one part of the world are traded to or dumped in other parts of the world. Atmospheric pollutants are dispersed long-range and other forms of pollutants are dumped or dispersed into the oceans, territorial seas, waterways and land of countries distant from the source activity. The *inputs* of economic activity are also displaced across space, as resources and environmental services in one part of the world are exploited and traded to support production and consumption in other parts of the world.

A couple of examples will have to suffice to give some indication of how this process works. Deforestation, which is globally and locally extensive, causes one scarcity that is implicated in social tensions and political violence as competing users seek control over forest resources, or over the causes and consequences of the loss of their livelihoods and the place that gives them social and cultural identity. Timber resources in developing countries are extracted and traded, both legally and illegally, to support a demand for timber products that is disproportionately located in the industrialized world – as consumer items; as woodchip, pulp and paper; for construction purposes. The environmental harm arises because the environmental, economic and social consequences of the loss of forest resources are felt locally whereas the benefits are more likely to be appreciated by the end consumers or by those who are paid for the raw materials. In Southeast Asia, for example, as Peter Dauvergne (1997) has convincingly shown, demand in Japan is one of the primary causes of forest loss in Southeast Asia (at the same time as Japan's forests are being protected). Indeed, deforestation in Southeast Asia, and the associated problems of soil erosion, loss of biodiversity and species, pressure on non-forest land, and loss of cultural identity and livelihood for indigenous and local communities is bound up in global patterns of supply and demand.

The global demand for soya products for use in consumer products and for animal feed as much as for human consumption – often using genetically modified seeds – provides another example. A report in the UK's *Guardian* newspaper reveals that Amazonian rainforest and savanna lands are being destroyed at the rate of 3 million acres a year 'to feed Europe's insatiable desire for more soya bean production' (Brown, 2004: 17). In Argentina, soya production now accounts for around half of the country's arable land and one-quarter of total exports. The use of chemicals, such as those used in cropdusting to increase soya productivity, has the unintended but damaging consequence of poisoning water and damaging cotton crops (*The Economist*, 2004: 40). The diversion and destruction of forest land for soya crops has implications for the availability of arable land but also, farmers complain, for local climate conditions. There are social consequences as well: farmers and communities are dislocated; and tensions and grievances between landholders and local communities increase.

The environmental insecurities and inequities embedded in this process arise not simply because some are harmed and some are not. Rather, this

pattern of displacement and harm reflects a global politics of privilege and a global politics of injustice. Rather than providing the basis for increased welfare or environmental amenity, economic globalization has enabled major centres to draw on the ecological capital of other (usually developing) countries or poorer communities. The export and displacement of pollution and environmental degradation from the industrialized world has been facilitated by the increase in global trading and investment. It has enabled high levels of consumption by the rich at the continued expense of the poor. Those who are most immediately affected by global environmental decline are those who have contributed least to the problem. To compound the problem further, the poor and disadvantaged are the least able to buy their way out of the consequences of the displacement of pollution, environmental degradation and resource scarcity.

For analytical purposes, at least two forms of differential endowment arise from globalization and the transnationalizing of environmental harm. The first is measured by the disproportionate consumption of resources. Globally, the rich consume more resources than do the poor. Through trade, often encouraged by investment decisions, consumer demand and neoliberal economic principles which emphasize comparative advantage, resources are displaced from the poor to the rich, or simply from one part of the world to another, in a pattern that allows some to exploit the resources of others disproportionately to support their own unsustainable levels of consumption and production. This form of inequity and injustice is captured in the concept of the ecological footprint. This is a conservative measure of how much 'productive land and water an individual, city, country or humanity requires to produce all resources it consumes and to absorb all the wastes it generates' (Wackernagel *et al.*, 2002: 12). At a global level, humanity is outstripping biospheric capacity. Injustice arises because some countries are running at an ecological deficit – that is, their ecological footprint is greater than the biological capacity of that particular country but *also* greater than the global per capita average. Wolfgang Sachs argues that the OECD countries 'surpass . . . the admissible size of [the ecological] footprint by a magnitude of about 75 to 85 per cent' (2002: 14).

A second measure of injustice and inequity, connected to the first, involves the disproportionate production of waste and impact of environmental change. Through the globalization of production and consumption, supply and use, richer countries cast an ecological shadow over poorer countries and peoples. We find this pattern in the displacement of a range of environmental harms in a way that is disproportionate to the consumption identified above. For example, per capita carbon dioxide emissions in the OECD countries average 12.4 tonnes; in the lowest income countries, the average is only 1.0 tonnes per capita (UNDP 2003: 10). Yet it is often the countries in the latter category – countries such as Bangladesh or the low-lying island states of the Pacific, which have contributed little to greenhouse emissions – that will experience the harms of climate change.

Environmental harms such as the impact of global warming are unevenly and unfairly experienced through the dispersal of pollutants that are also produced inequitably. In other cases, such as that of the dumping of toxic and hazardous wastes, the displacement occurs through the physical transportation of the outputs of production and consumption.

As suggested earlier, political violence of the kind examined in the first section of this chapter is not an inevitable consequence of the environmental scarcities that are generated or exacerbated by globalization. But if it is a possible consequence, then this suggests that preventing political violence requires attention to issues of justice and equity as well as to scarcity. The *Agenda for Peace* argued that ‘the deepest causes of conflict [are] economic despair, social injustice and political oppression’ (United Nations Secretary-General, 1992: para. 15). There are some hints of similar concerns in the report of the High Level Panel. It recognizes, for example, that there is a ‘deadly cycle’ of ‘poverty, disease, environmental degradation and war’ (United Nations General Assembly, 2004: para. 29). The High Level Panel did not overlook issues of justice entirely, noting that ‘increasing poverty is accompanied by an increase in global inequality’ (2004: para. 44) and suggesting that, along with ‘population growth in the developing world’, an increased ‘per capita consumption in the industrialized world’ was a factor in ‘greater demand for scarce resources’ (2004: para. 52). In an oblique reference to globalization, or at least to the consequences of a global political economy, developed countries were also criticized for the ‘devastating cost’ that arises when they ‘impose trade barriers on agricultural imports and subsidize agricultural exports’ (2004: para. 62).

Beyond this, the High Level Panel’s recommendations do not address solutions to the challenges of environmental insecurity in any detailed way. Rather they rely on general and rather hackneyed observations that ‘existing global economic and social governance structures are woefully inadequate’ (2004, para. 56) and on generic demands that environmental concerns should be ‘factored into security, development or humanitarian strategies’ (2004: para. 54). The Panel calls for greater coherence in environmental protection efforts and laments the fact that ‘treaties on the environment are undermined by inadequate implementation and enforcement by the Member States’ (2004, para. 54). Development is identified as ‘the indispensable foundation for a collective security system that takes prevention [of violence] seriously . . . [and] helps combat the poverty, infectious disease and environmental degradation that kill millions and threaten human security’ (2004: 25). None of this is new. It also overlooks the ways in which political violence itself – whether civil violence or violence across borders (conducted ‘officially’ by states or ‘privately’ by actors other than states or their agents) – contributes to environmental degradation or other forms of insecurity. This problematizes political violence in a different way – not as a symptom of or a response to other dysfunctions but as a dysfunction in itself.

Take 3: the environmental dysfunctions of political violence

Principle 24 of the Rio Declaration, adopted at the 1992 United Nations Conference for Environment and Development (UNCED), recognizes that warfare is inherently destructive of the environment. We might add to this explicit but particular form of political violence the idea that other forms of conflict and the pursuit of military security are implicated in environmental destruction. This happens in two ways – one direct and one indirect.

The environmental consequences of war and violence include deliberate environmental destruction, environmental collateral damage and the environmental consequences of the remnants of war. Scorched earth policies are, of course, hardly a new strategy. Contemporary (or recent) examples include the use of defoliants in Vietnam or the deliberate burning of Kuwaiti oil wells and the spilling of oil into the waters of the Gulf during the 1990–91 conflict, practices that undermine or destroy the integrity of economically and ecologically important ecosystems. The unintended consequences of the ‘ordinary’ practices of war – vehicle and troop movements and encampment, waste production, increases in water consumption – include damage to local flora and fauna and to fragile soils and vulnerable ecosystems. The remnants of war – landmines, unexploded ordnance, hazardous waste – exacerbate environmental and economic pressures on land and on individual and community health.

Globalization has helped to draw international attention to these problems. Just as the globalization of telecommunications has brought the so-called ‘CNN factor’ and the ‘body-bag’ phenomenon into the calculus of war-making, so too has it provided evidence of, and mobilized concern for, the deliberate destruction of the environment and the unintended, or at least overlooked, environmental consequences of conflict. The ecopolitical consequences of war and political violence are now being highlighted alongside the geopolitical consequences (though not in any detail in the High Level Panel’s report). A couple of post-Cold War examples will suffice. The millions of barrels of oil dumped into the Persian Gulf by the Iraqi forces in the 1990–91 Gulf War caused extensive damage to coral reefs, mangrove and sea-grass ecosystems, and marine and bird life. While one military commentary (Thelin, 1996) has contrasted this with the so-called clean war waged by the coalition forces, Leggett (1992) details the environmental consequences of Coalition activity. The United Nations Environment Programme (UNEP) has established a Post Conflict Assessment Unit which, in conjunction with UN Habitat (the United Nations Centre for Human Settlements, UNCHS), has carried out post-conflict assessments in the Balkans in 1999, in Macedonia and Albania following the conflict in Kosovo, in Afghanistan, and in the occupied territory of Palestine. The Balkans Task Force (BTF) identified a number of direct and indirect environmental and related humanitarian consequences of the con-

flict there. These included the impact of oil refinery fires, toxic chemicals (such as dioxin and polychlorinated biphenyls (PCBs)) spilling into the Danube and leaching into the ground, bombs being dropped in protected areas, damage to biodiversity and ecosystems, possible transboundary pollution as a result of air strikes on industrial facilities, destruction of sewage and water facilities as Serbian forces destroyed villages, and unsustainable pressure on water and sanitation in refugee camps (see UNEP/UNCHS 1999). The Unit's report on Afghanistan found that two decades of war had degraded the country's natural resources and environmental services so badly that economic reconstruction efforts were severely compromised (UNEP, 2003).

Environmental degradation in wartime has been subject to weak structures of accountability in international law. Basic injunctions against environmental impact in wartime are found in the 1977 Environmental Modification Convention (ENMOD – in full the *Convention on the Prohibition of Military or any other Hostile Use of Environmental Modification Techniques*) but those provisions are 'ambiguous and limited' (Holst, 1989: 124).¹ The Convention restricts only environmental modification techniques which have 'widespread, long-lasting or severe effects' (United Nations General Assembly, 1976). Protocol I to the 1949 Geneva Convention 'explicitly requires combatants to limit environmental destruction' as part of its primary purpose to protect victims of conflict (see Diplomatic Conference, 1977). The Protocol incorporates a threshold clause similar to that of ENMOD, banning practices which cause 'widespread, long-term and severe damage', thus requiring all three conditions to be met before the injunction is to be invoked and assuming, of course, that warring parties (assumed to be states) are actually signatories to the Protocol.

Damage to the environment in time of war is not, however, listed under article 85 of ENMOD as a grave breach of the Protocol or the Geneva Conventions which would constitute it as a war crime. This has been rectified in the Rome Statute establishing the International Criminal Court. Article 8(2)(b)(iv) includes in its definition of war crimes 'intentionally launching an attack in the knowledge that such attack will cause . . . widespread, long-term and severe damage to the natural environment which would clearly be excessive . . . to the overall military advantage anticipated' (United Nations, 1998).² The tests of what constitutes 'widespread', 'long-term', 'severe' and 'excessive' are interpretive but together these agreements confirm that 'destruction of the environment not justified by military necessity violates international humanitarian law' (International Committee of the Red Cross, 2000: 80). The importance of this was recognized in the declaration of 6 November 2002 as the first International Day for Preventing the Exploitation of the Environment in War and Armed Conflict.

What is equally important in understanding this relationship is the extent to which militaries – whose rationale is embedded in the state's

legitimate monopoly of political violence – exploit resources and produce pollutants and waste. Globally, militaries remain major polluters of the environment and disproportionate users of resources. Barnett suggests that ‘worldwide, military activity may be responsible for more greenhouse gas emissions than all of the United Kingdom’ (2003: 13). Military and defence bureaucracies are key decision-makers on resource use. The US military was, at one time, the largest single holder of agricultural land in the Philippines, choosing to keep some of that land out of cultivation (see Medical Association for Prevention of War, 1991). The Khmer Rouge military regime in Cambodia was responsible for extensive exploitation and degradation of the country’s forests (and is estimated to have reaped a return of up to \$240 million a year from this activity; see Töpfer, n.d.). In other parts of Southeast Asia, military forces have been heavily involved in illegal logging and wildlife smuggling.

Sustaining militaries also generates lost-opportunity costs associated with high levels of arms and military spending. The 1987 report of the World Commission on Environment and Development observed that ‘arms competition and armed conflict create major obstacles to sustainable development’ (WCED, 1987: 294). UN Secretary-General Boutros Boutros-Ghali observed in his *Agenda for Development*, ‘preparation for war absorbs inordinate resources . . . which diminish the prospects for development’ (UN Secretary-General 1994: para. 17). In the decade 1982 to 1992, for example, expenditure for UNEP totalled only \$US450 million, the equivalent of less than five hours of global military spending in the same period (Tolba and El-Kholy, 1992: 592). Renner calculates that for every dollar spent on peace in the mid-1990s, another \$140 was spent on military goods and services (see Worldwatch Institute 1994: 1).³

Some concluding thoughts

As other chapters in this book have demonstrated, globalization challenges and confuses the purpose and practice of security in a post-Cold War world. It contributes to a range of insecurities, including environmental degradation, that are at the same time more local and more global. It undermines the security of peoples and communities through the displacement of harm and through exacerbating the kinds of environmental and resource scarcities that are implicated, in some cases, in grievance, social tensions and political violence. Globalization also carries with it, in the spread of information and knowledge, a growing recognition that security is indivisible and non-excludable, and that ‘our’ security cannot be guaranteed until that of the least secure, whether states or peoples, is also addressed. As examined here, this subjects to scrutiny not just the nature of threat, violence and conflict, but also the role of military force as a strategic response to insecurity and political violence, and military forces as the traditional agents of allegedly ‘legitimate’ political violence.

The purpose of this chapter was to sketch out and, where possible, to problematize the relationship between globalization, political violence and environmental degradation. It did so on the grounds that it is difficult to identify solutions to the challenges of political violence in the absence of some clarity on its causes. Nevertheless, it seems reasonable to assume that managing and mitigating environmental degradation is a logical precursor to reducing or eliminating social tensions and political violence in which it is implicated. The High Level Panel identified ‘an unwillingness to get serious about preventing deadly violence’ (United Nations General Assembly, 2004: para. 39) as a serious problem. As noted above, the Panel highlighted development as an indispensable component in collective (human) security and the prevention of environmental degradation. Yet globalized development itself has proved to be part of the problem with respect to environmental degradation. The structural conditions which force the poor into unsustainable practices, which are never as environmentally destructive as those of the world’s far less numerous richest peoples and countries, are generally ignored. If political violence arising from environmental decline is a problem of scarcity, then one might argue that the solution could lie in substitutability or imposing pricing mechanisms that would ensure a more appropriate valuing of increasingly scarce environmental services. But if environmental degradation and political violence are also problems of equity, then solving them will require a more fundamental rethinking and restructuring of global and local patterns of production and consumption, use and supply. It will also require structures of governance that allow those who are disproportionately and most extensively disadvantaged by environmental scarcity – those who are also most likely to be the victims of political violence – to negotiate and contest the ways in which their lives and choices are affected by the displacement of environmental harm. Finally, these debates cannot proceed without serious recognition of the environmental and other social consequences of political violence itself – not simply localized violence, but state-sponsored ‘legitimate’ violence in the conduct of war and the disproportionate financial, human and environmental resources that are committed to the maintenance of military capability.

Notes

- 1 A number of international conventions have some partial relevance to the environmental impact of wartime, wartime-related or general military activities. This would include the environmental interpretations of the 1963 *Partial Test Ban Treaty*, the 1974 *Threshold Test Ban Treaty*, the 1976 *Peaceful Nuclear Explosions Treaty*, the 1980 *Inhumane Weapons Convention* and its protocols (which cover, among other things, the use of landmines) and the 1997 *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* (the Ottawa Convention).

- 2 For more on international legal statements on the destruction of the environment through warfare and other hostile activities, see Elliott, (2003).
- 3 At least some of this post-Cold War increase in peace spending went towards addressing the consequences of Cold War militarism – weapons decommissioning, mine clearance, and refugee resettlement, for example.

5 International legal responses to weapons proliferation

Daniel H. Joyner

This chapter discusses how the processes of globalization have affected trends in proliferation of the means of violence, namely, weapons, particularly of the non-conventional (i.e. weapons of mass destruction (WMD)) variety and related items and technologies. It also reviews the international legal efforts which have been adopted by the international community in response to this threat to international peace and security.

The chapter begins by outlining current trends in WMD proliferation, as illustrated through an explication of the recently revealed A.Q. Khan smuggling network for nuclear weapons related materials and technologies, then discussing how these trends are tied in with the forces of globalization. It then reviews efforts which have been undertaken in the contexts of multilateral treaties, safeguards arrangements, and informal export control arrangements at the international level to try to control the proliferation of WMD, with a particular discussion of the recently passed United Nations (UN) Security Council Resolution 1540.

Proliferation

The assertion that proliferation of WMD is a threat to international peace and security deserves some small attention itself before moving on. While it may seem a subject hardly worthy of debate to the average person on the street, arguments over the effects of weapons proliferation upon international peace and security, and on the character of those effects as being either positive or negative, have subsisted among members of the academy for years (see Gallois, 1961; Hinsley, 1963; Lavoy, 1995; Rosecrance, 1963).

This debate has been renewed somewhat famously of late in the context of the spread of nuclear weapons technologies, between Professors Waltz and Sagan (Sagan and Waltz, 2003). Drawing on Cold War observations about a state of lasting peace between the nuclear superpowers, Waltz argues that the slow spread of nuclear weapons horizontally (that is, to other states) is actually preferable, from an international security perspective,

to either no proliferation at all or very quick proliferation. He argues that international security is advantaged by having additional members of the nuclear club, because states with nuclear weapons are less likely to be attacked by other states due to the threat of nuclear retaliation. Thus, Waltz argues that the wider presence of such a nuclear deterrent among states will decrease the likelihood of international military conflict generally, presenting a more stable international order (Sagan and Waltz, 2003: Ch. 1).

Sagan responds that Waltz has adopted as a backdrop to his arguments an unrealistically simple view of states as rational, unitary actors that will without exception respond in this predictable manner to the presence of such a deterrent in a potential target state. He argues that government behaviour is better understood through organizational theory, which views the rationality of state actors in making decisions as being bounded, or limited, in significant ways by factors inherent in the structure of their organizations. Understanding state action in this light, Sagan argues, produces a much more sceptical view of whether states will in fact act consistently in this objectively rational manner with regard to decisions to use their nuclear capabilities (Sagan and Waltz, 2003: Ch. 2).

Professor Nathan Busch's new book contributes to this debate by adopting a more empirical methodology to question Waltz's implicit assumptions of the rational and unitary nature of states in the real world (Busch, 2004). Through a detailed empirical study of the command and control systems of five nuclear states, Busch questions the actual capability of governments both to control the actions of government officials and technical personnel all the way down the chains of command to operational control over the weapons themselves, as well as to provide adequate physical protection for nuclear materials in their possession and to guard against theft or diversion.

The Khan network

Recent revelations of a long-standing clandestine nuclear materials smuggling ring headed by the father of Pakistan's gas centrifuge programme, Dr Abdul Qadeer Khan, seems to bear out these concerns in a high-profile and sensational manner.¹ Emerging from the illicit procurement network developed by Dr Khan and his associates in the 1970s to supply the infant Pakistani gas centrifuge program, the channels of this network eventually began to be used as a conduit for the flow of single and dual-use nuclear goods out of Pakistan, under the radar screens of both national and multilateral export control and non-proliferation frameworks. The Khan network orchestrated the diversion of nuclear materials and centrifuge and other related technologies, including nuclear bomb designs (received by Pakistan from China in the early 1980s), from the control of national laboratories in Pakistan. It has become clear that through this network, in operation possibly for decades, single and dual-use nuclear materials were

channelled to Libya, North Korea and Iran on a strictly private, profiteering basis.

However, perhaps even more troubling than the original diversion of these technologies from public to private hands is the shadowy world of brokers and illicit trans-shipment points used to keep this long-standing Khan network running so successfully for so long. These transactions were not structured as direct transfers of items and technologies from the hands of Pakistani scientists to officials of other countries. The manufacturing of items from sub-components and raw materials smuggled out of Pakistan, and the actual transport of items all along the supply and production chain, were accomplished through the regular processes, and through the standard vehicles of private international commerce – through the instrumentality of various manufacturers, brokers and transit companies in Europe, South Africa, Malaysia and Turkey, with many of the items at some point passing through the customs black hole of Dubai in the United Arab Emirates. This global network operated both through active and deliberate deception and through unwitting and ignorant participation in some cases, on the part of manufacturers and transit companies on many continents.

Albright and Hinderstein (2004) have noted that

the workshops contracted to make components for the network typically imported the necessary items, such as metals, equipment, or sub-components. After they made the item, they would then send it – either assembled or as a finished centrifuge component – to Dubai under a false end-user certificate. Then it would be repackaged and sent off to Libya.

Albright and Hinderstein (2004)

Mohamed ElBaradei, Director General of the IAEA, has similarly noted of the Khan network, ‘Nuclear components designed in one country could be manufactured in another, shipped through a third (which may have appeared to be a legitimate user), assembled in a fourth, and designated for eventual turn-key use in a fifth’ (Albright and Hinderstein, 2004).

Proliferation and globalization

The Khan network and its success provides one illustration of how globalized international business processes, in which the flow of goods between and through states has become increasingly difficult to monitor much less control, are making the task of limiting the proliferation of weapons-sensitive technologies harder than ever before. Particularly when such a ‘regulation-lite’ international transactions environment in the developed world is combined with the reality in parts of the developing world of states with little or no effective national controls over transshipment of goods through their territories and re-export of imported goods,

the enormity and intractability of the task confronting international anti-proliferation efforts becomes readily apparent (see Beck, 2003; Jones, 2002; Joyner, forthcoming, 2006).

There are simply more states now that have the capacity to produce weapons and related dual-use technologies, and to put them on the global WMD black market, than there were when Waltz put forward his proliferation-optimistic arguments in the early 1980s. Arguably, this fact itself is a result of the forces of globalization increasing access horizontally among states to foreign investment capital and overseas markets. Furthermore, alliances among states and allegiances of interest, which if antithetical were at least fairly clear in the Cold War era, have fractured and have been replaced with *ad hoc* coalitions of states, much less sure of their like-mindedness in matters of strategic interest and threat definitions (Joyner, 2004).

These facts can be argued to frustrate Waltz's hope of a slow and managed horizontal proliferation of nuclear and other WMD weapons technologies, resulting in much less predictable patterns of proliferation. Moreover, the possible build-up of such weapons, in regions where the Cold War's stabilizing influence is no longer present, removes a significant restraint upon the ambitions of regional powers.

Global production chains, through which weapons-related high technology is produced and potentially assembled across a number of countries, make the task of monitoring and regulating where those final products end up a much more difficult task than in the Cold War, when research and development of high-end weapons-related technologies was funded almost exclusively by, and therefore tightly controlled by, a relatively small number of states (Keller and Nolan, 1998). In the post-Cold War environment, states began to find that they were much better off loosening their hold over domestic production of such technologies, and allowing them to be developed primarily, but not exclusively, by private companies where quality was higher and costs lower. This 'off the shelf' environment of weapons technology development and production by companies whose own corporate structures are increasingly global, however, makes keeping track of dual-use items (those with both civilian and military potential application) increasingly difficult for states (see Reinsch, 1999).

Also counter to Waltz's worldview is the contemporary reality of the violence capabilities of some non-state actors, principally sophisticated global terrorist organizations such as Al Qaeda. These actors, possessed of complex organizational structures and sometimes motivated by ideologies which make them immune to classical forces of deterrence, do not neatly fit into the optimistic proliferation framework Waltz describes. Globalized markets in general, and increased access to information technology in particular, have facilitated the capacity of such groups to form and maintain networks capable of coordinating devastating uses of destructive force such as the September 11, 2001, attacks in the United States (see Chapters 7 and 10). These developments, along with the lessons of the Khan

network, have given rise to the quite reasonable fear that, through the regular processes of international commerce, weapons of mass destruction could be obtained by non-state actors, through the active assistance of sympathetic states, through theft and diversion from state control, or, more likely, through complete production in the private sector.

Anti-proliferation efforts

The following sections will consider the legal and diplomatic efforts which have been, and are currently being, undertaken internationally to deal with the problem of proliferation, particularly of WMD. The treatment will begin with a review of the relatively long history of multilateral treaties regulating possession and proliferation of WMD by states. It will then consider supplementary regimes to these treaty systems, such as the safeguards regime of the International Atomic Energy Agency, as well as multilateral non-proliferation export control regimes. It will conclude with a consideration of the recently passed UN Security Council Resolution 1540.

Treaties

During the Cold War, whilst on one level there was almost unbridled development, production and operational fielding of the most lethal WMD systems ever seen, there were at another level significant efforts by the superpowers and others to limit the proliferation of WMDs.² The clearest example of this effort is to be found in the nuclear weapons area, particularly in the establishment of the Treaty on the Non-proliferation of Nuclear Weapons, also referred to as the Nuclear Non-proliferation Treaty (NPT), in 1970. The NPT forms the cornerstone of the modern multilateral nuclear non-proliferation regime.³

The NPT was signed, after 25 years of Cold War tensions, for the purposes of providing a normative basis for coordination of peaceful uses of nuclear technology, encouragement of international efforts in disarmament and decommissioning of existing nuclear stockpiles, and prevention of the further proliferation of nuclear weapons. The NPT's provisions established two classes of state signatories. In Article I of its provisions it obligated five acknowledged nuclear weapon states (NWSs) (the United States, Russian Federation, United Kingdom, France and China) not to transfer nuclear weapons, other nuclear explosive devices, or their technology to any recipient state not of their number, and prohibited them 'in any way to assist, encourage, or induce any non-nuclear weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.' Non-nuclear weapon state (NNWS) signatories to the NPT obligated themselves under Article

II not to acquire or produce nuclear weapons or nuclear explosive devices and not to receive foreign assistance in weapons development programmes. As of December 2003, there were 186 state signatories to the NPT.

In the context of chemical and biological weapons as well, there emerged during this era and afterwards binding multilateral legal instruments addressing both the proliferation and, in more absolute terms, the development and possession of related materials and technologies.⁴ Building from the 1925 Geneva Protocol, which addressed the use of chemical and biological agents in war, the 1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on Their Destruction (Biological Weapons Convention (BWC)) banned the development, production, stockpiling, acquisition by other means, or retention of microbial or other biological agents or toxins, as well as of weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes in armed conflict.⁵ It further prohibited the transfer of such agents, toxins, weapons, equipment or means of delivery to 'any recipient whatsoever'. Unlike the NPT, however, the BWC does not separate state parties into those with and those without the right to possess such weapons.

Like the NPT, the BWC is a multilateral disarmament and non-proliferation treaty which addresses both vertical (intra-state) and horizontal (inter-state) proliferation. While it does include a commitment to engage in the 'fullest possible' exchange among parties of biological agents, toxins, and equipment for the processing, use or production of such agents, its prohibition on transfers is controlling. In terms of disarmament the BWC's central and most remarkable feature is the blanket requirement for all parties to destroy or divert to peaceful purposes (such as non-military scientific research) all biological agents, toxins, weapons, equipment and means of delivery no later than nine months after entry into force of the convention or later accession.

In January 1993 the multilateral Chemical Weapons Convention (CWC) was opened for signature.⁶ This followed upon the 1990 US–Soviet Chemical Weapons Agreement – which bilaterally provided for a halt to the production of chemical weapons, a reduction of chemical weapon stockpiles to equal, low levels, and a mechanism to verify compliance – and a number of other regional initiatives. The CWC prohibits to all signatories the development, production, acquisition, stockpiling, retention or transfer to anyone of weaponizable toxic chemicals and their precursors, except where intended for non-prohibited peaceful purposes such as industry, agriculture, medicine and related research. To implement the provisions of the CWC, toxic chemicals and their precursors are listed in three attached schedules, corresponding to the level of concern applicable to them and detailing their respective destruction and transfer requirements. State parties are further obligated under the CWC to implement the provisions

of the CWC through national laws prohibiting natural or legal persons anywhere in their territory or elsewhere under their jurisdiction or of their nationality from undertaking any activity prohibited to a state party.⁷

Safeguards and export controls

However, recognizing the characteristic, and politically necessary, vagueness and non-specificity of these binding multilateral legal instruments, further related efforts of non-proliferation have included supplementary mechanisms for verifying compliance with treaty obligations and for coordinating and harmonizing national export control laws and policies. In the NPT context for example, these additional mechanisms are explicitly provided for in Article III of the treaty. Under Article III.1, NNWSs are required to accept the imposition of safeguards administered by the International Atomic Energy Agency (IAEA) to verify compliance with the provisions of the NPT and, specifically, to detect diversions of nuclear materials from peaceful uses, such as civilian power generation, to the production of nuclear weapons or other nuclear explosive devices. Each NNWS agrees under Article III.1 to conclude an independent bilateral safeguards agreement with the IAEA. Under the terms of these safeguards agreements, NWSs are required to declare all nuclear materials in peaceful uses at civilian facilities to the IAEA, and inspectors must be allowed regular access to the facilities for purposes of monitoring. Because of its comprehensive character, this NPT safeguards system is referred to as the 'Full Scope Safeguards System' (FSSG) (Schmidt, 2000). Compliance with IAEA safeguards agreements is verified under this inspection scheme and reports are submitted to the IAEA Board of Governors. If that body determines that there has been a breach either of a safeguards agreement or of the provisions of the NPT itself, it can, in accordance with its statutory procedures, refer the matter to the UN Security Council for deliberation and authorization of rectifying measures, including the use of the UN Charter's Chapter VII powers.

Article III.2 provides the international legal basis for all nuclear export controls.⁸ It specifies that all parties to the treaty will not transfer nuclear (fissionable) materials, as well as 'any equipment or material especially designed or prepared for the processing, use or production of special fissionable material' to NNWS for peaceful purposes unless such material is subject to the safeguards specified in Article III.1. Although not formally part of the NPT treaty regime, shortly after the NPT's entry into force, a group of NPT member supplier states and potential supplier states of nuclear materials gathered for the purpose of clarifying the technical implications of NPT export controls as well as to establish a continuing forum for interpretation of Article III.2's broad export control provisions. This meeting was the nucleus of a group which came to be known as the Zangger Committee, after its first Chairman, Professor Claude Zangger.⁹

The Zangger Committee continued to meet periodically and eventually established both a set of Understandings adopted by all Committee members, and a Trigger List composed of items whose export should 'trigger' the safeguards requirement.

The explosion of a nuclear device by India in May 1974, in addition to increased activity among other NNWSs to create a full nuclear fuel cycle, led to heightened concern among supplier states regarding nuclear proliferation. In 1975 a new group of supplier states met in London with the purpose of supplementing the Zangger Committee's work in the field of nuclear export controls. Over successive meetings, this group became known unofficially as the 'London Club', and officially as the Nuclear Suppliers Group (NSG) (Strulak, 1993).

In 1976, NSG member states produced a document entitled 'Guidelines on Nuclear Transfers', which was accepted by all 15 members in 1977 and published in February 1978 as IAEA document INFCIRC/254. The NSG guidelines incorporated the Zangger Committee Trigger List and largely mirrored the Zangger Committee's Understandings, with the notable addition of going beyond the context of the NPT to cover nuclear transfers to any NNWS. The NSG guidelines further tightened export control standards in a number of areas including the transfer of nuclear facilities and technology supporting them (Strulak, 1993).

In 1992, the NSG produced a supplementary regime for the coordination and harmonization of national export controls on dual-use items, that is, those materials and technologies with both legitimate commercial and potential WMD-related use. This followed revelations that one of the greatest facilitators of the formidable yet clandestine Iraqi nuclear weapons program was the importation, through various methods ranging from open purchase to covert indirect acquisition, of dual-use items from Western companies. The NSG arrangement for dual-use nuclear export controls, now referred to as NSG Part 2, consists of a set of guidelines for transfers of nuclear dual use items and a list of approximately 65 items including equipment and technology. The basic principle of the guidelines states that suppliers should not authorize transfers of equipment, materials, software or related technology identified on the list if (1) they are to be used by a non-nuclear weapon state in a nuclear explosive activity or an unsafeguarded nuclear fuel cycle; (2) there is in general an unacceptable risk of diversion to such an activity; or (3) the transfers are contrary to the objective of averting the proliferation of nuclear weapons (Strulak, 1993). Other important provisions in the guidelines specify criteria for assessing the risk level specified in the basic principle, and conditions for transfers and retransfers (i.e., end-use statements or assurances of non-use for explosive or unsafeguarded nuclear fuel cycle activity). This arrangement was formally adopted by the 27 NSG members at the 1992 plenary meeting in Warsaw, and both the resulting guidelines and the trigger list were published by the IAEA in July 2002 (Joyner, 2005a).

A comparable regime of safeguards and multilateral export control exists in the chemical weapons area, coordinated through and monitored by the Organization for the Prohibition of Chemical Weapons (OPCW) and the Australia Group, with the latter covering under its mandate the coordination and harmonization of national export controls in the areas of both chemical and biological weapons-related materials.

Delivery means

It is significant to note in this context that there is no multilateral treaty regulating either possession, development or trade in missile technologies; which in addition to their capacities for carrying conventional weapon payloads are relevant to WMD regulation as the most strategically useful and lethal means of delivery of many WMD technologies. This particular area of technology has always bedevilled and resisted efforts of multilateral normative regulation due largely to the fact that missile technologies are by far the most dual-use in character among all WMD-related technologies.¹⁰ Missile components, unlike for example nuclear weapon-grade fissile materials, have many legitimate civilian uses quite apart from their military uses, many of which are themselves widely considered to be legitimate. These include, most importantly, use in peaceful space exploration and development. To add to the difficulty, there is virtually no means available to distinguish between a civilian space missile program and a military missile program up until the very late stages of its development. Thus, progression in this area has been effectively stalled over difficulties in effectively distinguishing between legitimate materials and technologies and those which should be subject to regulation in this rapidly changing technological landscape.

However, the Missile Technology Control Regime (MTCR) was founded as a non-binding political arrangement in 1987 for the purpose of controlling the proliferation of rocket and unmanned air vehicle systems capable of delivering WMD, and their associated materials and technology. Its membership currently stands at 33 countries which use the MTCR as a forum for coordination of export control measures specifically related to the two categories of missile-related items contained in the MTCR Annex. Its intended goal as a concept was to restrict exports of these sensitive items, and therefore inhibit their proliferation outside the boundaries of MTCR membership.

At the fifteenth plenary meeting of MTCR member states in October 2000, a draft International Code of Conduct (ICoC) generating demand-side norms was circulated and discussed, and by April 2002, 80 countries had purportedly agreed on a draft of the ICoC at a Paris meeting. The draft ICoC was to contain a recitation of agreed-upon principles, commitments, incentives for compliance, and confidence-building measures (see Smith, 2002; Zaborsky, 2003). And while the commitments were carefully

worded so as to avoid the attachment of legal obligation to their terms, they did include commitments by signatory states to ratify a number of international treaties on space exploration, to undertake measures to prevent the proliferation of WMD-capable missiles, to reduce national holdings of the same, to exercise vigilance in the consideration of assistance to space launch vehicle programmes in other countries (a notorious front for military-use missile and WMD delivery system programmes), and not to support ballistic missile programmes in countries which 'might be developing or acquiring weapons of mass destruction in a way incompatible with the norms established by the disarmament and non-proliferation treaties.' The resulting Hague Code of Conduct Against Ballistic Missile Proliferation has since come into force as a non-binding arrangement among its 90 declarants.

Challenges to the non-proliferation system

The 'treaties and regimes' approach to non-proliferation described above, however, has some very real and important limitations with regard to its comprehensive character and ability to effectively combat WMD proliferation.¹¹ The first of these is the fact that all of these instruments and organizations are entirely dependant upon the voluntary participation of states. One of the foremost problems challenging the effectiveness of such treaties and regimes, particularly with the emergence of new supplier states in the post-Cold War world, is the decision of many states to remain outside of the non-proliferation treaties and regimes frameworks. This is what is known in proliferation studies circles as the 'secondary proliferation' problem.¹²

This has occurred for a variety of reasons. For some states, resistance to international non-proliferation regime membership has been a decision based upon political or philosophical dissent from the perceived aims of such regimes (Latham and Bow, 1998). Trade in nuclear dual-use items, for example, is of particular interest to developing states at the early stages of energy production capacities. Many such states have voiced concern that the NSG's regulation in this area is overly restrictive, and on a more fundamental level that the NSG itself is outside of the legal regime for multilateral regulation of nuclear materials, which has the NPT as its cornerstone. They have protested the characterization of NSG standards and policies as being authoritatively or normatively incumbent upon non-NSG members, whether NPT signatories or not.¹³ They have argued that the NSG is essentially a supplier-state cartel whose policies unduly target states legitimately attempting to develop civilian power generation facilities, and whose primary objective is to keep nuclear technologies within the fairly tight-knit community of existing nuclear states. This is only one example of the debates, often split along North-South lines, of the character and overall aims of the non-proliferation regime system. In large measure due

to these disagreements, a number of states, importantly including India and Pakistan, have remained outside of most non-proliferation regimes.

For some other states, resistance to inclusion in non-proliferation regimes has been grounded instead upon economic interest. Remaining outside the treaties gives them the opportunity to remain free to trade in weapons-related goods and profit through the ability to undercut non-proliferation regime member states by trading with states and non-state entities, and also in items and technologies, that are proscribed by the various regime instruments. One perennial state of concern in this vein is North Korea.

Many states, however, have not joined the regime system because they are not supplier states of sensitive items and technologies themselves, and have either insufficient resources or simply no intentions to acquire or produce WMD, and therefore have a fairly low foreign policy priority in joining multilateral non-proliferation regimes. This position, however, overlooks the dangerous reality that such states – and particularly those with insufficient resources to effectively police their territory and borders against illicit trafficking in WMD-related technologies – are often prime trans-shipment targets for smuggling rings of varying levels of sophistication. This is particularly the case in troubled regions of the world such as Eastern Europe, the Middle East and central and southern Asia.

A second major challenge to the non-proliferation treaties and regimes system is the fact that all existing restrictions upon manufacture, possession and trafficking in weapons-related technologies are addressed to states alone. Thus, at the international level there is no substantive restriction on private parties – including business entities, terrorists and organized crime networks – engaging in any of these activities. Of course, states that are members of the various regimes undertake to remedy this problem through national level legislation and regulation. However, even for regime members these undertakings have traditionally only been enshrined in ‘soft law’ or non-binding declarations and agreements. National export control systems for WMD-related goods and technologies are underdeveloped and under-resourced in many regime member states, and are virtually non-existent in many others. Again, for many states, creating and maintaining effective export control and border protection systems within their territories is not high on their resource-allocation priority list for a variety of reasons. Thus, the ability of non-state actors in many countries of the world to engage in WMD development programmes and activities, essentially legally, can be seen as a major shortcoming of the classical non-proliferation regime system.

UN Security Council Resolution 1540

On 28 April 2004, not coincidentally shortly after the details of the Khan network came to light in February, the UN Security Council passed Reso-

lution 1540, in which it undertook to address these challenges. Before getting to the specifics of the resolution itself, it is significant first to note that this resolution represents a significant milestone in the history of non-proliferation regulation in international law.¹⁴ Until its passing, all such regulation had been adopted on the basis of the voluntary consent of states to be bound to their commitments in this area legally, in the case of treaties, or politically, in the case of informal export control regimes. In passing Resolution 1540, however, the Security Council has in effect imposed additional non-proliferation-related obligations upon states without their consent, that is, according to states' existing obligations to uphold Security Council mandates under Article 25 of the UN Charter. Even reticent states have been ordered to undertake specified non-proliferation efforts, including the adoption of national legislation.

From an institutional perspective, this represents a significant departure from the traditional practice of the Security Council and the established jurisprudence of Security Council Resolutions. The UN Security Council is granted in Article 39 of the Charter's Chapter VII the authority and responsibility to 'determine the existence of any threat to the peace, breach of the peace, or act of aggression and . . . decide what measures shall be taken . . . to maintain or restore international peace and security.' It is further granted the authority under Articles 41 and 42 to authorize a range of actions by member states for the accomplishment of this purpose, which would otherwise be contrary to those states' non-intervention obligations under Article 2(4).

The practice of the Security Council for the first 45 years of its existence shows clearly that the Council understood its role to be that of an executive body, entrusted by all UN members with the responsibility and authority to enforce the generalized obligations of the UN Charter. It was to use its powers under Chapter VII to authorize effective collective measures to restore and maintain international security on an *ad hoc*, case-by-case basis, responding to the dynamics of the international relations as they occurred, and through the passage of resolutions which authorized forceful or non-forceful measures to be applied for a temporary duration against the specifically named threat (Brownlie, 2003).

The traditional paradigm for the exercise of these powers has been a case in which there has been either an attack or imminent threat of an attack by one state against another state, or, particularly more recently, a situation of intra-state conflict or human rights abuse that is said to rise to the level of a threat to international peace and security. In such situations, the Security Council has used its Chapter VII authority to authorize other UN member states to take measures up to and including the use of military force to restore peace and security.

This understanding of the powers of the Security Council and its role as an executive organ within the UN framework continued until Resolution 1373 was passed in 2001, and the subsequent passage of the similarly

structured Resolution 1540 in 2004. In passing these two resolutions, the Security Council appears to have undergone a fundamental change in its understanding of its proper institutional role, and to have taken upon itself the mantle of an international legislative body, filling in the gaps in existing sources of international law, and establishing obligations which are of a forward-looking, preventative, continuing character.

In both cases the Security Council simply determines that an entire class of actions which have been and which may be in the future committed by any state, constitutes such a threat. The Council then decided in each case that all UN member states should take extensive measures broadly prescribed in the resolutions, including changes to their national legal systems, in order to combat these ill-defined present and future threats. The obligations imposed under both Resolutions 1373 and 1540 are not temporally limited, either explicitly or implicitly. Their duration is clearly meant to be indefinite. Moreover, there are no specifically targeted states. The obligations imposed in the resolutions are stated in an abstract manner, so as to make their application clearly universal.

The problems with the Security Council assuming this role of international legislature are several and serious. First, the Council has no mandate to assume this role. The scope of the current discussion will not permit a thorough review of the authority of the Security Council under Chapter VII and the limitations on that authority both in the text of the Charter and as identified in the jurisprudence of the International Court of Justice (see Joyner, forthcoming, 2007). However, the argument that the Security Council has an unlimited legislative power to produce such forward-looking, universalized, binding normative pronouncements is supported neither by the letter nor by the spirit of UN Charter law. From an international jurisprudential perspective there is a strong argument to be made that the UN Security Council, in deviating from its understood competence according to the powers given it in Chapter VII of the Charter, is acting in the passage of the Resolutions 1373 and 1540 *ultra vires*, or beyond its authority.

Second, the Security Council, even if it had a legitimate legal mandate arising from the Charter to act as a legislative body, is ill equipped in terms of its democratic representation of the UN members to assume such a role of law-giver to the international community. It is composed of 15 states, with five states holding what can only be described as anachronistic proprietary rights, resulting from 60-year-old power politics. The Security Council was designed to be an authorizer of discrete uses of force, and at the time of its creation it was rationally designed for this purpose. It is not designed for any other purposes, and certainly not as a representative legislative body for creation of international law.

Third, even discussing representation issues poses a bit of a straw man. The reason is that international organizations and international lawmaking generally does not function according to principles of collective represen-

tation of states along republican principles. International lawmaking is fundamentally based upon the consent of states. States must individually consent to a principle of international law in order to be bound by it. That is the presumption of all international legal sources, whether treaties or custom, and is a manifestation of Westphalian sovereignty still jealously guarded by states. The idea that a representative body could establish binding obligations for the general community of states is an entirely foreign concept in international law and has never before been sanctioned.

Fourth, from a balance of institutional power perspective, the fact that there is neither an executive nor a judicial check within the UN system to limit such an exercise of Security Council power causes further problems for the Council's legislative role. This is an inherently dangerous institutional context in which to infer legislative power. These problems, taken together, comprise a serious legitimacy deficit under which Resolution 1540 suffers as a statement of binding international law.

Although its legal status remains in some doubt, Resolution 1540 at least ostensibly, and at least in part, filled some of the major gaps identified above in the non-proliferation treaties and regimes system. Its first substantive target is the problem of non-state actors and their ability to traffic in WMD-related goods legally in states that choose not to construct and maintain national legal and enforcement structures to stop them. In Operative Paragraph (OP) 1 the Security Council decides that 'all States shall refrain from providing any form of support to non-state actors that attempt to develop, acquire, manufacture, possess, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery.' In OP 2 it decides further that

all States, in accordance with their national procedures, shall adopt and enforce appropriate effective laws which prohibit any non-State actor to manufacture, acquire, possess, develop, transport, transfer or use nuclear, chemical or biological weapons and their means of delivery, in particular for terrorist purposes, as well as attempts to engage in any of the foregoing activities, participate in them as an accomplice, assist or finance them.

OP 3 then turns to the dual problems of insufficient sensitive materials protection, control and accounting (SMPC&A) programmes, and the lack of effective export and trans-shipment controls in the legal systems of many UN member states:

[The Council] Decides also that all States shall take and enforce effective measures to establish domestic controls to prevent the proliferation of nuclear, chemical, or biological weapons and their means of delivery, including by establishing appropriate controls over related materials and to this end shall:

- a) Develop and maintain appropriate effective measures to account for and secure items in production, use, storage or transport;
- b) Develop and maintain appropriate effective physical protection measures;
- c) Develop and maintain appropriate effective border controls and law enforcement efforts to detect, deter, prevent and combat . . . the illicit trafficking and brokering in such items in accordance with their national legal authorities and legislation and consistent with international law;
- d) Establish . . . and maintain effective national export and trans-shipment controls over such items, including appropriate laws and regulations to control export, transit, trans-shipment and re-export and controls on providing funds and services related to such export and trans-shipment such as financing . . . as well as establishing end-user controls; and establishing and enforcing appropriate criminal or civil penalties for violations of such export control laws and regulations.

As in Resolution 1373, the Security Council in OP 4 decides to establish a standing Committee, made up of representatives of all Council members and advised by appointed experts. This Committee is to 'report to the Security Council for its examination, on the implementation of this resolution.' In order to facilitate the Committee's report, furthermore, the Council in the same OP 'calls upon States to present a first report no later than six months from the adoption of this resolution . . . on steps they have taken or intend to take to implement this resolution.'

The Council has thus built into the resolution a reporting mechanism in the hope of aiding its implementation. Problems arise, however when the precise wording of the provisions establishing the Committee is analysed. In OP 4, the Council *decides* to establish a reporting Committee. This language is consistent with the other previous operational paragraphs and signifies that the Council is exercising its Chapter VII authority to impose obligations upon states and to issue binding new decisions on matters of both substance and procedure. However, when the Council then turns to the actual state reporting requirement, it noticeably changes its phraseology. It importantly only 'calls upon' states to present reports to the Committee, in the manner of an invitation, implying a lesser degree of obligation.

In support of this interpretation one can view the overall structure of the resolution itself, which again mirrors that of Resolution 1373. It too, in its operative section, only 'calls upon all states' to counter the general threats of proliferation in much more ill-defined and vague terms.

The point of this examination is to show that the words both in OP 4 and in OPs 8–10 of Resolution 1540 are clearly meant to matter, and that

the difference is to be found between the Council *authoritatively* binding states to take measures on the one hand, and the Council merely *inviting* states to take measures on the other. The result is that while the reporting Committee has been established by Security Council mandate, the reporting requirement for states has not, and thus it is up to each state's discretion whether or not a report will be filed with the Committee.

This understanding of course is a blow to hopes that the establishment of a reporting Committee might aid in the effective implementation of Resolution 1540. However in the final analysis it was a necessary concession to states, a number of whom hold important positions on the Security Council, who are not eager to have the reality and detail of their national non-proliferation systems aired before the entire world. It is further a concession to many developing states, upon whom such a reporting requirement would have been a significant drain on their already scarce resources.

Both the perceived legitimacy problems discussed above, and the lack of formal obligation to submit reports to the 1540 Committee, are manifest both in the substance of reports received by the 1540 Committee as of this writing, and more importantly in the lack of meaningful changes to national law and policy which have been implemented as a result of the Resolution.

Conclusion

Even with this latest attempt by the UN Security Council to fill in some perceived loopholes in the non-proliferation system, there are clearly still gaps left in the system that can be exploited by states and non-state actors intent thereupon. For example, Resolution 1540 still only binds UN member states to establish laws in their domestic jurisdictions regulating sensitive exports and non-state actor behaviour with regard to sensitive items and technologies, and to deny them state support. This does, again, at least ostensibly, establish international legal obligations for states, but it is not clear exactly what those obligations are with regard to direct and official state transfers of WMD-related items and technologies. These may in fact not be covered by domestic export controls, which are as a rule focused on regulating exports by private parties and can generally be overridden by state policy imperative. Even more poignantly, non-state actor behaviour is still not made the subject of international legal coverage under Resolution 1540 so as to give rise directly to breaches of international law by private parties engaging in WMD-related materials transfer.

And this of course does not even touch upon the issue of imperfect implementation of all of these legal frameworks in both states' foreign policies and national legal structures, whether the result of intentional abrogation, negligence or simple incapacity. On this last point, and highlighting the 'unfunded mandate' nature of Resolution 1540, Cassidy Craft has recently written,

Export controls and materials safeguards are best conceptualized and built as a system, as opposed to individual components that work in isolation from one another. Neither can one consider the establishment of a viable legal basis for export controls or materials safeguards in isolation from the institutions to staff, manage, and implement the laws. Likewise, highly task-specific equipment is needed in many areas of nuclear, chemical, and biological control, not to mention extensive operational training so that officials are not exposed to life-threatening substances while performing their duties. Developing such a system requires resources in addition to time and expertise. Although UN-SCR 1540 directs UN member states to develop such systems, it does not provide the requisite resources.

(Craft, 2004)

In light of these imperfections in both coverage and implementation of non-proliferation norms contained in international treaties and regimes, particularly in the policy positions of the US and a small number of other powerful states, the momentum of policy has begun to swing towards an increased emphasis on proactive, forceful and often unilateral or small-coalition-based counter-proliferation activities, and away from more multilateral and diplomacy/international law based efforts of non-proliferation.

The Proliferation Security Initiative (PSI) is one example of this phenomenon. Through the PSI, a group of states including the most powerful European states, Japan, Australia and the United States, seek to coordinate their efforts in intelligence gathering and in land, sea and air law enforcement, to interdict shipments of WMD-related goods and technologies being transported either from or to states of proliferation concern. Of course the political parameters of this exercise are highly contentious, and so too are the legal parameters regarding threatened uses of force against shipments of goods from and to third states, particularly if those interdictions are made in areas not under the full sovereign control of PSI member states (see Joyner 2005b).

While this chapter cannot, in this space, present a proper review of these trends and larger forward-looking questions, it has attempted to contribute to consideration through a review of efforts which have in the past been undertaken to control proliferation of WMD-related items and technologies through international legal and diplomatic means, and which still form the normative foundations for the advancement of these efforts.

Notes

- 1 For background reading on the Khan ring see Milholin and Motz (2004: A31), Henninger (2003), Stockman (2004: A4) and Albright and Hinderstein (2004).
- 2 On WMD proliferation and related international legal instruments see Blacker and Duffy (1984), Bull (1965), Dahlitz (1983), Dhanapala (1993), Gasparini

- (1991), Goldblat (1985, 2002), Herby (1992), Joyce (1980), Keatinge *et al.* (1990), Kellman (1994), Kokoski (1995), Myrdal (1976), Newhouse (1973), Noel-Baker (1958), Robinson (1971), and Shono (1986).
- 3 Treaty on the Non-Proliferation of Nuclear Weapons, opened for signature 1 July 1968, 21 UST 483, TIAS No. 6839, 729 UNTS 161. On the NPT see Goldblat (1990, 1997, 2002: Ch. 4–6) and Simpson and Howlett (1995).
 - 4 For chemical and biological weapons proliferation see Geissler (1986), ter Haar (1991), Robinson (1973) and Sims (1988).
 - 5 Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other gases, and of Bacteriological Methods of Warfare; Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, opened for signature 10 April 1972, 26 UST 583, TIAS No. 8062, 1015 UNTS 163.
 - 6 See Convention on the Prohibition of the Development, Production and Stockpiling and Use of Chemical Weapons and on Their Destruction, opened for signature, Paris, 13 January 1993, entered into force 29 April 1997, 32 I.L.M. 800. See generally Bernauer (1990), Lumsden (1975) and Westing (1984).
 - 7 In addition to these instruments, during this era and up to the present a complex web of treaties and agreements has also been concluded, addressing in more targeted fashion vertical proliferation through measures of strategic arms control and limitation. Notable examples of such agreements in the nuclear context include the SALT I, SALT II, START I, START II, and SORT treaty regimes.
 - 8 On the role that export controls can play in non-proliferation efforts as well as the limitations of export controls see Bailey (1993), Bertsch and Grillot (1998), Cupitt (2000), Cupitt and Grillot (1997) Forsberg (1995), Gualtieri (2000), Lipson (1999), National Academy of Sciences (1991), Noehrenberg (1995), US Congress Office of Technology Assessment (1994) and Van Ham (1993).
 - 9 On the Zangger Committee and the NSG see Cupitt and Khripunov (1997); Joyner (2005a); Nartker (2002); Pande (1999); Schmidt (1994, 2000); Strulak (1993); Thorne (2002); Center for Nonproliferation Studies (http://www.nti.org/e_research/official_docs/inventory/pdfs/nsg.pdf); Nuclear Suppliers Group, Nuclear Threat Initiative Research Library (<http://www.nti.org/db/china/nsgorg.htm>); Nuclear Suppliers Group Website (<http://www.nuclearsuppliersgroup.org/>, <http://www.nsg-online.org/>); NSG at Federation of American Scientists (<http://www.fas.org/nuke/control/nsg/>); Nuclear Suppliers Group at SIPRI (<http://cbw.sipri.se/cbw/nsg.htm>).
 - 10 On delivery means see Bowen (1997), *Missile Proliferation and Defenses: Problems and Prospects*, CNS (2001) available at <http://cns.mii.edu/pubs/opapers/op7/op7.pdf>; Goldblat (2002), Jasani (1991), Karp (1996), Ozga (1994) and Stutzle *et al.* (1987).
 - 11 On patterns of technology dissemination and the challenges presented thereby, see Hirsch (1998), Keller and Nolan (1998) and Moodie (1997).
 - 12 See a full discussion of the current weaknesses of the multilateral export control regimes and proposals for restructuring in Centre for International Trade and Security (CITS) (2002). Also see General Accounting Office (2002).
 - 13 One basis for such characterizations is provided in the NSG Part 2 Guidelines, Paragraph 9, which states, 'In the interest of international peace and security, the adherence of all states to the Guidelines would be welcome.'
 - 14 On Resolution 1540 generally see Oostuizen and Wilmshurst (2004).

6 The globalization of violence against refugees

Sharon Pickering

Introduction

This chapter examines the changing character and intensity of state violence under conditions of globalization. Historically scholars have focused on the violence states have caused in producing refugee flows and less on the organized and systematic violence of transit and/or receiving states. Consequently this chapter is located in the study of state criminality and organized state violence.

State violence against refugees has depended upon the deterritorialization of state practices and the co-option of failed states. This chapter will map some of the strategic instantiations of state violence against refugees that point to changing global trends not only in the treatment of refugees but in the transnationalization of militarized law and order, politicized policing, and the creation of deterritorialized voids free from the rule of law.

Devetak notes in the Introduction that there is a global ‘frontierland’ where alternative systems of power, profit and protection thrive and remain beyond the reach of the state. This chapter argues that states, individually and collectively, willingly and unwillingly, have engaged in developing a series of global frontierlands where material and political power is wielded in new ways, placing state action beyond various traditional forms of censure: primarily from the populace, the media, the courts, other nations and international NGOs. Such frontierlands arise both internally and externally to the traditional nation-state and are transforming many of the bodies executing the violence. Primarily, this violence is being wielded by states against the refugee.

Refugees

In international law, refugees have historically been a frustrating exception to the sovereign operation of borders and practices of national inclusion and exclusion. In the contemporary era they represent the unfortunate consequence of globalization’s capacity to produce a hypermobile elite – the concomitant mobility of the persecuted:

Immigration can be seen as a strategic research site for the examination of the relation – the distance, the tension – between the idea of sovereignty as control over who enters and the constraints states encounter in making actual policy on the matter. Immigration is thus a sort of wrench one can throw into theories about sovereignty.

(Sassen, 1996: 67)

After the Second World War, refugee law was considered the practical, yet humanitarian, appeasement of sovereign control over immigration to the actuality of forced migration (Hathaway, 1991). Refugee law and protection have spoken directly to a system of states wherein political-administrative systems determining refugeehood occur within 'watertight national territories' (Vernant, 1953). The current application of refugee law in the global North is predicated on the 'protection of helpless sovereign state against the wicked refugee.'

During the Cold War refugees were not the difficulty that they were immediately after the Second World War or in recent times. During the Cold War the political refugee contributed to the demonization of a nation's international adversaries and spoke directly to the cruelty and incivility of the regime being condemned. Under more recent conditions of globalization the capacity for the exercise of sovereign power and authority has changed and arguably diminished. There is no longer the need, or desire, to represent the refugee in a positive political light. Globally, we can now trace the constitution of the refugee as criminal by the global North.

Refugee criminalization

Routinely, refugees have been represented as a threat to the integrity of the nation-state generally and national security specifically (particularly after September 11). Often by drawing on war metaphors, the state is said to be justified in taking whatever measures are necessary to repel the refugee threat. The expansion of certain forms of policing, devices of restraint and detention, is part of affirming the normality of security responses when anxieties about the inviolability of state sovereignty are raised (Pickering, 2001). National borders (legal, territorial, social, racial) can therefore be defended through vigilance and strength.

The integrity of the nation-state is defended through state attribution of legality or illegality, often in the assertion of sovereignty, but specifically in the use of the term refugee. In Australia, for example, the illegality of refugees has been asserted through terms such as 'queue jumpers', 'bogus asylum seekers', 'boat people' and even 'jumbo people'. These terms have so convincingly been used that the very act of arriving in Australia without prior refugee status is portrayed as an aggressive, *deviant* and illegal act against the nation-state.

In a country historically fearful of an Asian invasion, the criminalization

of refugees has in Australia a particularly racial character. The inherent deviancy of asylum seeking and the implied need for deterrence is heavily encoded in assumptions about race (Pickering, 2001). Racial discourses drawn upon in representing refugees as deviant have, I have argued elsewhere, been primarily directed towards domestic audiences by invoking a cultural division between ‘us’ and ‘them’ that identifies and excludes ‘foreign’ identities.

Refugees have also been represented as threats to the health of a nation and in the case of Australia as a disease threat to the land, its animals and its farmers, with grave economic consequences. Asylum seekers are believed to threaten the life of the host society. Like the criminal, asylum seekers become parasitic, preying on the health of the nation, corrupting and contaminating its social fabric (Pickering, 2001).

Refugees have increasingly been considered as being aided and abetted by international law and national judicial systems. Indeed the entire Refugee Convention has been referred to as a ‘legal loophole’, and access to its application has increasingly been denied. The embodiment of original deviance in the refugee has been augmented by the utilization of domestic and international law and systems (Pickering, 2005). Granting access to the courts and applying the rule of law to the cases of non-citizens has invoked ideas and representations of deviance.

From the discourses of deviancy the familiar and convincing rhetoric of criminal justice responses have flowed: detention, deterrence, securitization, law and order. Discourses of deviancy have normalized criminal justice responses to refugees without any of the concomitant protections of the criminal justice system. Moreover, the deviancy discourses have dominated depictions all those who move across borders in unauthorized fashion thus leaving refugees caught up in the hurly-burly of irregular migration unable to be singled out for protection as a privileged subset of the world’s persecuted peoples. All of those who cross borders have been condemned to the neoliberal frame of making bad choices. These choices are born out of a notion that forced migration is an imperfection, an anomaly that must be rejected rather than rectified or rehabilitated just as the criminal is no longer rehabilitated by punishment or imprisonment. The consequences of this choice are endless:

‘Order’ and ‘norm’ are sharp knives pressed against the society as it is; they are first and foremost about separation, amputation, excision, expurgation, exclusion. They promote the ‘proper’ by sharpening the sights on the improper; they single out, circumscribe and stigmatize parts of reality denied the right to exist – destined for isolation, exile or extinction.

(Bauman, 2000: 206)

The warehousing of prisoners and whole populations is routine enough

in the US and increasingly in the UK and in some states of Australia. To my mind the question is whether the condition of the refugee, subjected to relentless discourses and practices of crime control, will be transported via order or choice from the current state of isolation and exile to that of extinction where there is no longer refugee protection. For if there is an end point for the application of crime control to the condition of the refugee, then Bauman's writing suggests that end point is extinction – could this be the end of the condition of refugeehood?

The political extinction of the refugee is a possibility because securitization and crime control are all consuming, all suffocating. The opportunity, let alone the ability, to resist is almost absent. Any resistance comes to constitute the acts of 'desperate criminals'. The morality of the state's choice to exclude is affirmed by an act of *individual* social suicide, rather than execution, on the part of the refugee, as Bauman articulated in relation to the criminal justice system:

It is the fault of the excluded that they did nothing, or not enough to escape exclusion. Excluding them is an act of good sense and justice; those who do the exclusion might feel sensible and righteous, as becomes the defenders of law and order and guardians of values and standards of decency.

(Bauman, 2000: 207)

The responses to September 11 have only compounded this pre-existing situation, whereby the refugee is no longer simply lost within a broader group of people repelled by the global North. After September 11 the refugee is faced with extinction. With refugees now seen as inseparable from the nebulous terrorist threat, refugee protection is pitted against national and international security.

However, criminalization of refugees, it turns out, has not gone far enough for states. Refugees still provide for too many convincing acts of resistance – not many, but still enough to cause consternation for the post-September 11 national security state. Moreover, to leave it at criminalization would be to lose the ideological and eventual legal and material importance of excising refugees and others to the deterritorialized frontierland.

Bauman has argued that deportations and expulsion make for disturbing images at the dinner table and hence governments have sought to invest in politics and practices of non-entrée. I argue that to a point this is true but it is also to ignore the effectiveness of state action in locating the refugee (the 'illegal immigrant') within the zone of ordinary police work and yet at the same time within a deterritorialized space where the law does not apply. As regulatory shackles are thrown off in the globalizing world, the nation-state also seeks to throw off the shackles of the legal realm in its trialling of novel control and punishment techniques against the refugee

and the transformation of previously territorially circumscribed authorities. For example, in the way states are increasingly shifting refugees out of legal–territorial jurisdiction.

The border policing project

The nation-state, incapable of providing a law for those who had lost the protection of a national government, transferred the whole matter to the police. This was the first time the police in Western Europe had received authority to act on its own, to rule directly over people; in one sphere of public life it was no longer an instrument to carry out and enforce the law, but had become a ruling authority independent of government and ministries. Its strength and its emancipation from law and government grew in direct proportion to the influx of refugees. The greater the ratio of stateless and potentially stateless to the population at large – in prewar France it had reached 10 per cent of the total – the greater the danger of a gradual transformation into a police state.

(Arendt, 1966: 287–8)

I now turn to survey the criminalization and policing out of refugees across a series of key global sites, all of which speak to the transformation of the policing function in the creation of deterritorialized frontiers as governments unshackle themselves from the regulatory apparatus.

There are three points of commonality between these case studies:

- 1 Policing out or excluding refugees and unauthorized migrants has seen the development of deterritorialized policing borderlands.
- 2 These borderlands depend upon the extension of the policing function to a rights-free zone not subject to the rule of law.
- 3 Following the refugee we can discern the development of transversal policing which has fundamentally depended upon consistently violent state action that if exercised against ordinary citizens or those with regularized migration status would be widely deemed unacceptable.

Taken separately or together it may be argued that the condition of unchecked violence against refugees has developed globally. Under conditions of globalization a global policing frontierland is increasingly evident, a policing frontierland which has been crafted *because* of state violence against refugees. Through case studies of South Africa, Spain, the Thai–Burma border and Australia I seek to argue that, through the interaction of the global and the national, the refugee is policed into deterritorialized frontierlands.

South Africa

Since South Africa's first democratic election in 1994 the number of persons deported has increased steadily (Human Rights Watch (HRW), 1998). In 1994, the removal figure for 'illegal aliens' was 90,692 (Department of Home Affairs 1994–1999). In 1995, there was a dramatic rise to 157,084 and in 1996 the figure increased again to 180,713 (Department of Home Affairs, 1994–1999). The figure has levelled with the latest figures indicating that 186,861 persons were removed in 1999 (Department of Home Affairs, 1994–1999).

Refugees and asylum seekers have been primarily treated as a policing matter in South Africa. There are four principal bodies engaged in migration policing: the South African National Defence Force (SANDF), the South African Police Service (SAPS), the SAPS Border Policing Component, and the Department of Home Affairs (Handmaker and Singh, 2002). The South African Police play a significant role in tracking down and arresting undocumented migrants as part of their operational duties. It is suggested by Human Rights Watch (1998) that urban arrest records indicate that tracking down undocumented migrants is one of the major occupations of many police officers. Frequently, undocumented migrants are arrested in order to boost arrest rates. For example, when the Johannesburg Police announced that they had arrested 11,916 suspects in recent crime sweeps as part of a high-density crime prevention, closer examination revealed that 5,776 of those were undocumented immigrants (HRW, 1998).

SAPS has also established a number of Internal Tracing Units (ITUs), which operate both in the major urban areas and in border areas with high concentrations of undocumented migrants (Klaaren and Ramji, 2001). These units focus exclusively on the tracking down, identifying and arresting undocumented migrants (HRW 1998). Additionally, a National Aliens Investigation Unit concentrates on national-level immigrant-smuggling and other criminal organizations closely involved with international migration (HRW, 1998; Klaaren and Ramji, 2001).

SANDF also plays an important role in detection and arrest. Neither the Department of Home Affairs nor SAPS police the border; the task is left to SANDF (Klaaren and Ramji, 2001). SANDF constantly deploys one company, which is estimated to consist of 200 soldiers, on the Mozambican border. The army also utilizes mobile vehicle control points and road blocks to inspect vehicles and intercept undocumented migrants. It is estimated by Major Visser, the commanding officer of the company deployed at the border, that 35 persons per day are detained at the border and that road blocks generally result in the containment of more than 250 undocumented migrants each (HRW, 1998). Both at the border and within the nation-state, policing the refugee ensures not only criminalization, but the demarcation of violent spaces and actions.

Additionally, SANDF operates and patrols the 3,300 volt electrified fence that is set up along parts of the border between South Africa and Mozambique (Klaaren and Ramji, 2001). The fence consists of six coils of ten-foot-high razor wire and 10 electrified cables; it can be set at either a lethal or a non-lethal level. It is estimated that since the fence became operational in 1987, over 100 people have been killed by the lethal operation of the fence (HRW, 1998). In 1990, the South African authorities reported that the current on the fence was turned down to non-lethal levels and is occasionally switched off. Nevertheless, HRW (1998) reports that a number of people have since been injured by the fence's operation.

The Department of Home Affairs is also responsible for identifying and arresting undocumented migrants. It focuses primarily on processing the suspected undocumented migrants detained by the police and army. The activities of these four separate governmental bodies responsible for border control are managed through a 'Collective Approach to Border Control' (NIDS, 1997). Known as the National Inter-Departmental Structure on Border Control (NIDS) and established in 1997, its aim is to address the fragmentation and lack of coordination in migration policing and to create a 'unified and accountable command structure for border control' (Grobler 2001: 1). However, Klaaren and Ramji (2001: 42) argues that that lack of coordination essentially remains and that the border control system 'exhibits a situation of systematic crisis and is unlikely to sort itself out, at least within the foreseeable future'.

In addition to formal structures 'coordinated' by NIDS, there are a number of informal community networks established to 'aid' these agencies in tracking down and arresting undocumented migrants (HRW, 1998). In 1994, the Minister of Home Affairs, Buthelezi, presented a speech calling upon the South Africa public to help his department curb the influx of foreigners by reporting suspected undocumented migrants (HRW, 1998). The police have encouraged participation of the public by advertising toll-free 'crime stop' numbers which persons call to report undocumented migrants, and by offering reward money for reporting undocumented migrants (HRW, 1998).

HRW (1998) conducted an investigation into the treatment of undocumented migrants, asylum seekers and refugees in South Africa in 1996 and 1997. Evidence of abuse was found in all border control agencies. A common complaint was the arbitrary identification procedures used to identify suspected undocumented migrants for arrest. Suspected undocumented migrants are identified by authorities through unreliable and stereotypical means such as complexion, accent or inoculation marks. HRW (1998) interviewed individuals arrested for being 'too black', having a foreign name and 'walking like a Mozambican'. HRW (1998) determined that 20 per cent of the people detained by the police on suspicion of being an undocumented migrant are later released after proving their identity as a South African citizen or a lawful resident. Individuals interviewed by

HRW commonly claimed that police and army officers destroyed their identification documents after concluding that their documents were fraudulent and that they were undocumented migrants. Reports of assault and theft by officials during the arrest process were widespread and there was evidence that police often suggested bribes as an alternative to arrest and deportation (HRW 1998). In the case of South Africa there has been coordinated and clear use of police powers to ensure asylum seekers are removed from any refugee determination system and the application of international law.

A report by the South Africa Human Rights Commission (SAHRC) (1999) reached similar findings. The commission conducted interviews with 149 detainees, along with 40 friends and family members of detainees at the Lindela Repatriation Centre. According to the *Aliens Control Act 96* of 1991, immigration and police officers must suspect on 'reasonable grounds' that a person is a non-citizen. However, as found in the HRW Report (1998), arbitrary or prima facie discriminatory criteria were commonly used to formulate initial suspicions by apprehending officers. Random pedestrian spot checks or area sweeps to apprehend persons were common. SAHRC (1999) reports that 42.3 per cent of their sample were apprehended in pedestrian spot checks, 14.1 per cent were picked up in a house or village area search, 8.7 per cent were picked up in transit searches and 7.9 per cent in a 'language/appearance' check. Only 7.4 per cent of the sample were picked up at the border. This research suggests that at least 50 per cent of all apprehensions were carried out on a random basis and at least 10 per cent of the apprehensions were carried out solely on the basis of appearance. In other words, in the majority of cases there were no reasonable grounds for the apprehending officer to suspect that a person was a non-national.

Similarly to the HRW Report (1998), SAHRC (1999) found that a significant proportion of the sample group claimed that apprehending officers either destroyed or prevented refugees from accessing their identification documents. SAHRC (1999: 14) concludes that 'decisions are regularly made to approach and to apprehend individuals as illegal aliens based either on discriminatory pre-conceptions about citizenship or for reasons outside the purposes of the *Aliens Control Act* (such as extortion)'. It was also found that the police frequently did not provide reasons for their arrest of individuals, and people therefore are unaware that the production of valid immigration documents could terminate their arrest and detention (SAHRC, 1999). Further, in violation of domestic and international law, the police commonly did not allow undocumented migrants to apply for refugee status (SAHRC, 1999). The SAHRC has also documented that during the arrest and detention process, undocumented migrants are subject to physical abuse and find themselves at the mercy of corrupt officials (SAHRC, 1999). South Africa has opened up spaces within the nation-state that house unchecked violence against deterritorialized populations.

Spain

The immigrant population in Spain has risen steadily over the last 20 years, making Spain one of the key entry points in the European Union for immigrants, mainly from Africa and South America (Amnesty International, 2002). According to figures provided by the Interior Ministry, the number of foreigners resident in Spain rose from 198,042 in 1981 to 938,783 in 2000 (Amnesty International, 2002). The figure rose again to 1,109,060 in 2001, an increase of 23.81 per cent compared to one of 11.78 per cent in 2000. Further, Spanish NGOs estimate that there are 200,000 undocumented immigrants in Spain (Eurostat, 2001). Approximately 39 per cent are Moroccan, 25 per cent South American, 12 per cent are from sub-Saharan Africa, 8 per cent from China and 8 per cent from Eastern European nations (Eurostat, 2001).

A report by HRW (2002) provides the most comprehensive examination of the treatment of migrants and asylum seekers in Spain. Concerned with the Spanish Authorities' implementation of Spanish Law 8/2000 (Regarding the Rights and Freedoms of Foreign Nationals Living in Spain and their Social Integration), HRW conducted a six-week investigation into the treatment of migrants in Spain. The report criticizes the uncoordinated and *ad hoc* application of Spanish law on foreign nationals and concludes that treatment of migrants is arbitrary.

HRW (2002) researchers found that the experiences of migrants in Spain varied considerably depending on point of entry or place of detention. It is suggested that disparities in treatment arise because the law invests significant authority to certain officials who enforce the law without clear implementing guidelines or coordinating mechanisms. The report found that in all locations visited there was a disturbing lack of knowledge among officials, police, lawyers and others working with migrants about the requirements of Law 8/2000 and its implementing regulations (HRW, 2002). In a similar way to the situation in South Africa, the policing focus on asylum seekers removes other forms of legal protection.

One of the major bodies responsible for implementing and interpreting the law on migrants is the Spanish National Police. Police officers implement the law in their particular localities and the Ministry of Interior is responsible for overseeing the process throughout Spain. According to HRW (2002), the National Police are a significant source of disparities in the treatment of migrants in Spain and frequently exercise their powers arbitrarily or erroneously. HRW (2002) received a number of reports that police abuse their discretion in handling immigration matters. For example, the Spanish Commission for Refugee Aid (CEAR) reported to HRW that at airports the police routinely violated detained migrants' and asylum seekers' procedural rights.

Such concerns are supported by the Annual Report of the Ombudsman (see HRW, 2002) which states that the Ombudsman's office was

required to intervene on behalf of migrants refused entry to Spanish territory because the 'police measures are insufficient' or fail to 'take into consideration reasons for humanitarian nature'. It was also noted by the Ombudsman (see HRW, 2002) that police responsible for border control frequently failed to provide migrants with an explanation of why they were not permitted entry to Spanish territory. Further, it was found that lack of uniform criteria for determining how legal aid services should be provided in airports resulted in large discrepancies in the form and quality of legal services available to migrants.

In the case of Spain, internal frontierlands have developed through the unchecked powers of state policing and administrative agencies. HRW (2002) found that irregular treatment of migrants was most alarming in the cities of Ceuta and Melilla. In both cities, the police do not make decisions regarding migrants, rather government delegates wield significant and unchecked decision-making power with respect to immigration management. Research by HRW (2002) found that the government delegates and their staff lacked clear and meaningful guidelines for exercising power. For example, the chief of cabinet of the Government Delegates Office in Melilla was unable to explain the basis for decisions which determine whether migrants are expelled or are provided with documentation to remain in Spain (HRW, 2002). HRW (2002) concluded that the lack of checks on the power to make immigration control decisions on the basis of Law 8/2000, combined with isolated decision-making and an absence of transparent guideline for implementation and coordination between the central government and Spain's various regions, have resulted in arbitrary differences in the treatment of similarly situated migrants. Such arbitrary treatment has resulted in two major forms of state violence: expulsion and ill-treatment.

A major concern raised by HRW (2002) was the confusion among immigration lawyers, aid organizations, government officials and migrants over the legal concepts of *expulsión* and *devolución* and the applicable procedures required by Spanish law. Again, there was evidence of gross disparities in the treatment of similar migrant groups depending on their port of entry. According to Spanish law, *devolución* is a form of expelled repatriation applicable to two categories of migrants; those found illegally entering Spain and those migrants previously expelled from Spain by the standard *expulsión* process. *Devolución* must be executed within 72 hours of entry by returning applicable migrants to the country from which they departed or transited. Human Rights Watch investigators found wide discrepancy in the implementation of *devolución*. For example, migrants with an order for repatriation by *devolución* were being detained as though they were in *expulsión* proceedings, but then nonetheless repatriated by *devolución* after the 72-hour period. Alternatively, some migrants were repatriated regardless of their length of stay, while others who should have been repatriated by *devolución* were placed in internment detention.

Authorities' approaches to *expulsión* also varied considerably. Spanish law dictates that an *expulsión* order may be issued to expel or deport a person from Spanish territory for reasons such as illegal presence in the country or conviction of serious crimes. However, it was found that some authorities automatically issued *expulsión* orders to migrants they deem to have no right to stay in Spain. Many of these migrants cannot be returned because they lack documentation of their country of origin or their country will not accept them back. HRW (2002) suggests that the purpose of *expulsión* orders seems to be a matter of process, not an effort to commence repatriation. Unaware of the consequences of accepting *expulsion*, many migrants are foregoing appeals and neglecting to advance alternative bases upon which they may be entitled to remain in Spain (HRW 2002). As a result of this approach to *expulsión*, many are permanently being denied legal status in Spain. In other words, particular authorities are creating a large population of permanently illegal migrants in Spain.

Further to the arbitrary application of Spanish law, HRW (2002) also found evidence of serious violations of migrant procedural rights, including their rights to legal assistance, translation services, individualized consideration of their cases, access to asylum determination procedures and appellate review of decisions affecting their legal status in Spain. In particular, it was noted that certain migrant groups (namely Algerians) were subject to the use of unreliable, arbitrary and possibly discriminatory decision-making processes.

Amnesty International (2002) conducted a report examining the torture and ill-treatment of Spanish and foreign nationals by state agents. They found that the number of allegations of torture or ill-treatment has been rising, and that they are frequent and widespread. One focus of the report was the ill-treatment of migrants during expulsions and the practices of using adhesive tape to restrain persons being deported. One example cited by Amnesty International:

In June 1996 103 people from different African countries were expelled from Melilla and Málaga in Spanish military aircraft. Fifty of them, including some known asylum-seekers, were deposited in Guinea-Bissau, where they were immediately detained in the Segunda Esquadra prison where some were beaten. The Spanish government admitted that some of those expelled were given water containing sedatives during the flight. AI also received reports that they were handcuffed in the aircraft and that some were beaten by Spanish police officers.

(Amnesty International, 2002: B.6.1)

Concerns over the forced expulsion of migrants and the inappropriate use of restraints have also been expressed by the UN High Commissioner for Human Rights, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment (CPT) and in an-

nual reports by the Spanish Ombudsman (Amnesty International, 2002). Amnesty concludes that immigrants subject to expulsion procedures have not been treated with dignity or transparency and that the nature of some mass expulsions were highly discriminatory and in contravention of Article 13 of the International Covenant on Civil and Political Rights (ICCPR).¹

Amnesty International (2002) and HRW (2000b) have also expressed alarm over the series of expulsions of unaccompanied children from Spanish territory, their lack of legal protection and care, and the physical ill-treatment that they may suffer in the process of such expulsion, either while being detained and in transit, or at the Moroccan border and in the hands of the Moroccan police.

Thai–Burma border

The Thai–Burma border has long been considered a frontierland in which the movement of people across unmarked and marked borders, the expansive border camps and the elaborate relations between the Thai state, police, and intelligence, the Burmese military, and refugees has constituted a transversal space (see Pickering and O’Kane, 2002). Since the mid-1980s, hundreds of thousands of Burmese have fled to Thailand to escape human rights abuses committed by the Burmese military government (HRW, 1997). It is estimated that between 2,000 and 3,000 Burmese continued to arrive in Thailand each month (USCR, 2003). The Thai government, which does not acknowledge the term refugee, and is not a party to the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol (Amnesty International, 1997), has responded to this migration in a number of ways. There are approximately 142,000 Burmese refugees sheltered in ten border camps (UNHRC, 2003); an estimated 50,000 Burmese asylum seekers, mostly Karen, living outside the camps in the Thai border area without assistance (USCR 2003); some 1,400 Burmese recognized as refugees by the UN High Commissioner for Refugees (UNHCR) (2003); and 614 Burmese with cases pending before the UNHCR (2003). There are also approximately 4,000 refugees and asylum seekers in Bangkok and other urban areas (HRW 2004a). The urban refugee population mainly consists of ethnic Karen who feel unsafe at the border, and Burmese political exiles, dissidents and students who have fled the Burmese government’s aggressive crackdown on pro-democracy demonstrations in 1988 and subsequent repression (HRW, 2004a).

One of the increasingly worrying forms of violence in the patrol of this borderland has been the indiscriminate use of deportation. The Thai government has two means of deportation; formal and informal. However, HRW (2004a) notes that there is little difference between the two processes and that both types of deportations would be better characterized as expulsions. Further, both may be seen as breaching the principle of non-refoulement.²

The Thai government currently expels as many as 10,000 Burmese migrants a month in 'informal deportations' to Burma through an unofficial border point at Mae Sot (HRW, 2004a). Many are able to bribe their way back to Thailand; others must face persecution or ill-treatment by Burmese government soldiers, intelligence officials, or by ethnicity-based armed forces operating along the border (HRW, 2004a). UNHCR have admitted that recognized Burmese refugees holding valid protection letters from UNHCR have been expelled in such 'informal deportations' (HRW, 2004a).

The second means of deportation is a 'formal' agreement between the Thai government and Burma's ruling State Peace and Development Council (SPDC). Since August 2003, Thailand has been deporting 400 'illegal' Burmese nationals a month directly into a holding centre in Burma operated by Burmese military intelligence. HRW (2004a) reports that there are no official mechanisms in place for humanitarian NGOs or other impartial groups to ensure that deportees are not mistreated and are adequately reintegrated. The Thai government has assured UNHCR that recognized refugees will be withdrawn from the list of persons to be deported. However, Thai Immigration has made no effort to determine if any deportees are refugees or have reasonable fear of persecution in Burma (HRW, 2004a). While UNHCR staff are posted at the immigration detention centres in Thailand to try and identify refugees and asylum seekers before they are deported, there are inevitably those who slip through the cracks (Zia-Zarifi, 2004).

Historically, Thailand has restricted admission to camps to 'persons fleeing fighting' as determined by the governmental Provincial Admission Boards (PABs). Two incidents had a major impact on refugee policy. In 1999, five Burmese gunmen seized the Burmese Embassy in Bangkok; in the same year, another group of armed men occupied the Ratchaburi provincial hospital. Following these two incidents, the Thai government announced that all Burmese asylum seekers would be moved to camps along the border, and those who stayed would be considered illegal immigrants and face deportation (HRW, 2000a). It was later announced that the government wished to return the more than 100,000 refugees living in camps along the Thai border to Burma within three years (HRW, 2000a). Added to this, Burmese newly arriving in Thailand's refugee camps were faced with considerable difficulty in making asylum claims. Throughout 2000, the PABs rejected thousands of applicants, declaring them illegal immigrants (HRW, 2000a).

Since 2001, there have been no formal procedures for admission and as a consequence over 30,000 refugees in camps are not registered (HRW, 2004). Burmese fleeing human rights abuses such as forced labour, extrajudicial execution, rape, forced relocation, demolition of villages, destruction of food crops and conscription of child soldiers have not been allowed to enter Thailand and are often forced back into Burma. The USCR

(2003) reports that from April 2001 and continuing through 2002, Thai officials went to the Burmese refugee camps in Tak Province, near Mae Sot, to promote 'voluntary repatriation'. The officials specifically targeted persons rejected for admission to the camps and new arrivals, as well as Burmese residing outside the camps. The government reported that more than 1,000 asylum seekers accepted about \$14 per person (600 Thai baht) and returned to Burma during 2002 (USCR, 2003). However, the UNHCR commented that while there were some spontaneous returns, the permanence of the move was doubtful given continued violence in Burma (USCR, 2003).

The changing relationship between the Thai state and the Burmese regime has rendered the organization of refuge in the frontierland increasingly precarious. Since the appointment of Prime Minister Thaksin in 2001, Thailand has warmed its relations with the Burmese military regime and advanced an increasingly harsh policy towards Burmese migrants, refugees and asylum seekers (Zia-Zarifi, 2004). As well as increased deportations of Burmese asylum seekers, there have been reports of arrests and the intimidation of Burmese political activists living in Bangkok and along the border, and harassment of Burmese human rights and humanitarian NGOs. Further, in January 2004, the UNHCR was abruptly forced by the Thai government to suspend its screenings of new asylum seekers from Burma (UNHCR, 2004). Such a move has left tens of thousands of vulnerable people in legal and practical limbo (HRW, 2004a). No advance notice was provided, and refugee assistance agencies and human rights groups have been flooded with calls and visits from asylum seekers asking for protection (Zia-Zarifi, 2004).

In February 2004, UNHCR was granted approval to 'register' new asylum seekers who will be referred to refugee camps, but not provided with any definitive resolution of their status (UNHCR 2004). However, it is likely that the Thai government will assume the role of screening Burmese asylum applications, rather than the impartial and effective screening process traditionally conducted by the UNHCR. This is most disturbing because the Thai government narrowly restricts those to whom it provides protection and assistance to 'people fleeing fighting' (Zia-Zarifi, 2004). It is likely that the government will start rejecting Burmese exiles and asylum seekers fleeing persecution for their pro-democracy activities in Burma, and these will face deportation to Burma (HRW, 2004).

The decision of the UNHCR to cooperate with the SPDC by preparing areas for the return of refugees to Burma has not gone unnoticed. Refugees International (RI) and the US Committee for Refugees (USCR) have written a joint letter to the High Commissioner for Refugees expressing concerns over the agreement (USCR, 2004). The letter contends that preparation for repatriation to eastern Burma is premature and unwise given that the Burmese government continues to violate human rights (Refugees International, 2004). It is further argued that such cooperation

sends the wrong message to refugees already facing pressure to return to Burma (USCR, 2004).

The Thai government has also entered into resettlement arrangement with the US government. It appears that that the US government has agreed to resettle 4,000 UNHCR-recognized Burmese refugees and asylum seekers living in urban Thailand. Such an offer is a response to the Thai government's plan announced in July 2004 to forcibly relocate all Burmese urban refugees to border camps (HRW, 2004b). However, HRW (2004) expresses concern that such an initiative focuses on 'urban' refugees and fails to consider unregistered asylum seekers, those in refugee camps, and future arrivals from Burma.

Australia

Until 2001 Australia ran a refugee programme that granted protection to both onshore and offshore refugee applications – these programmes maintained a combined quota of 12,000 places for some time. The most controversial aspect of Australia's response to refugees came in 1993 with the introduction of mandatory detention for all people who arrived in Australia unauthorized and applied for refugee status. The policy of mandatory detention was introduced in the wake of the *Lim* case where the government's *ad hoc* use of immigration detention was challenged through the courts. As the decision looked to be in favour of the refugee applicants, the government introduced legislative measures to combat the decision of the courts. In the late 1990s Australian refugee policy came to be explicitly deterrent-focused, despite the fact that Australia was still receiving less than 3,000 unauthorized arrivals applying for asylum each year. This series of events signalled the intensification of an ongoing process to remove judicial review from the realm of immigration protection issues.

In late August 2001 the MV *Tampa* rescued a boat in distress carrying asylum seekers to Australia. As the *Tampa* incident unfolded, the government legislated to excise remote Australian islands from Australia's migration zone, meaning that asylum seekers who landed there could not invoke Australia's protection obligations under international law. Instead, asylum seekers would be taken by the Royal Australian Navy to 'declared countries' or 'safe third countries' as declared by the Immigration Minister for processing by a combination of International Organization for Migration (IOM), UNHCR and Department of Immigration officials. Significantly, those who arrive in an excised zone are prohibited from bringing legal action challenging their treatment by Australia. This all took place within a hasty and voluminous legislative effort which has become known as the 'Border Protection' package, where the focus for refugee policy became a matter of interdiction, disruption, deterrence and detention for all those who sought to enter Australia unlawfully and apply for asylum. When the government's *Tampa*-related actions were challenged in the courts they

were initially condemned as illegal by the Federal Court. That decision, handed down on the morning (Australian time) of 11 September 2001, was eventually overturned on appeal. Border protection has been underpinned by a rationale of responding to asylum seeking and people-smuggling as a matter of transnational crime and terrorism.

The response of the Australian government has been to develop deterritorialized spaces in which to enact its border protection regime. Asylum seekers attempting to reach Australia have now been taken to either Nauru or Papua New Guinea (PNG). The original agreements signed by these small island nations with their economically powerful neighbour were meant to last until May 2002; both detention facilities remain in operation today. Australia signed the deals with Nauru and PNG after unsuccessfully approaching other nations including East Timor, Fiji and Tuvalu. Through basic economic coercion Australia secured arrangements for the introduction of the 'Pacific Solution' that was bound up with increased aid (now to be focused on law and order). This has been roundly condemned by a range of human rights organizations, particularly in relation to standards within the detention facilities and the deleterious effects of the camps on the cultural, political and economic health of both PNG and Nauru. Hunger strikes of over 20 days have been staged, and there have been outbreaks of malaria and other infectious diseases. The government has costed these arrangements at \$430 million (2002–03 national budget) over four years.

In making arrangements for the Pacific Solution, Australia has seriously compromised its commitment to good governance and has aggravated regional domestic political tensions. This is not surprising considering the lack of consultation with any regional bodies in the design and implementation of the Pacific Solution. Those detained under the Pacific Solution do not have access to the Australian courts, yet their presence is in violation of the constitutions of the host countries.

Australia has moved from a policy of benign neglect in relation to the Pacific to constructing the region as an 'arc of instability' which is on the edge of lawlessness. Concomitantly, Australia has sought to make law and order interventions in other countries to secure its own security. As a result, Australian police are now present in several Pacific Islands with significant contingents in the Solomon Islands, East Timor and PNG. This policing has lifted the federal policing apparatus from a relatively low status to a politically high profile, materially well-resourced organization. Indeed, policing the Pacific has significantly served to reinvent a police force that previously had been searching for a purpose, but now found one in the conflation of people-smuggling and terrorism on its geographical doorstep.

At the same time Australia implemented the Pacific Solution it also transformed its relationship with Indonesia through a web of Memoranda of Understanding (MoU) that make possible Australian policing efforts to 'disrupt' people-smuggling activity. Indonesia is not a signatory to the

Refugee Convention and it has been the major transit country for asylum seekers to Australia over the past five years. While being premised on stopping the inhumane treatment of asylum seekers by people-smugglers, the policing effort against people-smuggling places it on the frontline of ensuring Australia's protection obligations are never invoked. Moreover, the Indonesian government and Australian Senate have raised a number of questions about Australian police involvement in the sabotage of boats leaving Indonesia for Australia. However, the nature of the police presence and their working relationship with Indonesian police and military remains largely unknown.

The violent counter-geographies of state survival

While Bauman (2002) has suggested that refugees are the waste of the global frontierland, from the above cases I suggest that it is on their backs, at least in part, that the state has been able violently to craft the global frontierland – refugees are not its *waste*, but rather its *rationale*.

Whether internal to the territorial nation-state or part of the deterritorialized repulsion of the refugee, the state has successfully shaken off the various regulatory apparatuses that have restricted absolute expressions of sovereignty between the state and the individual that international norms, mechanisms and processes have increasingly excluded. It allows for the violent expression of sovereignty against the individual and collective body of the refugee.

It has been argued that, first, we are witnessing the development of an unprecedented, highly complex and elaborate body of law securing the exclusive territoriality of the nation-state, and, second, we are simultaneously witnessing the internationalizing of the rights of non-citizens (Sassen, 1996). The contestation between state rights and refugee rights is neutralized in the global frontierland where the first is victorious over the second. Moreover, in the global frontierland, violence against refugees represents the coming together of a new repertoire of violence (see Tilly, 1986), a repertoire adapted from the policing of marginalized and dispossessed groups. While the violence is not continuous but has 'inflexions and ruptures' (see Wieviorka, 2003) it globally paralyzes, in small and large ways, the condition of refugeehood. It seeks to end the counter-geographies of survival that refugee movements have represented and at the same time it liberates the executive and the state's policing function to generate their own counter-geographies under conditions of globalization.

Beyond law

As a result, refugees have been placed beyond the reach of judicial systems. There is a growing trend of states turning away from international mechanisms (particularly international law) related to the individual, and of violence against individuals at the hands of the state. Indeed, I believe

the evidence indicates that many governments contend (implicitly or explicitly) that international law is to blame for getting them into this mess of having to accommodate the unauthorized mobility of the poor and persecuted. More specifically it demonstrates state recognition that international law and to a lesser extent, domestic legal systems, have been at the fore of recognizing alternative legal actors in our globalized world – actors often violently excluded from the nation-state (Sassen, 1999). We are now in the process of unpeeling the law from the refugee, which means that the violence of interdiction, detention and repulsion go unrecognized as acts of state violence under the extant international system.

Rightlessness of refugees

National and international judicial systems have increasingly produced alternative legal subjects from the ranks of rightless non-citizens. This is in opposition to the historical trend of ignoring the acts of persecuting states (and receiving or transit states) as the numbers of refugees increase. As described by Hannah Arendt after the Second World War:

The calamity of the rightless is not that they are deprived of life, liberty and the pursuit of happiness, or of equality before the law and freedom of opinion – formulas which were designed to solve problems within given communities – but that they no longer belong to any community whatsoever. Their plight is not that they are not equal before the law, but that no law exists for them . . . The point is that a condition of complete rightlessness was created before the right to live was challenged.

(Arendt, 1966: 297)

Today, governments are increasingly devising and implementing laws for the refugees, but they are intended to control and render rightless the refugee.

Beyond territory

The state has met the refugee with violent deterritorialized solutions that retain a doggedly local character. In light of Bauman's writings perhaps we should not be surprised by this localized response to one of the clearest issues of globalization:

Let me repeat: there are no local solutions to global problems – although it is precisely the local solutions that are avidly sought, though in vain, by the extant political institutions, the sole political institutions that we have collectively invented thus far and the only ones we have.

(Bauman, 2002: 84)

The exercise of legitimate sovereign power and state-sanctioned action must be locally accountable through electoral processes and the ordinary function of liberal democracies. Hence the only place to exercise uncensored sovereign power is in deterritorialized spaces. In the deterritorialized frontierland the establishment of legitimate authority has been absent, or any pre-existing legitimate authority can be expunged. This signals a recognition by states that the hypermobility of the poor and persecuted cannot be answered domestically. As Bauman further argues, ‘Strength and weakness, threat and security have become now, essentially, extraterritorial issues that evade territorial solutions’ (Bauman, 2002: 82). Most obviously, this case can be made in relation to Australia’s co-option of poor or failed states in the execution of abhorrent state violence. Thus, Sassen has argued, the extension of state authority is made possible through deterritorialization. From the above cases I want to extend that argument to suggest that the extension of state violence has been made possible through deterritorialization that does indeed require a transformation in the articulation of sovereignty and territory. In short, deterritorialization has created frontierlands. What the above cases also indicate is that the global frontierland comprises different sites with various intensities of violence. Sassen has asked whether some national spatialities and temporalities exhibit a greater capacity for resistance or accommodation to the global than others. The question to consider in relation to refugees is why does the globalization of violence against refugees produce higher levels of acquiescence or revulsion in the different parts of the world?

Transversal policing

I can only offer a partial answer to that question here. The global frontierland, the refugee borderland, is produced and policed by formerly domestically constrained policing agencies.

Transversal policing has been produced through the removal of boundaries between immigration and criminal law, between domestic and transnational policing concerns, between policing and military functions as well as criminal and national security issues.³ Such policing functions are inherently imprecise, at times almost subterranean. Transversal policing has yielded significant political and material resources for the law enforcement apparatus. Transversal policing is beyond nation-states and their jurisdictional constraints – free from the territorializing logic of the nation-state where physical and legislative borders bear down on the nature and scope of policing. The policing–people-smuggling relationship cannot be fixed within the territorial sovereign state, but is always *moving* and hence transforms into a practice of transversality (see Soguk and Whitehall, 1999).

Transversal policing can be understood as a kind of statecraft. A performance of sorts, mostly (but not always) conducted away from an audience, not confined to a particular theatre. It is a powerful performance that

makes a key contribution to the violent boundary inscription practices, or as part of various border protection policies. At the very moment that it produces a border, however, that border is passed over by refugees and security apparatus alike and the sovereign essence it allegedly protects dissipates. In a similar fashion to the refugee, the policing function moves between and across states, both connected and disconnected from the state.

Beyond regulation

It is plain that the global refugee frontierland is now largely beyond regulatory control, even when activities occur within the territorial nation-state. If violence against refugees is *beyond* regulatory frameworks then it makes it all but impossible for those violent actions to be in violation of that regulation. While Sassen has made this argument in terms of the regulatory fractures of economic activity I am more interested in the regulatory fractures of legitimate state violence. The above cases indicate that state agencies have dislodged themselves from regulatory frames when the nature of those (governmental, constitutional, judicial) processes and adherence to rules stymie the desire for swift unchecked executive violence. Hence we have seen a shift from negotiating matters of refugees from the Refugee Convention and its protocols to webs of bilateral agreements, and in the case of Australia through webs of MoUs that are not publicly available.

Conclusion

As a criminologist, I am led by this survey of the globalization of violence against refugees to touch on matters of state criminality. The changing nature and intensity of state violence against refugees raises questions in relation to the legitimate use of state violence and the nature (and changing intensity) of censuring that violence in both local sites and across global conditions. While governments have developed an increasingly sophisticated and publicly convincing repertoire about people-smuggling as a matter of transnational organized crime, there has been less willingness for commentators to consider the violence of deterritorialization and the policing out of the refugee as a matter of transnational state crime. The changing nature and intensity of violence against refugees globally may be understood in terms of state legitimacy and state criminality. Nation-states have constructed global frontierlands that place violent actions against refugees beyond traditional forms of censure and deterritorialize the state from regulation. Across the case studies they have done so in two main ways – through the physical and juridical excision of the refugee and through criminalization. Both methods have served to legitimate state violence by subverting normative frames of human rights and domestic regulatory systems. The intersection of human rights violations and organized state deviance that constitute the global frontierlands requires renewed

forms of censure that recognize and address not only illegitimate state action but also potential and actual state criminality.

Peter Andreas (2000) has argued that we face a seeming paradox in the shape of a borderless economy and a barricaded border. We are now faced with an increasingly willing and able capacity to police out unauthorized migration that feeds the desire of modern states to inflate sovereignty in relation to immigration. Globalization increasingly underpins the enhancement of state power not just in the creation of international boundaries and unauthorized immigrants, as Joseph Nevins (2001) argues, but in the violent creation of global frontierlands that violently exclude the refugee from legality, territory or both. In relation to refugees, boundaries are growing in strength, as global frontierlands have become one of the few geographical and ideological sites to see the exercise of unadulterated national sovereignty. What I have attempted to argue here is that this is done with increasing violence that continues to reproduce inequalities and places the state and its agencies beyond legitimacy and in the realm of criminality.

Notes

- 1 Article 13 of the ICCPR sets out the obligation to follow due process in cases of expulsion and deportation (including that expulsion should only occur in pursuance of a decision reached in accordance with law, and that individuals shall be allowed to submit objections to expulsions and to have the case reviewed by, and be represented before, a competent authority). The Human Rights Committee (HRC) (1986) has stated that this provision applies in all cases where the legality of the entry or stay is in question. The HRC continues by stating that 'Article 13 would not be satisfied with laws or decisions providing for collective or mass expulsions'. The HRC also takes up the issue of discriminatory treatment ('Discrimination may not be made between different categories of aliens in the application of Article 13').
- 2 The principle of *non-refoulement* forbids the returning of any person to a country where he or she would be at risk of serious human rights violations (Amnesty International, 1997).
- 3 The following three paragraphs are part of a broader argument regarding border policing from Pickering (2004).

7 Old violences, new challenges

The adaptation of Basque ETA to its changing environment¹

Asta Maskaliunaitte

Introduction

The end of the 1960s saw the dawn of what Walter Laqueur named the ‘age of terrorism’ (Laqueur, 1987). The upsurge of groups determined to use violence to achieve a great variety of objectives – the reestablishment of a state based on the traditional values, world-wide revolution or national liberation – was spectacular, and most of the states had to face the challenge they posed to the existing structures of power. Even though such groups appeared in all the parts of the world, it was the challengers to developed European states that received the greatest share of attention. The prosperity of the 1950s and 1960s made social scientists believe that democracy and economic welfare would make violence disappear from the old continent. They were thus puzzled by the rise of small but virulent groups that threatened the established political systems. Numerous theories were created at the time to explain this phenomenon and, as Alex Schmid noted, ‘authors have spilled almost as much ink as the actors of terrorism have spilled blood’ (Schmid and Longman, 1988: xiii) in trying to assess different features of the phenomenon.

The situation, however, has changed significantly in the last decade. Changes in economics (the increasingly fast expansion of the financial markets) and in the political makeup of the world (the collapse of the Soviet Union and the end of Cold War bipolarity), technological advances and social transformations alongside new normative discourses and American hegemony have transformed the states system and its component parts, also significantly influencing the ‘old’ style violent actors, namely national terrorist organizations. Most of these groups disappeared as their struggles became obsolete. Yet some remained, leaving another puzzle: why do these groups continue to defy the state? How do they manage to compete for attention with new groups that are more adapted in their ideological views and tactical means to the new circumstances?

In this chapter I will examine this question, taking the case of Basque ETA, the oldest of the still-functioning terrorist organizations in Europe

as an example. The first part of the paper will examine the ways in which globalization might have influence on terrorism and the changing faces of violence in the contemporary world. The second part will deal with the case of ETA in which a short history of the organization, its attempts to adapt, and the impact on ETA of the 11 March 2004 attacks in Madrid will be assessed. Finally, the impact of globalization on the organization will be considered.

Globalization and violences old and new

While it is often claimed that globalization is a new condition of the world, its concrete novelties are not always clearly explained, leaving the concept of globalization considerably fuzzy. For example, Jan Aart Scholte (2000: 44–46) exposes four ‘redundant’ concepts of globalization: understanding it as internationalization, liberalization, universalization or westernization. The first is not helpful to describe the current processes as the interconnections between countries have been increasing since the 1500s. The same applies for the third understanding – the spread of beliefs and values took place throughout history; expansions of world religions or colonization processes are examples of this. The second conception is not useful either, for in order to describe the increasingly diminishing barriers on the movement of goods, the notion of ‘free trade’ is enough. The last, westernization, is also not feasible according to Scholte, as it implies not so much globalization, but ‘modernization’ or ‘imperialism’.

In the light of all these ideas, Scholte proposes his own ‘distinctive’ (Scholte, 2000: 46) concept of globalization as the ‘deterritorialization or . . . growth of “supraterritorial” relations between the people’ (Scholte, 2000: 46). By this he means that ‘*global* conditions cannot be understood in terms of territoriality alone; they also reside in the world as a single place – that is, in a *transworld* space’ (Scholte, 2000: 48, emphasis in original).

All processes related to the creation of this new sphere of interaction have left few areas of social life intact. Violence in general and political violence in particular have also been affected to a major degree. The changes in the world’s structure have altered significantly the ways in which violence is enacted, conceived and perceived. This part of the chapter examines the different elements of association between the processes of globalization and violence, starting with changes in the general perception of violence and subsequently examining changes in its patterns.

Changes in the perception of violence

In the 1960s and 1970s, intellectuals associating themselves with leftist, anarchist, national liberation or traditionalist movements would often justify the use of violence. To give just a few examples: for Julius Evola, leading extreme right-wing theoretician in post-war Italy, the failure of

modernity resulted in ‘a degree of cultural and psychological disorientation not seen since the collapse of Roman empire’ (see Drake, 1989: 127), and the only way to improve the situation was a conservative revolution with violence as ‘the only possible and reasonable solution’ (quoted in Drake, 1989: 130). Another Italian intellectual from the opposite end of the ideological spectrum, Antonio Negri, did not hesitate to advocate the use of violence in order to start an anti-capitalist revolution, considerably influencing the development of terrorist drama in the Italy of the 1970s (for an assessment of Negri’s controversial role see Drake, 1989: 78–99). For Frantz Fanon, violence was a necessary part of anti-colonial struggle, and, as Jean Paul Sartre wrote in the preface to his book: ‘to shoot down a European is to kill two birds with one stone, to destroy an oppressor and the man he oppresses at the same time: there remain a dead man, and a free man’ (Sartre, 1990: 19). As we shall see later, ETA also portrayed its struggle in light of anti-colonial resistance – the Basque Country, for ETA, was no different from French-occupied Algeria.

Nowadays, in Western societies, ‘any positive reference to violence is out of question’ (Wieviorka, 2003: 111). In the Cold War setting it was possible to make a distinction between different types of violent behaviours, downplaying the significance of some violences, overemphasizing the importance of the others. One of the best examples of such conduct is provided by Philippe Bourgois, revisiting his fieldwork material of the 1980s in the post-Cold War situation (Bourgois, 2004). Anthropological research that the author carried out in El Salvador and in East Harlem during the 1980s encouraged him to make a distinction between a *mobilizing* violence (‘socially as well as individually liberating’, ‘humanly uplifting’) in El Salvador and a confusing, *demobilizing* violence (‘interpreted as the expression of false consciousness’ (Bourgois, 2004: 428), as in the everyday struggles of East Harlem). Thus, the distinction was made between ‘worthy’, predominantly political, and ‘unworthy’, predominantly social, violence (Bourgois, 2004: 426–8). Revisiting the fieldwork material after the end of Cold War, Bourgois comes to a different conclusion. Political violence actually ‘camouflaged’ the everyday violence. His own analysis, instead of breaking away from the Cold War ideology, only served to reproduce it by replicating the moral oppositions between ‘good’ and ‘evil’ violence and at the same time failing to see how ‘violence operates along multiple, overlapping planes along a continuum that ranges from the interpersonal and delinquent to the self-consciously political and purposeful’ (Bourgois 2004: 428) On the other hand, in the setting of the Cold War, there was an ‘urgency of documenting and denouncing state violence and military repression’ (Bourgois 2004: 432), which necessarily led to the creation of a certain moral hierarchy between the actors and their actions.

Social sciences in general in the period between the 1960s and 1990s tended to analyse violence as part of a conflict or crisis, providing it with instrumentalist or neo-functional rationalizations, seeing it as a means of

advancing some goal, seeking to explain its causes, and, by so doing, to reduce its occurrence. Nowadays such endeavours have largely been abandoned and underwritten as ‘determinist’ (Schinkel, 2004). Violence now comes to be seen as ‘nothing more than the affirmation of the subject’ (Wieviorka, 2003: 115), which can often occur ‘for no reason other than itself’ (Schinkel, 2004: 5) and which actually is ‘the expression, precisely, of the incapacity of our era to implement systems with actors who are functional’ (Wieviorka, 2003: 116).

In addition, causal connections are increasingly tricky, as conflicts tend to be displaced, fought for in completely different locations. With this effect of deterritorialization about which Scholte speaks, it is more and more difficult to say where violence would break out, as ‘even highly localized problems are much more likely than in the past to be displaced, exported, and extended beyond their initial or original sphere’ (Wieviorka, 2003: 124). For example, the Northern Irish peace process could hardly have taken place if not for the pressure of the Irish diaspora in the US (see, for example, Cox, 2000); and problems of Third World countries can potentially travel to the First with immigrant communities. The notions of centre and periphery are becoming increasingly obsolete as peripheral conflicts are taken back to the urban centres of Western modernity and global mass media allows visibility of violence no matter where it actually occurs. As a result, however, we see a ‘de-realization and a de-materialization of life’ (Campbell and Dillon, 1993: 33) and a public ‘increasingly inured or desensitized’ (Hoffman, 1999: 13) to violent events.

Change in the pattern of violence

Not only the perceptions of violence, but also its patterns of occurrence have changed in recent years. Whereas in the 1960s or 1970s a predominant type of violence was political, challenging political systems, nowadays the predominant type of violence is social. Wieviorka calls this ‘infrapolitical’ violence, the protagonists of which do not attempt to destroy the state or gain political control, but ‘to keep the state at a distance so that they can engage in illicit economic activities’ (Wieviorka, 2003: 127), to express their identity (e.g. ethnic rioting) and the dissatisfaction with the existing socio-economic situation.

Another new type of violence that Wieviorka distinguishes is ‘metapolitical’, a violence which is not apolitical, but in which ‘political issues are both associated with and subordinated to other issues, defined in cultural or religious terms, for example, which do not admit any concessions’ (Wieviorka, 2003: 130). These may give birth to extremist movements that ‘are no longer associated with the expectations conveyed by a religious utopia but with the consequences of failure, the catastrophic loss of meaning’ (Wieviorka, 2003: 130–1). This would be one of the explanations for the rise of religious fundamentalism in Islam, but also in Christianity and

Judaism. It can also serve as one of the explanations as to the 'new' terrorism's increasing lethality (see, for example, Simon and Benjamin, 2000: 66). While the 'old' forms of violence had clearly expressed political goals, the new forms of violence, based on identities, primarily religious, are not so visibly aim-oriented. They are more expressive and directed to the reproduction of a particular 'meaning of life' which otherwise seems to be under threat.

All these changes also had an effect on the terrorist groups. These changes were so profound as to encourage specialists to make a distinction between 'old' and 'new' terrorism. Modernization in general, according to the classical theory of Martha Crenshaw (2002 [1981]), created a set of factors that gave a significant impetus to the development of terrorism, primarily with the expansion of networks of transport and communication networks. In the era of globalization these networks started to develop at a fabulous speed. The logic of neo-liberal globalization leading to the increased openness of states for travelling, financial transactions, businesses, and so on, as well as technological developments in the means of communication, enhanced the capabilities of challengers to the states. Furthermore, this development clearly responds to the general global transformations. The al-Qaeda network provides a good example of this. It uses all the newest technological advances available, and operates as a global actor *par excellence*.² It is an international network, spread all over the world, not related to any concrete territory. As Kurt Campbell put it: 'each of these movements [within al-Qaeda] functions as a network of complex connections embedded in countries but linked between and across societies' (Campbell, 2002: 10). It is a deterritorialized network, functioning in that supra-territorial space about which Scholte speaks in his definition of globalization. Bin Laden is thus a 'modern insurgent'; 'he does not rely on a population to sustain him' and 'his targets lie beyond his centre of gravity' (MacKinley, 2001). In addition, the development of this network reflects the general transformation in the makeup of violence from 'political' to 'meta-political'.

'Old' terrorist groups in the new world: the case of ETA

With such significant transformations in place, most of the groups that were the main protagonists of the initial stage of the 'age of terrorism' have disappeared and are only vaguely remembered. Some of them, though, did survive and are struggling hard to readjust themselves to the new circumstances. According to Bruce Hoffman, by contrast to the new, 'deadlier adversaries' who are motivated by 'religious enmity', intending to acquire weapons of mass destruction so as to produce as high a death toll as they can in one attack, the old terrorist groups will remain largely unchanged. Hence, 'we can expect little deviation from established patterns by mainstream terrorists belonging to traditional ethnic-separatist nationalist or

ideologically motivated groups' (Hoffman, 1999: 36). Their tactics are dictated by a certain 'operational conservatism', seeking to evade and out-flank new security measures implemented by governments without altering significantly their choice of the means or targets of attack. How, then, will they compete for the public's attention, focused as it is on the extreme forms of carnage that the 'new' terrorism threatens? How will they survive the increased pressure that these new types of attacks generate in response? What will be the rationale for their continuous activities? These are the questions that still need to be explored.

For this purpose it is interesting to look at the case of ETA, the oldest organization (since the IRA ceasefire) operating nowadays in Europe. While significantly weakened by counter-terrorist measures, ETA still refuses to lay down its weapons and end the armed struggle. It might thus be revealing to see how the postulates about the changes in the structure, tactics and perceptions of violence are working in the case of ETA, particularly, how it has managed to adapt to challenges in the new environment.

ETA's fight for 'Basque liberation' . . .

The history of ETA cannot be separated from the general history of Basque nationalist movement born at the end of the nineteenth century. The founder of the movement, father of Basque Nationalism, Sabino Arana, accentuated the purity of Basque blood, the exceptionality of Basque history and its distinctive language.³ He created symbols for the future Basque state (such as the flag – *ikurriña*) and a political party committed to achieving statehood – the Basque Nationalist Party (EAJ-PNV,⁴ hereafter referred to as PNV).

Arana's writings, however, were the subject of a certain controversy. At the beginning of his career as a nationalist leader, Arana pressed for the independence and statehood of the Basque Country, which, according to him, consisted of seven provinces.⁵ However, before his death in 1903, he changed his posture and came to advocate autonomy within existing states. Because this change came during Arana's imprisonment and shortly before he died, Basque nationalism in general and the PNV in particular were constantly fluctuating between these two positions (see, for example, Letamendia, 1994: vol. 1).

From the death of Arana to the Spanish Civil War, PNV was speedily gathering force, so that at the start of the war the government of the three provinces that now form part of the Basque country was already in its own hands. In 1936 General Franco's insurrection started the bloodiest civil war in Spanish history. The leadership of PNV was at first hesitant about which side to support. On the one hand, Franco's ideology with its emphasis on Catholicism and conservative values was close to the heart, but his ideas about Spain as 'unity of destiny in universe' did not go well

with the party's nationalist stance. Therefore, it decided to remain loyal to the Republic.⁶

The reluctance of such a conservative party as PNV to join his crusade was considered as an insult by Franco. Consequently, the Basques had to pay the price for being on the wrong side. During the dictatorship any public sign of Basque identity was prohibited. This drove PNV underground. During that time it developed a vast social network, which allowed it to be present in society even while absent from political life. Various clubs and associations helped to foster and maintain the feeling of Basqueness and the party itself preserved its structures almost intact as demonstrated by its quick rise after the dictator's death.

Yet for some young people it seemed that passive resistance was not enough. If during the first years after the Second World War it could be expected that the victorious Allied powers would also crush Franco's regime (though neutral during the war, it was closely associated with the fascist and Nazi regimes of Italy and Germany), in the 1950s such hopes began to wane. Anti-Communism was a new order of the day and hardly anybody was more anti-Communist than the Spanish dictator. Dissatisfaction with the cautious stance of PNV in these circumstances, led a number of Basque youth, inspired by Third World liberation movements, to advocate a stronger resistance to what was identified as a colonial regime under which the Basques lived. In 1959 they formed an organization Euskadi Ta Askatasuna (ETA) – Basque Land and Freedom.

When in 1968 ETA started its violent actions, it became the only organization in Spain, which challenged the dictatorship with arms. It soon won numerous admirers not only in the Basque Country, but also in Spain at large and even outside of it. The Burgos trial (1970), in which six members of ETA were sentenced to death, showed the height of the organization's popularity, as demonstrations in Spain and in front of Spanish embassies throughout Europe pushed the dictator to commute the sentence to life imprisonment. In 1973, ETA managed to assassinate the prime minister and designated heir of Franco, admiral Carrero Blanco. This act was commonly praised as one of the main reasons for the end of the dictatorial regime.

In 1975 Franco died and democratic transition started. But ETA survived. Not only ETA supporters, but most nationalists thought that the Basque demands were not satisfied – the Constitution of 1978 included an article on the unity and indivisibility of the Spanish nation,⁷ and suggested amendments proposed by Basque parties were rejected. Urged by their parties to stay at home, only 45 per cent of the registered voters in the Basque region turned out to vote; of these, 74.6 per cent voted *for* the Constitution (see *Archivo de resultados electorales*, http://www1.euskadi.net/emaitzak/indice_c.htm), giving birth to a view that because only 30 per cent of Basques voted favourably for the Constitution it was therefore

not binding on them. Meanwhile, in other parts of Spain participation was 67.2 per cent and the 'yes' vote 87.87 per cent (see *Cronología constitucional*, <http://www.congreso.es/constitucion/constitucion/cronologia/cronologia.jsp?anio=1978>).

The democratic transition posed, however, the first serious challenge to the survival of the organization and (self-)legitimization of ETA. In 1974 ETA had already experienced its most important split between more leftist, more moderate and more radical and nationalist factions. The former adopted the name ETA(pm) (ETA politico-militar), and the latter the name ETA(m) (ETA militar). The transition to democracy led the politico-military faction of the organization gradually to renounce the use of violence, establishing itself as a leftist political party Euskadiko Ezkerra (EE – Basque Left), which eventually joined the local branch of the Socialist Party to form PSE-EE. The military faction, on the other hand, continued its activities.

There were a number of factors leading ETA(m) to keep its intransigent stance even within the new democratic framework. First, even the moderate nationalist politicians only partially accepted the new democratic political system. Second, months before Franco's death the police were given special powers by a new law and an Anti-terrorist Decree was approved, by which the sentences for terrorist crimes were raised significantly, and people accused of taking part in such activities could be held for ten days incommunicado (Letamendia, 1994, vol.1: 409).⁸ These laws remained on the statutes as the transition to a constitutional democratic Spain took place. In addition, the police forces were inherited from Franco and their methods were hardly consistent with constitutional democracy. Their ways of pacifying social protests usually involved the harsh application of force. As Pedro Ibarra Güell writes:

The new member of HB (Herri Batasuna), KAS (Koordinadora Abertzale Socialista) or ETA joined the movement because s/he had taken part in a demonstration against repression. The 'genuine' nationalist or left-winger voted for HB because s/he had seen how the radical nationalists fought back in the streets against the Spanish police.

(Ibarra Güell, 1994: 423)

The interpretation of these facts in a large part of Basque society was clear – the state has only changed its robes, its repressiveness remains the same.

Consequently, even though democratization brought significant benefits to the Basques, leading them to enjoy a substantial level of autonomy, it left other demands unsatisfied, allowing for the maintenance of space in which radicalism could thrive. The engagement of the Spanish government in the so-called 'dirty war'⁹ further consolidated this space, confirming ETA's assessment of the new Spanish state as a continuation of dictatorship.

This environment was probably more important for ETA's strength than its arms. Named *Izquierda Abertzale* (patriotic left) or Basque National Liberation Movement, it was composed of a great number of organizations: *Herri Batasuna* as its political force, youth organizations *Jarrai-Haika-Segi*, trade union *LAB*, prisoner support group *Gestoras pro Amnistía*, and others. The main referent for this conglomeration of forces was ETA, considered to be the leader of the movement because its commitment to Basque liberation was highest. *Etaras* (members of ETA) were seen as the struggle's vanguard (Ibarra Güell, 1994: 421). For ETA, the sub-culture of *Izquierda Abertzale* supplies recruits, funding in part, and support through actions such as *kale borroka* and legitimacy.

Self-determination and the recognition of the Basque nation was and still is the battle cry both of ETA and the whole network that surrounds it. This idea, of course, is appealing for a large number of nationalists in the Basque Country, including the main nationalist political parties;¹⁰ however, the number of admirers of ETA's methods is constantly shrinking.

... And its own survival

For a long time, surrounded by such a network of supporters and other related organizations, ETA could not only survive, but remain the central player in *Izquierda Abertzale*. However, the situation has changed significantly over the last four years. The number of ETA's victims has gone down significantly: the year 2000 cost 23 lives, but since 31 May 2003, the organization has claimed two lives only. The pressure both on the organization and its network of sympathizers is enormous.

There are a number of factors that account for this. ETA's strategies and tactics were useful for the former period of violence, but they were not really adapted to face the new challenges. The clearest indication of this is the success of the Spanish state in fighting the organization in the last years. Traces of the 'new paradigm of violence' that Wieviorka describes are visible in the fight between ETA and the state. First of all, the Spanish state has exploited very well the global situation created after the attacks of September 11 in its own 'war against terrorism'. Thus, one of the explanations of the great support that the government of José Maria Aznar gave to America's 'war on terrorism' was the promised assistance in its own fight against ETA (see, for example, Ortega, 2004). In the general global push to fight terrorism, the government was able to implement bold policies to tackle ETA. Second, these policies would not have a substantial impact if they were not reinforced by another factor, namely, the general revulsion at political violence in Spain and even, to a very significant extent, in the Basque country. While there are still the people who support ETA and its struggle and see it as a vanguard of the struggle for Basque self-determination, the rejection of ETA nowadays is immense. According to recent polls, the outright repudiation of ETA now reaches 60 per cent,

the highest ever reached. During the years of democratic transition this rejection was only 23 per cent, growing steadily throughout subsequent years, and only dropping momentarily during the truce of 1998–1999 (GEES, 2003: 11).

Adaptation attempts

The adaptation of an organization like ETA to the changing national and international environment should come in two spheres: first, innovations of structure; and second, tactical and strategic changes, including changes in the discursive legitimation of its actions. In the first area, following Hoffman's ideas, we should expect to see the organization develop ways of countering the anti-terrorist measures of the Spanish and French states. The second area, on the other hand, implies, as the word 'strategy' itself suggests, the wider rationale of the organization in its new hostile environment.

To begin with the structural adjustments: like all terrorist groups, ETA has been skilfully adapting its structure to the developments in counter-terrorism measures. The first shock for the organization and the first necessity to reorganize came with the changed stance of the French government towards the organization which came at the end of the 1980s, leaving it without its sanctuary of Iparralde, the French Basque country. During Franco's times, as mentioned above, ETA was seen as a national liberation movement fighting against an oppressive regime. The French government at the time held milder policies towards ETA, giving most of its militants political asylum. During the first years of democratic transition in Spain, the French position changed little: ETA militants were mostly tolerated in the country, sporadically deported to third countries (see Woodworth 2001: 119) and only very rarely brought over to the Spanish security forces. ETA itself, in exchange, only theoretically claimed independence for the French Basque country, never actually acting in any way that would encourage the government to deprive them of their logistics bases on the French side of the border. By the end of 1980s this French position had finally changed, but ETA adapted to the new circumstances and continued to attract militants (the end of 1980s was also marked by the end of the 'dirty war'). The arrested or expelled leaders were replaced and their successors' security was enhanced by moving underground and over to the French side of the border.

Recently, however, ETA has been going through its worst crisis. Its most important leaders are getting arrested one after another. The ratio of attacks and detentions of the group's members are shifting more and more in favour of the state. Over the last six years none of the leaders of the military apparatus have managed to stay in their position for much more than a year (see, for example, *Principales detenciones* in <http://www.elpais.es/elpaismedia/ultimahora/media/200312/09/espana/>

20031209elpepunac_3_P_PDF.pdf). On 3 October 2004, the leader of the political apparatus, Mikel Albizu Iriarte (alias Mikel Antza), who fronted ETA for 12 years, was also arrested.

Increasing pressure from both the Spanish and French¹¹ authorities increased the need for the organization to restructure once again, though this time it has to do so under increasingly pressured circumstances. The attack on its support networks is strong as well, meaning the organization can no longer rely on the support of its network which itself has to deal with an assault on its integrity. As most of its organizations have been outlawed,¹² ETA is now lacking the legal support network from which to recruit new members for its underground movement.

However, the organization is trying to reorganize itself in an effort to deal with these challenges and protect itself. Thus, the three ‘apparatuses’ of ETA, military, logistical and political, have recently been duplicated in order to avoid the problems that arise in cases of the arrest of their leaders. This, however, leads to ‘greater bureaucratization and also a certain delay in its operational activities’ (see Ordaz, 2004).

Second, the organization is attracting more and more ‘amateurs’ whose training is very limited. It has been suggested that in the past, the aspiring *etarras* had ‘courses’ that would last weeks before they became members. Recently the period of training has been reduced to hours rather than weeks. The connections of these ‘amateurs’ with ETA command and the orders they receive are also sometimes vague and imprecise. According to Bruce Hoffman, the ‘proliferation of amateurs’ – in contrast to ‘professional terrorists’ who stay permanently active – is one of the characteristics of the ‘new’ terrorism (see Hoffman 1999: 21). In line with this, most of the *etarras* caught red-handed in the last few years have been so-called ‘legals’ of the organization, that is, people previously unknown to the police, having sound legal documents and so on. It could thus be claimed that ETA has begun using something similar to a-Qaeda’s ‘ sleeper cell’ model. According to counter-terrorist forces, ETA is now functioning on a much more individualized basis in contrast to the assembly-based structure of previous times.

The changes in strategy and subsequently in tactics have also been influenced both by counter-terrorist measures and by the general political climate in Spain. Three strategies pursued by ETA through time can be identified:

- 1 Revolutionary war. A strategy inspired by the Third World Liberation movements which ETA pursued during its first decade of violent actions from 1968 to 1978. It was based on the action–reaction–action principle, according to which an action of the armed group would trigger repression, which in consequence will lead to more action, with the cycle eventually ending in popular insurrection.
- 2 Strategy of attrition (1968–95).¹³ This is ‘based on the assumption that

terrorist pressure would force the State to renounce its principles and to give in to ETA's claims' (GEES, 2003: 5).

- 3 Nationalist front. In this stage ETA relinquished its role as 'vanguard' of the struggle for Basque self-determination by announcing the ceasefire. Its role was taken over by Basque nationalist forces.

The revolutionary war strategy was a reasonable choice in the circumstances of Franco's Spain, but it had to be revisited after the transition to democracy took place. The strategy of attrition here was also a logical choice: as popular insurrection became more and more infeasible, the organization wanted to take the Basque Country's failure into its own hands by pushing the government to negotiate on its own terms. However, all the negotiations have failed and the strategy of attrition wore down ETA much more than the state. Thus, in the mid-1990s the strategy of attrition was replaced by a different one, that of the nationalist front. Its main points were put down in the communiqué entitled 'Democratic Alternative', written in 1995, in which the organization proposed its new vision for the end of the 'Basque conflict'. This included, the creation of a conglomeration of all nationalist forces with the purpose of demanding self-determination. ETA would fade into the background, leaving democratic forces at the forefront of struggle, but it would continue to watch the process closely and probably make sure that both the Basque political forces and the state make the 'right' decisions.

This change of emphasis and the position of the organization itself within the framework of Basque nationalism implied also a certain change in tactics. Thus, instead of their usual targets – members of the security forces, especially the *Guardia Civil* – ETA started attacking politicians of the Spanish national parties, the Popular Party (PP) and the Socialist Party (PSOE). These parties and the mass media are accused of being responsible for prolonging the Basque conflict. The Basque parties themselves and the Basque police (*Ertzaintza*) have also come under attack as the instruments of the Spanish parties in their work to subdue the *Izquierda Abertzale*.

This change of strategy and subsequently tactics took place because the organization itself was experiencing bad times. It is obviously easier to attack an unarmed politician than a heavily armed member of the *Guardia Civil*. ETA's receding to the back of the stage can also be explained by the fact that it did not have enough (human) resources to be in the forefront of the Basque liberation struggle anymore. Furthermore, the choice of this strategy allowed a full exploitation of a resource which until then had limited use – the radical Basque youth. The Palestinian *Intifada* gave an inspiring model for its deployment, the expression of which in the Basque Country became *kale borroka*, a politicized street fight which has as its purpose the 'socialization of suffering', a new way of pressuring the society. In the proposal, entitled *Oldartzen, Batasuna* expressed the meaning of this violence, which would otherwise appear as a simple hooliganism:

the political parties as well as the media are trying to hide the conflicts that take place in the country so that the suffering of the people related to the *Izquierda Abertzale* does not reach the wider public. For that reason, the proposal was to bring the feeling of the conflict to the wider society, to make the media pay more attention to the 'real' situation in which the Basque Country lives and push the political parties to negotiate.

The nationalist parties in the Basque Country accepted the nationalist front strategy. They saw the possibility of ETA giving up arms and leaving the political initiative to the democratic parties.¹⁴ Thus, on 12 September 1998, all the nationalist parties, labour unions and non-governmental organizations signed the Lizarra-Garazi treaty. In it they claim to be inspired by the Northern Ireland peace process and propose a solution to the Basque conflict. This solution would be based on the principles of self-determination. A couple of days later, on 16 September, ETA announced an indefinite ceasefire. However, the truce lasted only a year, after which ETA expressed its dissatisfaction with the lack of advance on the road towards self-determination and decided once again to resort to the strategy of attrition.

Interpretations of the nationalist front strategy are diverse. One argument is that the announced truce of 1998 was a fake, declared by ETA only in order to buy itself time to re-arm. This would also imply that the whole nationalist front strategy was fake; but this is not very plausible. More plausible is the suggestion that ETA left itself open to two possibilities – if the nationalist front strategy worked, it could then renounce violence and give away its huge arsenal of weapons. If the nationalist front failed in its objectives, it would still have means for a new wave of attacks. In fact, the latter is precisely what eventuated. The lack of political progress, however, was also already evident in the initial stages of the truce: little was done in the advancement of self-determination. The union of Basque municipalities, *Udalbitza*, was created, but did not really function (Tusell, 2004: 153). No other steps towards self-determination were undertaken at the time. This was one of the reasons for ETA's impatience and its decision to take things back into its own hands.

This changed strategy transformed the composition of the organization itself. *Kale borroka* now provided the majority of ETA's new members: young, impatient and inured to violence. The leaders who rose to power in the organization after the truce's ending in 1999 came with this experience. More prone to continue the violent activities and less interested in the subtlety of political issues, these leaders pushed the organization to a more and more intransigent stance.

After the nationalist front strategy failed, another strategy was combined with the war of attrition: the 'internationalization' of the conflict.¹⁵ This strategy was designed as a reaction to the Spanish government's attempts to bring the question of ETA terrorism onto the agenda of the European Union (see, for example, Euskadi, 2000). It was also inspired

by the example of Northern Ireland and the success of the Republicans in bringing in international actors to take part in a political settlement.

This strategy also failed: in contrast to the Irish Republicans, who were backed by the Republic of Ireland and a significant Irish community in the United States, the Basques did not have powerful allies.¹⁶ Furthermore, this strategy was devised at a rather unfortunate time. As Patxo Unzueta noted, ‘the last hopes . . . to internationalize conflict collapsed together with the twin towers’ (Unzueta, 2004). The international situation in which terrorism became civilization’s primary enemy put the Spanish state in a much better position than ETA. ETA remained largely without a viable strategy: the nationalist front collapsed, and disillusioned nationalist parties did not want to have anything to do with the armed organization: internationalization of the conflict might have been a viable strategy with the nationalist front in place and in a different international setting, but it now became completely invalid. The strategy of attrition, to which ETA eventually returned, had already proven to be impracticable, but it was even less practicable now with the Spanish parties’ clear resolve not to negotiate, and new legislation in the form of the Agreement for Freedoms and Against Terrorism, the so-called Anti-terrorist Pact.¹⁷

As if this was not enough, another event stacked the deck against ETA even more – the 11 March bombings in Madrid. This attack had an enormous impact on both the organization and its opponents. It is thus necessary to examine the situation it created in a greater detail.

The challenge of 11 March

Contrary to government assertions at the time, ETA did not perpetrate Spain’s bloodiest terrorist attack. The attacks caught unawares not only ETA, which now had to face the fact that it was no longer the only violent non-state actor in the Iberian peninsula, but also the government, which appeared to be ideologically unprepared to tackle the new threat of Islamic ‘terrorism’. The ruling party was betrayed in its discourse, which equates terrorism with nationalism and presents ETA (and subsequently the peripheral nationalisms) as the prime enemy of the Spanish nation. José Maria Aznar’s commitment to assist America in its ‘war on terrorism’ did not imply a change in the understanding of identity of the country and its position in the world order. As they were throughout the nineteenth and twentieth centuries, contemporary Spanish leaders are primarily preoccupied by internal problems of the state, leaving only marginal importance to the foreign policy stance (Juste, 2003: 306; see also a collection of essays in Mar Molinero and Smith, 1996). Spanish identity was not constructed by contrast with the other powers in Europe and the world, but through opposition between the central authorities and peripheral nationalisms. In the last decades of the twentieth century, ETA violence and the fight against it became the most visible manifestations of this opposition. Thus,

for the Popular Party, ETA became a symbol of all the country's problems, and defeating them became tantamount to resolving the inner tensions. Consequently, the threat of ETA became the only imaginable threat.

Such a worldview was shattered by the events of 11 March 2004. Spain appeared, after all, to be part of the globalized world with all the advantages and disadvantages that come with it. Spain entered a world in which global crises and foreign policy decisions could have important consequences for domestic politics. This was the lesson that the former ruling party failed to learn. With three days to the national election and the campaign based on combating ETA, the government put itself in an awkward position. Admitting that ETA was not responsible for the attacks meant recognizing that the government's preoccupation with internal issues had led to the neglect of very palpable external threats. With only three days left to the elections, the ruling party showed itself unable to come to terms with this new situation, trying to stand by its rhetoric in spite of the piling evidence that it was failing. On 14 March, this stance was punished by the electorate which voted for the change of government.

For ETA, apparently, the attacks were an unpleasant surprise as well. On the one hand, the organization found it somewhat easier to incorporate them in its previous discourse, claiming that it is a consequence of the colonialist Spanish involvement in the war in Iraq (see *ETA communiqué*, 2004). On the other hand, the organization suddenly had to deal with the fact that it was no longer the sole violent non-actor on the Iberian Peninsula. Previously it had had to compete for attention with other small groups, like the Marxist GRAPO, but none of them could rival it in size, in the extent of the attacks, or in the publicity it generated. Now, however, it has to function in a context where the memories of Madrid are still painfully present, and Spanish society strongly rejects violent methods of achieving political ends. This might be one of the explanations of the new style of ETA's 'summer campaign' – a series of low-capacity explosions designed to show ETA is still present, but without producing such damage as to create profound animosity towards the organization. The arsenals that were found at the beginning of October 2004, which included impressive amounts of explosives and even two Russian surface-to-air missiles (see, for example, Rodríguez, 2004a), indicate that the summer campaign was a conscious tactical choice, not dictated by the lack of *matériel* for a more serious strike. After the October arrests, it appeared that ETA had renounced some serious terrorist violence because of the 'great shock' the 11 March attacks produced in Spain (Rodríguez, 2004b).

In addition, even though the Aznar government had attributed 11 March to ETA, to most experts on *etarra* violence this appeared less than convincing. The style of the attacks, the method, and the victims, all pointed out in a different direction, as the spokesman for *Batasuna*, Arnaldo Otegi, was the first to point out (see A.G., 2004). ETA itself was very quick to announce that it had nothing to do with it. It was obvious that, even for

the hard-core supporters of the organization, what happened in Madrid was too much. Hence, the condemnation of *Batasuna*, which never condemned any act of ETA, and, the demonstrations in which *Izquierda Abertzale* organizations participated. The insistence of the government on the authorship of ETA, however, has created a certain moral hierarchy in comparisons of ETA and al-Qaeda. The prevailing attitude within the Basque Country that ETA could not have done it created the most favourable image for the organization that it had had since the 1998–99 truce.

However, this ‘moral superiority’ created significant constraints on the actions of the organization – it was impossible to keep it and keep killing as well. There were numerous voices in the Basque Country after the attacks of 11 March saying that there can be no more assassinations, that *Batasuna* itself will not be able to justify one more victim after it lamented the ones in Madrid. It is claimed that within ETA itself there was also an important debate on whether to announce a ceasefire in order to keep its favourable image, to increase *Batasuna*’s chances for relegalization and, in general, to suspend violence because of the immensely violence-sensitive environment created by the Madrid bombings. Yet apparently the proponents of the continuation of the armed struggle have gained the upper hand in the organization (Rodríguez and Aizpeolea, 2004). According to its latest writings, ETA still feels that the pedagogical effects of violence are useful for bringing about Basque liberation (Guenaga, 2004). Furthermore, it still believes that it can negotiate with the government on a one-to-one basis. In this sense, the position of the government has more resonance with the ‘new paradigm of violence’ than does ETA’s. ETA still thinks in the categories of political violence, while the state, with its refusal to negotiate or admit to the conflict’s political dimension, subscribes to the ‘new paradigm’ of violence.

Conclusions: ETA and globalization

Political, economic and social changes of the contemporary world render terrorist groups such as ETA largely obsolete. This is best expressed by ETA’s failure to change its strategy in a way that would allow it to adjust to the challenges of the present-day world. Thus, its attempts to ‘internationalize’ the conflict have failed, while other violent actors, like al-Qaeda, are stealing the public’s attention even in Spain. It cannot change its tactics to that of the ‘new’ terrorism without losing its last supporters, as the reaction to Madrid bombings showed; nor can it deal with the new global situation, in which its main ideological arguments – the necessity of violent struggle for national and social liberation – have less and less appeal. Thus, although the situation has changed significantly, ETA has changed very little. It tried to leave the stage with dignity, using the example of other ‘old’ groups, like IRA, but proved unable to follow its example through to the

end. Following it would have meant leaving the solution of the conflict in the hands of democratic parties, with the organization having little direct say in the outcome. ETA appeared unwilling to tolerate this exclusion. All its attempts to adapt to the new global order have proven to be unsuccessful because of the pressure from both the security forces and its own ideological frames. The 11 March events took all the attention away from the organization, putting Spain in front of what seemed to be a more serious challenger.

On the other hand, the effects of the 11 March terrorist attacks, spectacular as they were, will diminish with time. As it was a singular attack, its effect cannot be maintained over time, in contrast to a sustained strategy of attrition such as that that ETA is engaged in. However, while ETA might reconsider its tactics, as long as there exists an environment in the Basque Country which strongly supports ETA's cause, and as long as there is no attempt to solve the conflict politically, ETA will not disappear, pressure from the state notwithstanding. The networks of organizations and people sharing the same ideas also give it a rationale for existence, and that rationale is close to what Wieviorka calls 'meta-political'; that is, one defined in cultural-political terms as the recognition of a distinct Basque nation, both in its cultural and political aspects. Being the highest value, the survival of the nation admits of no compromises; consequently, the struggle to protect it belongs to a meta-political realm. Many contemporary struggles are about identities; ETA comes out strong in this aspect.

Yet ETA, like most organizations that stay for years in the underground and consequently tend to lose touch with reality, is slow to realize that its way of struggling for its identity, namely, through violence, is neither welcome nor reasonable anymore. In this sense, the ideas of democratic Basque parties, like PNV, with their emphasis on virtual *Euskal Herria* (Basque Land), have much more power in the globalized world. Uniting the seven provinces in this virtual 'transworld' space will probably do more to help Basques to survive as a nation than all the violent campaigns. In this 'transworld' space, however, there may be no place for ETA.

Notes

- 1 The presentation and the article are the results of the research undertaken in the University of Deusto, Bilbao, Spain, under the auspices of the Marie Curie fellowship programme of the European Union.
- 2 Al Qaeda members reportedly used encrypted email to communicate; stenography to hide encoded messages in web images (including pornography); Kinko's and public library computers to send messages; underground banking networks called *hawala* to transfer untraceable funds; 24/7 cable networks like al-Jazeera and CNN to get the word out; and, in their preparations for 9/11, a host of other information technologies like rented cell phones, online travel agencies, and flight simulators. In general, networks – from television

primetime to internet realtime – delivered events with an alacrity and celerity that left not only viewers but decision-makers racing to keep up.

(Der Derian 2002: 110–11)

- 3 Some researchers found that the people in Basque provinces have certain genetic traits that are different from the people of the surrounding area (for example, they have the highest frequency of blood group O in the whole of Europe). Both the language, which is the only non-Indo-European language in the area, with unknown links to other languages in the region, and the genetic code, which seems to suggest that the Basques are descendants of the Palaeolithic inhabitants of the Continent, are used to prove Basque distinction from other populations of Iberian Peninsula. The history of Basque lands – having never been conquered by invaders, be they Romans, Visigoths or Arabs, the extremely wide autonomy of the Basque region within the Spanish empire, and the pact-based nature of its relations with the crown – adds to this feeling of exceptionality. Sabino Arana put extreme importance on the preservation of ‘Basque race’ and initially accepted into his party only people with four Basque surnames, i.e. with all four Basque grandparents. This criterion was soon abandoned and the importance of race was replaced by that of language and general adherence to nationalist culture as denominators of ‘Basqueness’.
- 4 EAJ-PNV: Eusko Alderdi Jeltzalea in Basque and Partido Nacionalista Vasco in Spanish.
- 5 The Basque land is divided into two by the border between France and Spain, one of the oldest unchanged borders of Europe. The Basque land in the nationalist imaginary thus consists of four provinces on the Spanish side of the border – Bizkaia (Vizcaya), Gipuzkoa (Guipuzkoa) and Araba (Alava), which now form an Autonomous region of País Vasco, the separate province of Navarre, and three on the French side – Lapurdi (Labour), Nafarroa Beherea (Basse Navarre) and Zuberoa (Soule). However, being divided for so long, these regions are very different, facing the capitals of their respective states more than each other. Basque nationalism itself was born in the developed South (Spanish side) while the Northern provinces, though more homogenous, never had a serious nationalist movement. Navarre, in addition, presents a difficult case. The medieval kingdom of Navarre is considered to be the only state Basques ever had and the rule of Sancho the Wise had all the Basque lands united into one state for the only time in history. It thus has a special meaning for the Basques. However, Navarre took a different historical trajectory. Mountainous and much less developed than the other Spanish Basque provinces, Navarre adopted a strongly conservative ideology based on the unity of Church and King and hostile to Basque nationalism. Therefore, the differences among Basque provinces are so great that to imagine them forming one political unit is very difficult.
- 6 Actually, from the four provinces, only Bizkaia and Gipuzkoa remained republican and were fiercely defended. Araba decided to join Franco and Navarra was a strong supporter of the crusade from the beginning of the civil war.
- 7 For an interesting unconventional analysis of Article 2 of Spanish Constitution, stating the indissoluble unity of the Spanish nation, see Bastida (1998).
- 8 This period was, and to a certain extent continues to be, synonymous with torture.
- 9 Between 1983 and 1987 a number of members of ETA, as well as some of the people not related to the organization, were kidnapped, killed or tortured by the GAL (Grupos Antiterroristas de Liberación), an organization, which, as was suspected and later confirmed, was designed by government officials so that the Minister of Interior of the time and a lot of other high officials would end up in prison. As Fernando Reinares and Oscar Jaime-Jimenez, two leading experts on terrorism in

- Spain argue: 'the state-sponsored terrorism used to counter insurgent terrorism can be considered a major factor explaining why ETA has persisted beyond the democratic transition' (Reinares and Jaime-Jimenez, 2000, p.137).
- 10 Some of them openly advocate self-determination, like Aralar (the splinter party from HB) or EA (Eusko Alkartasuna), while the main political force, conservative EAJ-PNV (Basque Nationalist Party) is constantly fluctuating between independence and autonomist positions.
 - 11 Recently ETA has come to be considered a French problem as well (see, for example, Prieto, 2004). After this change of attitude by the French government, ETA also changed its rhetoric, identifying the French state along with the Spanish one as obstacles to the development of a Basque state, and thus justifying attacks on French targets.
 - 12 *Ekin*, the coordinating body of all the Izquierda Abertzale organizations, was outlawed in March 2001. The representative of ETA abroad, *Xaki*, was also banned in March 2001. *Haika-Jarra-Segi*, the three youth organizations, were banned in May 2001. *Gestoras pro Amnistía*, a prisoner support organization, was banned in December 2001. And *Batasuna*, the political wing of the organization, was finally outlawed at the beginning of 2003.
 - 13 The GEES (Grupo de Estudios Estratégicos – Strategic Studies Group) puts the end of the strategy of attrition at 1998. However, in 1995 with the proposal of *Alternativa democrática* and especially the attack on one of the members of PP (Partido Popular), a new strategy was already taking shape.
 - 14 Actually, it is not clear who initiated the National Front. According to Gastaminza and Aizpeolea (1998), *Herri Batasuna* and PNV were the initiators of the process and ETA eventually accepted the proposal. According to GEES, ETA was the initiator.
 - 15 This idea had already been put forward in the announcement of the truce. However, at that point ETA was leaving all the political influence to the democratic parties, so the strategy took form only after the end of the truce.
 - 16 The only success in 'internationalizing' the plight of the Basque country was to be found in the declaration of the Idaho State Senate in 2002. In this declaration the right of the Basques for self-determination is expressed. It brought up a very negative reaction from the Spanish government, and the central US administration persuaded the Idaho Senate to rescind the resolution.
 - 17 This pact was signed on 8 December 2000; for the full text see <http://www.ideasapiens.com/actualidad/politica/nacional/pacto%20antiterrorista%20pp-psoe.htm>

8 The state, its failure and external intervention in Africa

Paul-Simon Handy and Dunja Speiser

In the 1990s, the international debate on states in decline, by and large, was an expression of post-Cold War representations (Engel, 2002). After the terrorist attacks on New York's twin towers in 2001, the issue of state failure became one of the top priorities on the global security agenda. The newly gained sense of urgency and relevance resulted from the realization of European and American decision-makers that the phenomena accompanying collapsed states – transnational terrorism, local and regional conflict, proliferation of arms, influx of refugees, social deprivation, cultural disintegration, and economic hopelessness – were not merely problems confined to developing countries. Ostensibly unimportant countries suddenly appeared to threaten industrialized countries' national security and prosperity. After all, the terrorist attacks in America were at least partially planned and prepared in Afghanistan, one of the then-forgotten failed states. To the international community, it quickly became clear that they could not afford any more Afghanistans.

The understanding spread quickly that, to prevent more Afghanistans, it was necessary to focus on supporting fragile states in building functioning and sustainable institutions. The crucial lessons learned found their way into the American National Security Strategy 2002, which declared failed states a greater national security problem than conquering ones. The European Security Strategy (June, 2003) as well as the British minister of foreign affairs, Jack Straw, argued on 6 September 2002 in the same way:

State failure can no longer be seen as a localized and regional issue to be managed only on an ad-hoc case by case basis. We have to develop a more coherent and effective international response which utilizes all of the tools at our disposal, ranging from aid and humanitarian assistance to support for institution building.

This newly inspired debate has also raised international interest in Africa which, in the past, was ascribed a marginal role in world politics. The new attention resulted, first, from rumours of al-Qaeda activity in eastern

Africa and far more well-founded knowledge of Osama Bin Laden's involvement in the diamond business in the west African region (Global Witness, 2003a,b). Moreover, the continent moved directly into focus when, in December 2002, al-Qaeda attacked a hotel in Mombasa. This recalled to memory the first heavy terrorist attacks in East Africa, namely the bombing of the US Embassies in Nairobi and Dar es Salaam. Second, Africa appeared on the global agenda because two-thirds of its states are affected by structural deficits. Its conflicts, its dire socioeconomic situation and its stalled democratization offer all the necessary ingredients out of which international security threats can grow.

For all these reasons, fragile statehood has become the central security, peace and development policy issue at the beginning of the twenty-first century. Understanding and responding to these very complex situations is a political as well as intellectual challenge. This chapter aims to give a comprehensive overview of the current debate concerning statehood and state failure in Africa. Our central argument is that the fragility of state structures in Africa is one of the most important reasons contributing to the continent's permanent crisis (van de Walle, 2001). Looking at the causes of dysfunctionality, it is the neopatrimonial structure which explains the states' fragility in the most comprehensive manner. This chapter asks: Why is the state at risk in most African countries and what are the options for external intervention? After a brief presentation of the current debate on statehood, we identify three core state functions out of which a typology of fragile statehood will be developed. We then discuss different explanations of fragile statehood before analysing the specific features of African politics. The chapter concludes by offering some insights into the current debate about the possibilities and limits for outside intervention and state-building activities.

Great expectations – great disappointments

'Second independence', 'virtual miracle', 'rebirth of political freedom' – all are optimistic slogans used to capture changes in Africa at the beginning of the 1990s. Each of them put into words the hopes for a better future on the continent, marked by democratic renewal and sustainable development. The end of the Cold War seemed to have paved the way for the termination of the continent's civil wars, which, above all, had been perceived as proxy wars. In fact, in the early 1990s the conflict in Mozambique had been resolved, attempts at the pacification of Angola were auspicious, Ethiopia had released Eritrea into independence, and South Africa not only withdrew from Namibia but also showed willingness to give up its own apartheid system. The events in Eastern Europe, which brought the 'wind from the East that is shaking the coconut trees' (Omar Bongo cited in Decalo 1992), carried the political protests which challenged the autocracies and pushed the transitions to democracy and multiparty systems.¹

Along with the tremendous changes in world politics, the international donors also terminated their unconditional support to African dictators in their respective Western or communist camps. Many have since made democracy and human rights a precondition for development aid, convinced that successes of economic reforms will follow automatically upon democratic governance.²

Yet only a few years after the wave of democratization had set in, Africa's second wind of change seemed to have lost steam. Huge hopes and mostly unrealistic expectations turned into disappointment and frustration, leading to downright 'afropessimism', which dampened the euphoria inside as well as outside the continent. The majority of the regimes proved to be façade democracies and consolidated themselves as hybrid regimes, fluctuating between dictatorship and democracy.³ Many authoritarian leaders remained in power through manipulation of the democratic process. New leaders appeared to belong to the same category as the old ones – in this connection the term 'recycling of elites' worked a circuit. Corruption and abuse of power soon made their mark even on the politics of former democratic hopefuls.

Over time, economic reforms remained ineffective. Some isolated indicators improved in the short-term, but the fundamental data have not changed for the better. Social data, such as literacy rates, income per capita, life expectancy and infant mortality rates, have all deteriorated considerably in many countries. In spite of comprehensive efforts, the number of people living in poverty in sub-Saharan Africa today is higher than three decades ago, and a change of development is not foreseeable at present.⁴

More alarming than the slow and fragile progression towards political freedom was the fact that a number of fledgling democracies were being buried beneath violent civil wars. The peace in Angola gave way to renewed conflict, and some states, such as Somalia, Sierra Leone and Liberia, collapsed entirely, leaving hundreds of thousands of people dead or refugees inside and outside their countries. Rwanda underwent the continent's first ever genocide with approximately 800,000 killed. The Democratic Republic of Congo became the setting for the so-called 'first African world war', on occasion involving seven countries.⁵ The conflict in Sudan not only left an estimated three million people dead and could not be solved after more than 30 years, but also brought slavery back onto the agenda. Today, Sudan threatens to become a 'second Rwanda'. Ethiopia and Eritrea fought a bloody war on a tiny strip of land. Even some of Africa's rare success stories have come to the brink of failure. In Zimbabwe, the until recently respected former freedom fighter and president Robert Mugabe has plunged his country into economic and political chaos because he would not relinquish power after more than two decades. Ivory Coast, which was known as the prosperous Switzerland on Africa's West Coast, put itself on a dangerous powder keg of xenophobic resentments, which now threatens to explode at any time. Many of the crises mentioned fit into the

so-called 'new wars' (Duffield, 2001c) phenomenon, which is marked by, for example, the establishment of warlords and rebels, war economies, and transitional and privatized violence, as well as increasing illegal arms and drug trades. These informal and illegal sectors of the economy offer excellent opportunities for state elites and rebels to increase their political and financial power. They, together with many international companies, show little interest in ending conflict, since they are profiting so handsomely from it. It is the civilian population, however, which pays the greatest price; they are the ones who suffer most.

This dark side of globalization (European Commission, 2001: 5) can be found, above all, in many western and central African states. In addition to all this armed conflict, Africa has to cope with a massive HIV–AIDS infection rate. The disease is wiping out whole generations of economically active people and deeply damaging the economy as well as the social fabric of many African countries. Because of the disease's non-territorial nature, it represents a serious threat to the region's emerging security architecture and compromises its capacity to carry out national and regional peace keeping duties (Elbe, 2004; Ostergard, 2002: 342).⁶ AIDS and global insecurity are therefore linked within a vicious circle as the disease is both cause and effect of instability and conflict (UNAIDS, 2003).

What has happened in Africa? Why has the end of superpower rivalry blessed Africa with more violent conflict, instability and political fragmentation, rather than the expected 'peace dividend' or economic prosperity? There is a growing literature that attributes state decline to globalization. For many authors (see, for example, Igué, 1999; Mkandawire, 1999), accelerated processes of globalization are considered to be the root causes of the dismantlement of state structures in Africa. Most of these arguments view the continent as the victim of a profound structural change in the world economy, whose origin lies in structural adjustment programmes. Others even rank globalization as the historical successor of the slave trade and colonization. Serious problems exist in this argument, not only in the problematic definition of the globalization,⁷ but also in the underlying confusion between symptoms and causes of state decline. First of all, the state in Africa has never been a welfare state similar to the type arguably being undermined in Europe today. Second, the imposition of structural adjustment programmes was not the beginning of state decline but a reaction to the African states' economic dysfunctions, especially the massive accumulation of debt. A detailed analysis of this debate cannot be undertaken here. Instead, this chapter concentrates on a more enduring problem, the neopatrimonial state's crisis.

The continent's crisis is the culmination of the inability of many of the African states to fulfil central state functions in an adequate manner. While fragility has been inherent to the African state since its creation in colonial times, its higher visibility since the beginning of the 1990s has its proximate cause in the crisis of the neopatrimonial system. The latter was

enforced and accelerated through the changes in world politics after the end of the Cold War.

In the following section an analytical framework will be built from which we deduce the core functions of the modern state. Regarding the grave deficits of the modern state in most African countries, we work on the assumption that a functioning state is a decisive precondition for the powers of democracy and economic growth.

The state of the state in the current debate

As stated above, one of the central reasons for state malfunctioning in Africa lies in the individual states' inability to fulfil what can be called their fundamental tasks. Before analysing the specific nature of the state and politics in Africa, it is useful first to have a brief look at the concept of state itself. A description of the preconditions of a functioning state will help us understand better the shortcomings of African states as they are further analysed in this chapter.

The international debate about the nature, size, scope and functions of the state has experienced a renaissance in the context of accelerated processes of globalization. Since the end of the Cold War, scholars have thoroughly analysed the role of states in managing social regulation, not only in the Third World but also in the industrialized countries. At the end of the 1980s, the state was seen by scholars and political actors as a decaying institution that was not able to guarantee enough security and socio-economic welfare to its citizens. Some commentators even put into question the assumed superiority of the state as the most efficient 'organizing principle of social life' (Gilpin, 1987a: 10; see also Trotha, 2000). At the end of the 1990s, however, state institutions gained renewed attention by being put at the centre of social reforms.⁸ The reason was that no serious alternative to the state had emerged either in political science circles or in development cooperation (Spanger, 2001). Nevertheless, the question still remains as to whether the state is the *horizon indépassable* of social organization, particularly in a time of tremendous social transformation, which is due to the imperatives of global governance (Clapham, 2002: 1).

What is the state, and what are its core functions? This has been a central question of political theory. There is a wide range of scholarly contributions on the forms, structures and functions of the state. From the perspective of international law, the sovereignty of a state is the nucleus of its identity and postulates the unity of territory, people and authority. This three-part definition of the state as a political community where citizenship is realized and where state authority is seen as a legitimate capacity to rule over people can be considered as the classical definition.⁹ Most theories define the state by reference either to its goal, its structure and (bureaucratic) organization (Weber, 1980: 824–5), or to its relationship

towards the society, for example as an instrument of oppression in the hands of the ruling class (Marx and Engels, 1972; Poulantzas, 1978). This last point – the tension between state institution and society – is central to the understanding of state functioning or failure. Many authors consider it to be the fundamental element, which guarantees the efficiency of state institutions (Spanger, 2002: 11). Drawing on the tradition of Max Weber, the decision-making capacity and functioning of a state apparatus is measured by its degree of independence from society. At the same, state legitimacy and ruling capacity is measured by its anchoring within the society. Efficient states, therefore, are those which combine ‘well-developed, bureaucratic internal organizations with dense public–private ties. The recipe works only if both elements are present’ (Evans, 1995: 72). The Weberian tradition of state structure and organization has had a tremendous influence on social science research into the state. The advantage of Weber’s approach consists in the fact that it postulates an ideal type of state with a well-structured and rationalized bureaucratic apparatus. This concept of state is far from being uncontested, but it continues to be an excellent working definition which allows us to go from the very structure of the state to its cardinal functions. In so doing, we are well aware of the fact that each definition of the state is marked with a certain degree of normativity.⁹ The most valid definitions of the effective state are based on the OECD model, which originates in the Westphalian state.

After more than a decade of renewed academic discussion about the nature, size, functions and scope of the state, scholars now widely agree on minimum functions of states in industrialized as well as Third World countries (Evans 1997, 62–87). Accordingly, a state should fulfil at least three basic functions if it is to be considered more than a symbolic apparatus.¹¹

- *Monopoly of violence.* One – if not the most central¹² – duty of a state is its capacity to exert control and authority over its territory. The monopoly of force refers to the state’s ability to make use of legitimate instruments of violence. Through a military and a police force, the state intervenes to settle local conflicts, to disarm private violent actors within its jurisdiction, and to control the country’s borders. To accomplish this, an administrative apparatus is needed to control and manage resources. The state’s capacity to enforce its authority by providing security to its people and governing national territory is the indicator of a guaranteed monopoly of violence.
- *State services (public goods).* Besides the basic task of providing territorial and functional security it is also the state’s duty to deliver other public goods in a variety of social sectors¹³ (education, health system, infrastructure, social services, labour market, environment, and so on) as well as transparent mechanisms for the redistribution of economic resources. To produce these goods in an adequate manner,

the state must possess a number of financing instruments such as tariffs, taxes and duties. The general quality of infrastructure and the health and education systems, as well as the redistribution capacities of the state, are the most important indicators of this core function.

- *Political order.* This function can be considered as an *acquis* of the redefinition of the state at the beginning of the 1990s. It encompasses forms of political participation, decision-making procedures and the stability of political institutions. Furthermore, it is related to the quality of public administration and the rule of law. Here, relevant indicators are increased repression against opposition; election cheating and fraud; systematic exclusion of certain groups from political decision-making; massive human rights violations; no independent court and legal system; and high levels of corruption and clientelism.

A quick look at these core state duties shows how far most African countries are from fulfilling them properly. The majority of states in sub-Saharan Africa are said to be fragile and therefore unable to cope with the huge development challenges they are facing. In fact, many of the post-colonial states have been provided with juridical statehood while lacking empirical prerequisites such as the capacity to provide basic services (education, health, roads, etc.) (see Jackson, 1990; Ottaway, 2003). Fragility begins when at least one of the core functions is missing or met insufficiently. The following section will deal with the several dimensions of this very complex phenomenon.

Fragile statehood

Over the last few years, the issue of dysfunctional states has taken up a prominent place within political debate. Nevertheless, the phenomenon is not new as far as Africa is concerned. During the first half of the 1980s, scholars were already discussing fundamental problems of the African state. Back then the focus did not lie with the failure or collapse of the state, but more with the quality of stateness. These debates on African states as ‘lame leviathans’ (Callaghy, 1987; Khadiagala, 1995), ‘quasi-states’ (Jackson 1990, 1992; Jackson and Rosberg, 1986), ‘weak states’ (Migdal, 1988; Migdal *et al.*, 1994; Reno, 1997, 1998), or ‘virtual’ or ‘defective’ state increasingly shifted to the analysis of ‘state failure’ (Cliffe and Luckham 1999; Herbst, 1996), ‘state collapse’ (Zartman, 1995; Mair 1999; Tetzlaff, 1993) or state ‘inversion’ (Forrest, 1998). The chaos which one believed to observe in those African states on the brink of disaster was mirrored in labels like ‘The Politics of the Belly’ (Bayart, 1993), the ‘Criminalization of the state’ (Bayart *et al.*, 1999) or ‘Disorder as Political Instrument’ (Chabal and Daloz, 1999). In the course of the last few years, terms like ‘states under crises’, ‘states at risk’ or ‘states under stress’ have entered the discussion.¹⁴

State failure appears in various forms. Since the processes' qualities as well as their impacts differ immensely, we argue that they are better understood within the notion of 'fragile statehood'. In contrast to the state failure concept, which suggests a teleological process towards a final state, the concept of fragile statehood is a snap shot which sheds some light on the situation of the state without presuming its further development. Furthermore, it allows a greater analytical differentiation between the different degrees of state dysfunctionality, which is indispensable when it comes to the question of how to reply to the problems of states at risk.

A fragile state cannot fulfil its core functions. This means that its institutions are no longer capable of governing, and are no longer able to provide the population with the basic needs and services outlined above.¹⁵ For the analysis of the phenomenon's different forms, we have to differentiate between the three core functions of modern statehood described above. For each of those dimensions – monopoly of violence, provision of public goods, and political order – there are a series of indicators by which the degree of state erosion becomes measurable.

First, the *monopoly of violence* can be endangered by a series of factors: the incapacity of the state to exert authority over its territory and borders, the presence and growing power of private violent actors (warlords, rebels, terrorists, organized crime networks), the disintegration and privatization of the public security apparatus, the widening circulation of weapons in the civilian population, vigilante justice, or massive increases in crime rates. The more these factors grow in number and intensity, the greater the erosion of the state's monopoly of violence.

Different indicators become visible if the state fails to deliver *public goods or services*: certain groups, for example, are systematically excluded from access to economic resources, private rent-seeking practices flourish, state expenditure on health and education falls, tax revenues plummet, and the country suffers from lasting financial and economic crisis. Distribution of wealth is poor and the gap between rich and poor grows wider. Rates of unemployment are high, urbanization is rapid, ecological problems increase, and public infrastructure, especially the education and the health systems, are devastated.

Finally, if you find increasing repression against political opposition, election fraud, systematic exclusion of certain groups from political decision-making, high levels of corruption and clientelism, the absence of an independent judiciary, massive human rights violations or the break-up of public administration, then you have clear indications that the state is failing to deliver *political order*.

Based on these three state functions, three types of fragile statehood can be developed,¹⁶ wherein special significance is given to the monopoly of violence.¹⁷ For the purposes of understanding this typology, it should be noted that each type/category refers to a process, which neither inescapably

leads states in one direction or another, nor obliges states to necessarily pass through all levels one after the other.

The first category is the *consolidated* or *consolidating* state, in which all functions are largely intact over a long period. In Africa, it is mostly small or island states such as Mauritius, Seychelles or Cape Verde which fall into this category, but so do South Africa and Namibia. Benin could be ranked among those states that are on the right track to consolidation.

- *Weak states.* In weak states, failure can be observed only partially. The monopoly of violence, by and large, still exists, but there are overwhelming problems with the public services and/or the political system. It is worth noting that many authoritarian or semi-authoritarian regimes fall into this category. Despite appearing 'strong' and stable with regard to the monopoly of violence, which is often exercised in ways outside the rule of law, they are 'weak' as regards the other two core areas (state services and political order). The majority of African states belong to the 'weak state' type; for example, Zimbabwe, Kenya, Burkina Faso, Cameroon and Rwanda. Among themselves, however, these states show considerable differences, such as, for example, those between Burkina Faso and Zimbabwe. While both are ruled by semi-authoritarian regimes, Zimbabwe's better initial conditions (natural resource wealth, skilled labour, and developed state structures) permitted a substantially broader distribution of public goods.¹⁸ In both cases, the integrity of state borders may not be endangered, but the security apparatus may be dysfunctional or repressive.
- *Failing states.* Such states may retain some degree of legitimacy, and show signs of a functioning political system able to deliver public services to some of the people, but they find themselves failing if their monopoly over violence and taxation is significantly eroding or eroded. Failing states have lost control over their territory, and grapple with numerous violent non-state actors and regional conflicts. Guinea, Burundi, the Central African Republic and the Republic of Congo fall under this category, as does Angola, which only recently advanced into this category from being a failed state.
- *Failed or collapsed states.* We can speak of failed or collapsed states only in cases in which none of the three state functions exists in a meaningful manner, or where statehood as such has collapsed or never existed. However, this situation does not necessarily lead to chaos or anarchy, as other, often competing, non-state actors take the place of the state. Nevertheless, this situation is, almost without exception, linked to violence, as the non-state actors primarily base their domination on war and repression. Examples of failed African states are Somalia, the Democratic Republic of Congo, Sierra Leone and Liberia.

Root causes: endogenous meets exogenous

All over the world, state-building and state failure are complex processes, which are influenced by many elements and triggered by a series of internal and external factors, which differ from case to case. Therefore, a general theory of state failure seems beyond reach. Though it is not possible to establish monocausalities, it is possible to identify the conditions which hamper or prevent the development of stable and functioning states, as far as Africa is concerned.

When it comes to the explanation of fragile statehood in Africa, several reasons are mentioned which lack validity or are too general or too simple. Complexity is often reduced by focusing on only one major explanatory factor. Most arguments miss structural correlations, and some confuse causes with consequences. Generally speaking, the international discussion about unsatisfactory state performance in Africa suffers from being confined to development studies and controversial debates over modernization and dependency theories. One important characteristic of these debates is the interpretive divide between Western and African thinkers¹⁹ when it comes to identifying the responsibilities. While the culture of externalizing the origins of the continent's problems is still strong among African intellectuals, the European tradition of explaining Africa's actual situation generally tends to minimize the burden of the continent's past and its unfavourable connection to international trade. As a result, the tensions between internal and external causes of state failure reflect the divergent analytical trends.

It is not our aim here to reproduce the virtually inexhaustible list of potential reasons that are often invoked to explain the shortcomings of African states. For the purpose of demonstrating their analytical inadequacy, however, we will just mention some of them. A very common argument consists in reminding us of the African state's Western origin, which was violently introduced during colonial times. As an alien body, the colonial state is said never to have penetrated the countryside, whose socio-economic and cultural conditions were simply ignored. The brutal transformation from a colonial to a sovereign state in the 1960s even worsened the situation. According to Jackson:

Africans were catapulted by the rush of events into the state system of the later twentieth century with very limited preparation for large-scale self-government and still attached to indigenous practices and institutions of which most were rooted in kinship duties and clan or tribal (ethnic) identities that were contrary to the obligations and other requirements of modern sovereign statehood

(Jackson, 1993: 140)

Apart from the fact that this thesis completely underestimates the agency of African political actors, it is an illusion to explain the weakness of state institutions in Africa by invoking the 'importation argument' after more than 40 years of independence and about 80 years of colonial rule. From a historical perspective, it cannot be denied that the state was imported and that its implementation led to the destruction of other forms of social, political and cultural life. But the import of the state went hand in hand with its reappropriation by African political and economic elites who sought to shape it for their own personal purposes.²⁰ This reappropriation process took not only institutional but also material and symbolic forms, which contributed to the indigenization of the state in Africa (Mbembe, 2000: 64ff). Diagnosing state failure as a result of the ill-suited European model in Africa ignores the fact that the continent presents a picture of heterogeneous state formation (Herbst, 1996), which defies generalizations.

A further widely accepted explanatory variable for state failure is the artificiality of African state borders. The extremely diverse ethnic composition of the population is supposed to have prevented the emergence of a national identity, thereby paving the way to ethnic tensions and conflicts in most African countries. This argument is based on the problematic assumption that the ethnic diversity, which resulted from the foreign imposition of borders, is per se a problem that undermines African development efforts. Two disqualifying reasons could be given. First, state formation very often is a violent and war-torn process, which also in Europe led to the unification of ethnically diverse communities. Their national identities emerged out of these state shells as well as out of the legitimacy of the political class. The ethnic diversity as variable to conflicts argument has been convincingly challenged by some authors, who consider available material resources as a primary cause of conflict (Collier and Hoeffler, 2001). Furthermore, the obverse thesis would assume that countries with less diverse ethnic communities would be immune to state disintegration and violent conflicts. However, the examples of Rwanda and Somalia – showing some of the most homogeneous ethnic structures in Africa – prove the exact opposite. Second, some empirical studies have been able to demonstrate the existence of national identities, which correspond to the national borders despite ethnic diversity (see, for example, UNESCO, 1986).

Taking the relationship between economic crisis and state failure as a starting point, some authors argue correctly that processes such as globalization, privatization or structural adjustment have contributed to the continent's economic marginalization and to the indirect undermining of state institutions (Shaw and Nyang'oro, 1999). In fact, there is now enough empirical evidence to suggest that globalization-driven privatization measures have accelerated some processes of state deterioration. As the demands of structural adjustment resulted in cutbacks within already underfunded and poorly functioning sectors like education, health, and

security, the International Financial Institutions indeed hindered development and contributed to state weakening. Though these points alone do not explain the whole process surrounding weak states, they have to be taken more seriously than others, which consider colonialism, slave trade, unfavourable natural conditions or the exploitation of resources to be responsible for the problems. Just as others who blame the weakness on poverty, ethnic diversity, religious conflicts, the decreasing integrity of armies, increasing rebellions and sub-national movements, family structures, the lack of private property and school, or the absence of a bourgeoisie (see Erdmann, 2003; Emmer, 2003). All in all, all these arguments certainly play an important role in explaining some features of the multidimensional processes of state failure in Africa. However, they are aggravating, rather than causal, factors. Most of the factors named are able to produce their negative effects on African states because they operate in a context of neopatrimonial politics. The importance of neopatrimonialism for the explanation of the African state's inefficiency lies with the fact that it underlines the dual character of the continent's post-colonial politics and polities.

The neopatrimonial understanding of politics

The above description of African realities, including problems associated with state fragility, lack of economic development and democratic processes, can be linked to and explained by neopatrimonialism – a certain logic of political rule found in Africa. Though this logic may not be valid in all contexts and places in an all-embracing manner, there is no alternative concept, which seriously explains how politics works in Africa. Its strength, thereby, lies within the inclusion of a sociology of power, related to Max Weber's (1980) typology of political domination and legitimacy.

Neopatrimonialism describes the overlapping of two obviously contradictory logics of politics: the patrimonial and the legal-rational bureaucratic, whereby the former penetrates the latter determining its output. As a result, the distinction between the private and the public sphere formally exists, but hardly applies in social and political practice.²¹ Clientelism and patronage have to be considered an integral part of neopatrimonialism's bureaucratic logic.

While the pre-colonial era was characterized by patrimonial systems of domination, the historical origins of neopatrimonial practices begin with colonization. The colonial state was never a modern state, but rather a traditional one with some rational features. The legal-rational sphere, dominated by the modern bureaucracy, existed primarily in the capital's centre of power where it reached only the European colonialists and small expatriate communities. The vast majority of the population was under indirect rule, governed by intermediary local authorities, who were appointed by the colonial administration. This remained the sphere of patri-

monial rule. The colonial state benefited from the socially rooted logic of patrimonialism, and utilized it for its own purpose by creating a privileged small local elite.

After independence, the new African leaders reshaped the inherited structures and newly defined the principles of political conduct. This Africanization of politics makes the securing of political legitimacy the focal point of every ruler's behaviour. In the neopatrimonial system the ruler's political credibility only depends on his abilities to fulfil his personal supporters' expectations and to provide them with sufficient resources. Ultimately, it is all about the maintenance of power.

Three main characteristics follow this particular approach to politics. First, the population has to cope with a high degree of insecurity because the state institutions and their agents do not proceed according to rules which apply equally to everyone at all times. Second, the state institutions lack legitimacy, as they fail to provide public services according to their universalistic purpose. And third, politics and social relations are characterized by increasing informalization. The informalization of politics and the economy reaches all parts of the society until it comes to the fore as a separate type of political culture. Above all, it is in this informalized sphere where Africa finds itself intensively connected to and involved in globalized processes of politics, trade, and exchange of all kinds.

In the everyday experience it is probably the notion of corruption that is most comprehensible as the visible result of the described neopatrimonial system. In this system, the differences between corruption, clientelism and patronage are not clear. Corruption seems to be omnipresent in Africa where productive resources are deployed to the profit of those in power, and their families, clans, and tribes who hold their hands open. It is not the ability to do a job or the best qualification that directs appointments to positions in government, public administration or private enterprises; rather it is kinship with or loyalty to the person who makes the decision or offers the sinecure. Import licences for foreign currency and goods of high demand go to influential intermediaries. Trading licences are issued as favours and not according to economic rational arguments. It is those people who are in a position to top up the doctors' salary who get medical treatment. Above all, the system takes its toll on the people's and state's output. As a consequence, the institutions get more and more dysfunctional and lose their legitimacy. 'What is in it for me?' becomes the guiding question people ask (Akol, 2004: 57).

Despite this indisputable omnipresence of corruption in all areas of life, one should desist from using the stereotypical conclusion that Africans are more corrupt by nature than Europeans, Americans or any other population. It is rather the conditions that determine the behaviour, and in all probability most people in any form of power would behave the same way within a system like that. The difference, however, lies with Africa's weak state institutions, which are unable or unwilling to check and counteract

corrupt practices. In particular, it is the dysfunctional legal systems which prevent the rule of law from establishing good governance and accountability. Without the successful application of the rule of law, you could go on talking about the fight against corruption indefinitely, but it will remain empty talk.

Above all, the neopatrimonial system has done its bit to develop an understanding of corruption among Africans which is not rarely different from the meaning western observers have in mind while condemning corrupt practices. Though most Africans condemn corrupt practices, corruption at the same time is a widely accepted instrument for the organization of social and political life. Practices called corrupt by the West are often socially accepted because of their similarity to more 'traditional' forms of reciprocity and solidarity. Though this argument, in our view, is important as regards the better understanding of what happens in Africa, it must not be considered an all-embracing excuse for corrupt behaviour. The process of globalization, in particular, has also changed appreciation and knowledge about the nature of corruption in Africa. Most of the elites today are aware of the negative implications of corruption.

The neopatrimonial state in crisis

How did this neopatrimonial understanding of politics make the state so visibly dysfunctional by the 1990s? In the first period after independence, the neopatrimonial system worked quite well politically, but was inherently unstable. It was, above all, a fundamental obstacle to economic development. By failing to promote economic growth it took away the preconditions for development. Clientelism forms a sharp contrast to the principle of competition and is marked by a high degree of ineffectiveness. It makes political legitimacy dependent on the patron's abilities to perpetuate displays of personal wealth and, at the same time, feed the clientelistic networks on which their power is based. In such a system, political and economic decisions are inherently short-sighted. The patrons, acting directly through personal relations or via state structures, have to give and take, immediately forestalling investment in productive and sustainable activities.

Compounding these difficulties, the world economic crisis in the 1970s destroyed Africa's relative prosperity, which had stemmed from capitalizing on useful colonial assets and stable export prices. The African countries had to face a double shock as oil prices increased while profits for their own agricultural export products dropped. Certainly, other regions' economies had to cope with these problems as well. For Africa, however, they were disastrous in so far as they shook the foundation of the political system the new elites had been establishing. It becomes clear at this point that the negative development in Africa can be explained solely from neither its disadvantaged position on the world market nor the consequences

of globalization. While the debt mountain grew and revenues fell, the patrons began to run out of the means they urgently needed to keep political support. As the crisis shrunk the states' revenue base, the search for resources became more and more intense, power struggles increased and violence often broke out.

A big part of the economic losses in the 1970s and 1980s, however, was checked by external financial and development aid. But, as a whole, the donors' generosity decreased during the 1980s, and further support was attached to economic conditionalities under the directive of structural adjustment. The African rulers managed to adapt themselves to the new situation by applying the economic reforms advised by the international community. The structural adjustment programmes were considered the price to pay for continued assistance. By demanding change in conditions and practices, these programmes seemed to strike at the heart of the neopatrimonial system – in theory, at least. In practice, renewed aid and flows of resources continued to support the maintenance of the state and thereby of the political elites and their neopatrimonial rule. But the high social costs of the state's austerity measures weighed heavily on the already poor population.²²

In the course of the post-Cold War reforms of the 1990s, all major donors carried out a general reduction of foreign aid while simultaneously linking development aid to political conditionalities. As a consequence, external transfers were less and less available for patrons seeking to maintain their clientelistic networks, which is why the patronage circle of beneficiaries had to be reduced. These conditions increased the democratic movements in the early 1990s, as political elites who were no longer admitted to the privileged inner group joined the opposition. This, however, only partly explains the demands of freedom and democracy. The decisive factors were rather the populations' political and social disenchantment, which had been simmering since the 1980s and was further encouraged by the Eastern European transformations.

The authoritarian leaders' handling of the political conditionalities followed the same strategy as economic reforms had done before. To regain access to public foreign aid they made democratic concessions. At first sight, authoritarian governance seemed formally to have come to an end, giving way to democratic transitions. Behind this façade, however, the old mechanisms of domination remained powerful. That the new powerholders, in the end, differed only marginally from their predecessors is due to the fact that the majority of new incumbents belonged to a relatively narrow circle which had been at the political apex for decades. Others, who might have started with the best intentions, didn't manage to escape their determining social structures in the short run. Many went ahead with political reforms to grant a new democratic legitimacy to their domination. By means of divide and rule and clever manipulation of the process, many regimes managed to remain in place. Elections did not become the

criterion for credible and convincing policy agendas but as instruments for the mobilization of group factions. In fact, in some cases the outcomes of elections simply made it possible for the leaders to endow themselves with an aura of 'democratic' legitimacy. From the perspective of Western donors, this strengthened their patrimonial claim to rule.

Where financial aid proved to be insufficient for stabilizing the neopatrimonial domination, some governments developed new sources of revenue through illegal or criminal ventures in the form of money laundering; the smuggling of arms, diamonds, timber, drugs, and consumer goods; or the plundering of resources in neighbouring countries. Some governments were usurped by warlords. They established comprehensive control over lucrative markets while keeping any potential resource-seeking rivals at a distance – violently, for the most part. The warlords' options grew, first with the privatization of state enterprises which allowed them to take direct control of economic resources (Bayart *et al.*, 1999: 71); and second with the development of a new sector of the economy. This 'shadow economy' now supplies the warlords with the partners they need for the protection of resources as well as for the high-profit transformation of resources into wealth (Reno, 1998: 8–9). Within the mentioned areas of trade and business, the different non-state actors cooperate effectively to run a lucrative division of labour. Warlords and rebel movements smuggle drugs and raw materials into the world market via structures of organized crime; in return they receive arms, communication equipment and consumer goods. Rebel- and warlord-controlled territories also have been known to provide operational bases and safe havens to terrorist and organized crime networks.²³

Most African states have had to struggle with deficits, especially within the area of public services, for a long time. In the 1990s, however, those states increasingly lost their ability to provide security for their own people and maintain the monopoly of force over their territory. Consequently, state weakness in many cases gave way to state failure or even collapse.

Intervention or indifference?

In terms of the increasingly postulated principle of *ownership*, the current efforts to resolve conflict in the Sudan's Darfur region as well as in the Ivory Coast suggest that the political will and competence are increasingly at hand in Africa. However, the technical, financial and human resources are rather limited. The African community will not be able to overcome its challenges alone. While external support seems to be indispensable the question is, what exactly can be done by the international community to deal adequately with the different forms and dimensions of fragile states.²⁴ Many obstacles have to be dealt with in finding the right answers.

France's precarious position between the fronts in the Ivorian conflict perfectly demonstrates the difficulties of an intervention by a former

colonial power. Having been accused by the ruling party of backing the ex-rebels, and conversely by the rebels of supporting President Gbagbo, France was eventually accorded the status of a conflicting party by the Ivorian government. This clearly complicated its mediation efforts (Mehler, 2004). At the same time, due to its history, France possesses more field experience in the Ivory Coast than any other European actor. It is therefore unlikely that another country will overtake France's leading role in figuring out political solutions to a conflict that can best be explained as the crisis of the Ivorian neopatrimonial system.

Since any mode of intervention of this kind will have to deal with sovereignty issues, there is an urgent need for developing international criteria aimed at identifying circumstances requiring or justifying intervention. Moreover, although there is a growing consensus regarding the risks of inaction or indifference, international mechanisms for strengthening eroding state institutions before their complete collapse are still lacking.

Decisions to intervene are determined not only by the political will of respective parties, but by the fact of restricted budgets and resources. The limited resources and political will available for the global task of state-building, combining security and political development imperatives, runs up against the post-9/11 strategic importance of doing so. The British government, in particular, is currently showing great commitment to the African-European relationship and to putting high on the priority list a solution to Africa's precarious situation. The protection of human rights was defined as a priority of political and military intervention. Tony Blair's Commission for Africa, and its recently released report (2005) formed the basis for Britain's effort to put Africa at the top of the agenda at the July 2005 G8 summit. Apart from demanding complete debt relief for all developing countries, one of the most important recommendations consists of the redoubling of development aid and for the realization of a Marshall Plan for Africa. The establishment of such a relief programme, so successful in Germany after the Second World War, has lately been given high priority in efforts to address Africa's problems. Whether a new 'Marshall Plan' for Africa would be apposite, however, is doubtful. The chances are that old mistakes would be repeated. Substantial funds would be transferred to African states still lacking the social, political and economic structures which enabled Western Europe to recover after 1945 despite massive devastation.²⁵ Is it really more money that has to be transferred to Africa for the improvement of the state's functioning? Probably not. The reasons for the poor results after more than forty years of development aid are not to be found in the amount of money transferred, but in the quality and substance of the programmes, many of which have not adequately taken into consideration local conditions.

To strike at the root of the problem with the objective of strengthening statehood, stabilizing and reforming weak states as well as reconstructing failed ones, it is necessary to loosen the neopatrimonial structures of Afri-

can politics. Given the multidimensional nature and complexity of fragile statehood, there is no universal panacea. Nevertheless, it is not impossible to escape the neopatrimonial logic, though it is likely to require long-term strategies of change geared towards the development of a new political class; a political class, which increasingly manages to follow an understanding of politics removed from patron–client logics and interests. External support in such a process should be part of an overarching plan that targets the structural factors of state failure. However, selectivity will be necessary, sometimes moving short- and mid-term measures to the top of the priority list. Attention should be focused on those states that already show a degree of failure without having yet reached the point of collapse.

The instruments available for the stabilization of state structures should be aimed at intervening in different areas of statehood – the monopoly of violence, public goods, and the political system. However, tensions may arise between the different state functions, making the selection of adequate measures more difficult. For example, on the one hand, improvements in the security sector are of paramount importance. On the other hand, however, it may occasion risks that police and military forces are misused for internal political repression or aggression towards the outside. Similarly, external economic and financial support necessarily increase the state's revenues and therefore its investment options, but, on the other hand, they risk feeding the neopatrimonial structures and their related corruption, clientelism and mismanagement. There is a similar problem when it comes to democracy assistance practices. They are necessary, but can add to the politicization of collective identities especially in plural societies (Schneckener, 2004: 184–7). In principle, any outside intervention should aim at avoiding what German development practitioners call *Verschlimmbesserungen*.²⁶ This is when outside intervention aggravates and worsens the conditions it was supposed to change. In order to avoid *Verschlimmbesserungen*, a high degree of coherence should be achieved at two levels. The first level concerns the policy formulation and decision-making between the different fields of politics. In countries such as Germany, for example, where foreign and development policy is made in different departments, conflicts of interest may emerge regarding the classification of states (weak, failing or failed) as well as the necessary modes of intervention. The second level is about the coherence of foreign and development policies among different European countries. These shortcomings complicate the effectiveness of external intervention.

It is not possible to escape from these interdependences completely. The more different policy areas are involved in the scope of intervention, the higher the chances they absorb the conflicts at least partly. This integrated state-building approach corresponds directly with the concept of structural stability,²⁷ first formulated by the OECD and the EU and then demanded by some German researchers, which formulated new approaches to development and Africa policies (Engel *et al.*, 2000). Practical experience,

however, makes further prioritization necessary, which is why increasingly demands are made focusing on the state's monopoly of violence in terms of 'security first'. The most important manifestations of state failure are the breakdown of internal security, and the increasing inability of states to control their borders and territory and exert their monopoly of violence. To counter this phenomenon, the state needs reform of the security sector (army, police, judiciary) as well as demobilization, disarmament, and reintegration of rebels and child soldiers. Though the underlying problems of economic development and good governance are not denied general relevance, they are still attributed to the long-term reforms, which are not appropriate to eliminate the potential for failure in the short run.

This approach is not without criticism either. It could be argued that concentration on security to the neglect of structural challenges (unemployment, poverty, illiteracy, etc.) becomes a problem when international actors withdraw after a relatively short deployment. At the same time, however, it is hardly possible to guarantee the supply of international emergency assistance, let alone public services or the rule of law and democratic participation as long as violence is a constant threat (Rotberg, 2003a). The difficulty of confining the different areas is demonstrated by the example of Disarmament, Demobilization, Reintegration and Rehabilitation (DDRR) processes in Liberia. While both of the Ds clearly fall into the package of security sector measures, Reintegration and Rehabilitation immediately go deep into the socioeconomic domain. Only if former fighters can be offered concrete prospects for their futures do the chances of peaceful political order increase. These examples demonstrate the necessity of shifting quickly from a 'security first phase' to a comprehensive approach which considers (re)building measures in different areas of state services.

A fixed formulation for solving the external actor's dilemma does not exist. By no means are successes assured. Each intervention changes local relations of power and as a consequence has the potential for a destabilizing impact. It remains a difficult balancing act between stabilization and reform of statehood. Non-intervention and half-heartedness are not valid options. Interdependence in world politics is too strong, humanitarian implications too sensitive, and risks for national security too high.

In spite of presently emerging tendencies, the state will not escape its contradictory role. The following conclusion can hardly be denied: the state is an important precondition for the provision of people's security and well-being. Whatever goals internal and external actors are seeking, they should avoid adding to unrealistic hopes, as this only leads to frustration, which can easily turn into pessimism and unwillingness to help. This obviously only hinders urgent problem-solving. A pragmatic, realistic commitment is therefore all the more necessary.

Notes

- 1 It was, among other factors, the global communication streams, as for example CNN's broadcasts of the events in Prague, Hungary, Rumania, or the fall of the Berlin Wall via satellite, which played a reinforcing role for the African democratic movements (see S. Schmidt, 1994: 241). Huntington speaks of snowball effects as regards globalized communication consequences (Huntington, 1991: 101).
- 2 The newly formulated concept according to which the political general setup was considered to be the deciding factor for economic development was equivalent to a radical reversal of the previous 'development first, democracy second' maxim.
- 3 According to Gero Erdmann, the commonality between hybrid regimes and democracies lies with the fact that participation is granted to the people through free elections. On the other hand, however, other civil and political human rights are denied in many hybrid regimes. Although human rights violations occur frequently, they are neither grave nor systematic (see Erdmann, 2001, 2002).
- 4 Between 1990 and 1998, for example, the number of people living in poverty in sub-Saharan Africa increased from 242 million to 301 million (World Bank, 2001: 36).
- 5 In the past six years, at least 3.8 million people have died of war in DR Congo, most through disease and destitution (*The Economist*, 22 January 2005: 60).
- 6 In a more general sense, AIDS also poses a great challenge to international peace keeping operations. The presence of many foreign militaries attracts sex trade workers, which promotes the spread of the disease on an international scale.
- 7 A standardized definition of globalization does not exist. On the one hand, globalization is a political rather than a scientific notion and it comprises different economic, political, social, cultural processes for every individual case. Frequently, it is the economic perspective that dominates the debate, in particular if it concerns the question of globalization's consequences in Africa or developing countries.
- 8 An abundance of literature reflects the changing character of statehood since the beginning of the 1990s. The loss of sovereignty on the national level as a result of processes of internationalization has been critically examined by the advocates of the state as a central nucleus of social and international life. Calls for the end of the national state at the beginning of the 1990s simply became obsolete at the end of the decade when the state was said to be returning. Representative of these partly irreconcilable views is the World Bank, which in its *World Development Report* (1997) partially revisited its prior conceptions of the small state (see also Evans *et al.*, 1985).
- 9 This so-called *Dreielementenlehre* ('Three elements theory') goes back to Georg Jellinek (1960). It has gained broad acceptance since the beginning of the 20th century (see Ipsen, 1990: 56).
- 10 We do not deem it necessary to reproduce the largely unfruitful discussion about the cultural provenances of the Westphalian model of statehood and its postulated inability to regulate societies with different cultural backgrounds. This thesis has proven fallacious since the proliferation of state institutions all over the world is the sign of its attraction as social regulation model (Bayart, 1996).
- 11 There are many ways of classifying a state institution. A very common one consists in distinguishing its size (state functions, government objectives) from its power (capacity to plan and enforce government's policy) (see Fukuyama, 2004). Without adopting the same analytical canvas, we see some interest in the World Bank's categorization of state functions in minimal, average and active functions (see World Bank, 1997).
- 12 From a symbolic perspective, the monopoly of violence holds a high attraction for leaders of newly independent countries because of the power they are now provided with to control the own population. In post-independence Africa, the

military and police were not only systematic repressive instruments but also presented interesting career opportunities.

- 13 There exists no universal hierarchy of public goods. The states' capacity to provide most public services depends on a range of factors like economic wealth and distributional capacities, as well as the nature of the regime and quality of the leadership. Most people nevertheless will agree that physical security as defined by the UNDP is the fundamental public good a state should guarantee. For a general overview on public goods, see Gilpin, 1987b. A renewed discussion on public goods occurred at the end of the 1990s with the question of their transposition in a global scale. On global public goods, see Kaul *et al.* (1999).
- 14 Accordingly, the World Bank in 2002 created the initiative 'Low Income Countries Under Stress (LICUS)'. It is the World Bank's response to improving development aid effectiveness in fragile states; see World Bank: Fragile States: The LICUS Initiative (<http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/STRATEGIES/EXTLICUS/0,,menuPK:511784~pagePK:64171540~piPK:64171528~theSitePK:511778,00.html>).
- 15 The following concept was developed within the working team 'States at Risk' at the Stiftung Wissenschaft und Politik, SWP, Berlin, under the direction of Ulrich Schneckener. See Schneckener (2003, 2004).
- 16 For a similar typology see Rotberg (2003a) and Erdmann (2003).
- 17 This 'security first approach' argues that security is a fundamental precondition for the field public goods and political order. Without any reasonably warranted security, there is no chance for sustainable development.
- 18 Zimbabwe's greater capabilities in some fields are mainly due to the different colonial legacies.
- 19 This, of course, is itself a radical simplification of varying positions, which do not automatically reflect the authors' respective cultural backgrounds. There is neither an African nor an European school of thought as such. Too different and complex are the ways of thinking among Africans and Europeans alike. However, the enthusiastic reception of Axelle Kabou's writing in Europe as well as its rejection in Africa shows a real tension between African and Europeans thinkers as far as the role of colonization in African history is concerned (see Kabou, 1991).
- 20 This process was explained thoroughly by Jean-François Bayart (1981).
- 21 The concept of neopatrimonialism is a widely used concept in political science. A detailed review of all relevant publications is offered by Ulf Engel and Gero Erdmann (2007). The definition employed here originates from their conceptualization (see also van de Walle, 2001).
- 22 An excellent analysis of this vicious circle of external policies, neopatrimonial system, state decline, and its consequences for the population in Sierra Leone, is given by David Keen (2005).
- 23 For this as well as for a detailed analysis of non-state actors, see Mair (2002, 2003).
- 24 The imperative for the international community to intervene for state-building purposes is not an uncontroversial issue. It marks a radical change from the development strategies in the 1990s, which considered the state to be inefficient in providing public goods and security for its citizens. However, avoiding the state and focusing instead on civil society organizations as recipients of external goods and services – as was done during the euphoric NGO years in the 1990s – had the unintended consequence of weakening an already fragile state with even more far-reaching effects for the society. It should be noted that international research on the nature and the forms of external interventions in cases of state failure is still in its early stages. For a useful account of the state of the art, see Roehde (2004).
- 25 Among others, skilled labour, good transport and communication infrastructure, and a tradition of strong bureaucratic structures (see, for example, Fukuyama, 2004).

- 26 This word is the combination of two substantives: *Verbesserungen* (amelioration) and *Verschlimmerung* (aggravation). It points to the fact that development programmes often unintentionally produce negative side-effects conflicting with the original intentions.
- 27 In 2000, six German researchers published a memorandum for a new African policy (Engel *et al.*, 2000), which was followed by an unusually vivid debate among political scientists and practitioners. It contributed to a readjustment of the official German policy in Africa.

9 Post-conflict recovery

New wars and the global economy

Tony Addison

Introduction¹

Each phase in the debate around development and the global economy is marked by a different theme: dependency in the 1960s and early 1970s, the new international economic order in the late 1970s, structural adjustment in the 1980s and, from the 1990s onwards, globalization. A new theme arises when an emerging trend is recognized (the information and communications revolution, for instance) or when the unexpected occurs – as with the 11 September 2001 terrorist attacks in the USA.

The events of 9/11, together with the subsequent US response, have pushed ‘conflict’ and ‘security’ – terms which are subject to a plethora of interpretations – right to the front of the controversy surrounding globalization, adding new dimensions to already vigorous debates on the concept of ‘New Wars’ (Kaldor, 1999; Keen, 1998) as well as the economic aspects of conflict more generally (Berdal and Malone, 2000; Collier and Hoefler, 1998; Nafziger *et al.*, 2000). In the 1990s, the intense social stresses generated by the unsteady transition from communism, the difficulties of economic reform in Africa and the Middle East, and the Mexican and Asian financial crises led many to link globalization – the theme of the 1990s – to the ferocious civil wars in Africa, the Balkans, and central Asia as well as to regional rebellions and secessions (Aceh, Chiapas and East Timor). And globalization with its acceleration in flows of trade, finance, and people seemed to open up fresh opportunities for commercializing conflict, thereby internationalizing wars with national and local origins.

The literature around New Wars has raised awareness of the relationship between global economic change and conflict. Yet much of the subsequent debate has become stuck in a rut, too often invoking globalization, together with its cousins ‘the Washington Consensus’ and the ‘neo-liberal order’, as causes of conflict – as if asserting a link between these very broad (and often ill-defined) categories is proof enough.² So to restart the debate in a meaningful way we need to unpack the broader issues, and look to the specifics of policies, actors, and countries. Hence, my focus is on only one

of the many key issues, namely the interaction between the global economy and countries emerging from civil war. Does that interaction help or hinder their transition from war to peace? And in what ways could global economic policy be improved to facilitate their 'post-conflict' recovery?

This is a demanding and complex agenda which raises all kinds of issues – economic, political, and ethical. Moreover, it is complicated by the variety of forms that contemporary conflict takes, each conflict being to a degree distinct in its motives and circumstances. We should therefore be very wary about generalizations. Consequently, this chapter mainly addresses the economic dimensions, concentrating on the importance of international trade to state-building and the need for global public goods in a global market economy. And I mainly focus on the smaller countries emerging from civil war (particularly in Africa) rather than 'international' wars. For discussion of the Middle East, as well as the consequences of the Iraq debacle, the reader must look elsewhere. The final section of this chapter anticipates some of the reactions to my prescriptions, and concludes that the global economy does not work well for peace.

State-building and successful integration into the global economy

It is well known that revenue mobilization underpins the construction of developmental states, but the role of international trade in generating revenues, and thereby trade's central role in state-building, have not received the recognition they deserve. Trade can be a powerful motor for economic growth, and growth creates a rising revenue base for states. The growth in incomes and market activity as well as imports and exports provides increasing amounts of income taxes, indirect taxes, and trade taxes (mostly import duties). These can be used to build core state functions and to expand the delivery of public services (Addison *et al.*, 2004).³ Creating the necessary institutions – tax administrations as well as customs and excise services – is therefore a necessary but not sufficient condition for revenues to grow: economic growth is crucial. How societies integrate themselves into the global economy, and whether that integration is growth-promoting, are therefore critical to the chances of successful state-building (and indeed to their chances of democratization, since democracy tends to follow prosperity). Of course, the state may be built for many different purposes, including dictatorship or for making wars on other states, so that state-building does not automatically give rise to peace. Still, without state-building the chances for a more hopeful post-conflict trajectory will come to nothing: an effective state is essential to *broad-based* (poverty-reducing) recovery and growth (Addison, 2003).

It is true that domestic demand growth can drive economic growth in large-population countries, even if per capita income is initially low (for

example, Brazil, China, and India). But export demand is the main driver of growth in small countries, at least until their per capita income rises to middle-income levels, thereby creating a larger domestic market and greater possibilities for import substitution.⁴ And civil wars of the type that concern us here have nearly all occurred in small low-income countries. Moreover, contemporary conflicts typically reduce per capita income and domestic purchasing power; exports will remain important for growth in the early years of post-conflict recovery until household income recovers – thereby generating new opportunities for producers serving domestic markets (including community-based livelihood projects).⁵

Conflict countries have many points of contact with the global economy, including flows of illegally produced and internationally traded minerals and narcotics; flows of finance involved in the looting of national assets and the subsequent transmission of the money offshore; flows of information as new communications technologies are used to organize war economies and international terrorism; and flows of people as fighters, refugees, and ‘human commodities’ (including the trafficking of women and children). The issue therefore is not one of reconnecting economies that are disconnected from the global economy; rather it is changing the nature of their interaction in ways that secure both war to peace transition and broad-based recovery and growth.

Meeting this overarching goal, however, faces at least three major difficulties. First, a narrow range of primary commodities dominate the exports of conflict countries, making economic management especially difficult, and recovery can easily be derailed. Second, the exports of conflict countries include ‘conflict commodities’ such as ‘blood diamonds’, illegally cut timber, and hard drugs, and these can provide warlords with more resources than the state itself – so that trade may be *warlord-building* rather than state-building. Third, rich-country protectionism impedes trade-led agricultural growth in poor countries, including the conflict-affected, and agriculture is a vital sector for post-conflict recovery and for the creation of peaceful livelihoods in general. If these obstacles are not overcome then post-conflict reconstruction will be, at best, an exercise in rebuilding economies and societies as they were before war, often resurrecting and exacerbating deep inequalities, and leaving countries weaker in their ability to achieve broad-based development. I now take each of the three difficulties in turn.

Commodity dependence and the weak link to development

Low-income conflict countries are overwhelmingly dependent on commodity exports. Consequently their economic management faces all the problems inherent in commodity dependence, including the volatility of world prices that often generates a boom–bust cycle for producers (UNCTAD, 2004). Producers of energy, minerals, and some soft com-

modities are presently benefiting from stronger growth in China and India as well as Japan's economic recovery, all of which have driven up prices after years of stagnation. Oil economies, which have a high incidence of conflict, are benefiting from an oil price which is at a 13-year peak.⁶ Will they use this windfall for development or will it be squandered? Take, for example, the African oil producers, politically a very fragile group. Angola and the Republic of Congo (Congo-Brazzaville) went through civil wars (lasting over 25 years in Angola's case), and Chad, Equatorial Guinea and Sao Tome and Principe have histories of political instability. And the distribution of Sudan's oil revenues is a key item in the peace agreement between Khartoum and the southern secessionists.

Mismanagement and theft of oil and gas revenues are common. In Angola, US\$4.3 billion of oil revenues went missing between 1997 and 2002, and nearly one-third of government spending occurs outside the official budgetary framework (Shaxson and White, 2004). Given the depth of Angola's poverty, these resources are a major loss to post-war recovery (de Sousa *et al.*, 2003). Some of the blame can be laid at the door of national elites, but bribery has been all too common as well. Companies acting as agents pay the bribes, thereby enabling oil companies to deny any involvement. Financial globalization facilitates such secret payments, but recent legislation to combat money laundering by organized crime and terrorists has scooped up suspicious transfers by agents with connections to some major oil companies. The French and US authorities are presently investigating allegations that companies paid up to US\$180 million to win contracts in Nigeria's natural gas industry (McNulty, 2004). The current oil boom may therefore have little benefit for the majority of people in the producing countries – a depressing but all too realistic prospect (Gary and Karl, 2003; Global Witness, 2004a).

What can be done? Transparency in resource use is crucial. The Republic of Congo has now agreed to publish previously secret revenue data, a condition of further IMF assistance to the country. And one promising step forward is the Extractive Industries Transparency Initiative (EITI) which aims to increase revenue accountability through full corporate and government disclosure. EITI will help civil societies challenge governments to spend these revenues on development. But the resources of local campaigning groups are generally modest and they, together with any independent media that may exist, are often harassed – sometimes at the cost of their lives. Hence, EITI and other such initiatives must be supported by determined action on corruption's supply side; in particular, rich countries should prosecute overseas bribery more vigorously. The United States was almost the only country with such legislation – and overseas bribes were tax-deductible in France and Germany – before the agreement by OECD countries to impose criminal penalties on nationals guilty of bribery took effect in 1999. However, deterrence depends on prosecutions and not a single case has yet been heard in a UK court. Europe's financial

authorities have dallied for years in tracking down the US\$3 billion stolen by the late General Sani Abacha from Nigeria's treasury. And in the US, the country with the oldest legislation, only 39 criminal prosecutions have been brought in 27 years.

Overall, mineral-dependent countries would be well advised to use the present windfall to diversify their economies, a task that remains critical for commodity-dependent economies as a whole. But to achieve this effectively, countries need to take back control of the resources and revenues that are being lost in the illegal mining and production of conflict commodities. These can then be used to finance economic diversification, especially in ways that benefit the poor. It is to this task that we now turn.

The resilience of conflict commodities

Conflict commodities are now a focus of international action; gemstones, timber and drugs have all funded war (Collier, 2003; Malone and Nitzschke, 2004). The associated financial flows are also a promising opportunity for action; disrupting UNITA's finances reduced the movement's effectiveness towards the end of Angola's civil war, for example. Attention has now shifted to the role of gemstones, particularly diamonds, in financing international terrorism. During Sierra Leone's civil war, diamond buyers for al-Qaeda are alleged to have colluded with Liberia's then government, and they are said to remain active in West Africa. The Chief Prosecutor for the UN Special Court for Sierra Leone, David Crane, recently stated: 'We have in the process of investigating Charles Taylor . . . clearly uncovered that he harboured al-Qaida operatives in Monrovia as late as the summer of 2001 . . . the central thread is blood diamonds' (Global Witness, 2004b).

The main international initiative to deal with the problem of blood diamonds is the Kimberley Process Certification Scheme (KPCS) which has been in operation since 1 January 2003, with a membership of 50 diamond-producing, -trading and -polishing countries. Participating countries agree to import and export diamonds which have the KPCS certificate. In effect the KPCS aims to create a two-tier market in which illegitimate diamonds sell at a discount relative to legitimate (certified) diamonds, thereby cutting the value of conflict diamonds to sellers (Collier and Hoeffler, 2004).

There remain, however, significant problems at the production end of the diamond chain. Up to half of Sierra Leone's gemstones are still smuggled out of the country (Diamonds and Human Security Project, 2004: 9). The Republic of Congo became a test case for the KPCS in early 2004. The Republic of Congo produces only 55,000 carats per year but exports 5.2 million carats a year (worth more than US\$200 million), much of which consists of re-exports of diamonds smuggled in from Angola and the Democratic Republic of Congo (DRC) (Innocenti, 2004). These figures became public in the annual report which each member of the KPCS must now submit, confirming what many had suspected for years (Dietrich,

2002). In late 2004, the Republic of Congo was expelled from the Kimberley Process and is now campaigning for reinstatement.

The consumer end of the commodities chain also has serious problems. A recent report by Global Witness finds only weak compliance among major jewellery retailers and concludes that: 'The self-regulation, which is supposed to cover the entire diamond-jewellery supply chain, from the mine to point of sale to the consumer, is amounting to not much more than a public relations manoeuvre with little credibility behind it' (Global Witness, 2004c). And although the Clinton administration strongly supported the Kimberley process, the 'Bush administration has been largely indifferent to it, having been slow to sign up to its monitoring provisions' (Lyman and Morrison, 2004: 84). In summary, the KPCS has added some teeth to international concern, but the fundamental problem remains that a great deal of Africa's gem stone economy is not in legitimate hands. This is an aspect of building a global rule of law that we discuss in the next section.

The global market in drugs also fuels conflict, notably in Afghanistan (which produces 75 per cent of the world's supply of opium) and Colombia (the major producer of cocaine). Indeed, Afghanistan under the care of the international community now produces and exports more opium than it did under the Taliban regime (which in its last years banned all drugs and savagely punished offenders). The IMF values the opium trade at US\$2.6 billion a year (equivalent to 60 per cent of the country's GDP). Opium, together with the revenues generated by the traditional activity of smuggling, provides the country's warlords with revenues to match those of the government (for comparison, the 2003–04 development budget is US\$1.7 billion). Afghanistan's warlords are accumulating resources on a scale that makes it relatively easy for them to bend post-conflict recovery to their own purposes, both politically and economically (Gannon, 2004).

Clearly, the global economy in drugs is functioning very well. What can be done? One useful proposal is that of Collier and Hoeffler (2004) who argue for the creation of a two-tier market in drugs (with registered addicts in rich countries able to obtain legal government supplies, thereby driving down the price in the illegal market). The world price of hard drugs would then fall, reducing financial flows to producers. Providing livelihoods that offer an alternative to growing opium and other drug-producing plants is also crucial; ultimately, broad-based development is essential to undermining the grip of narcotics on poor countries. However, rich-country protectionism in agriculture hinders such development, and it is to this that we now turn.

The security implications of rich-country protectionism

Agriculture is a livelihood for the world's poor, a source of economic growth, and a major foreign exchange earner. Agriculture is the economic mainstay of post-conflict countries like Mozambique, especially for their

poor. Indeed, given the difficulties in using mineral revenues for development, agriculture is often the best prospect for pro-poor recovery in resource-rich countries such as Angola as well. Land reform, micro-finance and pro-poor investments in infrastructure and research can raise the benefits of agricultural growth for poor people, but it is also vital for the world market in agriculture to function well. That market, however, is grossly distorted by the policies of the rich countries, largely to the disadvantage of the poor world.

Afghanistan illustrates this point. There are few alternative crops to opium in Afghanistan, but one is cotton, which was produced in significant amounts in the 1970s. But by 2003, war had cut output to 8 per cent of its 1983 level (Nells and Usman, 2003). Substantial private and public investment is needed to restart production in cotton and other agricultural livelihoods, but rich-country protectionism reduces the return to investment. The EU spends €900 million (US\$1.07 billion) annually on subsidizing its domestic cotton farmers, while 25,000 American cotton farmers enjoy an annual subsidy of US\$3.7 billion (Gillson *et al.*, 2004). The US is the largest cotton-exporting nation (accounting for 40 per cent of world trade) and US and EU subsidies depress world prices; it is estimated that cotton prices would have been 12.6 per cent higher between 1999 and 2002 without the US subsidy (Alden, 2004).

The EU and US sugar subsidies are similarly harmful to many poor countries. Every Euro of sugar that Europe exports carries a subsidy of €3.30 at a total cost of €1.5 billion (Oxfam, 2004). The lower world price has cost three African producers US\$238 million since 2001 – Ethiopia and Mozambique (both post-conflict countries) and Malawi (at peace but very poor) (Oxfam, 2004). Mozambique's losses are equivalent to one-third the value of its EU development aid. Although some developing country sugar producers benefit from preferential access to the European market (which is now being phased out), rich-country subsidies depress farm incomes across much of the rest of the developing world, including the post-conflict countries where rural poverty is exceptionally high.

If reducing rich-country protectionism does raise economic growth in the developing world – as policy simulations suggest (Anderson, 2004) – then the incidence of civil war may fall, since cross-country empirical work finds that growth tends to reduce the *risk* of conflict occurring (Collier and Hoeffler, 1998). Quite why this should be so is a matter of continuing debate and many would argue that other socio-economic factors, in particular inequality (and specifically inequality across ethnic and regional groups), can be as important or indeed more important (see Nafziger and Auvinen, 2002; Stewart, 2001). Still we can construct a number of plausible scenarios whereby trade-led growth could contribute to peace (and be supportive of political processes to make peace). Eliminating rich-country cotton subsidies would, for example, raise growth in Africa's Sahel (where cotton is one of the region's few comparative advantages) thereby reduc-

ing the frustrations of the young unemployed and the attractions of militant Islam. And it would reduce migration from the Sahel to West Africa's coastal states where local demagogues have played on resentment against immigrants, notably in the lead up to Côte d'Ivoire's civil war.

In summary, phasing out agricultural protectionism by rich countries could help the development and security of poor nations. This is not to imply that reforming the world cotton market offers some instant solution for reviving Afghanistan's economy or weaning its farmers away from opium, but rich-country cotton subsidies certainly do nothing to help Afghanistan or other poor nations. Nor should we assume that further liberalization of world agriculture is without costs for the developing world, particularly for the food-importing nations who will face higher world food prices if rich countries cut their subsidies to food producers (Laird *et al.*, 2004). Whereas this will be to the benefit of surplus-producing farmers in developing countries, an increase in the consumer cost of food can cause real hardship for the poor and set off political discontent. The standard advice is to liberalize and simultaneously put in place social protection to offset the poverty impact of higher food prices. But the track record in creating safety nets for the poor is very varied across countries, with the poorest countries generally experiencing the most difficulty.⁷

Although there is a strong case for viewing rich-country protectionism through a security lens, rich-country governments are reluctant to take such a view, and a narrow 'business as usual' interpretation of their domestic and commercial interests seems set to prevail. Thus, in the case of EU cotton, producer subsidies are seen as an income-transfer mechanism (albeit a very inefficient one) to the lower-income regions of southern Europe – producer prices in Greece and Spain are between 144 and 184 per cent higher than the world price (Baffes, 2003) – and this, rather than the impact on West Africa and other poor regions, is likely to govern EU policy. EU sugar-refining companies are also a strong lobby in Brussels for the continuation of domestic subsidies that benefit their industry. Similarly, there is no sign yet that US policymakers have reflected at all on the wider security impact of agricultural subsidies, and agribusiness remains highly influential; large growers, who receive three-quarters of the cotton subsidy, are active lobbyists in Washington, DC, for example. However, the larger developing countries, notably Brazil, are beginning to flex their muscles. In April 2004, the WTO made a preliminary ruling that the US cotton subsidy was excessive, boosted US exports and depressed prices at the expense of Brazil and other producers, and therefore breached US obligations to the WTO. In June 2004, a WTO dispute panel upheld the preliminary ruling. A spokeswoman for the US trade representative responded with a statement that: 'we have no intention of unilaterally disarming' – an unfortunate turn of phrase given the link between trade and security that this chapter emphasizes.⁸

Global markets and global public goods

Just as a national economy cannot operate effectively without the provision of public goods, so the global market economy cannot be efficient (or fair) without global public goods (see Kaul *et al.*, 2003).⁹ The under-provision of public goods occurs at the global level for much the same reasons that it occurs within nations for, as Adam Smith noted in 1776, such goods ‘. . . though they may be in the highest degree advantageous to a great society are, however, of such a nature that the profits could never repay the expenses to any individual or small number of individuals . . .’ (Smith, 1994 [1776]: 779). Global public action is therefore necessary to fill the gap left by private action, just as national governments must fill the gaps left by national markets. And the benefits of providing public goods obviously go beyond the purely economic – security, a healthier life, and environmental protection are important goals in their own right.

Global rule of law is one of the many global public goods that are chronically underprovided (‘global rule of law’ is used here as a shorthand term to cover rules pertaining to the person, property, and contract, i.e. the *instruments* of justice). Progress has certainly been made, notably through the creation of the International Criminal Court (ICC). And national judiciaries now cooperate more closely with international and regional courts; Slaughter (2004) detects in these networks the start of the globalization of justice. But there is a long way to go; the US has not ratified the ICC – and this is unlikely under the Bush administration – and the enforcement of international legal rulings is patchy at best, particularly those of the international war crimes tribunals in Rwanda and former Yugoslavia.

Building the global rule of law, together with related public goods such as peace-keeping, would have large economic benefits aside from averting immense human suffering. The cost of a civil war in a typical developing country is at least US\$64.2 billion, including the value of the lost output as well as the value of the lost life and health (Collier and Hoeffler, 2004: 135). This cost is nearly equal to the total amount of official development assistance (ODA) provided annually to all developing countries (US\$69 billion in 2003), a significant part of which is now committed to post-conflict reconstruction. Second, the new institutional economics tells us that economic activity is inhibited by high transactions costs when the protection of the person and property is weak (North, 1997). Private investment falls, and is diverted away from productive (and employment-generating) activities towards activity which affords a quick exit (trading in scarce goods, for example). These effects can persist for years when the end of the war is uncertain (presently the case in Liberia, with Charles Taylor still at liberty). Third, we have already referred in the previous section to the waste of resources in conflict-affected countries arising from corruption in the natural resource sector, particularly oil and gas, and the weakness of international law and enforcement in this area. Voluntary ac-

tion through corporate social responsibility (CSR) under the scrutiny of civil society has been much emphasized of late. But CSR cannot substitute for a properly functioning global legal framework to regulate the international corporate sector, especially in conflict areas.

Our discussion has emphasized global justice as a crucial public good. But there are two other vital global public goods that we should note – albeit only too briefly – before moving on. First, global environmental protection remains chronically underfunded. Global climate change can destabilize societies, and not just in the developing world: a recent study for the US Department of Defense concludes that global warming, if not halted, will be a significant catalyst for future civil wars and inter-state wars (Schwartz and Randall, 2003). Second, the spread of HIV–AIDS and other communicable diseases (such as tuberculosis) are causal factors in conflict; the decline in populations of working age (the group with the highest incidence of HIV–AIDS) undermines economies and the effectiveness of state institutions (Cincotta *et al.*, 2003). Economic decline and weak institutions in turn increase the probability of conflict. This effect becomes cumulative since a weakening in overall state capacity is often associated with deterioration in the quality of public health institutions (Price-Smith, 2002).¹⁰ And violent conflict itself spreads HIV–AIDS and other communicable diseases (World Bank, 2003). Thus, Angola, Liberia and Sierra Leone have emerged from war with very high levels of HIV–AIDS; this strains their meagre health budgets even further and endangers the crucial task of reconstructing and reforming their state institutions.

Where will the resources be found to fund global public goods?

We have already suggested that the provision of global public goods will be *resource-saving* by reducing the lost investment and output associated with war, as well as *resource-generating* by enhancing the efficiency of production and market exchange. This applies not only to the conflict countries themselves but to all countries, both rich and poor, whose economies (and budgets) increasingly bear the costs of conflict (for example consider the resources now devoted to securing the global airline and shipping industries). In principle these benefits provide incentives for nations to make agreements to introduce international taxes to finance global public goods.¹¹ However, this argument assumes that: (i) countries recognize the benefits; (ii) they are persuaded of the practicality of the taxes and the effectiveness of the resulting public goods; and (iii) they do not instead adopt a strategy of free-riding on the efforts of others. These are all formidable problems.

What form could these international taxes take? This question is bound up with the larger issue of development finance – a debate reinvigorated by the 2002 UN Financing for Development Summit in Monterrey – and the even larger question of the UN's role in international economic governance

(Nayyar, 2002). An analysis prepared for the UN General Assembly (Atkinson, 2004) discusses the relative merits of global environmental taxes (a carbon-use tax), a tax on currency flows (the 'Tobin tax'), and the principles of international taxation more generally. This study finds that quite modest rates of taxation will raise significant funds. Moreover, the carbon-use tax has a 'double dividend', not only reducing harmful climate change but also raising resources for further development spending. The 'Action Against Hunger and Poverty Initiative' of the governments of Brazil, Chile, France and Spain also proposes international taxes together with voluntary measures by individuals and businesses to mobilize development finance (also discussed in the Atkinson 2004 study). However, the present US administration is firmly opposed to any form of international taxation as well as to any role for the UN in this area, while cautiously supporting some voluntary measures (such as private and corporate philanthropy).

Despite the present impasse on financing measures that require international collective agreement, considerable scope remains for individual nations or groups of nations to increase aid flows. Whilst the economies of the rich world have more than doubled in size over the past 30 years, they are presently spending a smaller proportion of their GNP on aid than at any time since the 1960s. Most of the aid to GNP ratios of the bilateral donors are below the UN's target of 0.7 per cent; the average has fallen from 0.33 per cent of GNP in the mid-1980s to 0.23 per cent in 2002 (OECD-DAC, 2004). After years of stagnation some progress is now being made; the UK proposal for an International Finance Facility (IFF) seeks to raise aid by 'front-loading' the increase and is supported by France and a number of G20 members (Mavrotas, 2004). Given US equivocation over aid (its aid to GNP ratio is only 0.14 per cent), together with its reluctance to support multilateralism, many hope that the EU might exercise leadership on development finance and, more broadly, international economic governance. Atkinson (2002) proposes that the EU commit 1 per cent of its GNP to development assistance; that is, 1 per cent of €10,000 billion – the resulting €100 billion would add substantially to the total level of aid (US\$69 billion) presently provided by OECD-DAC members. However, the EU's over-restrictive fiscal rules (the 'Stability and Growth pact') reduce the chances of such a bold step in the near future.

Debt relief also has conflict and security dimensions. Conflict countries have accumulated substantial foreign debts as a result of past aid loans, together with international commercial borrowing (mostly by the oil economies which used oil as collateral). Of the 41 Heavily Indebted Poor Countries (HIPC), 11 are classified by the IMF and the World Bank as conflict-affected and owe some US\$63 billion, a large proportion of it to the donors themselves (IMF and World Bank, 2001: 21). Much of this debt is odious; accumulated by past dictatorships with little concern for the impact of the debt-servicing burden on the general population (Addison and Rahman, 2004). In the case of Zaire (now the DRC) the United States,

France and Belgium pressured the IMF and the World Bank to continue lending after it was apparent to all impartial observers that Mobutu was incapable of using the money for development purposes (Wrong, 2000). Although the HIPC initiative is a step in the right direction, it has pursued a slow and cumbersome process and one which is, in the case of the conflict countries, largely disconnected from efforts by the African Union and UN to achieve workable and lasting peace agreements (Addison and Murshed, 2003).

Will the additional resources from debt relief and increased aid be effectively used? The effectiveness of aid for developing countries as a whole has generated considerable debate (see Addison *et al.*, 2005, for an overview). There is now an equally lively debate on aid effectiveness in post-conflict countries: I have argued elsewhere (Addison, 2005) that aid has potentially strong benefits, but Intriligator (2004) is very sceptical, and Collier and Hoeffler (2004) adopt a middle position. What accounts for this range of views? Critics of aid tend to look back to the era of the Cold War when aid allocations across countries were significantly influenced by the strategic objectives of the major donor countries, with development being secondary in many cases. Unfortunately these strategic objectives amounted to keeping in power such dictators as Mobutu of Zaire and Said Barre of Somalia, at great cost to their countries. But this does not undermine the argument for *well-designed* aid; it only warns us what happens when aid policy becomes subsumed to the larger strategic goals of the donor country.

Still, the absorption problem remains and must be taken seriously. The ability of countries to absorb increased *external* resources can only be fundamentally improved as the capacities of recipient states improve, and as democratic governance is built with transparency in revenue and spending allocations together with legislative oversight as the most critical dimensions. This in turn requires growth in *domestic* revenues which, as argued earlier, in large part depends on achieving trade-led growth, and therefore on reducing obstacles such as rich-country protectionism. Hence aid effectiveness, and therefore the decision on what should be its appropriate volume for each recipient, cannot be separated from the larger issues of how poor countries interact with the global economy.

Conclusions

Some readers may well feel that the analysis and prescriptions offered in this chapter do not go far enough, and that some more thorough overhaul of global capitalism is required – perhaps involving *less* engagement by developing countries with the global economy. Certainly, I have put forward what is largely a technocratic agenda, seeking to advance reform of the global economy as it now stands, and have argued the case for more global integration not less. But the chapter also makes the argument for

changing the nature of the way in which poor countries, particularly those in transition from conflict, interact with the global economy; emphasizing directing export revenues in resource-rich countries to development tasks, tackling corruption's 'supply side', and reducing rich-country protectionism in agriculture. And the chapter emphasizes the importance of providing global public goods to fill the serious gaps left by global markets, and the urgent need to mobilize finance for their provision as well as for development assistance more generally. Achievements in these areas would take us considerably further than we are at present – and in that sense the prescriptions in this chapter offer a radical (albeit liberal) agenda for change.

One of the principal arguments of this chapter is that economic growth is necessary for state-building – since growth delivers a rising revenue base – and that trade, for small countries where most of the last decade's civil wars have taken place, provides an important source of growth if carefully managed. This is of course a very broad statement. Historically, countries with effective trade-led growth strategies show considerable variation in the mix of state and market instruments. Outward-oriented development strategies can consist of low protection of the domestic market (to encourage exporting), direct subsidies to exporters, or import protection combined with implicit export subsidies – profits from domestic sales being then reinvested in an export drive (as South Korea did during its phase of fast industrialization, following reconstruction from the 1950–53 Korean War). Today, WTO rules imply considerably less scope for using import protection and subsidies as part of a development strategy. Irrespective of this, translating lessons from East Asia's success stories into contemporary development strategies needs considerable care, not least when it comes to small countries with weak states.

Moreover, it is a broad statement to say that peace can be promoted by more economic growth in the developing world. Indeed, some may say it is a leap of faith. Certainly, I do not wish to deny the importance of good politics for steering grievances into peaceful channels for their expression and resolution. But reducing grievances depends on having a state that is effective enough to deliver on the political promises: better public services and infrastructure to reduce regional and ethnic income inequality, for example. And that depends on achieving revenue growth which in turn requires economic growth to deliver a rising tax base. For sure, the whole structure of revenue collection and public expenditures usually requires comprehensive overhaul, but again, the effectiveness of that system to run the public finances is inherently part of state-building – and therefore the system itself needs revenues for its construction. Nor must growth be bought at any price: environmental destruction undermines livelihoods and therefore growth itself, and can be a major source of social conflict in its own right.

Finally, although broad-based (poverty reducing) recovery needs an effective state, state-building does not in itself create peace – either domesti-

cally or with neighbours. Thus, countries with stronger states than those in Africa have experienced civil war or have regions attempting secession (Sri Lanka, and Kashmir in India, for example). Eritrea and Ethiopia built more effective development states over the 1990s and then went to war with each other in 1998–2000, and while the states of Rwanda and Uganda are now much more oriented towards broad-based development than in the past, their relations remain tense, not least over the DRC. Reflecting on European history, Tilly (1985) reminds us that ‘war makes the state, and the state makes wars’. It would indeed be a paradox if state-building in poor countries became associated with greater inter-state conflict, and less civil war. For this reason at least, the world needs better frameworks and institutions to contain wars between states.

Notes

- 1 A first draft of this chapter was presented at the workshop on ‘The Globalization of Political Violence’ held in Prato (Italy), 28–30 June 2004, and organized by the School of Political and Social Inquiry, Monash University, and the Centre for the Study of Globalisation and Regionalisation, University of Warwick. I am grateful to participants for their incisive and helpful comments, and in particular to Richard Devetak and Chris Hughes, the organizers of the research project. The views expressed are those of the author alone, and should not be attributed to UNU-WIDER.
- 2 See Berdal (2003) and Newman (2004) for critiques of the concept of New Wars.
- 3 For contrasting views on state-building in post-conflict societies, see Chesterman (2004), Fukuyama (2004) and Rotberg (2004).
- 4 Whether, and at what stage of their development, countries should use import protection (by means of tariffs, quotas, or government subsidies) is not an issue I address here, except to note that using tariffs and quotas effectively to achieve structural economic change very much depends upon state capacities – which are in short supply in contemporary post-conflict economies – and lack of revenues precludes large government subsidies in most post-conflict economies.
- 5 One of the other sources of growth in the immediate post-war years is the activities of donors and NGOs. If the export sector is very damaged by war then donor activity can be one of the few dynamic elements of the post-war economy, and although aid is crucial to post-conflict recovery it can have some distorting effects (for instance absorbing scarce skills at the cost of domestic private investment as well as state institution-building).
- 6 Although oil economies are more vulnerable to conflict, the character and severity of the conflict show considerable variation: localized violence in Nigeria’s Delta region, the attempted secessions of Indonesia’s oil-rich provinces, increasing domestic terrorism in Saudi Arabia, short and long civil wars in Africa (Republic of Congo and Angola, respectively) and inter-state war followed by civil war in Iraq.
- 7 A somewhat different set of issues is raised by liberalization in manufacturing and services (see Guha-Khasnobis, 2004).
- 8 The quotation by the US trade representative is contained in Colitt and Alden (2004). In March 2005, WTO appeal judges upheld the April 2004 ruling. In response, the US stated that it had no intention of withdrawing subsidies to its cotton producers.

- 9 Public goods are desirable goods and services which the market provides in too small a quantity or which are not provided at all. Global public goods include peacekeeping; the prevention of contagious diseases; research into tropical medicines, vaccines, and agricultural crops; the prevention of chlorofluorocarbon emissions; the limitation of carbon emissions; and the preservation of biodiversity (Kaul *et al.*, 2003).
- 10 High infant mortality is a good predictor of state failure in cross-country empirical studies (King and Zeng, 2001: 650).
- 11 In effect, once the supply of global public goods increases, the international community is taxing a portion of the resulting output to fund the ongoing costs of public goods provision.

10 Antipodal terrorists?

Accounting for differences in Australian and 'Global' Neojihadists¹

Pete Lentini

Globalization has introduced significant advancements in commerce, communications, information exchanges and freedom of mobility. Ray Kiley considers globalization as 'a world in which societies, cultures, politics and economies have, in some sense, come closer together' (Kiley, 1998: 3). In globalization's more banal and mundane manifestations, dominant global particular forms (Featherstone, 1995: 6) of popular culture, sport, etc. are adapted, accommodated, synthesized or resisted in different localities, based on local needs and their perceived benefit or threat to indigenous conditions, elites, populations or notions of culture and identity (Lentini, 2002, 2003a; Mitchell, 2001). Nevertheless, it has also generated risks and negative consequences, including those which impact upon job security, the environment, the growth of crime and narcotics syndicates, and trafficking in weapons and persons, to name but a few of its more notable damaging results (Beck, 2002). Among the myriad challenges that globalization's effluent poses to international civil society, global terrorism and militancy, and in particular neojihadism, receives the greatest degree of international media attention. Neojihadism is my own term and has several important characteristics and qualities:

- Neojihadism is a diverse, syncretic form of global organization and interaction that emerged from within Islam, that is unique to the late twentieth and (at present) early twenty-first-centuries, and through its advocacy and execution of violence and selectively literal interpretations of sacred texts, radically differentiates itself from the faith's mainstream, and constitutes a distinct body of thought and actions.
- Neojihadism is simultaneously a religious, political, paramilitary and terrorist global movement, a subculture, a counterculture, and an ideology that seeks to establish states governed by laws according to the dictates of selectively literal interpretations of the Qur'an and the traditions of the Prophet Muhammad, (normally) through enacting violence.

- Neojihadism is diverse in its territorial scope and its means of establishing these states. Some groups, such as al-Qaeda engage in combat and terrorist activities on a global scale. Others, such as Indonesia's Jemaah Islamiyah work within a more regional, Southeast Asian context. Still others, such as Chechen and other groups in the North Caucasus are concerned with establishing Sharia within the confines of a region inside the Russian Federation. Some groups, such as those previously mentioned seek to establish Sharia through violent means. Others such as the global political party Hizb ut-Tahrir officially claim that they are committed to non-violent means to overturn existing political systems to establish sharia. Nevertheless, some of their actions and rhetoric may cause some observers to treat their doctrines with more than a slight degree of skepticism.²
- Neojihadism combines modern and postmodern re-interpretations of jihad that emphasize and elevate violent, offensive military actions over other forms of struggle which have been established in over a millennium-and-a-half of Islamic theology and jurisprudence. However, in so doing, they claim that all their actions are defensive, and that non-combatants are legitimate targets.
- To justify their actions, neojihadists are more apt to cite reasons for revenge than theology (Khosrokhavar 2005: 27–8).

Through their attacks (the terrorist spectacles of 9/11, Bali 2002 and 2005, Madrid, London, Moscow and Beslan), unsuccessful attempts (21/7 in London), and foiled plots (Australia in 2003 and 2005; Toronto, Miami, New York and London in 2006), neojihadists have impacted upon the daily lives of citizens in many localities. These activities therefore provide evidence that globalization influences the local. However, it is possible to argue that terrorism also fuses the global and local, especially within the parameters of neojihadism, when so-called 'local' terrorists utilize or attempt to engage in what I identify as 'knock-off terrorism' (discussed below) which applies the 'dominant particular' forms of terrorist tactics, such as suicide terrorism that neojihadists circulate through their global media – most likely internet sites – on their home soil (Bazzi, 2006; Bender, 2006; Newsday, 2006; Reuters, 2006).

This chapter queries the extent to which there are distinctions between 'global' and 'local' neojihadists. Also addressed is the extent to which these locally oriented neojihadists may adapt tactics that the broader global movement has used. Its main focus is the alleged cells that Australian authorities disrupted in Melbourne and Sydney in November 2005. Studies exist that stress the commonalities that various jihadist groups share, particularly their relationship to al-Qaeda (Gunaratna, 2002). However, there is an emerging literature that is beginning to highlight the plurality of causes and diversity of arrangements, organizations, personnel and tactics that

neojihadists employ (Burke, 2003; Sageman, 2004; Wright-Neville, 2004). This chapter situates itself within the latter context. In particular, it seeks to query whether there is a difference between Western participants in a global jihad movement comprised of those who fight against established military forces and engage in mass casualty terrorist spectaculars *outside their countries of origin*, and those who attempt to perpetrate terrorist attacks *within their countries of residence*.³ The chapter queries whether the movement may be in a process of transition from very capable leaders and personnel to those who possess lesser qualifications. It also questions whether there should be causes for greater alarm, rather than optimism, if there is evidence that terrorists are emerging from different backgrounds.

None of the men arrested in the November 2005 raids in Sydney and Melbourne has been convicted of any crime. However, a Melbourne jury has found 13 of the men arrested fit to stand trial. Therefore, I emphasize that unless or until these men are convicted of an offence they are presumed to be innocent. Accordingly, the discussion that follows should be considered to be a comparison of how the *information on the men* who are alleged to have been members of a terrorist organization or financed a terrorist organization, or have been charged with explosives violations, compares with that on those men who have been killed in the process of conducting terrorist acts or convicted of terrorism related charges. I therefore pose the following question: If the charges that the Australian media presented are indeed correct, how do the personal characteristics and experiences of the men who allegedly were plotting to conduct terrorist attacks on Australian soil compare with those of known terrorists? A supplementary research question is this: if the men are found guilty of the charges, how would their traits correspond with or challenge our existing knowledge base and profiles of neojihadist terrorists?

Those who plot or conduct terrorist acts on their home soil may be in strategically advantageous positions to perpetrate their missions. They therefore may be more useful to the global movement in local capacities than if they were assigned to other duties. However, these men (and infrequently women) or cells may have no affiliation with broader terrorist networks whatsoever, particularly in terms of financing and target assignment. In these respects it would be correct to identify these men as self-starting or self-directed. For example, the Indonesian magazine *Tempo* disclosed that an 82-page booklet is being circulated throughout Indonesia and that its 'possible objectives may be to create new self-organized cells.' 'The guide contains detailed instructions on seeking funding, recruiting members, dividing tasks among members on training methods, and rules for selecting meeting places.' Additionally, the manual includes references from the Qur'an 'justifying terror based jihad' (Fitzpatrick, 2006: 8). The existence of such practices challenges the notion that all terrorists invoking Allah's name are al-Qaeda franchises. Peter Varghese, Director of the Australian Office of National Assessments echoed this concern in May

2006 when he stated that: ‘The greatest terrorist threat now comes from a large, diverse and fluid network of Islamist groups and individuals more often inspired by Al Qaeda than directed by it’ (Varghese 2006: 15). That ‘the radical Islamic movement has expanded from a core of al-Qaeda operatives and affiliated groups to include a new class of “self-generating” cells inspired by al-Qaeda’s leadership but without any direct connection to Osama bin Laden or his top lieutenants’ since 2001, was among the US National Intelligence Estimate’s conclusions – a consensus view of the country’s 16 major intelligence agencies involved in counter-terrorism – that appear in its report *Trends in Global Terrorism* and which were conveyed to media in September 2006 (Mazzetti, 2006). Moreover, the media highlight that report has determined that such groups ‘communicate only among themselves and derive their inspiration, ideology and tactics from the more than 5000 radical Islamic websites’ (AFP, 2006: 11).

To categorize such activity I propose the term ‘knock-off terrorism’. Knock-off terrorism implies that potential terrorists have observed a model of conducting political violence that has worked and they attempt to ‘knock off’ the procedure for their own purposes.⁴ At first glance, it is possible to suggest that the terminology of existing phenomena such as leaderless resistance, dune-type analogies, or copycat tactics may make knock-off terrorism a redundant category. However, leaderless resistance, which entails independent cells or individuals, conducting terrorist or guerrilla acts on their own initiative (Beam, 1992; Kaplan, 2000), or dune analogies, in which the model of an entity that exists in one area is transplanted elsewhere, like sand blowing from one dune to form another (Mishal and Rosenthal, 2005), are inherently more concerned with issues of organization and structure. Knock-off terrorism, on the other hand, is more relevant to adopting tactics. Nevertheless, I am not proposing that knock-off terrorism be considered in isolation from these forms of organization. Rather, it is very possible that knock-off terrorism is a tactic that groups or individuals that have been formed according to dune-type processes or those that consider themselves as leaderless employ within their ideological struggles. Knock-off terrorism is also a more precise term than ‘copycat’ terrorism. The latter suggests the lack of a telos, and is generally the only act of an individual or small group, such as a high school shooting. The main intention is to reproduce the act, not instil the ideology or establish fear to motivate political change, both of which are central components of virtually any definition of terrorism (Whittaker, 2001: 3–4; Lentini, 2003b: 68). However, a knock-off terrorist attack is part of a continuum of telologically defined political violence (even if it is the sole act that a perpetrator may commit, as in a suicide attack). Moreover, such actions do not preclude the possibility that following successful terrorist attacks they can join or be absorbed into a movement at some later stage. Some groups, such as Chechen criminals and terrorists, and Western

environmental and animal rights militants and terrorists, have conducted acts and either agreed to pay a 'royalty' to utilize a 'brand' name (i.e. kidnappings and beheadings attributed to Chechen warlords) (Tishkov, 2004: 120–2) or have offered a group the opportunity to claim an act to help to enhance its 'branding' (as some eco-terrorists have proposed to the Earth Liberation Front) (SBS Television, 2001).

Terrorism in contemporary Australia

Australia and Australians have experienced several instances of terrorism in the past century (Hocking, 2004: 120–38). Its citizens have been victims in attacks in most of the recent terrorist spectaculars, including 9/11, the 2002 and 2005 Bali bombings, and the 2005 London bombings. Additionally, one of the hostages in the 2002 Dubrovka Theatre siege in Moscow was an Australian. However, Australians have also perpetrated and planned terrorism. For example, in August 1969 an Australian associated with the evangelical and millennialist Church of God set fire to the Al Aqsa mosque in Jerusalem (Ariel, 2001: 1; Mickolus, 1980: 130).

Since 9/11, but especially since the 2002 Bali attacks, Australian intelligence and police have disrupted several potential terrorist attacks, and well over two dozen Australian citizens and residents are currently facing trial in Australia or overseas for terrorism-related offences. That most of the Australians (or visitors to Australia) are alleged to have links to overseas organizations demonstrates strongly the themes espoused in this volume. The individuals who have been arrested have admitted to training, or are alleged to have trained, in Lashkar-e-Toiba camps in Pakistan (Faheem Khalid Lodhi, Willie Virgile Brigitte, Izhar ul-Haque), or they have been convicted of terrorism-related charges in Lebanon, and are awaiting trial in Australia after being charged for alleged terrorist offences by Australian officials (Bilal and Maher Khazal). One Australian (Saleh Jamal) was incarcerated in Lebanon for his involvement in terrorism. However, after rescinding these charges Lebanese officials deported him, and handed him over to Australian police and consular officials to face charges for alleged terrorist and other crimes in New South Wales.⁵ English-born Australian convert to Islam Jack Roche is currently imprisoned after admitting to his role in a Jemaah Islamiyah plot to bomb the Israeli embassy in Australia and to assassinate prominent Jewish businessman Joseph Gutnick. There are others, such as David Hicks and Mamdouh Habib, who have been incarcerated at Guantanamo Bay; the latter was released in early 2005. It is also believed that Mathew Stewart, a former member of the Australian Defence Force, made a video statement warning Westerners of future al-Qaeda attacks on them; and that he is one of seven former ADF members who is affiliated with these groups.⁶ Jack Thomas beat charges that he was a sleeper agent for al-Qaeda, and won an appeal against a conviction that

he had doctored his passport and received money from al-Qaeda because the court ruled that the confessions he made in Pakistan without a lawyer being present constituted inadmissible evidence.⁷

However, not all of those accused of terrorism in Australia are allegedly involved with groups or indeed with neojihadism. For instance, there is evidence that some alleged terrorists considered engaging in what would be considered to be 'lone wolf' acts. This includes Zekky Mallah, who, as a result of the Australian government's decision to refuse to issue him a passport to travel to Lebanon to get married – based on DFAT and ASIO information that he might engage in jihad overseas – purchased a rifle and disclosed to an undercover policeman, and made a suicide video that stated, his intention to assassinate the Foreign Minister and the then ASIO General Director. He was incarcerated for making these threats (AAP, 2005; Connolly, 2004; Chulov, 2005a,b; Milligan, 2003). John Howard Amundsen, who Queensland Police charged with, among other offences, preparing to use explosive devices in a terrorist act, is another alleged lone wolf terrorist, who is accused of seeking to enact revenge on the police on behalf of his girlfriend (AAP, 2006; McDonald, 2006; Meade, 2006; Meade and McDonald, 2006a,b; Oakes, 2006). Other instances of alleged terrorism not related to neojihadism include an ongoing investigation into allegations that some Australian-based Tamil charities may have contributed to the Tamil Tigers through relief funds raised in response to the 2004 tsunami (Stewart and Robinson, 2005; Stewart, 2006), and the Victorian Police's investigation into White Pride Coalition of Australia's Peter Campbell's alleged circulation and distribution of bomb-making techniques, used by Soho bomber David Copeland, and publicized by UK white supremacist group Combat-18 (Roberts, 2006; Fraser and Roberts, 2006). The last two instances suggest that the globalization of violence to and from Australia is not confined to the activities of neojihadist groups.

Localizing neojihadist terrorism? The alleged Melbourne and Sydney cells and the November 2005 raids⁸

Acting on a tip-off from an Australian Muslim, as well as information collected from thousands of hours of surveillance and telephone wire taps, Australian state and federal counter-terrorism police, and intelligence officers in Melbourne and Sydney, raided over a dozen and a half homes of suspected terrorists in the largest joint counter-terrorism operation in Australian history, Operation Pendennis, on the morning of Tuesday 8 November 2005. Initially, police and intelligence officers apprehended eight suspects in New South Wales (Omar Badaljam, Khaled Cheikho, Mustafa Cheikho, aka Abu Asad, Mohamed Ali Elomar, Abdul Rakim Hasan, Mirsad Mulahalilovic, Khaled Sharrouf and Mazen Touma) and eight in Victoria (Abdel Nacer Benbrika, aka Abu Bakr, Ammer Haddara, Aimen Joud, Shane Kent, Ahmed Raad, Ezzit Raad, Fadal Sayadi and Hany Taha).

New South Wales Police apprehended Izzydeen Atik the following day on an inter-state warrant issued by the Victorian Police. Police arrested Mohamed Omar Jamal, in December 2005. The final suspects netted under Operation Pendennis in late March 2006 include Basaam and Majed Raad, the brothers of Ahmed and Ezzit Raad, and Shouie Hamoud, all of whom are Victorians.

Prosecutors have accused all of the men of belonging to cells allegedly coordinated and led by Sheik Abdel Nacer Benbrika, who resided in the Melbourne suburb of Dallas. Ahmed Raad is alleged to be the group's treasurer. Police and intelligence have accused Mustafa Cheikho of being the conduit between the two cells. Benbrika is a self-proclaimed imam, with no formally recognized religious training, who has been living in Australia since 1989, initially as a refugee from political persecution for his religious beliefs in Algeria. In 1991 he married a Lebanese-born woman and obtained the right to remain in Australia. He was awarded the grant of Australian citizenship in 1998. Benbrika was an electrical technician for Algerian Airlines before he migrated. However, at the time of his arrest he was unemployed. He, his wife and six children received social security benefits from the Australian government.

Benbrika originally attended the mainstream Muslim congregations in Melbourne, notably the Preston mosque run by one of Australia's most respected imams, Sheik Fehmi Naj al-Imam, who is currently on the prime minister's Muslim Community Reference Group, and Secretary of the Victorian Council of Imams. Dismayed with Sheik Fehmi's inclusive and tolerant teachings, Benbrika moved to the mosque of Australia's most well-known Wahhabi preacher Jordanian-born Sheik Mohammed Omran, leader of the Ahlas Sunna Wal Jammah. The Ahlas Sunna Wal Jammah has two main locations: in Omran's mosque and the affiliated Islamic Information & Support Centre of Australia (IISCA) in Brunswick, and in a *musalla* (prayer group) on Haldon Street in Lakemba, New South Wales, home of one of Australia's largest concentrations of Muslims, and run by Sheik Abdul Salam Mohammed Zoud. Australian authorities have accused Sheik Omran and Sheik Zoud of being part of a broad global network of militants and terrorists. Sheik Omran is alleged to have links to Abu Qatada, believed to al-Qaeda's ambassador to Europe. In addition, Sheik Omran's name first came to the attention of the CIA when he was mentioned in conjunction with Spanish al-Qaeda operative Abu Dahdah. Sheik Omran has denied that he has any involvement in terrorism, and has denounced it on several occasions. In fact, in 2003 he claimed that his refusal to grant permission or a blessing to conduct a terrorist act on Australian soil prevented an alleged Jemaah Islamiya operative from committing an attack during the 2000 Olympics in Sydney. Sheik Omran has openly admitted that he has served as an informant for the Australian Security and Intelligence Organization (ASIO) for over a decade, providing information to the state on developments within Islamist circles. Nevertheless,

Omran remains a very controversial figure in his denial of Muslim and bin Laden's culpability in the 9/11 attacks and his support of jihad in Iraq (Chulov *et al.*, 2003; Kerba, 2006; Nicholson and Shtargot, 2003; Stewart, 2005a; Stewart and Egan, 2003; Toohey, 2005).

Benbrika taught for several years at Omran's mosque in Brunswick. However, he found even Wahhabi doctrines to be insufficient for his political and religious outlook. It is possible that his radicalization was linked to broader globalization processes. Australian media reported that Benbrika's worldview turned decisively in 1994 after he attended one of Abu Qatada's sermons while the cleric was visiting Australia. Thereafter, tensions escalated between Benbrika and Sheik Omran. As a result, the former broke away from the Brunswick mosque, and established and took leadership of another *musalla*. It has been reported that those who tended to follow Benbrika were young, and that many of them had been trying to reform their lives following periods of criminality, violent and deviant behaviour, and alcohol and drug addiction.

For several years Benbrika did not have any notoriety within Melbourne Islamic circles. However, he came to public attention shortly after 7/7. Thereafter, UK and Australian commentators engaged in heated discussions of whether multicultural policies contributed to an atmosphere of separatism that fostered Islamic militancy and terrorism. Benbrika emerged in this context as a result of his contrarian teachings, in discussions of how they may have tested the limits of multiculturalism, and whether tolerating their dissemination within a pluralist context actually fostered militancy and encouraged terrorism. During an interview with Nick McKenzie which was televised on the Australian Broadcasting Corporation's (ABC) *7:30 Report* in August 2005, Benbrika stated (erroneously) that Islam does not permit religious pluralism. He also declared (again incorrectly) that as a Muslim, he was not obliged to follow Australian law. Rather, he could only be subjected to the sharia. Finally, Benbrika also stated that it was a duty for all Muslims to engage in a military form of jihad against infidels (ABC Television, 2005a,b; Grattan, 2005; Stewart, 2005c).

It is not surprising, particularly after 7/7, that Benbrika was roundly criticized in the press – from Muslims and non-Muslims alike – on how his views corresponded neither with Islamic nor with Australian values. Hence, his public statements boosted his significance to law enforcement and intelligence operatives, who had been tracking his activities for some time before 2005. It is possible that his interviews, compounded with the other information that police and intelligence had gathered on him and his followers, heightened the potential risk that they posed to Australian security, which ultimately led to the November 2005 raids.

Through his exhortations, Benbrika contravened some of the basic and central components that are established in the *al-Qaeda Manual* on avoiding detection within a community. For example the second lesson documents such practices as exercising 'caution and prudence', 'keeping

secrets and information', and the 'ability to act, change position and conceal oneself' (al-Qaeda, nd: 16, 17, 19). That he so blatantly expressed bravado and drew attention to himself, in contrast to what is established in these guidelines, either demonstrates his naïveté, poor leadership qualities, or a lack of direction from a central authority; or perhaps a combination of these and other factors, such as a lack of knowledge of the manual's contents.

The prosecution alleges that there was a differentiation of tasks allocated between the Melbourne and Sydney cells. Those in Melbourne have all been charged with being members of a terrorist organization, which carries a maximum sentence of 10 years imprisonment. In December 2005, the prosecution also added charges of financing a terrorist organization to eight of the Melbourne cell's alleged members. The maximum penalty for this offence is a 25-year term. All of the alleged members of the Sydney cell are charged with preparing explosives to be used in a terrorist act, which carries a term of 25 years to life imprisonment. In April 2006 the prosecution also laid an additional 22 undisclosed charges against the Melbourne-based suspects, and also accused Kent and Joud of constituting a self-contained cell that intended to carry out a terrorist act on al-Qaeda's behalf (Munro and Medew, 2006). There has been little more information on this latter development. Moreover, even if the allegation against Kent and Joud is true and upheld, it does not necessarily invalidate the knock-off terrorism scenario. The existing information suggests that others may have been preparing for a terrorist act in support of Abdullah Merhi, who is alleged to have volunteered to be a suicide bomber. Hence, Kent and Joud's alleged splinter cell would have existed as an additional entity. Moreover, there is at present no information that confirms that al-Qaeda directed their alleged activities. It is also possible that they may have attempted to utilize the brand in manners discussed previously.

The alleged Melbourne and Sydney cells in comparative perspective

Marc Sageman's research is the most thorough investigation of the personal backgrounds of participants in what he labels the global salafi jihad (Sageman, 2004). Several of his core arguments are of central importance for the present study. First, Sageman identifies a significant degree of ethnic differentiation amongst the movement's participants. However, he also indicates that many cells possess a dominant ethnic core. Second, he notes that only a slim minority, perhaps between 10 and 30 per cent of those who train in terrorist camps, are invited to go on to further assignments within the movement (Sageman, 2004: 92, 121). Third, there are different styles of entry into the movement. For example, Southeast Asian members, mainly those associated with Jemaah Islamiyah, appears to have joined through a master-disciple relationship which developed from the

pesantrans. Amongst others, such as those who are drawn from the ranks of the core Arabs, leadership and Maghrib groups, some relationship between cell members existed before they entered into the movement. This includes, for instance, blood relations and other peer ties. Sageman notes that overall, some 75 per cent had some links before entering into the movement. This included 14 per cent with some kind of kinship link as well as 8 per cent with some discipleship relationship. Most important, however, is that participation in the global salafi jihad included a process of opting in. In general the main groups did not recruit individuals. Rather, they entered the movement. Additionally, he notes that nearly 80 per cent 'were cut off from their cultural and social origins, far from their family and friends', when they joined the global salafi jihad (Sageman, 2004: 92, 112, 113).⁹ Nevertheless, this last category is somewhat problematic, as he also includes those who grew up entirely within specific countries, but were part of alienated diaspora communities. While many may have experienced feelings of cultural, religious, and even political and economic marginalization in these countries, they still had family support groups. However, he correctly notes that 'people who are satisfied with life are unlikely to join a religious revivalist movement' (Sageman, 2004: 95).

Sageman also identifies other vitally important information on the members' social characteristics. For example nearly 60 per cent of his sample had completed some form of post-secondary education (Sageman, 2004: 75). While most in his sample had very high skill bases, very few were employed full-time at the time of their entry into the movement (Sageman, 2004: 94). Hence, while they may have come from reasonably affluent backgrounds themselves, they were not necessarily independently wealthy individuals, or perhaps, even living comfortably through means of jobs which provided enough for a charmed existence. This research upholds conventional accounts that terrorists generally do not emerge from the destitute (Malečková, 2005). Additionally, most of the participants entered the movement in their twenties. This may not be that surprising, as, physically, the men would have been at their peak ages for combat and endurance, and it would correspond with the ages at which most would have been able to have the opportunity to live outside parental influences and develop their own opinions on the outside world. Sageman's findings suggest that the average age at joining would be approximately 25.7 years (and 29.4 for the Southeast Asians). Naturally, one expects the core leadership to be somewhat older than the rank-and-file. These members' average age at joining was nearly 28 (Sageman, 2004: 92). Additionally, nearly three-quarters of them were married. Sageman contends that this should not be surprising given that 'the tenets of Salafi Islam . . . encourage its faithful to marry and have children' (Sageman, 2004: 79) Finally, he notes that about a quarter had been criminals before joining the global salafi jihad, and that some continued criminal acts – to support the global salafi jihad, not for personal enrichment – after joining the cause (Sageman, 2004: 82).

Data on the alleged members of the Melbourne and Sydney cells¹⁰ share some commonalities with the trends Sageman's data set revealed. For example, most of the men in the alleged Melbourne cell were married at the time of arrest (Table 10.1). Data are available for the men in the alleged Melbourne cell which points to a dominant ethnic origin, namely Lebanese (Table 10.2). Nevertheless, Benbrika is Algerian, and Kent is of Anglo-Celtic origins. Sageman also discloses that many from his sample experienced some form of social, cultural or other form of marginalization or displacement. Many of the suspects in the Melbourne and Sydney cells are the descendents of refugees from the Lebanese Civil War, or are themselves refugees from that conflict. Additionally, Mulahalilovic fled Bosnia as a refugee. Moreover, recent studies indicate that some Lebanese Muslim males living in Australia are currently in states of economic disadvantage and marginalization (Betts and Healy, 2006).

Additionally, there appear to be strong, organic ties amongst these men that preceded any alleged involvement in terrorist or militant activities. There are sets of relatives in each alleged cell. This includes the four Raad brothers arrested in Melbourne. Similarly, in the alleged Sydney cell, the Cheikhos are an uncle and nephew. These men were acquainted with each other outside the *musallas* in other ways. It is also understood that Sayadi was familiar with both Taha and the Raads as he was growing up. In Syd-

Table 10.1 Alleged Melbourne suspects^a according to marital status

| <i>Name</i> | <i>Married</i> | <i>Children</i> |
|-------------|----------------|------------------|
| Atik | Failed | Yes |
| Benbrika | Yes | Yes |
| Haddara | No | No |
| Hamoud | Yes | Unconfirmed |
| Joud | No | No |
| Kent | Yes | Yes |
| Merhi | Yes | Yes ^b |
| A. Raad | Yes | Yes |
| B. Raad | Unconfirmed | Unconfirmed |
| E. Raad | Yes | Yes |
| M. Raad | Yes | Unconfirmed |
| Sayadi | Yes | No |
| Taha | Yes | Yes |

Notes

a Comprehensive data on the alleged Sydney members are currently unavailable in open sources. However, Badaljam, K. Cheikho and Elomar are all married with children. At the time of his arrest Mulahalilovic's wife was pregnant.

b Merhi's wife gave birth after he was arrested.

Table 10.2 Ethnic composition of alleged Melbourne and Sydney cell members

| <i>Name</i> | <i>Ethnicity</i> |
|---------------|-------------------------|
| Atik | Lebanese |
| Badaljam | Indonesian/Anglo-Celtic |
| Benbrika | Algerian |
| K. Cheikho | Lebanese |
| M. Cheikho | Lebanese |
| Elomar | Unconfirmed |
| Haddara | Lebanese |
| Hamoud | Lebanese |
| Hasan | Bangladeshi |
| Jamal | Unconfirmed |
| Joud | Lebanese |
| Kent | Anglo-Celtic |
| Merhi | Lebanese |
| Mulahalilovic | Bosnian |
| A. Raad | Lebanese |
| B. Raad | Lebanese |
| E. Raad | Lebanese |
| M. Raad | Lebanese |
| Sayadi | Lebanese |
| Sharrouf | Unconfirmed |
| Taha | Lebanese |
| Touma | Unconfirmed |

ney, the Cheikhos had known Sharrouf. There is also alleged evidence of the teacher–disciple relationship that Sagemen indicated. All the men allegedly attended Benbrika’s prayer group in their respective cities. It has been alleged that Kent sought Benbrika’s blessing for jihad training, as did Merhi who asked for permission to become a suicide bomber. Haddara is accused of having made an oath of loyalty to Benbrika. Nearly one in four from Sageman’s sample had some form of criminal record before joining the movement, whereas approximately 27.3 per cent of the alleged Melbourne and Sydney members had either criminal records or histories of run-ins with police or other authorities (Atik, Joud, Ezzit Raad, Sayadi, Sharrouf and Kent).

There are, however, some significant differences. First, the information presented on the alleged Sydney and Melbourne cells indicate that

with an average age of 27.2 (26.3 if Benbrika is excluded) they are slightly older than those in Sageman's overall sample, but slightly younger than the Southeast Asian average (Table 10.3). The average age of the alleged Melbourne cell members is 25.9 years, while those accused in Sydney had a mean age of 29 at the time of their arrest. That the alleged Sydney cell has been accused of being the bomb-making group and those in Melbourne are charged with being the combat cell may be reflected in the age distributions. As stated earlier, those in their twenties would have more potential to be in the better physical condition to execute tasks. Additionally, as will be discussed later in the chapter, there are more alleged Sydney cell members who are accused of having participated in higher level training

Table 10.3 Alleged Melbourne and Sydney cell members according to age at time of arrest

| <i>Name</i> | <i>Age (years)</i> |
|---------------|--------------------|
| Atik | 25 |
| Badaljam | 28 |
| Benbrika | 45 |
| K. Cheikho | 32 |
| M. Cheikho | 28 |
| Elomar | 40 |
| Haddara | 26 |
| Hamoud | 26 |
| Hasan | 34 |
| Jamal | 21 |
| Joud | 21 |
| Kent | 28 |
| Merhi | 20 |
| Mulahalilovic | 29 |
| A. Raad | 22 |
| B. Raad | 24 |
| E. Raad | 23 |
| M. Raad | 21 |
| Sayadi | 25 |
| Sharrouf | 24 |
| Taha | 31 |
| Touma | 25 |
| Average Age | 27.2 |

camps. Those who attended these camps indicate that only those who have proceeded through several camps are trained in explosives preparations (Connolly and Kennedy, 2004).

However, it appears as if the greatest discrepancies that exist between those arrested in connection with Operation Pendennis and the global movement occur within the categories of education, occupation and training. The information presented in the Australian press suggests that the alleged Melbourne and Sydney cell members had very little formal higher education, whereas over 60 per cent in Sageman's sample had some form of post-secondary education. Among the accused, only Joud had obtained a degree. Indeed, this lack of tertiary education appears to be a trait that is common amongst all those who are either incarcerated for or accused of terrorist activities in Australia. In addition to Joud, only Faheem Lodhi, who has an architecture degree, Izhar ul-Haqui who had been studying medicine, and Jack Thomas who studied dance at Victorian College of the Arts, had completed or worked towards a degree. Also, whereas Sageman indicated that most of the men in his sample were not working at the time they joined the movement, most of the alleged Melbourne and Sydney cell members had gainful employment, and indeed many were self-employed or skilled tradesmen (Table 10.4). The other major difference between those accused of being terrorists in Melbourne and those in Sydney is that very few have allegedly participated in overseas jihad training. It has been alleged that both the Cheikhos and Kent had travelled overseas to train for jihad. The former are accused of having trained at Lashkar-e-Toiba camps. Kent allegedly trained at a Jaish e Mohammad camp in Pakistan and later proceeded to al-Qaeda's Camp al-Farouk in Afghanistan. It is believed that Cheikhos proceeded through multiple training camps. If this is the case, then it makes sense that the alleged Sydney cell would have been tasked with making explosives. There is a higher probability that they would have received more advanced training in the succession of camps.

Most of the men accused in both Melbourne and Sydney are alleged to have performed some terrorist training in Australia. For example, the ten members initially arrested in relation to alleged terrorist activities from Melbourne have been accused of participating in jihad training by playing paintball in Victoria's Kinglake region. Paintball has been widely regarded as a means by which neojihadists are able to prepare for combat without travelling overseas. Neojihadists in the US have also been imprisoned for training in this manner. Also, Elomar is related to men whose property has allegedly been used as a terrorist training ground. Willie Brigitte and others have noted the presence of jihad training camps in the New South Wales area of the Blue Mountains. It has been alleged that the camps, as well as other activities, such as hikes and other outdoors survival skills, were used to bond the groups together further, as well as to discover who should be sent overseas for training. Also, Haddara is alleged to have at least been considering going to the camps. Following the raid on his

Table 10.4 Alleged Melbourne and Sydney cell members' occupations

| <i>Name</i> | <i>Occupation</i> |
|---------------|---|
| Atik | Unconfirmed |
| Badaljam | Licensed painter/self-employed |
| Benbrika | Unemployed |
| K. Cheikho | Shoe salesman |
| M. Cheikho | Unconfirmed |
| Elomar | Engineering consultant |
| Haddara | Personnel recruiter/travel agent |
| Hamoud | Unconfirmed |
| Hasan | Butcher/manager of halal butchery |
| Jamal | Unconfirmed |
| Joud | Construction site manager (family firm) |
| Kent | Unemployed |
| Merhi | Apprentice electrician |
| Mulahalilovic | Paint company owner |
| A. Raad | Apprentice plumber |
| B. Raad | Unconfirmed |
| E. Raad | Electrician |
| M. Raad | Unconfirmed |
| Sayadi | Plumber |
| Sharrouf | Unconfirmed |
| Taha | Spray painter (family-owned auto repair shop) |
| Touma | Security guard |

house in November 2005, police have accused him of possessing a letter of introduction written in Arabic for the purposes of permitting him to be received in a training camp. Upon reviewing the documents, a camp graduate has sworn that the letter is similar to those that jihadists would use to be accepted into training. Additionally, police allege that they also confiscated a letter believed to be written by Haddara's sister urging her brother 'not to do anything stupid' (Gregory, 2006).

If the information against those arrested in November is accurate, then they may have made significant errors in training regimes, as outlined in the *al-Qaeda Manual*. Lesson 6 is devoted to training. As stated previously, Australian prosecutors have alleged that all of the Melbourne suspects trained for jihad at Kinglake, in country Victoria. If this is the case, then

they would have adhered to at least one of the Manual's guidelines which recommends that a '... small size of groups ... should be together during the training (7–10 individuals)' (al-Qaeda nd: 45). However, press reports suggest that the alleged members of both the Sydney and Melbourne cells did not observe other core precautions, such as:

- No one except the trainers and trainees should know about the place.
- Any traces should be hidden immediately after the training.
- The place should not be situated in such a way that the training and trainees can be seen from another location.
- The trainees should not know each other.
- The trainees should not know the training place (al-Qaeda nd: 44, 45).

For instance, it is alleged that six of the Sydney men (Hasan, Touma, Elomar, Sharrouf and the Cheikhos) posed as hunters and trained in rural New South Wales in March and April 2004. The reservations were made using false names. Additionally, Khaled Cheikh's fingerprints were allegedly on one of the cheques. Prosecutors also allege that they left behind shell casings from their time in the outback (Baker *et al.*, 2005; McDonald, 2005). However, these men are not the only alleged cell members who have been accused of involvement with training camps in New South Wales, and leaving trails of evidence for intelligence and police to trace.

On the eve of the 2000 Sydney Olympic Games, police were called to investigate reports from neighbouring farmers of sustained automatic gunfire and explosions taking place at a property on Kain Road, Krawaree, southeast of Canberra. The property was, and still is, co-owned by four men – three of Mohamed Ali Elomar's brothers, Jihad, Ibrahim, and Mamdouh, and Maxwell William French. Police discovered what appeared to be a training camp complete with live military rounds, rudimentary explosives and Islamic literature. Authorities believed the radical Islamic Youth Movement was using the property for shooting practice and gun training (Kearney and King, 2005).

That so few of the alleged Melbourne and Sydney members proceeded to the camps may suggest that they were not yet physically adept for full training. Also, the evidence provided above suggests that these men were not familiar with some of the basic components of jihadist training. Hence, it is possible that intelligence and police intervened at a stage that disrupted a cell before it could get to the level of competence to complete a bombing operation. Alternately, despite police and intelligence allegations that some of the suspects trained for jihad, few of the suspects progressed very far. The media's reports suggest that they allegedly could not implement even the most rudimentary precautions to conduct jihadist training undetected. Such information could strongly suggest that they had few links to broader global movement circles. In this respect it may be

possible to suggest that, if indeed they were training for jihad, they were self-starters who were preparing to engage in an act of 'knock-off' terrorism, rather than those who had been given a specific assignment from any central authority.

Knock-off terrorism and the democratization and globalization of violence

Since the start of the war on terror, the coalition has made significant headway in the anti-terrorist struggle in neutralizing, through capture and other means, key leaders in the global movement. This would include, for instance the arrest of the 9/11 masterminds Khaled Sheikh Mohammed and Ramzi bin Alshib. Additionally, Indonesian counter-terrorist forces have killed leading bomb maker Azahari bin Hussein in Indonesia, and coalition troops have killed Abu Musab al-Zarqawi in Iraq. CIA Director General Michael Hayden noted in an address to the agency that, 'In five years more than 5,000 terrorists have been captured or killed . . . al-Qaeda's core leadership has been decimated and their successors are hiding or on the run' (AFP/*The Times* 19 September 2006: 11). Such information suggests that the movement may be experiencing a brain drain (i.e. key leaders), as well as a brawn drain (rank-and-file). Nevertheless, there may be a risk in viewing these developments too optimistically, such as, for instance, suggesting that the new generation of terrorists emerging may be less capable than those who preceded them. Sir Ian Blair, commenting on the 21/7 attacks in London, in which the bombers were able to initiate their attacks before their equipment failed, provides some sobering insight, suggesting that: 'This is not the B-Team' (Este, 2005).

Terrorism is an 'elite' activity on several levels. First, few people of any identity group or movement engage in the deliberate killing of non-combatants to generate political change through fear. Second, previous studies of terrorists tend to suggest that perpetrators of this form of political violence come from members of economic, and in some cases, political and social elites (Hudson, 1999). Third, terrorists regularly consider themselves to be the vanguard of political movements seeking to establish new institutional orders. This is indeed just as applicable for groups such as the Populist and Marxist revolutionaries who helped to contribute to the fall of the Russian Empire, as it is for the present crop of neojihadist and other terrorists (bin Laden, 2005: 146–57, 194–5; Laqueur, 2001: 1–48).

Sage-man's data suggest that most of the members of the global salafi jihad had achieved at least some tertiary education. Additionally, most of these men came from reasonably affluent or comfortable backgrounds, even if they were not gainfully employed at the time they entered into the global salafi jihad or engaged in terrorist acts. The emerging trends from, for instance, the disrupted alleged cells in Melbourne and Sydney (as well as some recently detained convert terrorists such as American Jose

Padilla, UK citizen Richard Reid, and Australians David Hicks and Jack Roche) suggest that neojihadism may be gaining greater currency among other classes and strata. In the cases of the converts mentioned above, all are from working class stock. Additionally, none of them completed post-secondary education. Among the suspects of the November 2005 raids in Australia, only one has been identified as a university graduate. Several have not completed even secondary education. Furthermore, they tended to have either criminal records or histories of dependence on alcohol and drugs (Lentini, in press). Moreover, this group of men seem to be representatives of skilled labourers and the self-employed. This shift in demographics from what could be considered to be the social elite to the tradesmen and working class could suggest that there is a democratization of violence within the broader movement. As Mark Mullins suggests, 'Means that were once reserved for the powerful, the rich, for aristocrats, and which constituted their privilege, are now within the reach of all of us' (Mullins 1997: 321). Knock-off terrorism could be considered to be a manifestation of the democratization of violence as well as the globalization of violence.

As stated previously, the spread of neojihadism through global media, be they print or broadcast news outlets, internet sites, and various forms of audio and video tapes and discs, has provided potential terrorists with models of political organization and military tactics that they can 'knock off' to conduct their own activities. There are two key factors which could suggest that the alleged members of the Melbourne and Sydney cells could have been self-starting terrorists who were attempting to knock off various established terrorist tactics to conduct their own attacks independently of any other organization.

First, there are allegations that cell members participated in some form of terrorist training. While it is true that several men (notably Kent, the Cheikhos, and Hasan) are accused of having trained at camps run by the networks and organizations within the global salafi jihad, most suspects never made it to that stage. Nevertheless, there were some individuals, police and intelligence sources claim, who had knowledge and could transfer it to others who were also allegedly involved in the Melbourne and Sydney cells. Nevertheless, if they indeed made the mistakes in leaking that they were conducting some kind of training, like the Australian police and intelligence sources allege, it is possible that their levels of competence are not what would be required of operatives who had passed through advanced stages of the camps. It will be recalled that the majority of the 7/7 and the 9/11 perpetrators went through camps, including the advanced camps. There is little evidence that a significant proportion of these alleged cell members had proceeded very far through the training regime. Hence, it is possible to suggest that the Australian media presented information that suggests that the alleged terrorists were more amateurish than competent. Had alleged members of the cells achieved higher levels of training and

had more established ties with some larger and more financially endowed entity, it is questionable whether they would have allegedly made such errors that led police and intelligence to their doors early on a November 2005 morning.

Such inexperience may be reflected in the alleged cells' comparative sizes. Terrorists who achieved their objectives came from small cells. For instance, the 9/11 flight crews came from a small cell in Hamburg. The pilots were the hubs in the networking. They maintained contact with the al-Qaeda leadership. In addition, they liaised amongst themselves. The pilots also interacted with the 'muscle' in their flight crews. At no time did their contacts exceed more than, say, half a dozen individuals. Members of different crews did not come into contact with any level higher than the pilot. In this manner, the circles of communication were rigidly regulated (Krebs, 2002). A similar trend can also be observed in the size of the 7/7 (four members) and the 21/7 (five members) cells. Although the latter did not complete their tasks, they were still able to get onto public transport and detonate several bombs undetected and unhindered by police or security.

The same cannot be said of the alleged Melbourne and Sydney cells. Police and intelligence officers rounded up nearly two dozen individuals who are alleged to have participated in and financially contributed to and supported a terrorist organization or building explosives to perpetrate a terrorist act. There has even been information that the two cells' knowledge of the other's progress fostered competition which may have contributed to the cells being uncovered. Hence, rather than serving as a force multiplier, an alleged larger cell structure may have ultimately brought the groups down.

A second factor which may suggest an alleged knock-off terrorist operation being planned concerns financing. Police and intelligence sources have accused several of the participants in the Melbourne cell of financing a terrorist organization. Additionally, it has been alleged that several of the suspects arrested in Sydney were attempting to procure chemicals which could have been used to make 'mother of Satan' bombs, like those used in the 7/7 attacks, using false names. It is also possible that some of the criminal activities for which some of the men were arrested before the raids may have been related to potential terrorist activities. It is doubtful that these men would have engaged in their alleged attempts to finance an organization if they were in receipt of contributions from some central funding source. It is true that Simon Reeve indicates that although the 1993 World Trade Center bombing was linked to al-Qaeda, the perpetrators still had to raise money to get away. This forced one of the perpetrators to return to the truck rental depot to reclaim a deposit, and that eventually led to the arrests (Reeve, 1999: 32–6). Nevertheless, the degree of alleged activities surrounding the suspects of the cells suggests that there were few contacts with outside organizations. Therefore, it is indeed very plausible that the

suspects could have been orchestrating a terrorist attack on their own, by knocking off weaponry and tactics that had been used elsewhere and brought to their attention through global media culture. In this respect it could be alleged that a local, self-starting cell knocked off and modified a dominant particular form of terrorism to suit its own circumstances in order to plan, conduct and direct a terrorist attack. Such an attack would constitute another activity within neojihadism's global teleological orientations and continuum of actions. It would also constitute further evidence of the localizing of global terrorism trends.

Conclusion

The Australian media's information on the Melbourne and Sydney suspects yields some similarities to the broader global movement. This would include the fact that the men are comparatively young. They are overwhelmingly married and have children. They had some form of familial or other social relationship before they began their alleged participation in the global salafi jihad. Their alleged cells, reflected ethnic diversity, yet had a dominant ethnic presence. The Australian media provide information which suggests that most of the men would have been associated with people who had experienced some form of physical as well as profound cultural displacements, and marginalization.

Data presented in the Australian media suggest that terrorism perpetrated by actual and alleged neojihadists is not confined to any particular demographic groups. This stands somewhat in contrast to previous studies which emphasize that its members come from an elite group, comprised of individuals who have achieved reasonably high levels of education. Additionally, they tend to come from relatively affluent, or at least financially comfortable, socio-economic backgrounds. The Australian media have presented information which suggests that the suspects that Australian police and intelligence have arrested as members of terrorist cells operating in Melbourne and Sydney are less educated, but from the ranks of the self-employed and skilled tradesmen, rather than the professions or from university campuses. With competence in electronics and multimedia, and occupations that enable access to chemicals, as well as other skills, those arrested possessed sets of abilities, knowledge and contacts that could be utilized for purposes other than their stated professions. Moreover, if the allegations against these men are indeed judged to be true, then it is possible that they may have indeed been attempting to engage in a form of knock-off terrorism that fused global tactics to support and implement a global ideology in a local environment.

The Australian media suggest that the alleged cells left in their wake a trail of errors which enabled intelligence and law enforcement to break up their operations before they could engage in a terrorist attack on Australian soil. It is doubtful that should there be other cells planning some form

of commissioned or self-directed knock-off terrorist attack they will make similar errors. It is true that should the information on those arrested in November 2005 be correct, they did not possess the educational capacities and other skills that Sageman has argued are part and parcel of the global salafi jihad. Nevertheless, it would be wrong to suggest that they constitute a lesser threat than the generation that preceded them. Asymmetrical warfare, of which terrorism is a form, has shown that it does not require a PhD to inflict mass casualties. Perhaps the globalization and democratization of violence may be taking neojihadist terrorism into new, more dangerous areas through such activities as knock-off terrorism.

Notes

- 1 This chapter is a contribution to the Australian Research Council Linkage Grant funded project Counter-Terrorism Policing in a Culturally Diverse Community. I gratefully acknowledge ARC support in preparing this contribution. On other matters I wish to thank Josh Roose, Gary Bouma, David Wright-Neville, Sayed Khatab, and Muhammad Bakashmar for their useful suggestions or permitting me to discuss some of the matters raised in this paper with them. The usual disclaimer applies.
- 2 David Wright-Neville (2004) has established a framework which distinguishes different themes of Islamist groups, i.e., those groups that seek to introduce sharia into political and legal systems (Esack, 2002: xi). According to Wright-Neville, these would include those who advocate such measures by, for instance, the ballot box and civil society, whom he labels activists; militants who, like the Hizb ut-Tahrir, notionally purport non-violent means to overturn systems; and terrorists, who will target non-combatants in their efforts to realize their political programmes. It is true that neojihadism could be accused of removing or blurring the distinctions between those that Wright-Neville may consider militants and those whom he considers terrorists. Nevertheless, I think that these groups should be looked at in a manner which distinguishes their strategies and tactics, but still acknowledges a similar willingness to overthrow and disrupt regimes to achieve power, as well as sanction violence. Moreover, Hizb ut-Tahrir, while officially disavowing its own violence, has nonetheless backed coups in the Middle East, and in Europe has teamed up with neo-Nazi organizations to share intelligence on, for instance, Jewish organizations. In Denmark it has also advocated political assassinations. Hizb ut-Tahrir has also encouraged the killing of coalition troops in Iraq (Taji-Farouki, 1996; International Crisis Group, 2003: 1–13). In these respects, Hizb ut-Tahrir could be considered either jihad enablers or secondary jihadists because they advocate this form of violence, but claim not to engage in it themselves. They believe that only the ruler of a bona fide Islamic state, none of which exists in their opinion, can officially declare jihad. However, in drawing closer links between militants and terrorists, neojihadism also establishes greater distance between the activists and the militants and terrorists. This is not to say that all such groups that participate in elections will initiate equal rights for non-believers, or perform in a manner that appeals to liberal democrats (Barton, 2004).
- 3 It is important to declare that I am using these to distinguish the locations of attacks, rather than continuing the cells into separate spheres of operation. Indeed, throughout the paper I acknowledge the interplay between local and global issues, politics and even personnel.

- 4 I am employing this term based on some practices of the costume jewellery industry. Rather than design their own line of items, costume jewellers would attempt to sell their own versions of items that had proven consumer appeal. Hence, they would 'knock off' the design, incorporate some modifications, and pass the new item off as their own creation. In this way, they utilized a product that they knew had the potential to generate sales and was successful, and in the process were able to restrict the amount of overhead and labour that would increase their production costs.
- 5 Prosecutors in New South Wales had been attempting to secure his extradition so that he can face charges of shooting up a police station in the Sydney suburb of Lakemba, the action which initiated his fleeing overseas. Jamal is also alleged to be part of a terrorist plot to bomb Sydney Harbour in 2003. He has also made several statements indicating his intention to conduct or support terrorist acts against Australia (Anon., 2006; Chulov, 2006; Smiles, 2006a,b).
- 6 On converts incarcerated or accused of terrorism see Lentini (2006).
- 7 Although released from prison, Thomas remains at the time of writing under a control order which restricts his movements and associations. The Federal government is pursuing another challenge to the appeal because of statements that Thomas made on an ABC news program where he admitted to training in Al Qaeda camps, meeting senior Al Qaeda figures and his intentions to engage in combat against Coalition troops (ABC Television, 2006; Neighbour and Thomas, 2006; Robinson and Davis, 2006: 1, 4).
- 8 This section is derived from materials contained in the Australian media. These include Berr (2005), Farouque and Tippett (2005), Kearney (2005), Kearney and King (2005), Kerbaj (2005), King (2005), Madden (2005a), Medew (2006), Munro (2005a,b), Munro and Medew (2006), O'Brien (2005: 5), Rintol (2005), Robinson (2006), Stewart (2005), Stewart and Kerbaj (2006), Williams (2005), Sky News (2005) and Munro (2005a,b).
- 9 This method of joining the global salafi jihad is different from what has been reported on how Palestinian groups recruit suicide bombers after watching for potential candidates by observing the most pious and reliable young men who attend various mosques (Moghadam, 2003).
- 10 Data from author's database derived from: 'Behind the Names', *The Age*, 10 Nov. 2005: 4; 'The Melbourne Connection', *The Age*, 12 Nov. 2005: Insight 4; 'The Sydney Connection', *The Age*, 12 Nov. 2005: Insight 4.

11 'Viva nihilism!'

On militancy and machismo in (anti-)globalization protest

Sian Sullivan

Introduction

[Violence] is *there*. It's not going away soon. It's not that I like it. I want to see why so many other people like it. I want to see how it works.

(Atwood 1994: 21)

The vast majority of (anti-)globalization actions and activists embody a non-violent approach to protest and activism: either in the mass marches that form the visible edge of *altermondialisation*; or in the disobediences and direct actions of the myriad microresistances enacted by groups and individuals protesting the character of contemporary globalization processes. Nevertheless, the quoted words 'Viva Nihilism!' in the title of this chapter distil a protest ethos embodied by some activists and in some contexts. This graffiti was scrawled on the walls of Thessaloniki's Aristotle University, where protesters were squatting during the EU summit which took place in Thessaloniki, Greece, in June 2003. As shown in Figure 11.1, the running black paint of the words and the symbolic encircled reverse 'N' capture a mood tangible amongst some militant activists: a mood which fetishizes the destruction of existing structures, emphasizes the display of anger in protest, and which manifests as violence towards the physical symbols of capitalism and as a preparedness for violent confrontation with police.

This chapter is intended as an exploratory comment on the militancy and violence which accompanies (anti-)globalization protest by some protestors and in some contexts. It emerges from a range of personal experiences and observations in protest contexts in which I have been present. Since 'activist' and 'anthropologist' are two identities which describe my current location in society, the piece has become an attempt both to theorize the violent dynamics that can arise in contexts of (anti-)globalization protest and to reflect on my personal views regarding the relationship of a nihilist violent ethos to the changes that I desire and try in my life to produce (cf. Scheper-Hughes, 1995, 2004; Sullivan, 2005a). In particular, I wonder



Figure 11.1 ‘Viva nihilism!’ graffiti on the walls of the Philosophy Department at Thessaloniki’s Aristotle University during the EU ‘counter-summit’, June 2003. Source: personal archive.

about the relevance and helpfulness of a violent militancy for contesting a status quo already permeated by violence and inequalities, and for engendering social relations that somehow go beyond these circumstances. I draw on the protests against the EU summit meeting in Thessaloniki, June 2003, as something of a case example, making extensive use of images to provide something of a feel for the various aspects of this event. A ‘planned riot’ by anti-authoritarian activists was the intended climax of these protests, effecting substantial violence against property and towards police, and met by the police with violent attack and the brutalization of those arrested. This event can be considered somewhat extreme in terms of the preparedness for violent action amongst militant protestors in the ‘global North’ – in this case both Greek and ‘international’ (I encountered Swede, French, German, Italian, North American, British and Libyan protestors). Nevertheless, it also constitutes only one event among many forming the itinerary of international summit meetings and ‘people-summits’ that have constituted (anti-)globalization protest politics in recent years, and that frequently have been accompanied by violence (Table 11.1).

I highlight two issues in reflecting on and interpreting violent militant

Table 11.1 Prominent (anti-)globalization mobilizations (1996–2001)

| <i>Date</i> | <i>Meeting location</i> | <i>Institution</i> | <i>Comments</i> |
|-------------------------|-------------------------|---|---|
| November, 1996 | Manila, Philippines | APEC free trade meeting | 130,000 protest in Manila |
| 15–17 May 1998 | Birmingham | G8 | 50,000 protest in Birmingham. Protests focus on third world debt. Churches play large role in organization. First ‘Global Street Party’ occurs in at least 40 locations. |
| 18–20 May 1998 | Geneva, Switzerland | WTO meeting in Geneva and 50th anniversary of GAIT, forerunner of WTO | 200,000 people take to the streets in Hyderabad, India. PGA provide an organizing umbrella for demonstrations in 17 cities. Geneva sees ‘the most significant instance of public disorder in Switzerland’s post-war history, including mass protests, clashes with riot police and property damage to the retail outlets of multinational corporations’ (Chesters 2003: 11–12). |
| September 1998 | New Delhi, India | WTO | At least 100,000 protest in New Delhi. |
| 18 June 1999 (‘J18’) | Cologne, Germany | G8 | GDA in which 50 stock exchanges world wide targeted. Protests in 43 countries including Zimbabwe, Bangladesh and Columbia. At London’s ‘Carnival Against Capitalism’ 43 protesters are arrested following clashes with police. |
| 30 November 1999 | Seattle, USA | WTO | Protests in almost 90 countries. The infamous ‘The Battle of Seattle’ takes place, where approx. 70,000 protesters close down the WTO Ministerial meeting. Tear gas is used by police to break up the demonstration. Hundreds of arrests made. The bill for policing is approx. US\$9 million. |
| November, 1999 | Manila, Philippines | ASEAN | Thousands break through security cordon. |
| January 2000 | Davos, Switzerland | WEF | Thousands of protestors. |

Table 11.1 Continued

| <i>Date</i> | <i>Meeting Location</i> | <i>Institution</i> | <i>Comments</i> |
|---------------------------|-------------------------|--------------------|--|
| 16–17 April, 2000 | Washington, USA | WB/IMF | 20,000–30,000 protestors, 1,000 arrested. |
| May Day 2000 | London, England | | Some 10,000 protestors converge on London. ‘Guerrilla Gardening’ at a number of locations is intended as the main action, but when police constrain participants to Parliament Square protestors begin digging up the square and planting seeds and seedlings. The Reclaim the Streets website describes guerrilla gardening symbolizing ‘an urge to be self-reliant rather than dependent on capitalism’, and to celebrate ‘the possibility of a world that encourages cooperation and sharing rather than one which rewards greed, individualism and competition’. |
| May 2000 | Chang Mai, Thailand | ADB | |
| July 2000 | Okinawa, Japan | WB/IMF | 5,000 protestors. |
| 11 September 2000 | Melbourne, Australia | WEF | Tens of thousands of protestors; successful blockade and disruption of the meeting; some 2,000 police; several hundred non-violent protestors injured by police; only 12 arrests. |
| 26 September 2000 (‘S26’) | Prague, Czech Republic | WB/IMF | Actions occur in some 44 countries and 123 cities. In Prague some 20,000 protestors converge. The IMF/WB meeting ends a day early; 500 protestors end up in jail; 600 are stopped from entering Czechoslovakia at its borders. |
| 20 October 2000 | Seoul, South Korea | ASEAN | 20,000 Workers and students protest. |
| December 2000 | Nice, France | EU | 90,000–100,000 march, including trade unionists. |
| January 2001 | Davos, Switzerland | WEF | Thousands of protestors. |

| | | | |
|------------------|------------------------|------|--|
| 20–22 April 2001 | Quebec City, Canada | FTAA | 20,000 protestors from across the Americas. Tear gas, water cannon and rubber bullets used indiscriminately against protestors. |
| May Day 2001 | London | | Cost roughly £20 million in lost business. Police invoke special powers under Section 60 of the Criminal Justice and Public Order Act (1995) to detain thousands of protestors for up to 7 hours in Oxford Circus to prevent a ‘breach of the peace’. |
| 15–18 June 2001 | Gothenberg, Sweden | EU | Approx. 20,000 protestors. Live ammunition is used against protestors without warning; 3 people are shot and wounded. 43 people admitted to hospital. Of 539 arrested, 61 are deported and 20 are sentenced to jail. At a Reclaim the City party on 15 June police fire 15 live rounds at demonstrators. On 16 June, 12,000 people join the demonstration ‘For Another Europe’. On 17 June police carrying semi-automatic rifles with laser sights force 200–300 unarmed people, including a breast-feeding mother, to lie down outside the convergence centre (Shillerska School) for over an hour. A protester is sentenced with one-year imprisonment for violence even though video footage and the statements of other officers contradict the charges. |
| End of June 2001 | Salzburg, Austria | WEF | Over 100 road blocks erected by thousands of police; several hundred people attend a counter-conference held by ATTAC; all marches and rallies declared illegal but one allowed outside the train station on Saturday – around 2000 protestors gather surrounded by large numbers of military police from Vienna – a section 60 containment occurs for 5½ hours and people are battered by police. |
| July 2001 | Genoa, Italy | G8 | Hundreds of thousands of protestors. 310 arrests were made, 560 protestors were injured, two ended up in a coma, one was killed. On the evening of 21 July <i>carrabinieri</i> police attacked protestors staying at a school organized as sleeping space by the Genoa Social Forum. Sixty-two people were injured, of which 25% required continual medical observation for up to 5 days, 36% for 6–10 days, 11% for 18 days, 18% for 21–40 days and 5% over the long-term. Prime Minister Berlusconi had instructed police to ‘use whatever force necessary’ to control protestors (data from Indymedia, 2002). |

Table 11.1 Continued

| <i>Date</i> | <i>Meeting location</i> | <i>Institution</i> | <i>Comments</i> |
|---|-------------------------|-------------------------|---|
| 16–27 July 2001 | Bonn, Germany | UN Climate negotiations | Blockade of the conference. Actions to inform and motivate the public, particularly with regard to the relationship between the Bush administration and companies such as Esso and the unlikelihood of the Bush administration ratifying the Kyoto protocol. Twelve principles demanded for reducing emissions. Reclaim the Streets/Rising Tide Network party/blockade. |
| 20 August 2001 | GDA | | One month anniversary of Carlo Giuliani's death at the G8 protests in Genoa. An estimated 250 actions take place in cities around the world, including Dublin, Washington, New York, Rome, Genoa, Zurich, Vienna and Stuttgart. |
| 11 September 2001 | London | DSEi | Thousands of protestors contest Europe's largest arms trade fair in London's Docklands. |
| 30 September, 2001 (\$30') | Washington, USA | WB/IMF | Cancelled due to 11 September attacks. |
| 9 November, 2001 ('IN9') | Doha, Qatar | WTO | Agreement in advance not to make any arrests. US delegation shrunk from 300 to 50. 100 NGO delegates demonstrated; 111 protest events recorded with some 97 cities protesting. |
| 10 November, 2001 | New Delhi, India | WTO | 25,000 protestors. |
| 16–17 November, 2001 ('N16' and 'N17') | Ottawa, Canada | IMF/WB/G20 | 2,000 demonstrate at War Memorial. Police attacks on demonstrators. |
| 13–15 December, 2001 ('D13', 'D14' and 'D15') | Brussels, Belgium | EU | 80,000–100,000 on 'D13' trade union march; 25,000 on 'D14' march; 4,000 on 'D15' march. Legal Team members and 150 demonstrators arrested; demonstrators attacked by police using water cannons, tear gas and plastic bullets. 3,000 police on German–Belgian border. |

Sources: derived from various 'anti-globalization' and independent media websites and webcast news reports (e.g. <http://www.indymedia.org>; <http://www.protest.net>; <http://www.flora.org>; <http://bak.spc.org/j18/site/>; <http://rfs.gn.apc.org/>). Also Indymedia, 2002; Offline, 2001; Peoples' Global Action, 2004; Tully, 2000; Wikipedia, 2004; Wood, 2004; Yeates, 2002: 128–9.

Notes

This table provides an indication of the proliferation of the more spectacular events coinciding with the meetings of major financial and governance institutions between the late 1990s and late 2001. It should be noted, however, that this in no way reflects the full range of global and everyday protest and resistance that can loosely be categorized as against the effects of neoliberalism (e.g. see the timeline from 1994 in Notes From Nowhere (2003), as well as data collected by organizations such as the World Development Movement (e.g. 2004) and the Bretton Woods Project (<http://www.brettonwoodsproject.org/>). Something of a lull in major 'northern' protest events occurred in 2002, as activists collected their thoughts following the use of live ammunition against protestors in Gothenburg and Genoa in 2001, and came to terms with the *event* that was 9/11 and the emerging global war on terror. The spectacular protests of late 2002 and 2003 – the massive and global protests against war in Iraq, and the mobilizations against the G8 in Evian, and the EU in Thessaloniki and again in Rome – suggest, however, that it is somewhat premature to speak of the obituary of the movement as some commentators proceeded to do following 11 September 2001.

ADB, Asian Development Bank; APEC, Asia-Pacific Economic Cooperation (Forum); ASEAN, Association of Southeast Asian Nations; ATTAC, the international movement for democratic control of financial markets and their institutions; DSEI, Defence Systems and Equipment International; EU, European Union; FTAA, Free Trade Association of the Americas; GATT, General Agreement on Tariffs and Trade; GDA, Global Day of Action; G8, The Group of the world's Eight most industrialized economies; G20, Group of Twenty (the Joint Forum of Industrial and Emerging Countries to Foster Stability and Growth of the World Economy); IMF, International Monetary Fund; PGA, People's Global Action; WB, World Bank; WEF, World Economic Forum; WTO, World Trade Organization.

practice in the context of (anti-)globalization protest. First, in thinking through the political intentionality infusing discourses and practices of violence in (anti-)globalization protest, I observe its links with a particular revolutionary lineage and strategic orientation: that of the tradition of nihilism associated primarily with the nineteenth-century Russian nihilist Sergei Nechayev.¹ This explains nihilism as a coherent, if problematic, political tradition and discourse. Coherence notwithstanding, two strategic problems become apparent here. The first is the extent to which propaganda by deed – the advertisement of a cause through symbolic insurrectionary acts including violence (as framed by the nineteenth-century Italian anarchist Malatesta; see for example *Propaganda by Deed* (first published in *Workers Solidarity* no. 55), http://flag.blackened.net/revolt/ws98/ws55_prop_deed.html (accessed 2 November, 2004)) – can become a radical politics, by which I mean a political praxis that unravels, subverts and reconstitutes rather than enhances the status quo. The second concerns possible links between affective trauma(s) produced by socio-political contexts that some may experience as violating, and self-abusive desires for psychosomatic and ritualized experiences of violence and its correlate, violation – for pain to displace pain, in other words (see Milia, 2000; Sullivan, 2004, 2005b; Zoja, 2000). In this reading, violent protest arises as a conscious or unconscious acting out of somewhat masochistic desires: fuelled further by a conservative collective ‘hardcore *habitus*’ that plays on activist guilt – the sense of never doing enough to ‘change the world’ – in encouraging participation in confrontations that can escalate into self-abusive violence.

The second issue I problematize relates to the consolidated machismo extolled by Nechayev and noticeable today amongst both protesters and police in the context of violent protest. While acknowledging the problems associated with essentializing gender categories and associated normative behaviours (e.g. de Beauvoir, 1953 [1949]), a feminist analysis might concede that such constructions of machismo (and masculinity) have significant implications regarding the distribution of both power and silence. In part, it is curious to notice the strange allegiance that this revolutionary ethos has with liberal constructions of bourgeois masculinity (the referent of *Homo economicus*), as stated clearly in Adam Smith’s work (e.g. 1994 [1776]; summarized in Habermann, 2004). The romantic machismo embodied in a nihilist orientation to protest thus becomes collusion with, rather than a subversion of, the target of its actions: namely the phallogocentric *habitus* of bourgeois liberalism (de Beauvoir, 1953 [1949]; Cixous and Clément, 1996 [1975]; Irigaray, 2002). More simply, by privileging conventionally masculinized dimensions of physical strength, as well as iterating dominant discursive masculinized metaphors of war and sport in ‘the fight’ to overthrow exclusionary structures, such approaches to protest collaborate with global contexts whereby ‘women [and conventionally feminized domains] are disproportionately disadvantaged by the glo-

balizing forces associated with neoliberal international economy' (Tickner 2004: 15). Again, there is not much that is subversive or transgressive in these dynamics.

I concur, therefore, with anthropologists Philippe Bourgois (2004) and Pierre Bourdieu (1990 [1980], 1998, 2001a) that the structuring socialities accompanying violent protest can contribute to a bleeding of the structural and political violences which infuse the modern global capitalist and statist enterprise, into the banal everyday gender and other violences effected by patriarchal social organization. I conclude that I find it hard to conceptualize any context where the experience of violence as *violation* can contribute to substantive and emancipatory social change beyond the immediately and personally empowering moment of release and closure effected by the violent act. Nevertheless, given the context of structural and symbolic violence characteristic of late capitalism, of the biopower of *Empire* (Hardt and Negri, 2000), of US military imperialism and a sometimes violently macho Islamist vanguard,² I also find it hard to avoid the corresponding conclusion that the period of social change in which we find ourselves will be associated with escalating levels of violence, in (anti-)globalization protests as elsewhere.

'You simply must smash capitalism!':³ contesting the EU summit in Thessaloniki, June 2003

Anti-capitalist rioters and Greek police were in an uneasy stand-off last night in Thessaloniki after a day of street battles that marred the end of the European Union summit.

(Howden, 2003)

In June 2003 I was present at the EU 'counter-summit' in Thessaloniki. Like the metropolitan meetings of the G8, the WTO and other international governance and financial institutions, the EU summits in recent years have seen vociferous and multifaceted protests by participants of the amorphous but burgeoning global '(anti-)globalization movement(s)'.⁴ A campaign against the June 2003 EU summit meetings in Thessaloniki had been planned for over a year, to register popular protest against the 'anti-peoples' orientation of the European Union during the Greek presidency of the EU', and to organize a 'counter-summit' to coincide with the EU meeting (e.g. PAME 2002; Yechury 2003: 1). The protests were staged as a response to the EU's 'democratic deficit' (Habermas, 2001b: 14), in which citizens do not feel represented by, or able to participate in, the EU's decision-making processes. Particular concerns revolved around spending on security and the participation of Europe in US-supported wars outside EU borders (Yechury, 2003: 2); the increase of citizen surveillance and perceived detrimental effects on civil liberties; the use of the Schengen agreement to restrict trans-border movement by immigrants and protesters,

thereby contributing to ‘fortress Europe’;⁵ the favourable stance of the EU towards the production and trade of genetically modified products that is vehemently opposed by a citizen majority;⁶ and a general perception that the EU is oriented towards economic efficiency and comparative advantage for business and finance rather than the democratic and welfare concerns of its citizenry (see, *inter alia*, Habermas, 2001b; Action Thessaloniki, 2003; Antiauthoritarian Movement Salonika, 2003; Greek Social Forum, 2003; PAME, 2003; Thessaloniki Prisoner Support, 2003a; Thessaloniki Resistance, 2003).

Protest actions took place throughout the summit (20–22 June). These included demonstrations within Thessaloniki on 19 June to highlight the treatment of immigrants and asylum seekers to the EU,⁷ a blockade and demonstration on 20 June in Chaldiki where the meeting was actually situated, and a large popular protest march within Thessaloniki on 21 June (IMC-Thessaloniki, 2003). Prior to the main protests on 21 June, the final day of the summit, I spent several hours in Thessaloniki’s Aristotle University campus, where squatting militant activists were taking advantage of the legal asylum granted to university premises. Here, in a philosophy department strewn with somewhat nihilistic graffiti – ‘PEACE, LOVE AND PETROL BOMBS!’ ‘FROM PIGS TO BACON!’ ‘MIDDLE CLASS WAR!’ ‘FUCK THE WORLD, DESTROY EVERYTHING!’ ‘ANGER IS A GIFT!’ ‘VIVA NIHILISM!’ (Figures 11.1 and 11.2) – glass bottles were being transformed into Molotovs, gas masks were being tried on, and ‘anti-authoritarians’ were calmly anticipating one of ‘the biggest riots Thessaloniki has ever seen’. Overwhelmed by a swaggering machismo and a palpable hatred of the police – matched by an intention to do physical injury – I left the campus before the protest was due to begin, feeling confused and alienated by the calculated preparedness for violence amongst protestors, and an apparent antipathy to critique and reflection. Several hours later, after the militants met with the main marches of the Greek Social Forum and the Communist Party of Greece (Figure 11.3) and, of course, the Greek riot police, the streets of Thessaloniki were thick with tear gas, several businesses were gutted and blackened with the soot from petrol bombs, and pools of blood were noticeable on the tarmac (Figure 11.4).⁸

In the anti-authoritarian action, a McDonald’s and a Vodafone store were targeted with petrol bombs and completely gutted (Figure 11.5), and around 30 shops as well as three Greek banks were damaged (Kambas and Pangalos, 2003, personal observation). Greece deployed some 16,000 troops and police in the city and region to protect the summit from protesters, and, on 21 June, riot police used baton charges and large amounts of tear gas to clear the central area of the city of protesters (Kambas and Pangalos, 2003). Over 100 people were arrested and, although most were released without charge, 20 were held for up to three days before being released on bail (Thessaloniki Prisoner Support 2003b,c). Eight demon-

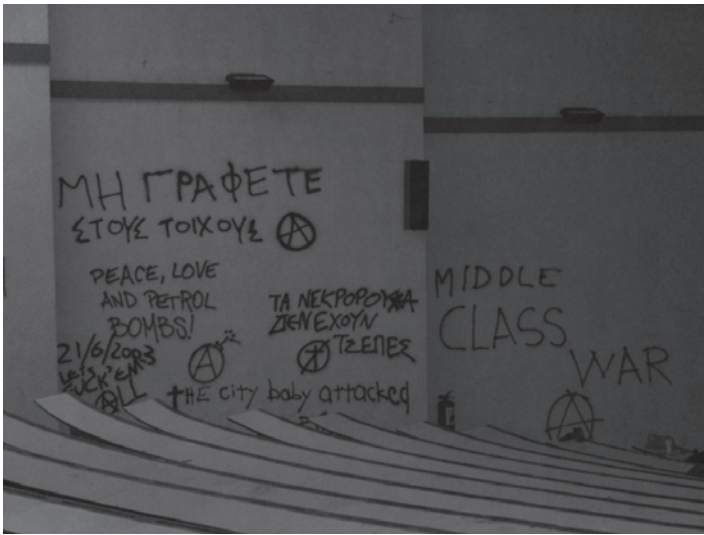


Figure 11.2 Graffiti on the walls of the Philosophy Department at Thessaloniki's Aristotle University during the EU 'counter-summit', June 2003. Source: personal archive.



Figure 11.3 March on Tsimiski Street, Thessaloniki, organized by the Communist Party of Greece as part of the National Day of demonstrations on 21 June 2003 against the EU summit. Source: LaHaine (2003).

a



b



Figure 11.4 (a) Protester throwing a Molotov cocktail and (b) Greek police against a burning building, on Egnatia Street, Thessaloniki, during the anti-authoritarian action against the EU summit on 21 June 2003. Source: La Haine (2003).

strators (two Spaniards, one Syrian, one Briton, one American and three Greeks) were imprisoned, having been refused bail. They faced sentences of between 7 and 25 years in prison for serious charges including rebellion against the state, possession and use of explosives and arson. Good



Figure 11.5 Petrol-bombed Vodafone store on Ermou Street, Thessaloniki. Although a number of small, independent businesses were affected by the anti-authoritarian action in Thessaloniki on 21 June 2003, international corporate targets – perceived as both symbolic and direct representations of a world political–economic system of injustices and constraints – were subject to the greatest damage. Source: personal archive.

photographic and video material suggests that ‘evidence’ was planted on them by police to support their conviction (Thessaloniki Prisoner Support, 2003d). For example, ET3, a Greek TV station, showed footage of Greek police planting Molotov cocktails and other incriminating items on UK activist Simon Chapman (Figure 11.6), one of the eight key prisoners (footage available for viewing at IMC-Italy, 2003a). Simon’s experience of the action and his arrest is detailed in a public letter from him reproduced in Box 11.1.

The protests at Thessaloniki lingered on in the form of prisoner solidarity for those awaiting charge, who, judging by the evidence suggesting that they were ‘fitted up’ were scapegoated for actions that involved somewhere in the region of 1,000–4,000 people.⁹ Prisoner solidarity actions took place in a number of countries, including Britain, Greece, Spain, Germany, Denmark, Italy and Australia, on the principle among protesters that ‘they’re inside for us. We’re outside for them’ (WOMBLES,¹⁰ 2003; Support Simon Chapman, 2003b). Early in July 2003 the bank account that had been opened in Greece to receive funds in support of prisoner solidarity was frozen by the Greek government (Thessaloniki Prisoner Support, 2003e). By September their situation was looking so precarious that five of the prisoners went on hunger strike. After considerable prisoner solidarity efforts, and with the prisoner hunger strike reaching between 49 and 66 days, Simon and the other prisoners eventually were released on 26 November

a



b



Figure 11.6 UK activist Simon Chapman being beaten by Greek police Egnatia Street, Thessaloniki, during the anti-authoritarian action against the EU summit, 21 June 2003. (a) shows Simon wearing his blue rucksack; (b), taken later, shows his blue rucksack discarded behind him while three black rucksacks, containing Molotovs as well as an axe and hammer as evidence, have been positioned next to him. Sources: LaHaine (2003), Associated Press (2003).

Box 11.1 Public letter from Simon Chapman detailing arrest and subsequent treatment at the Thessaloniki riot against the EU summit, June 2003

I'm not sure if people know what happened before/after my arrest so I'll quickly outline it here. The march set off in militant style and soon the air was filled with the sound of breaking glass. The first gas came in and in the crowd surge I lost sight of X. Me, A and B continued on to a square where the gas started raining down – so far my goggles and half-face gas mask were working fine. The crowd surged again and I lost A and B, so I headed over to the rest of my affinity group. We ended up all squashed together with maybe 600 people, with clouds of gas coming from front and back, and my skin was starting to burn, my eyes were streaming. The crowd was all crushed together, people wailing for water for their eyes, pushing this way and that. Though I knew the safest place in that type of situation was in the middle of the crowd, I decided to go to the edge to see if I could see X, A and B. Then a huge cloud of gas enveloped me and I couldn't see a thing. So I'm at the edge choking, blind, on the edge of panic – a voice inside me is saying "be cool, be cool" and I kept it together. And then CRUNCH – everything went black and sparks of light shone in the darkness. At first I thought a badly aimed brick had hit me, but only a second later there was another bone-crunching blow to my head and I knew it was cops. I go to run but I'm already falling, scrabbling along the wall through broken glass, still blinded by gas; as I move the batons are raining down, sometimes 3 or 4 hitting simultaneously across my body. I feel boots kicking me as well. I thought I could crawl back to the crowd, but when I look up all I see is an empty smoky street and cop boots coming towards my face. BANG goes my goggles and glasses, and I realize I am in deep, deep shit. I try to get up but at that moment a hand comes down and pulls my cap and gas mask off and a final blow smacks me where my hair meets my forehead; I feel a splash of blood run down my face and everything goes black. I was only unconscious for a few seconds I think. I'm dragged to my feet, and boots and batons are still coming, mainly at my shoulders and legs. 5 cops have hold of me, dragging my rucksack off my back. They hold me and search it, then take me to the side of the road and sit me down. A cop comes up behind me and smacks me across the back with his baton, then kicks me at the base of the spine. This STILL hurts! My face is a sea of blood – I can feel it leaking from several places, running down my neck. C and D would have seen what

Box 11.1 Continued

happens next, the cops bringing the bags of Molotovs to me. I can feel a fit-up coming on!

The next 2 hours are truly terrifying – I am cuffed with 2 bags of Molotovs strapped to me. Some are leaking. The cops lead me into the road where rocks and Molotovs are landing among us and present me to the rioters like I am a trophy. If one of these Molotovs lands too close to me I would be a ball of flames faster than you could say “human rights”. Over the next 2 hours I am beaten with batons, fists, a hammer; wacked (*sic*) across the head twice with a length of wood, headbutted, kicked, slapped and constantly exposed to teargas. I could hardly walk or breathe. The whole left side of my back was purple, yellow, black, blue and I was covered in cuts, bruises and lumps. So it was quite rough! I never thought I would be so glad to finally get stuffed – well kicked – in a cell where 10 other demonstrators were languishing!

(Support Simon Chapman, 2003a)

2003, on condition that they remain in Greece until their trial (IMC-UK, 2003). All charges against them have since been dropped.

‘Viva nihilism!’ Destruction and (anti-)globalization protest¹¹

Violence as a tactic of protest to contest authority is nothing new. But if it is possible to talk of the emergence of a new global social movement (or ‘movement of movements’) that is challenging a systemic status quo of global inequalities, then perhaps it also is possible to perceive a globalization of proactively violent and militant discourse and practice – at least in some quarters of the protest politics associated with the (anti-)globalization movements. Most protestors and most protests can be described as nonviolent, with Non-Violent Direct Action (NVDA) the preferred orientation of civil disobedience (Thoreau, 1993 [1849]) for many (anti-)globalization activists.¹² Nevertheless, with the property damage and the violent clashes that have occurred between police and ‘anti-capitalist’ protesters at significant recent protest events in the post-industrial north, violence accompanied by bloodshed is now expected in these contexts.

The following three events, together with the case material presented above, illustrate this broad dynamic (see also Table 11.1 and Wood, 2004):

- 1 On the weekend of 18 January 2003, the anniversary of the start of war in Iraq in 1991 and thus chosen as a global weekend of action against the pending war in Iraq of 2003, 2,000 masked American protesters

attacked San Francisco's British Consulate premises and then proceeded to smash the offices of the Immigration and Naturalization Service (McGreevy, 2003).

- 2 On 4 October 2003, clashes in Rome between several hundred masked protesters and police, the smashing of retail outlets and the petrol bombing of a temporary employment agency (to highlight precarity of employment and income as a systemic legacy of neoliberalism), marked the beginning of multilateral negotiations regarding the content of the EU's constitution (Black, 2003).
- 3 In Miami, November 2003, at protests against the Free Trade Area of the Americas (FTAA), Miami police spent US\$8.5 million earmarked for Iraq on "non-lethal" weapons to aid their policing effort. The following statement indicates the ferocity and style with which these protests were policed and suppressed:

Thousands of militarized police, in full riot gear, armed with everything from tear gas, rubber bullets and bean bags, electrified shields, tanks, water cannons, automatic and semi-automatic weapons, were busy violently arresting peaceful demonstrators, in some cases with tasers,¹³ in others at gunpoint. Busses filled with union members were prevented from joining permitted marches; human rights activists had guns pointed at their heads in military-style checkpoints. Embedded journalists similar to those used in Iraq meant that any independent ones were attacked, arrested and had cameras stolen. . . . Those in prison reported sexual assaults and beatings with two men locked in small dog-kennel size cages and sprayed with freezing water and pepper spray. 125 were injured, and a Centre looking after those injured was itself attacked by the robocops. One doctor remarked, "I've worked in emergency rooms, but this is really some of the worst onslaught of injuries I have ever seen."

(Schnews, 2003b; see also Scahill, 2003; Starhawk, 2003)¹⁴

The financial costs of policing protest events, as well as the costs of damage to property and of lost business, provide a conventional measure of the significance of confrontational practices in these contexts. For example, the policing costs of the protests that closed the WTO meeting in Seattle, 1999, were somewhere in the region of US\$9 million (Barber, 2000), and in September 2003 the costs of policing the Defence Systems and Equipment international (DSEi) arms trade fair in London's Docklands were upwards of £1 million (Press Association, 2003), even though only around 1500 arms trade protesters were present in the area at any one time. The estimated value of lost business alone in London on May Day 2001 was £20 million (Benham and Sykes, 2001).

A review of recent published and unpublished expressions of intent

made by anti-authoritarian protesters confirms a transnational discourse of the necessity of destroying existing government, military and commercial institutions as a legitimate political response to the destructive tendencies and practices that in turn are identified with these institutions. While embodying hope in the *desire* for something different, this also is an orientation that *has given up* on a contemporary global political economy perceived as thriving on inequalities, violations and dramatic environmental transformation. Participation in existing institutions thus becomes participating in ‘the problem’; and desire to *destroy* – to ‘wipe the slate clean’ – becomes a coherent (if problematic) ethos guiding activist praxis. Take, for example, the following statements from various zines, pamphlets and websites of anti-authoritarian activists in the post-industrial ‘North’ (emphasis added in all cases):

We want to destroy government and rich peoples’ privileges. We want to get rid of the control that police, government and bosses have over our everyday lives. We want workers to control their own workplaces and see ordinary people run the world together without money, hierarchies or authority. This is what we call ‘Anarchy’. . . Their power must be taken from them by force. . . they have the police to beat us up, the prisons to lock us up, the military to shoot us, the schools and the corporate media to fool us. . . changing our ideas is not enough. Capitalism must be fought in the streets.

(Anarchist Youth Network: Britain and Ireland, 2003)¹⁵

The technological system that we know is itself part of the structures of domination. It was created to more efficiently control those exploited by capital. Like the state, like capital itself, *this technological system will need to be destroyed* in order for us to take back our lives.

(Willful Disobedience, 2002)

While the industrial system is sick *we must destroy it*. If we compromise with it and let it recover from its sickness, it will eventually wipe out all of our freedom.

(Kaczynski, 2002 [1995]: 37)¹⁶

May the barbarians break loose. May they sharpen their swords, may they brandish their battleaxes, may they strike their enemies without pity. May hatred take the place of tolerance, may fury take the place of resignation, may outrage take the place of respect. May the barbarian hordes go to the assault, autonomously, in the way that they determine. And may no parliament, no credit institution, no supermarket, no barracks, no factory ever grow again after their passage.

(Crisso and Odoteo, 2003: 6)

It is precisely when people know that they no longer have anything to say to their rulers, that they may learn how to talk with each other. It is precisely when people know that the possibilities of this world can offer them nothing that they may learn how to dream the impossible. The network of institutions that dominate our life, this civilization, has turned our world into a toxic prison. *There is so much to be destroyed* so that a free existence may be created. The time of the barbarians is at hand.

(Wildfire, 2003a)

One of the world's biggest ever trade fairs for guns, bombs, military planes & ships, small arms, mines and tanks is scheduled to take place in London from 9 to 12 September 2003 *You are invited to help destroy this market of death* . . .

(Destroy DSEi, 2003)

We, as insurrectionists *must wage war on terror*: the terror of the state, the terror of hierarchy, the terror of war and most importantly the terror of civilization.

(Wildfire 2003b)

This is an honest and open discourse of destruction. It clearly positions anti-authoritarian and anti-capitalist activists of many flavours – anarcho-primitivists, insurrectionists, CrimethInc. dropout culturists, to name a few represented by the sources of the texts – as separated by a qualitative and counter-hegemonic abyss from the 'pathological passivity' (Churchill *et al.*, 1998; Roszak, 1971 [1968]: 22) of agendas that, while critical of the status quo, seek to reform existing hegemonic institutions and structures rather than imagine some sort of destruction of, or rupture from, them. In the major (anti-)globalization protest events of the 'global North' in the last few years, this orientation has manifested primarily as two transnationally understood and practised tactics: symbolic violence to property (epitomized by the black bloc; Box 11.2) and preparedness for direct confrontation with police (as in the Italian Disobedienti, formerly Tute Bianche). As indicated by the case material from Thessaloniki, where there was a clear intent and desire for police to sustain possibly fatal injury (flippantly embodied by the graffiti-ed statement 'from pigs to bacon', see above), an orientation of attack towards police is also noticeable.

It has been common to trivialize the violence in (anti-)globalization protest as merely a reactive outpouring of male teenage angst and disaffection: a displacing of Oedipal rage onto 'papa state' by an ageset unconsciously yearning for a 'rite of passage' by which to enter and affirm a meaningful collective identity. Thus, 'smashing things comes off as a little kid whining in the streets about how much he doesn't like his little situation' (Frank, 2003); or 'you did a great job of acting like children on a

Box 11.2 Black bloc – a tactic

It is as inappropriate to use a box to talk about ‘the black bloc’ as it is to imply that there is such a thing as ‘the’ black bloc in the sense of a defined ‘group’ with a defined ‘membership’. For this same reason, I eschew the use of title-case when speaking of the Black Bloc, as it seems to me that this also implies fixity and reification of what in ideal terms appears conceived as a fluid and contextual tactics, non-hierarchically and de-centrally organized, and accessible to any who choose to these terms of engagement.

The name ‘black bloc’ comes from the term ‘Schwarze Bloc’ used by German police in the 1980s to describe squatters and Autonomes who employed militant tactics in their efforts to retain occupied properties (Indymedia, 2002; Infoshop, 2003). Although generally perceived as ‘anarchists’, in continental Europe, where a strong centrally organized left tradition remains a political *tour de force*, a black bloc on a protest might incorporate militant members of worker-oriented parties as well as anti-imperialist nationalists (cf. *Propaganda by Deed*. Available at: http://flag.blackened.net/revolt/ws98/ws55_prop_deed.html). In America, a black bloc first occurred during the Gulf War protests in 1991 (Infoshop, 2003), and there is a sense in which a black bloc tactics here has taken on a coherence of its own that makes sense in a context with a limited left politics. Thus, a

Black Bloc is a collection of anarchists and anarchist affinity groups that organize together for a particular protest action. The flavor of the Black Bloc changes from action to action, but the main goals are to provide solidarity in the face of a repressive police state and to convey an anarchist critique of whatever is being protested that day . . . Black is worn as the colour that symbolizes anarchism, to indicate solidarity and to provide anonymity.

(Infoshop, 2003)

Masking up is both a nod towards the Zapatista practice of masking so as to avoid the reification of individuals and leaders, and as a means of exploiting the possibilities of clandestinity in a system perceived as based on protecting clandestine, behind-closed-doors, decision-making processes by the few on behalf of the many, and on eroding individual liberty (e.g. Notes From Nowhere 2003: 303–315).

This black bloc socio-political critique takes the form of drawing attention to capital’s omnipresent symbols by targeting them with

destructive actions. After an action, these frequently are communicated and explained via Indymedia (see <http://www.indymedia.org>) and other websites where the tactics are debated and also are subject to critique. The following communiqué, for example, describes some black bloc actions that occurred during the protests that closed the WTO summit in Seattle, November 1999:

On November 30, several groups of individuals in black bloc attacked various corporate targets in downtown Seattle. Among them were (to name just a few):

- Fidelity Investment (major investor in Occidental Petroleum, the bane of the U'wa tribe in Columbia)
- Bank of America, US Bancorp, Key Bank and Washington Mutual Bank (financial institutions key in the expansion of corporate repression)
- Old Navy, Banana Republic and the GAP (as Fisher family businesses, rapers of Northwest forest lands and sweatshop laborers)
- NikeTown and Levi's (whose overpriced products are made in sweatshops)
- McDonald's (slave-wage fast-food peddlers responsible for destruction of tropical rainforests for grazing land and slaughter of animals)
- Starbucks (peddlers of an addictive substance whose products are harvested at below-poverty wages by farmers who are forced to destroy their own forests in the process)
- Warner Bros. (media monopolists)
- Planet Hollywood (for being Planet Hollywood)

This activity lasted for over 5 hours and involved the breaking of storefront windows and doors and defacing of facades. Slingshots, newspaper boxes, sledge hammers, mallets, crowbars and nail-pullers were used to strategically destroy corporate property and gain access (one of the three targeted Starbucks and Niketown were looted). Eggs filled with glass etching solution, paint-balls and spray-paint were also used.

(ACME Collective, 1999)

tantrum while eroding (*sic*) the credibility of the peace rally' (Shot By You, 2003). The militancies described above, however, also are clearly and consciously articulated as an instrumental bio-politics (cf. Foucault, 1998 [1976]): as a means of physically confronting the repression of the state's bio-power – its support for 'a social system [capitalism] that condemns the vast majority of people to stunted and unfulfilled lives despite our best efforts' (Jazz, 2001: 87, cited in Graeber, 2002: 4). Foucault identifies the body (and psyche) as the locale of power's micro-physics. In these biopolitical protest tactics, the body is thus consciously and unconsciously constituted as the locale of rebellion (e.g. Cuevas, 2000). The now defunct-Disobedienti, for example, would go into police lines not to attack, but prepared for a *defensive confrontation*, intent on exposing the tendency towards violence of the police and even inviting this (for example, through the mock salute of a fist with the little finger raised, waved at the police to mean 'Come on, break it!'.¹⁷ As Mittelman (2004: 28, following Foucault) describes, 'resistance manifests at the site where power and counterpower meet head-on. If the capillaries of power are the spaces where power acts on a body to discipline it, these are the loci where resistance emerges to contest power. Individual bodies are the sites of contestation'.

In terms of tactics, such actions partly constitute a legitimate and targeted expression of rage in reaction to circumstances experienced and perceived by many as alienating, violating and unjust. As such, the physical and even ecstatic expression of anger in a riot situation effects a positive appropriation of *the right to be angry* (e.g. Jensen, 2000) that can be momentarily cathartic and self-empowering.¹⁸ And partly they are a conscious enacting of 'propaganda by deed'. Acts symbolic of insurrection by a militant vanguard are thus constructed as effective and efficacious in terms of advertising the existence and intent of a revolutionary culture and consciousness. At the same time, through exciting and responding to police violence, such acts are intended to expose the violence located in both national and transnational governance of the status quo.

This then is captured spectacle as both revolutionary threat and advert. It is *not* terrorism – an orientation of indiscriminate violence to civilians/non-combatants to create submission by generating fear (see Chapter 10). An 'anti-capitalist' political orientation in and of itself, however, clearly is also not an essentialist non-violent or even non-terrorist orientation. Some groups and individuals with similar political analyses and desires have resorted to a threatening tactics of violence to persons in the past (e.g. Baader-Meinhof in Germany, the 'Unabomber' in North America), and it is difficult to imagine a more spectacular anti-capitalist symbolic target than that of the World Trade Center, albeit that this was attacked in pursuit of a very different agenda in 2001.

It is instructive, however, to take a step back and notice that a fetishising of nihilism in militant discourse and practice also is nothing new. It could even be seen as the proverbial tip of the iceberg in signifying broader

social malaise, distress and disaffection; potentially indicative of a brewing socio-political force for systemic social change. The statements above, for example, are a clear echo of an earlier political tradition of nihilism, emerging in particular in mid-nineteenth century Russia where some consider that

the forces of state repression coupled with the longevity of the problem had already created such an intolerable situation that fixing the system through reform was essentially impossible. The only reasonable answer to this kind of situation is that of nihilism, *the only way to live was to destroy*.

(‘Historical nihilism: the Russian revolutionaries’; <http://geocities.com/liudegast/history.html#2>)

This tradition is most clearly articulated in Sergei Nechayev’s (1869) ‘Catechism of a revolutionist’. The statements recorded above and epitomized in the graffiti dominating the anti-authoritarians’ protest at Thessaloniki bear striking resemblance to the ethos of this tradition, as distilled in the following lines:

In the very depths of his (*sic*) being, not only in words but also in deeds, . . . [the revolutionary] has broken every tie with the civil order and the entire cultivated world, with all its laws, proprieties, social conventions and its ethical rules. He is an implacable enemy of the world, and if he continues to live in it, that is only to destroy it more effectively. . . . His sole and constant object is the immediate destruction of this vile order.

(Nechayev, 1869, cited in <http://geocities.com/liudegast/history.html#2>)

A feminist theorising of this orientation might elaborate two things. First, and following feminist philosopher Luce Irigaray, it seems that the *logos* – the *culture* – of modernity indeed is infused with the essence of ‘the father as a kind of meta-man’; whose locale ‘on high’ (*a là* God in monotheistic religions) permits and predisposes relationships of exteriority and domination of ‘all he surveys’. The distance thereby created ‘prevents any approach because of an appropriating mastery of all that which could enter into a relation of closeness’ (Irigaray 2002: 20–1). In this reading, a reacting against and contesting of the patriarchal character of the socio-political-economic institutions made possible by the *logos* of modernity – the modern state, and capitalism and communism as techno-military-industrial systems of mass production and consumption – does indeed constitute a correct locating of ‘the enemy’. The enemy here is modern patriarchal socio-political organization: what Helene Cixous (Cixous and Clément, 1996 [1975]: 83) names more blatantly as phallogentrism, and

what Irigaray (1977) calls phallogocentrism. It is an infusing and institutionalized source of ways of being that, in their normalized structuring effect the alienation and violation of all that is other to, and othered by, this logos. This is not to essentialize. To clarify, and as Cixous and Clément write:

There is 'destiny' no more than there is 'nature' and 'essence' as such. Rather, there are living structures that are caught and sometimes rigidly set within historicocultural limits so mixed up with the scene of History that for a long time it has been impossible (and it is still very difficult) to think or even imagine an 'elsewhere.'

(Cixous and Clément 1996 [1975]: 83)

Projecting an Oedipal anger towards 'papa-state' and other patriarchal institutions – reacting against and fighting the logos of modernity as 'meta-man' – thus becomes an appropriate conceptualizing and performing of struggle. It constitutes a 'correct' targeting of institutions whose very structure and ethos embody and effect the psychosomatic – the biopolitical – disciplining and exclusions required to sustain the qualitative character of their functioning (see also Foucault, e.g. 1977 [1975]).

Second, however, and following de Beauvoir (1953 [1949]), a feminist reading of the intent towards *destruction* might introduce an awareness of the tendency, noticeable in modern patriarchal and capitalist culture, for desire (of an object, a thing outside oneself) to equate with or translate into use/exploitation, and through use into destruction. In de Beauvoir's (1953 [1949]: 186) words, 'one of the ends sought by all desire is the using up of the desired object, which implies its destruction'. What is desired is that which is constituted and variously objectified as 'other': woman, nature, indigenes, the body etc. And it is 'the other' that *under* modern patriarchal culture is systematically used, mined, appropriated, owned, exploited, denigrated, defiled, raped, violated, *destroyed* in the institutions and bio-politics that flow from patriarchal/western modernity's distilled desire for transcendence (Zinn, 2001; Jensen, 2000). An 'anti-capitalist/(anti-)globalization' political orientation notices, feels, and contests this destruction: hence the significant coalescence of peace, environment, women's and indigenous peoples' movements in contemporary (anti-)globalization movements. Hence also, a Deleuzian post-structuralist orientation towards contesting the status quo through 'becoming other' (Deleuze and Guattari, 1988 [1980]; also Irigaray 1997 [1996]; Sullivan 2005a). In this analysis, however, nihilism's acceptance of the necessity of answering systemic destruction with destruction actually is part and parcel of the ontology which it is contesting. In other words, it contests the status quo but only *within* the terms of reference dictated and normalized by the status quo.

To summarize. The first theoretical point affirms a thorough reacting

against the institutional structures that flow from the patriarchal logos of modernity, since these are built on and infused with multiplicitous violences towards all that is othered in the logos of these institutions. The second point, however, indicates that there is little that is radical, subversive or transgressive about responding to destruction with destruction. In the following section I review further some gendered identities and dynamics infusing the celebration of violent confrontation in contemporary (anti-)globalization protest politics.

'The revolutionary is a dedicated man . . .'

"They're all alike." All. Except Bobby, who was a female. *Afterwards*, they always talked about smashing someone's face . . . He paused, malevolent and swollen with pride, sheltering now behind his deed of glory. He looked like an insect.

(Sartre, 1966 [1945]: 263)

I recall also a young Trotskyite standing on a platform at a boisterous meeting and getting ready to use her fists, in spite of her evident fragility. She was denying her feminine weakness; but it was for love of a militant male whose equal she wished to be.

(De Beauvoir, 1953 [1949]: 14)

I am a rock, I am an island. And a rock feels no pain. And an island never cries.

(Simon and Garfunkel, 2003 [1966])

The phrase forming the heading for this section is that which begins the 'catechism of a revolutionist' (1869) by the Russian nihilist Sergei Nechayev. It is accompanied by the somewhat phallic demand that 'the revolutionary must penetrate everywhere' (in <http://geocities.com/liudegast/history.html#2>). The Russian nihilists of the mid-nineteenth century also counted amongst them a number of committed young women, for example Vera Zasulich, Vera Figner and Sophia Perovskaia. Both men and women advocated the strategic use of violence against top-level authorities (*not* the general public), including the tsar. Some of these actions were enacted by women. For example, 'in 1878 Vera Zasulich shot and wounded the military governor of St. Petersburg, General Theodore Trepov, who had ordered a political prisoner to be flogged' (<http://geocities.com/liudegast/history.html#2>). In other words, I am cognisant of the problems of essentializing gender categories. And I am not blind to the participation in violence and brutality of women: from the Celtic women warriors of Britain at the time of Roman imperial expansion (e.g. Lothene Experimental Archaeology, n.d.); to unmarried or widowed women in France in the Middle Ages who, like Joan of Arc, could 'play a military role, commanding

troops and joining combat' (de Beauvoir 1953 [1949]: 132); to women pirates worldwide in recent centuries (Klausmann *et al.*, 1997); to the women Russian nihilists noted above. Bio-political violence is clearly *not* an exclusively male domain (see also LeBrun, n.d.; Ruins, 2003). As Wolf (1993: xviii) affirms, 'it is no longer possible to pretend that the impulses to dominate, aggress, or sexually exploit others are "male" urges'.

Indeed a transgressing of the boundaries of 'polite bourgeois, feminine behaviour', for example, through participating in confrontational and possibly violent protest, arguably in itself might effect a liberating reconfiguration of the pacified female gender identity that is part and parcel of bourgeois patriarchal social organization. The symbolic image from Thessaloniki in Figure 11.7 captures a sense of this going beyond of conventional bourgeois female identities amongst anti-authoritarian protestors.

On the other hand, however, a rhetorical and pragmatic emphasis on 'violence to the violence of the state'¹⁹ and the *fight* for the downfall of capitalism, buttresses conventional and problematic 'hegemonic masculinities' by valorizing physical strength, machismo, emotional passivity and the necessity of competing to win (also Cross, 2003: 14–15; Viejo, 2003). As Tickner (2004, after Sassen, 1998) argues, these tend to draw on gendered terms and metaphors embodied by patriarchal social organization. Take, for example, Nechayev's prescriptive description of the revolutionary character:

Hard towards himself, he must be hard towards others also. All the tender and effeminate emotions of kinship, friendship, love, gratitude and even honor must be stifled in him by a cold and single-minded passion for the revolutionary cause. There exists for him only one delight, one consolation, one reward and gratification – the success of the revolution. Night and day he must have but one thought, one aim, he must be prepared to die himself and to destroy with his own hands everything that stands in the way of its achievement. . . . The nature of the true revolutionary has no place for any romanticism, any sentimentality, rapture or enthusiasm . . . He is not a revolutionary if he feels pity for anything in this world. If he is able to, he must face the annihilation of a situation, of a relationship or any person who is part of this world – everything and everyone must be equally odious to him. All the worse if he has family, friends and loved ones in this world; he is no revolutionary if he can stay his hand.

(Nechayev, 1869, cited in <http://geocities.com/liudegast/history.html#2>)

Such machismo, whether embodied by men or women, can be problematic for *both* men and women participating in protest. In action and in analysis, it does little to contest the patriarchal assumptions and strategies infusing the organizational contexts that such protest attempts to contest,



Figure 11.7 Female anarchist devil graffitied on the walls of Thessaloniki's Aristotle University, squatted by activists during protests against the EU summit in June 2003. Source: personal archive.

the sharp end of which manifests as a male-dominated and excessively macho riot police (e.g. Figure 11.8). Indeed, it becomes a strange echo of the eighteenth-century liberal discourse by economist Adam Smith on the traits accompanying desirable bourgeois masculinity (Habermann, 2004). Thus, for Smith, '[t]he man of real constancy and firmness, the wise and just man who has been thoroughly bred in the school of self-command . . . maintains this control of his passive feelings upon all occasions' (Smith, cited in Habermann 2004: 8). Further, 'love is always laughed at': – 'he himself is sensible to this; and as long as he continues in his sober senses endeavours to treat his own passion with raillery and ridicule' (Smith, cited in Habermann 2004: 8–9). Both of these superficially conflicting discourses – the nihilist revolutionary and the bourgeois liberal – thereby elevate a masculinity which is bounded, restrained, unconcerned with the openness and softness of relationship, and built on the disciplined repression of physical needs and desires. This again is reiterated in the particular masculinities of a conventional, humourless and Leninist Left perspective that emphasizes the violent necessity of proletarian revolution (e.g. Negri, cited in Callinicos 2001: 4).

In reproducing such self-sacrificing machismo, a nihilist orientation to (anti-)globalization politics – a politics that frames itself as antiestablishment and subversive – instead actualizes as conventional rather than radical. In translating into a normalizing pressure to demonstrate membership to a group through willingness to participate in acts of violence it can become a structuring *habitus* of hardcore or ‘spiky’ (as opposed to ‘fluffy’) militancy. And given numerous reports from women of sexual harassment at the anti-authoritarian encampment at Thessaloniki’s Aristotle University in June 2003, as well as the ‘alpha males’ – the authoritarian anti-authoritarians – noticeable at such gatherings, it is tempting to see an emerging dynamic in militant factions whereby ‘worthy’ political violence is transmuted and normalized ‘back’ into the banal and disempowering violence of everyday sexism and sexual expectation (see also Bourgois, 2001). As Mittelman (2004: 26, after Foucault) notes, ‘not only is there power to resist, but power within resistance may suppress subgroups and dissent’.

It might indeed be that ‘the violence of the revolutionary does not aim to transform the oppressed into a new oppressor, nor to restore the economic and social relations of exploitation, but to build a society without classes, without alienation, and thus without violence’ (Perlman 1992: 19). But such noble intent might also be overshadowed by the long-term psychological and physical *damage* effected by violating praxis, i.e. that manifests as Bourdieu’s (1998, 2001a) ‘law of the conservation of violence’, whereby the experience of violation in one domain of organization is likely to manifest as the perpetration of violence in another domain. As Bourgois (2004: 12) notes, the political repression and ‘worthy’ resistance in wartime El Salvador during the 1980s now ‘reverberate in a dynamic of



Figure 11.8 Policeman at the EU summit, Thessaloniki, June 2003. Source: LaHaine (2003).

everyday violence akin to that produced by the fusing of structural and symbolic violence during peacetime'. Here, the per capita homicide rate was almost twice as high *after* the (US-sponsored) Civil War as during it (Bourgois, 2004: 19). It is not difficult to see how easily the 'meaningful' violent political act can become quickly twisted into the boring violence of the everyday: *viz* reported incidents at Thessaloniki of Molotovs being thrown into buildings whilst anti-authoritarian 'comrades' were inside, and the potentially disastrous impacts on 'ordinary people' inhabiting apartments immediately above burning commercial outlets (see Marcel-lus, 2003).

The profoundly macho, self-sacrificing and anti-life framing of the revolutionary persona as epitomized by Nechayev's catechism and bubbling up in some (anti-)globalization activist contexts thus surely generates a stunning home goal. By revelling in masochism, it perpetuates a (conscious or unconscious) pleasurable dynamic of violence to the self. By valourizing violent confrontation with police, notching up numbers of arrests, times beaten up etc., it both feeds the affective biopolitical wounds of the activist and nurtures an unhelpful and escalating dynamic of violence between police and protestors. By being driven in part by an individualistic assuaging of activist guilt, it can contribute to a competitive and conservative *habitus* oriented towards visibly 'doing something' and attracting attention for this. And in retreating from social relationships and community other than those oriented towards a fetishized confrontation with authority, it misses the radical potential embodied by reaching out and communicating beyond activist enclaves: making resistance irresistible (and accessible) to broader publics.

Discussion

As I have argued elsewhere, violence in (anti-)globalization protest politics bears a legitimate and logical relationship to the globalization of distress that is and has been effected under conditions of neoliberalism (producing increasing wealth inequalities and reduced local control over production possibilities), US pretensions towards imperialism²⁰ and its violent Islamist mirror (producing increasingly indiscriminate violence), and hyper-capitalism and consumerism (producing the systemic alienation of being/becoming into the profit motive and mass consumption). This is the *structural violence* infusing the contemporary world (dis)order, such that macro-level structures impose 'conditions of physical and emotional distress' (i.e. violation) that pervade to the level of the individual and the everyday; structures which when pushed are maintained and protected via the *political violence* effected by the military, policing and legislative institutions of the state (Box 11.3), and increasingly via the transnationalization of policing effort (Bourgois, 2004: 7, following Galtung, 1969).

This understanding – that global patterns of inequality and injustice are

established and perpetuated by systemically coercive and violent relationships that percolate to, and permeate through, the realms of the social and the subjective; and therefore that political violence is not limited to the frontline of military conflict (Sullivan, 2003a) – is articulated in precise terms by militant protesters engaging in ‘anti-capitalist’ practice. Take, for example, the following quotes:

Violence is not only present when human beings do physical harm to each other. Violence is there, albeit in a subtler form, whenever they use force upon each other in their interactions. It is violence that is at the root of capitalism. Under the capitalist system, all the economic laws governing human life come down to coercion . . .

(CrimethInc. Workers’ Collective, 2001: 70)

The ASBB [Anti-Statist Black Bloc] advocates the building of an organized movement against corporate and state tyranny in America. We recognize that poor and working class people have lost control of their communities and individual lives. The Democratic and Republican parties clearly support social relations in which this is furthered. By supporting the death penalty, militarism, corporate welfare, and the cutting of social spending, . . . they have proven to be political parties of profit over people as all parties have. By organizing black blocs and using direct action, we confront this intolerable and unacceptable system.

(Anti-Statist Black Bloc, 2000)

Private property – and capitalism, by extension – is intrinsically (*sic*) violent and repressive and cannot be reformed or mitigated. Whether the power of everyone is concentrated into the hands of a few corporate heads or diverted into a regulatory apparatus charged with mitigating the disasters of the latter, no one can be as free or as powerful as they could be in a non-hierarchical society.

(ACME Collective, 1999)

We could never match the violence of society. The bottom line is, we live in a society where you have to fuck people over to achieve security for yourself

(‘Joe’ in Thompson, 2003)

(Anti-)globalization activists thus are ‘enlightened’ in the Kantian sense of being conceptually awake to their constrained location in society’s broader and frequently violating structures. For this reason, in this chapter as elsewhere, I do not summarily dismiss militancies in protest politics that encourage riot, incorporate symbolic violence to property and are oriented towards violent confrontation with the police. As Atwood’s epi-

Box 11.3 The militarization of protest policing and the implications of 'non-lethal' weapons for crowd control

Policing strategies and the corporate media both reflect *and create* expectations and actualities of violent protest. For example, in the weeks prior to the global day of action which succeeded in closing down the meeting of the governors of the International Monetary Fund and the World Bank in Prague in September 2000, fear was carefully instilled in the public via declarations by the media and government authorities to the effect that protesters might kill if necessary and that the city's inhabitants should stockpile food and medicines. All public schools in the city were closed for a week, and families were asked to declare in writing that students would stay outside the city and away from the protests (ostensibly for their own protection) (reported in Notes From Nowhere Collective, 2003: 307). In the lead up to May Day 2001 in London, a veritable moral panic was created by the police and media regarding the supposedly violent intentions of the UK's WOMBLES (White Overalls Movement for Building Libertarian Effective Struggles; <http://www.wombles.org.uk>). Similarly, after a long period of using the media to create an atmosphere of tension around the gathering of social movements in the first European Social Forum, the Italian prime minister attempted to cancel the forum two weeks before the event was to take place (in November 2002) on the basis that violence was expected (Berlusconi's ownership of some 95% of the Italian corporate media no doubt came in handy in this campaign).

Techniques for crowd control now comprise a major focus for military and police, as well as an economic boom industry for the manufacturers of a whole new wave of crowd control weaponry, with significant implications for civil liberties and the practice of protest. Thus, weapons are shifting from those that impact on 'the target' with something material – bullets, mines, foam impregnated with tear gas, etc. – to those which use non-visible directed energy-waves such as lasers, soundwaves and microwaves. The mid-1990s state-of-the-art crowd control included weapons such as the following (from DefenseLink, 1995: 2–5, 7):

- *Stinger/stun grenades* A grenade containing rubber pellets that cause stinging and bruising when thrown into a crowd. Can cause much more serious injuries at close range, as occurred when journalist photographer Guy Smallman was hit in the calf whilst

Box 11.3 Continued

covering the protests against the G8 in Evian, 2003 (BBC News, 2003).

- *Projectiles* Including rubber pellets and wooden batons. Designed to be fired down at the ground by grenade launchers or shotguns, such that the projectiles ricochet off the ground and into the legs of people in a crowd. Also 'bean bags' filled with lead munitions (Toje, 2002: 3). Fatal if fired at close range.
- *Foam barriers laced with tear gas* Launched from a large water and foam dispensing tank to cover an area around 200 by 20 feet.
- *Sticky foam* Dispensed from a small high-pressure gun system and designed to restrict peoples' movement. Difficult to remove, as indicated by a US Department of Defense spokesman in the following statement: 'it's a very lengthy process to get it off yourself but what the heck, they've got lots of time you know [laughter]'.

Today's existing and emerging 'non-lethal', directed-energy, 'Playstation' weapons have been envisaged and developed in a collaborative relationship between science fiction writers, futurologists and high-profile CIA and military personnel (as named in Wright, 1999: 2). Since 11 September 2001, the US has been urged by senior army personnel to speed up their development 'to stay ahead of potential enemies' (in Book, 2002: 2), as well as to respond to the increasing incidents of military operations in urban terrain, including protests (Lackey, 2002). The range of weapons includes:

- *Lasers* Small chemical lasers can semi-blind the target (person) and/or induce electrical shocks that paralyse muscles to the extent that they can kill by causing the heart to stop beating (Mulholland, 1999: 1). The Los Angeles Police Department (LAPD) uses a laser gun to temporarily semi-blind human targets (Toje, 2002). At a different scale, the advantage to the military of lasers for uses varying from ground combat to destroying intercontinental ballistic missiles lies in their 'low cost per kill' (Erwin, 2001: 2).
- *Acoustic bio-effect weapons* As described by a US military expert in Wright (1999: 4), these can be 'merely annoying', causing 'disorientation, pain and nausea' (Ottawa Citizen, 2001: 2), or 'can be tuned to produce 170 decibels and rupture organs, create cavities in human tissue and cause potentially lethal blastwave trauma'.

- *Electro-magnetic energy weapons (otherwise known as microwave weapons or 'the people zapper')* These are the *pièce de resistance* of new-wave 'crowd-control' technologies. When launched as part of a Vehicle-Mounted Active Denial System (VMADS) they fire directed energy at human targets to a range upwards of 750m (Brinkley, 2001; Castellon and Brinkley, 2003; Renn, 2001; Sirak, 2001). Wright (1999: 4) reports that video footage was shown at the 1998 Jane's Defence conference in London of medical staff treating the comatose victims of microwave weapons. They have been described as 'uniquely intrusive', with the potential to disorientate and upset mental stability as well as affect the body's normal regulatory functions. At high levels they simply cook flesh, in the same way as a microwave oven cooks chicken: 'the amount of time the weapon must be trained on an individual to cause permanent damage or death is classified' (Brinkley, 2001: 1). Prior to the 2003 war on Iraq, numerous periodicals and newspapers reported the expected use of these weapons in an attack on Iraq (e.g. Fulghum, 2002).

The development and use of these weapons raises a range of issues for those engaging in (anti-)globalization protest politics, given both the provocation to violence effected by police (from pushing and photographing protestors, to baton charges and other attacks) and the preparedness for violent confrontation amongst some protestors as outlined above. Protestors need to be informed regarding the technologies that can be used against them, and the tactics that might invite this use, and then decide whether or not such tactics constitute genuinely radical praxis or actually enhance the situation by creating a further demand for such technologies and for the militarization of policing. But since research into the health impacts of directed energy weapons is being done by those developing the weapons (Government Executive, 2001), and since all information related to this weaponry is highly classified, it seems unlikely that good information will find its way into the public domain so that citizens can both inform and protect themselves.

Non-lethal? The term 'non-lethal' is misleading. As described by a senior US military official, 'it's really a less lethal way because these weapons if improperly used could be lethal' (DefenseLink, 1995: 1). The 'new generation' of energy-wave weapons are generally designed as

Box 11.3 Continued

dual-use weapons (Toje, 2002), such that they become explicitly lethal at the flick of a switch. And, by immobilizing people *in situ*, they create vulnerable sitting ducks of recipients (see Wright, 1999: 5).

Are 'the weapon-makers . . . shaping US foreign policy' (Wright, 1999: 1)? In 1999, the total US military budget was \$260 billion, i.e. 'already twice as large as the combined budgets of every conceivable US adversary' (William Hartmung, Senior Research Fellow, US Policy Institute, quoted in Wright, 1999: 1). As Wright (1999: 1) asserts, this excessive spending only makes sense with the consideration that 'the weapon-makers are shaping US foreign policy', conveniently assisted since 2001 by the amorphous US-led global 'war on terror'. And who are the weapon-makers? They are private companies contracted to the military and the police (see DefenseLink, 1995: 6; Brinkley, 2001: 4). Thus, despite the highly classified nature of most 'new-wave' non-lethal weapons, these have spawned a range of highly lucrative commercial contracts whose interests are clearly linked to enhancing and servicing demand, possibly discounting where this demand comes from (see Wright, 1999: 3, 5).

(II)*legality*: Many of these new-wave weapons are not covered by international law (Toje, 2002: 1). In addition, some developments of crowd 'calmatives' are now known to be a resurrected or continued US programme for developing incapacitating chemicals called ARCAD (Advanced Riot Control Agent Device) which was supposedly discontinued in 1992 because it contravened the Chemical Weapons Convention of that year (Sunshine Project, 2004).

Following the lead taken by the International Red Cross, the European parliament called for a ban on blinding laser weapons in January 1999 (Wright, 1999: 4), but international ratification of this treaty has been slow (Toje, 2002: 4).

graph indicates, I am interested in *why* these tactics emerge in the protest politics constituting part of a supranational (anti-)globalization uprising. Indeed, given the perennial and counter-productive conflict between hierarchical socialist and anarchist positions towards socio-political change – or between the 'verticals' and 'horizontal' as these orientations have come to be known from the organizational politics that plagued the recent London-based European Social Forum (see Nunes, 2004b) – I am desirous *not* to slip into the easy and unhelpful dismissals and rejections of the past. I am thinking here, for example, of Lenin's (1993 [1920]) accusation of infantilism towards an emerging anarcho-syndicalism in the early part

of last century in favour of Bolshevik discipline, organized revolutionary force and administrative centralization. And of Nietzsche's dismissal of the militant practice associated with nineteenth-century anarchism as a reactive politics of *ressentiment* – as 'the spiteful politics of the weak and pitiful, the morality of the slave' and the 'vengeful *will to power* of the powerless over the powerful' (Newman, 2000: 1–2).

Nevertheless, it seems to me that a globalizing politics of destruction and despair, as evident in some domains of (anti-)globalization protest politics, can do little to systemically contest and reconfigure the structural violence pervading the contemporary global political economy. In other words, as both tactic and strategy, is a violent militancy as 'revolutionary' – as transgressive – as it claims and aspires to be?

In particular, from both analytical and activist perspectives it feels important to disentangle the conceptual and strategic differences between two tactics: that of 'propaganda by deed' – whereby spectacular acts by a vanguard which might or might not include violence are intended to awake a broader revolutionary consciousness; and that of a Gandhian proleptic politics that emphasizes imagining and realizing a desired future in the present – being the change that one wishes to see in the world.²¹ As noted for the violence enacted against top-level Russian authorities by the Russian nihilists in the mid-nineteenth century, for example, an emphasis on propaganda by deed might compromise 'strategic sustainability' due to the lack of a 'cohesive social program' (<http://geocities.com/liudegast/history.html#2>). And whilst the 'semiotic war against capitalist globalization' between Seattle 1999 and Genoa 2001 effected something of a spectacular victory with regard to news coverage (Mueller 2004a; Nunes, 2004a,b: 3), questions now are being raised regarding the sustainability and transformative potential of this strategy, focusing particularly on its weak relationship to quotidian realities. It should also be noted, however, that these spectacular protests emerged in part *because* of the pernicious erosion of local and informal everyday economies and commons under neoliberalism, conservatism and global corporate capitalism.²²

Of further strategic relevance is a realistic consideration of the helpfulness of mirroring and exciting the violence of the state, and then becoming locked into a dynamic whereby activist politics is alienated into a fetishized, masochistic and circular confrontation with police. For one thing, it is by no means clear that demonstrations of systemic violence and repression on the part of authority are enough to invite support by wider publics. Exposing the state's tendency towards violence – violence that increasingly is enacted by a transnationally coordinated policing and surveillance effort – does not necessarily lead linearly to action by wider society, even when accompanied by sympathetic coverage in the corporate media. This is particularly true if the protest tactics used and the activist images portrayed are in and of themselves alienating to a broader audience. Further, given the fetishising of violence in the spectacle of the daily news,

it is difficult to see how a politics of contestation that locks in to the desire for capturing the spectacle can or would wish to compete with the terrorist symbolic spectaculars of recent years – of 11 September 2001, Breslan, and the horror of videoed beheadings; of the symbolic brilliance of the attacks on the World Trade Center, signifier of a hyper-capitalism that privileges the ‘mad money’ of speculation and deregulated flows of finance capital (Strange, 1998). If fought on these terms then the diverse struggles loosely framed as (anti-)globalization logically can only descend into the violence associated with terrorist practice, which surely is deeply antithetical to the celebration of life and the politics of possibility (Sullivan, 2003b) that otherwise infuse ‘the movements’. Perhaps more to the point, this is a violent battle which cannot be won by (anti-)globalization protestors: not least because of the growing militarization with which civil society protest is being policed and attacked worldwide (Figure 11.9), the trans-national co-ordination of policing effort, and an emerging ‘non-lethal’ crowd control weaponry that is increasingly distributed in its effects (see Box 11.3).

At the same time, since (anti-)globalization politics is also clearly about *resistance* to existing structures and authority, then confrontation with the forces defending that authority remains a logical tactic. This is particularly true given that for those disenfranchized and criminalized by *Empire* – immigrants, asylum seekers, *sans papiers*, squatters, the unemployed, ‘ravers’ – their encounters with ‘the system’ frequently are mediated violently by police as well as private security guards: in evictions, at borders, in detention centres, on the streets, in arrest. Again, violation breeds militancy,



Figure 11.9 A small percentage of the visible police presence that marked constitutional discussions at the EU ‘Intergovernmental Conference on the Future of the Union’, Rome, 6 October 2003. Source: <http://italy.indymedia.org/uploads/orde.jpg> (accessed 7 October 2003).

and violated militant protestors seek the retaliation seemingly offered by confrontation with police. More prosaically, and as I have witnessed and experienced, police actions and policing tactics – from pushing to enclosing protestors – generate circumstances in which reactive (as opposed to premeditated) violence inevitably occurs.

I have sought in this chapter to highlight and problematize a particular strand within militant (anti-)globalization protest that embraces an affective and tactical orientation of nihilism. Nihilism is without hope. It is a politics of depression, which, given a current global pandemic of depression and suicide (see figures in Sullivan, 2004, 2005b), makes it completely predictable as an orientation towards the world and within activist politics. But if the logic of violent protest and nihilist politics is pursued further, then I see nothing to distinguish it conceptually or ontologically from constituting a third panel in an ugly contemporary triptych of violent nihilisms: complementing a nihilist American neoconservative politics that assumes the need for an evil other in order to effect American solidarity; and a self-sacrificing fundamentalist Islamism whose nihilist manifestation we see only too clearly and regularly in the daily news. An embracing of nihilist politics thus plays into, rather than contests or transforms, the apparent and globalizing death machines of fundamentalist hyper-capitalism, neoliberalism, militarism and Islamism. It participates in, rather than subverts, a reciprocal relationship that has violence/violation as its fetishized key signifier – the lens through which all action is filtered. It thus becomes more of the same, rather than constituting a life-affirming and monstrous subversion of the ontological and subjective orthodoxies produced by modernities assumptions of what it means to become human (e.g. as theorized by Deleuze and Guattari (1988 [1980]) and Irigaray (2002) amongst others). Activisms that embody militant *agency* in relation to biopolitical production and resistance practices (e.g. Hardt and Negri, 2000: 411) arise from a more rigorous and sustained effort to embrace the task of understanding and deconstructing how we come to be as we are, whilst opening and building alternative subjective, social, economic and communicative places, spaces and commons (e.g. Bey, 1991 [1985]; de Angelis, 2003; Mueller, 2004b Sullivan, 2005b). The risks otherwise are of sustaining in protest a simple response and mirror to the violations of a contested (and nihilistic) status quo, while dancing to the violent tune set by a greedy, spectacle-desiring media machine.

Notes

- 1 I am grateful to Rodrigo Nunes for drawing my attention to Nechayev's 'Catechism of a revolutionary' (see Nunes, 2004a).
- 2 I am referring here to Islamism as a militant and sometimes violent orientation of Islam, that holds Islam as 'not only a religion, but also a political system that governs the legal, economic and social imperatives of the state' (Wikipedia, 2005).
- 3 Banner heading Thessaloniki's Indymedia website (IMC Thessaloniki, 2003).

- 4 As I have noted elsewhere (Sullivan, 2004), the term 'anti-globalization' is problematic for several reasons. For example, 'the movement' draws on and is made possible by the same processes and technologies that have made contemporary globalization phenomena possible (Sullivan, 2003b). This, together with the movements' support for 'the effacement of borders and the free movement of people, possessions and ideas' suggest that we should talk more accurately of the 'globalization movement' (Graeber, 2002: 63), hence my bracketing of 'anti'. Mueller (2002) describes 'the movement' more accurately as the 'globalization-critical movement', while Chesters (2003) refers to the 'alternative globalization movement'. Further, an emphasising of 'the movement' as merely reactionary (i.e. 'anti') (e.g. Williamson, 2003) masks and (conveniently) diminishes what protagonists actually may be campaigning and motivating *for*, such that much corporate media and other analysis becomes dislocated from the discourses and practices emerging within, and constructing, 'the movements'. I pluralize movements to reflect the realities of diversity and difference among the collectives that are contesting the status quo worldwide, and the equally diverse and situated imaginings and practices for socio-political change that they embody (as captured in the title of Paul Kingsnorth's (2003) recent book *One No, Many Yeses*). This also is intended as a conscious rhetorical and conceptually pluralist shift away from modernity's constant drive towards the singular – towards the root or deep structure of things (Deleuze and Guattari 1988[1980]: 3–25).
- 5 The Schengen agreement (named after the village on the borders of Luxembourg, France and Germany where the original agreement was signed in 1985) refers to a common European zone of security and justice through which people can move without customs or passport checks and in which countries cooperate on judicial and policing matters (Auswärtiges-Amt, 2003). By mid-2003 the country signatories included Austria, Belgium, Denmark, France, Finland, Germany, Greece, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, Spain and Sweden (Auswärtiges-Amt, 2003). The Treaty has a safeguard clause enabling states to continue border controls for internal security reasons (Europa, 2003). Concerns regarding the creation of a European 'fortress' zone relate to the strengthening of external border controls and the policing of third-country nationals entering the zone, and particularly to the establishment of the Schengen Information System. This is a computerised service with some 10 million files that gives 'police and immigration officials a multinational data base, of undesirables and people suspected of having committed crime ...' (Europa, 2003). Critics thus perceive an intent 'towards creating [a] Single European Army, tighter, more co-ordinated immigration controls, a more effective 'security/repression' apparatus: Europe for the rich' (Uio, 2003).
- 6 For example, the recent 'GM Nation?' public debate in Britain found that 86% of people are unhappy with the idea of eating genetically modified foods and 84% perceived that GM crops would harm the wider environment. Further, 93% of respondents believe that GM technology and associated policy is driven by profit rather than public interest. Given that in 2003 the head of the BioScience Unit for the UK's largest biotech company (Bayer CropScience) held two government advisory positions regarding biotechnology in Britain (Chair of the Agricultural Biotechnology Council and member of the Agriculture and Environment Biotechnology Council), these perceptions are unsurprising. These issues nestle within a European context in which the European Commission has ruled that no country or region can govern itself as GM free; a ruling that in turn is set within a context of the US taking the EU to the WTO courts on the basis that its earlier moratorium on GM crops, and even the labelling of foods containing GM products, are barriers to trade (facts and figures reported in Schnews 2003a; also

see <http://www.gmpublicdebate.org.uk> and <http://www.corporatewatch.org.uk/genetics/genetics.htm>).

- 7 The treatment of some 120,000 Roma exiles who had been forcibly exiled/ethnically 'cleansed' from Kosovo was highlighted in particular: at the time of the EU summit, some 700 Kosovo Roma were being detained at the Macedonian-Greek border, denied access to the EU via Greece for the purpose of seeking asylum. Roma now are scattered as asylum seekers across Europe, many held in detention centres such as Yarl's Wood in the UK, where in 2002 inmates staged a protest against the conditions of their detention that culminated in a fire affecting a large part of the centre. Several of the former inmates are now in prison (Trans-European Roma Federation; <http://www.lafn.org/~romanokongreso/terf.html> (accessed 18 September 2003)).
- 8 Estimates of the numbers participating in the protests on Saturday 21 June range from 25,000 to 100,000, with 200–5,000 'anti-authoritarians' comprising the militant action (figures from Kambas and Pangalos, 2003 and Christina, 2003 respectively). My perception is that the total number of people on the march was fewer than 100,000 but greater than 25,000, and that the numbers participating in the anti-authoritarian action were definitely upwards of a thousand (the Open Assembly of Anarchists and Anti-Authoritarians (2003) estimates numbers to have been around 4,000).
- 9 Of course, it is not unusual for a public and institutional desire for convictions to result in the intentional framing of individuals consider to fit the required criminal profile. This seems particularly true where challenges to state authority and terrorism acts are concerned (to take one famous example for the UK, the 'Guildford Four' were wrongfully imprisoned for fifteen years under the Prevention of Terrorism (Temporary Provisions) Act 1974, to be released in 1989 to the words from the Lord Chief Justice that 'the officers must have lied' (Pallister, 1999). In today's climate of moral panic regarding terrorism, together with the emergence of special policing powers under anti-terrorism legislation (e.g. the UK's Terrorism Act 2000), there is increasing slippage between public order and anti-terrorist situations. A case in point is the recent use of the Terrorism Act (2000) during policing of DSEi (Defence Systems and Equipment International), Europe's largest arms trade fair, that took place in London's Excel Centre, Docklands, in September 2003. Here, police used 'stop and search' powers under Section 44 of the Terrorism Act (2000) to search numerous peaceful protesters, a move for which the civil rights group Liberty were granted a judicial review in the Royal Courts of Justice. Refusing an anti-terror 'stop and search' can effect a prison term of up to 6 months, and/or a fine of up to £5,000 (www.liberty-human-rights.org.uk).

There is an argument to be made that this slippage (between public order and terrorist threats) is justifying draconian policing measures and sentences and giving rise to a need for definable culprits as palpable 'results' of policing and security strategies. This, of course, is nothing new, particularly where people are questioning or contesting the power or legitimacy of state authority, whether this is legitimised by votes or maintained by force. Currently, however, the scapegoating of individuals for actions participated in by larger collectives is a feature of (anti-)globalisation protest politics. Following the G8 meeting in Genoa, July 2001, for example, some protesters who had been arrested and subjected to beatings while detained at Bolzaneto Barracks, a temporary detention centre, were brought a pre-written statement to sign which stated that they 'had used batons, Molotovs, cobblestones ...' (Indymedia, 2002). When one protester stated that she had not done anything of the sort, the response from her captors was that 'it doesn't matter ... for us you are all the same' (Indymedia, 2002). Similarly, at protests during the EU summit in Gothenburg, Sweden, in June 2001, numerous arrests and charges were made based on fabricated and manipulated

evidence, with collective sentences in some cases discounting individual evidence and actions (Imcista IMC-UK, 2002). And following protests against the G8 summit in Evian, June 2003, a spokesperson for the Lemanic Social Forum was accused by 'a Genevan judge for the "crime" of inciting to civil disobedience', for actions that involved thousands of activists, acting independently in Lausanne, Geneva and Annemasse (Javier, 2003).

- 10 The UK-based White Overalls Movement Building Libertarian Effective Struggles (<http://www.wombles.org.uk>).
- 11 Some of points made here also appear in Sullivan (2004, 2005b).
- 12 Eschle (2004) provides a useful review of the shifting arenas and differences between orientations of non-violence, nonviolence and pacifism in protest activities, particularly direct action. Non-violence is seen as denoting a negative state, i.e. without violence, while nonviolence denotes a more positive consistent orientation towards practices of living, including protest, that strive to minimize violence. Pacifism is a complete rejection and renunciation of violence. In all, the definitions of what constitute violence are problematic and dependent on contexts. I would suggest that violence is the conscious experience of *violation*, although I note further that this also is affected by psychosomatic processes of denial and the normalization of experiences of trauma (discussed in Sullivan 2004, 2005b).
- 13 'Tasers' are gunpowder-launched metal darts that trail wires carrying an electric charge which stuns the person targeted (Mulholland, 1999). Currently, this weapon is 'being tested and deployed by a large number of law enforcement agencies and armed forces globally' (Toje, 2002: 2).
- 14 In the 'global South', protests against colonialism and neoliberalism clearly have been associated with high levels of violence for long periods of time (patterns of resistance which themselves are reminiscent of protest in Europe against land enclosure and colonial settlement). Currently, it is not unusual for the death of protesters at the hands of police to occur during protests in the 'global South' (e.g. Bretton Woods Update, 2003). It is in part due to outrage and empathy regarding these incidents and trends that people in the post-industrial North are contesting and critiquing current globalization processes, particularly the state securitization of the inequities and injustices required by global corporate capitalism.
- 15 The Anarchist Youth Network have local affiliated groups who meet regularly in London, Swindon, Manchester, Hereford, the North East of England, Stroud Valleys, Surrey, Worthing, the West Midlands and Essex, as well as university groups at Bristol and at the London colleges of Goldsmiths, the School of Oriental And African Studies, London School of Economics, University College London and Royal Holloway (Anarchist Youth Network homepage, <http://www.enrager.net/ayn/index.php> (accessed 18 September, 2003)).
- 16 Ted Kaczynski is the infamous 'Unabomber' who between the late 1970s and early 1990s embarked on a politically motivated bombing campaign in the USA in protest at his sense of the 'techno-nightmare' of modern capitalist society. I trust that readers will accept that in referencing his 'manifesto' I am *not* endorsing his use of physical violence against people as a tactic of protest, or even his reactionary political philosophy.
- 17 'Who are the white overalls? And why are they slandered by people who call themselves 'anarchists'?', <http://www.nadir.org/nadir/initiativ/aggp/free/genova/busload.htm> (accessed 20 January 2004).
- 18 The roles of affect and of psychosomatic experience in influencing activist practice, and particularly engagement with physical violence, are discussed further in Sullivan (2004, 2005b).
- 19 Anarchist Intervention leaflet distributed at EU 'counter-summit', Thessaloniki, June 2003.
- 20 For a chilling analysis of the tight construction of America's current global 'hy-

perpower', which clearly displays the links between the interests of powerful individuals in oil, military and government institutions, see Rilling (2003).

- 21 Although it is worth noting here that Gandhi also advised 'that where there is only a choice between cowardice and violence, I would advise violence' (Bondurant, 1988: 28).
- 22 Bender (1998), for example, describes the violent demolition of emerging 'New Age traveller' economies in the UK under Thatcher in 1985.

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