

*There are many different approximations which can be used to analyze the 'war against terrorism'. No matter from which angle we try to understand the developments that followed the 9-11, it is evident that lagers, torture, and extra-legal executions are a constitutive part of this war. Many of these things are taking place completely before the eyes of the public opinion. Our experience, however, is that although all of this is associated with qualitative changes within the entire social structure, the left, especially in Germany, does not take the dimension of this war seriously enough. A key word in all of this is 'lawlessness', referring to the fact that more and more people have absolutely no rights. We want to focus on this within the framework of the European and international discussion. Our starting point for doing so is that human rights are a principal question which can have no tactical answers.*



# Terror from Above.

## Notes on an Ongoing Debate.

### Initiative Libertad!, Germany

**The 'war on terror' is not a US war against the rest of the world.** "Good old Europe" was never nothing more than a rhetorical bubble. How silently the trans-Atlantic cooperation was already functioning as Germany's ex-Foreign Minister Fischer purportedly showed himself to be 'not convinced' by Donald Rumsfeld's war propaganda, and US citizens were pouring out French Beaujolais wine into the gutters of Manhattan became evident at the latest when the secret prisoner transport flights were made known. There was never antagonism between the unilaterally acting superpower on the one hand, and a Europe which relies on the United Nations and civil conflict resolution on the other. Practically every European nation has occupation troops in Afghanistan or Iraq. For their part, German politicians frequently mention the military contribution of the German Army.

**The 'war on terror' is an imperialist crusade.** When the left starts to wave the national flag the war has really begun. In the aftermath of New York, Madrid, and London the political mainstream declares itself to be innocent. Terrorism, although the protagonists are academicians from Hamburg or social workers from London (in other words our neighbors), is imagined to be a wholly alien 'Other' that has attacked the heart of the West. From this position, the war can be justified as a defensive war to uphold and protect 'Western values' and 'Western lifestyle'.

**The 'war on terror' as such is timeless and spatially borderless.** Within a period of five years two countries have been bombed and occupied. These wars did not begin as the bombs fell nor did they end as the victory flags were raised. A possible further military attack is currently being communicated on the information front: „We must understand that war has changed. According to Smith, 'It is no longer an act of state which leads to victory.' On the contrary, complex interactions between military and other forces are necessary in order to solve the conflict between two adversaries. Additionally, we have to move away from the idea that following war there is peace and following peace there is a crisis which eventually once again leads to war. 'We no longer live in this linear process,' Smith said." Rupert Smith, Deputy Supreme Allied Commander the NATO, quoted in the Welt am Sonntag from 30 October 2005.

**The CIA has created a global shadow empire of torture.** In the 'war on terror', the United States Army and the CIA, which are the backbone of this war, have drawn an immense number of states, private companies and institutions into a flexible system, whereby each party can make

their contribution to the war efforts according to their respective capacities and capabilities. With the 'extraordinary renditions' the CIA developed a network for the outsourcing of torture: People are kidnapped from different countries, transported on secret flights, and handed over to torture specialists in Morocco or Syria for interrogation. Moreover, it is not only the United States which have profited from the results of specialist questioning; German secret service organizations, too, have sent agents to Guantanamo and Syria on several occasions. In the meantime, it has become public knowledge that alongside Guantanamo there are other prisoner camps in other countries—the so-called 'black sites' of the CIA.

**The 'war on terror' is an open, dirty war.** To a large extent, extralegal executions are considered to be acceptable measures. Six days after the 9-11 attacks, George Bush signed a secret document authorizing the CIA to seek out and assassinate 'alleged terrorists'. There has been practically no resistance against these so-called 'targeted killing,' even when 'targeted' does not mean the same thing as precise. In this manner, on the 13th of January, 2006, suspecting high-ranking officials of the Al-Qaeda network to be present, the CIA employed a predator-drone to carry out a rocket attack on the Pakistan village of Damadola, killing 18 people, among them women and children.

**In the 'war on terror' prisoners are declared to be 'unlawful combatants'** and thus void of all legal protections. De jure, prisoners of war in US custody are to be treated with the same dignity as civil prisoners and may not be tortured. Even if the reality of US prisons is de facto something else, prisoners still are legal subjects. And that is the fundamental point. The United States government created an extra-territorial zone, a sort of offshore justice, whereby prisoners are stripped of all their rights. If they were categorized as prisoners of war then they would have the rights guaranteed to them under the Geneva Convention; if they were civil prisoners their civil rights would be protected by United States Constitution. Instead, in Guantanamo they are characterized as 'unlawful combatants', thus placing the 600 prisoners de facto and—as the US military so desires—de jure under a non-status, void of any and all rights. The so-called extra-territoriality plays an important role here in order to deny the prisoners access to United States' courts. Consequentially, as the United States Army had declared Cuba to possess 'full sovereignty', the US military base at Guantanamo does not purportedly pertain to the legal jurisdiction of the United States. Up until 2004, all legal claims by lawyers denouncing human rights violations

at Guantanamo directed to US courts, were rejected based on this line of argumentation.

**The 'war on terror' promotes the militarization of the migration regime.** Two weeks prior to the United States attack on Afghanistan, all Afghani refugees living in Hungary were forcibly transferred to a refugee camp in Debrecen. Furthermore, a curfew was imposed and the camp was placed under surveillance of the Hungarian border police. In a paper titled 'A New Vision for Refugees', which the British government published on the eve of the attack on Iraq, 'reception areas' surrounding war zones as well as so-called 'Transit Processing Centers' at the gates of the European Union were outlined. The EU plans to construct internment camps for refugees in North Africa and Eastern Europe are already highly developed in Libya. Italy donated reconnaissance planes, helicopters, patrol boats, desert-terrain vehicles as well as radars and night-vision equipment to Libya in order to stop the migration coming over from the Mediterranean. Thus, whereby in the 'war on terror' we find the, 'unlawful combatant', in the area of migration we have as a pendant the construction of the so-called 'illegal immigrant'.

**The lager has become a central instrument in the 'war on terror' and the militarization of the migration regime.** Groups of human beings who the powerful consider to be harmful, dangerous or simply even suspicious are removed from society and controlled. This is the function of the lager. It is a place of organized state of siege in which a human being is imprisoned without sentence and void of any rights. The methods and techniques which are used have their origin in the system of colonial rule. Today, taking into consideration the prisoner of war-camps of the United States and the internment camps for refugees, it is not an exaggeration to speak of the internationalization of the lager regime.

**The 'war on terror' has reduced civil rights to a variable of security policies.** The events of the 11th of September have tremendously sped up and radicalized the repressive societal developments. A paradigm of security has been imposed in the name of war. Control is no longer a violation of individual civil rights that has to be selectively justified. Rather, societal control is generalized and 'preventive', completely independent of events or suspicions. Complete area-wide video surveillance, the recording of personal telecommunications data, massive bugging operations and genetic screenings are the building blocks in the totalization of social control.

**Torture is no longer taboo, but instead an issue of discussion.** Those openly promoting torture increase in numbers. Politicians, police chiefs, even lawyers and intellectuals demand more competencies for the police, no longer willing to omit that weapon in the 'war on terror.' The pro's and con's of torture are frequently and openly discussed on talk shows. Justifications for torture can always be found—always for higher purposes and, of course, only in exceptional cases. In Germany, a law professor developed the fictive scenario of a 'ticking bomb', referring to a 'terrorist' held prisoner who is informed as to the whereabouts of a bomb set with a time detonator, in order to justify the use of torture on the basis of state emergency law. In the United States, renowned Harvard Professor Alan M. Dershowitz sees as a consequence from the 'Abu Ghraib Scandal'

the necessity to give torture a legal framework and to be placed under political control in order to avoid 'individual excesses'.

**Until recently, torture had to take place covertly, but it never disappeared** – not even in the historical 'mother countries of human rights' such as France and the United States. The French tortured systematically in Algeria, just as did the British against the Irish Republican Movement. Under the mantle of 'Alliance for Progress' the United States educated a whole generation of Latin American military officers to become torture specialists. In the police stations and prisons in Turkey the prisoners until today have their heads beaten bloody and they are raped with police batons. Torture in Spain has become more clean: The heads of Basque militants are forcibly pushed down into water buckets until air bubbles come up. Since nobody can see these wounds they must not have happened. For years political prisoners of leftist militant groups in Germany have struggled against the 'white torture' of isolation. But it is still used today, and even exported to other countries in order to modernize their detention regimes.

**Like the lager, torture is a societal system.** The torturers torture because the politically powerful have made it possible by giving the secret services the right to isolate human beings. The torturers torture because the justice apparatus guarantees impunity and because the ideologues grant their practices legitimacy. The torturers torture because what they do is for higher purposes. Each new monstrous term invented by the vocal leaders of the 'Free West' ('humanitarian intervention', 'ticking bomb') is one of their preconditions. The images from Guantanamo and Abu Ghraib are very clear. They unmask a lot about a system which in the West is dominated by an almost perverse cult of beauty and the body, whose dark side is the sexualized violence and the pile of bodies of those tortured. "Torture not only depraves those who are directly involved in the horrendous contact between two human bodies, one who has absolute power and the other who suffers all the pain. Rather, by proscribing silence about the events which have taken place between these two bodies, torture depraves the entire social structure. Torture demands of us that we lie to ourselves and look away from that which has been done not so far away from the place where we read a book, listen to music or have our morning exercises. Torture obliges us to be deaf, blind and dumb." (Ariel Dorfman)

**We call on everybody in society to radically reject all legitimization for torture, lagers, and executions.**

We call on everybody to raise the issue of the connection between the 'war on terror', racist exclusion, and the attack on civil and human rights. The mobilizations against the war on Iraq has already shown us: Global action is possible. International networks, exchanges and simultaneous resistance can become reality. The struggle for social and political human rights must be what unites human rights organizations, refugee initiatives, and the international anti-war movement. The right to have rights is on the agenda of the day. In Germany, the mobilization against the G8 Summit in the Summer of 2007 is going to be one of the biggest possibilities to go beyond the national framework and attack what is the primary political structure of imperialism: "the attempt to divide humanity into the master race and the slaves, in higher and lower breeds, in black and white, in citizens and a 'force noire' which is to protect them" (Hannah Arendt).

Libertad!, Falkstr. 74, D-60487 Frankfurt (Germany)  
kampagne@libertad.de - www.libertad.de