

WHOSE VIOLENCE?

*IMPERIAL STATE SECURITY and
THE GLOBAL JUSTICE MOVEMENT*

Leo Panitch



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Introduction

Given the USA's unique imperial status in today's world, the reelection of George W. Bush inevitably has global as well as domestic implications, the direst of which is the readiness and indeed commitment on the part of all three wings of the U.S. Republican Party - the military hawks, the free marketers and the social conservatives - to rely on the state's monopoly of the means of violence to impose their version of social order. There were plenty of signs even before the end of the 20th century that the contradictions of imperialism and neoliberalism would increasingly incline capitalist states in this direction. But under the shadow of the events of 9/11, this was accelerated, with the US state's trajectory being especially marked towards an order which far from being very democratic is increasingly authoritarian at its core.

It must not be forgotten, however, that the 21st century not only opened with the victory of the Right marked by George W. Bush's inauguration in January 2001: the new global justice movement's remarkable ascendance on the Left reached its peak at the same time. The first World Social Forum in Porto Alegre, Brazil also took place in January 2001, and was quickly followed by the massive protests in Quebec City in April and in Genoa in July, which carried forward the spirit of the galvanizing protest at World Trade Organization's ill-fated ministerial meeting in Seattle in November 1999, followed by those at the spring meeting of the World Bank and IMF in Washington, D.C., in April 2000]; the World Economic Forum's gathering in Melbourne on September 11, 2000 and the Prague meeting of the Bank and Fund a week later. This movement had begun to fill the vacuum created by the failures not only of the Communist regimes and parties, but also of Social Democratic parties and governments which, in the face of the crisis of the welfare state, had all too often stoked the disenchantment with electoral politics by

embracing capitalist globalization themselves. Into this political vacuum stepped not only reactionary religious fundamentalisms and a racist populist new right, but also the forces in every country that fuelled the new global justice movement.

September 11th, it was immediately said, changed everything. However true or not this may be, it certainly brought home to Americans in a horrible manner that the contradictions of ruling the world are great. And these contradictions were soon measured in the effects that the US state terrorism that was unleashed in response to Sept 11th soon brought about in parts of the world very far from New York and Washington, above all in Afghanistan and Iraq, and the violent responses that this in turn generated. In this context, one might have expected that both 9/11 and the imperial 'war on terrorism' would at least have changed the loose manner in which violence as an adjective had been appended to the global justice movement and its 'anti-globalization' protests. When the whole world was witness to passenger airplanes being deployed to destroy office towers in New York, and to military airplanes being deployed to rain bombs on Afghanistan and Iraq, it put in a rather surreal light the police seizure in Quebec City of a toy catapult designed to throw teddy bears over a security fence as a 'violent weapon'.

Those activists in Quebec City and Genoa who in the months before 9/11 engaged in practices oriented to breaking through the police lines and fences behind which the rich and powerful gathered, or who threw a rock at a McDonald's window along the route of a protest march, or who managed to get so far as to toss paint at a politician or CEO, were clearly engaged in a form of politics that is fundamentally of a different order in terms of intent, in terms of the material employed, and in terms of effects, than the practice of armed conflict by or against a state. Indeed, the very charge of disturbing the peace

leveled against people sitting down together to block intersections should have been brought into question by September 11th. Yet, with 9/11 and declaration of the war on terrorism coming so soon after the protests in Quebec City and Genoa, one immediate effect was that rather than these distinctions becoming clearer, they were further obscured.

Those agencies concerned with 'state security' were tempted to meld the role they were playing in relation to constraining or repressing such protests with the new roles that would be defined for them after 9/11 in the war on terrorism. And the mass fears that watching the events of Sept 11th induced in the population at large were further aggravated by those unscrupulous right-wing politicians and journalists who never overlook an opportunity to smear the Left. To take but just one example close to home, by September 18th we could read the following in the *National Post*: 'Like terrorists, the anti-globalization movement is disdainful of democratic institutions... Terrorism, if not so heinous as what we witnessed last week, has always been part of the protesters' game plan.'

Such claims were as absurd as they were mendacious. For what precisely had come to characterize this generation of left activists was the explicit eschewal, even among its most militant elements, of either armed revolutionary struggle or terrorism (along the lines of the Red Brigades or Weathermen) as a means of effecting change. In the current era, it is not among activists on the Left, but rather almost exclusively on the right that one finds violence adopted as a strategy and a life-style, as among those Christian fundamentalists or American militiamen or European neo-nazis who bomb abortion clinics, government buildings and refugee shelters. And the same must be said

about the religious fanatics in the Middle and Far East, whether Muslim or Jewish or Hindu, whose self-identification as the scourge of the secular and religious Left is a central element in their political formation.

By contrast, David Graeber, a Yale university anthropologist, himself an anarchist, was largely correct in writing in *New Left Review* (Jan/Feb 2002) that, despite the way the media deployed the word violence ‘as a mantra’ to describe anti-globalization protests,

what really disturbs the powers-that-be is not the ‘violence’ of the movement but its relative lack of it; governments simply do not know how to deal with an openly revolutionary movement that refuses to fall into familiar patterns of armed resistance... Where once it seemed that the only alternatives to marching along with signs were either Gandian non-violent civil disobedience or outright insurrection, groups like the Direct Action Network, Reclaim the Streets, Black Blocs or Tute Bianche have all, in their own ways, been trying to map out a completely new territory in between. They are attempting to invent what many call a ‘new language’ of civil disobedience, combining elements of street theatre, festival, and what can only be called non-violent warfare – non-violent in the sense adopted by, say, Back Bloc anarchists, in that it eschews any direct physical arm to human beings.

The distinctive nature of this type of protest, and its contradictions and limitations in the current context, will be addressed in the final section of this pamphlet. It is first of all necessary, however, to put the question of political violence into some proper perspective.

Violence, Order and the Imperial State

Certainly, the various form of violence associated with state’s keeping order differ from those associated with the social forces making for change. A great 19th century writer - not Karl Marx but rather Mark Twain - once put this very well. *A Connecticut*

Yankee in King Arthur's Court, published in the year of the first centenary of the French Revolution, had this to say about that truly historic occasion of violent change:

There were two 'Reigns of Terror', if we would but remember it and consider it; the one wrought murder in hot passion, the other in heartless cold blood; the one lasted mere months, the other had lasted a thousand years; the one inflicted death upon ten thousand persons, the other upon a hundred millions; but our shudders are all for the "horrors" of the minor Terror, the momentary Terror, so to speak; whereas, what is the horror of swift death by the ax compared with lifelong death from hunger, cold, insult, cruelty, and heartbreak? What is swift death by lightning compared with death by slow fire at the stake? A city cemetery could contain the coffins filled by that brief Terror which we have all been so diligently taught to shiver at and mourn over; but all France could hardly contain the coffins filled by that older and real Terror – that unspeakably bitter and awful Terror which none of us has been taught to see in its vastness or pity as it deserves.

The kind of reasoning Twain employed regarding the two reigns of terror goes far to explain the overwhelming balance of world public opinion against the American- led 'war on terrorism' launched after 9/11, especially in the world's poor countries, where most people still experience first hand what Twain meant by 'lifelong death from hunger, cold, insult, injury and heartbreak'. On the other hand, if the majority of the world's population were unsympathetic, as they were, to the momentary terror wrought by the September 11th acts themselves, this may well have to do with their recognition of their purely symbolic and atavistic nature. These acts were not only immoral from the point of view of the innocent people they killed, but also, unlike the French Revolution, driven by a reactionary, almost feudal, impulse. They were in any case counterproductive as a response to global inequality and American imperialism. For again unlike the French Revolution which - whatever the horrors of the transitional terror - did after all overthrow the old regime, the inevitable outcome of the kind of political action that September 11th represented could only be that of stoking the self-righteous flames of imperial power, and fueling their spread.

The concept of empire, which used to be quite unfashionable, has made a comeback in this context. Of course, the American empire is quite different from the old colonial empires. It would be a serious mistake to try to revive in the current context Hobson's or Lenin's notions of imperialism, connoting, among other things, a stage of capitalism marked by inter-imperial rivalry and war. Nor should we think that every intervention abroad by the US is driven by narrow domestic interests: on the contrary, it may be more accurate in some ways to see the American state today as burdened by the function, which it alone can play, of maintaining world order in today's global capitalism. Its claim to be the foremost democracy as well as the foremost military power underwrote the American state's conferral upon itself the right to deploy its unparalleled means of violence around the world in the name of human rights, electoral democracy and market freedom.

This global deployment, even when the interventions were legitimated and sometimes invited by international human rights advocates and agencies - from the first Gulf War to the war on Yugoslavia over Kosovo in the 1990s - did not, of course, necessarily lead to the spread of human rights and liberal democracy, although it certainly did lead to greater economic inequality. There was a staggering amount of self-delusion in the view of the Bush administration that America is hated by the terrorists because 'we elect our leaders'. (This was a self-delusion only matched in the immediate aftermath of September 11th by the apparently widespread credibility in the Muslim world given to the absurd rumour that Jews were forewarned from going to the World Trade Towers that day). Bin Laden, we may be sure, could not have cared less whether Americans elect their governments or not. Nor do as many people in the world give much credence to the

USA's democratic pretensions as liberal human rights advocates care to think. The dubiousness about the war on terrorism among so much of the world's population stems no doubt partly from this, especially in light of the long-standing role played by the American imperium in the world-wide suppression of progressive forces, often in the name of spreading democracy and human rights. One aspect of this was its cynical sponsoring of reactionary religious fundamentalism as a tool against the secular Left in that part of the world on which it has now made war.

The Grand Chessboard

The sheer cynicism, but also the sheer foolhardiness, that governed strategy at the time bin Laden's entry into Afghanistan was sponsored by the US was dramatically revealed in an interview with Zbigniew Brzezinski, who was President Carter's National Security Advisor from 1977 to 1981 and author of the explicitly imperialist handbook, *The Grand Chessboard*.

Q: 'When the Soviets justified their intervention by asserting that they intended to fight against a secret involvement of the United States in Afghanistan, people didn't believe them. However, there was a basis of truth. You don't regret anything today?

Brzezinski: 'Regret what? That secret operation was an excellent idea. It had the effect of drawing the Russians into the Afghan trap and you want me to regret it? The day that the Soviets officially crossed the border, I wrote to President Carter: We now have the opportunity of giving to the USSR its Vietnam war. Indeed, for almost 10 years, Moscow had to carry on a war unsupportable by the government, a conflict that brought about the demoralization and finally the breakup of the Soviet empire.'

Q: 'And neither do you regret having supported... [and] given arms and advice to future terrorists?'

Brzezinski: 'What is most important to the history of the world? The Taliban or the collapse of the Soviet empire? Some stirred-up Moslems or the liberation of Central Europe and the end of the cold war?'

***Le Nouvel Observateur*, January 15-21, 1998**

September 11th was 'blowback' from this - with such vengeance as could only have been stoked up over half a century. The term was first coined in Washington, D.C., in 1954, when CIA and Pentagon bureaucrats mulled over the possible consequences of

their decision to overthrow of the left-nationalist Mossadeq government in Iran, and today as then strategic imperial visions at play in Afghanistan and Iraq are also about oil. But they are not only about oil. They still have much to do with what was still geo-strategically unsettled after the ‘liberation’ of Central Europe and end of the Cold War. Apart from the countries of Eastern Europe absorbed into NATO and the EU, the countries that have since the break-up of the Soviet Union been patronisingly called the ‘stans’ in the State Department and the Pentagon have been finally prised from the Russian sphere of influence. With the new American bases established in post-Soviet Central Asia, American military bases now circle the world from Japan to the China’s western border. The building of the National Missile Defence ‘Shield’ is also part of this offensive strategy, with enormous implications for the militarization of space. And, according to a *New York Times* report (March 7, 2002) Rumsfeld’s Pentagon has been seriously entertaining the use of conventional nuclear weapons as a contingency, even against non-nuclear states, while insisting on nuclear non-proliferation for others.

The US’s inability to secure UN support in the run-up to the second Bush war on Iraq was certainly a significant indicator of the problems of legitimacy to which its explicit imperial posture increasingly give rise. But those who try to hold on to the Pearsonian nostrum that the wars in Afghanistan and Iraq could only legitimately have been prosecuted under its auspices would do well to recall what Stephen Lewis, Canada’s Ambassador to the UN at the time, had to say about the first Bush war on Iraq in an interview published in the *World Policy Journal* in the summer of 1991:

The United Nations served as an imprimatur for a policy that the United States wanted to follow and either persuaded or coerced everybody else to support. The Security Council thus played fast and loose with the provisions of the UN Charter... In some respects... [this] may have been the UN’s most desolate hour.

It certainly unnerved a lot of developing countries, which were privately outraged by what was going on but felt utterly impotent to do anything – a demonstration of the enormous power of US power and influence when it is unleashed.

If the UN's initial position vis a vis the second Bush war on Iraq in 2002 suggested that power and influence at the UN was becoming more tenuous, the Security Council's vote in the spring of 2004 to endorse (with French and German support) the puppet Allawi government established under the American occupation also suggested that US power and influence at the UN was by no means yet a thing of the past. Moreover, the 'coalition of the willing' against terrorism the US had set about building after 9/11 had effects far beyond Afghanistan and Iraq. It served to legitimate and sustain other states' repression of the separatist along with other dissident domestic groups. Less well known than the free hand given to the Russians in Chechnya was the free hand being given to the Chinese Communist-capitalist elite to act against the Muslim separatists in their westernmost province without fear that this will be used by the Americans against them in their ongoing negotiations over the terms of integration into the capitalist world economy. Consistency need not be a principle of imperial strategy, and this was never more evident than in the stunningly quick about face the USA has made since yesteryear's war on Yugoslavia, when the justification for that war was the right of self-determination in the old Communist world for every ethno-nationalist group that demanded it.

Moreover, the larger implication of the post-9/11 'you-are-with-us-or-against-us' stance of the United States was to require all the world's states to restructure their coercive apparatus to fit America's strategic concerns. This would seem to reinforce the

earlier requirement set by the imperium that they restructure their economic apparatus to fit with an American-led neoliberal globalization of capitalism.

The Pentagon's New Map

The relationship between economic globalization and the remaking of the world's states in the US image was clearly identified, from the perspective of the empire's strategists, by a U.S. Naval War College professor advising the Secretary of Defense:

'Show me where globalization is thick with network connectivity, financial transactions, liberal media flows, and collective security, and I will show you regions featuring stable governments, rising standards of living, and more deaths by suicide than murder. These parts of the world I call the Functioning Core... But show me where globalization is thinning or just plain absent, and I will show you regions plagued by politically repressive regimes, widespread poverty and disease, routine mass murder, and -- most important -- the chronic conflicts that incubate the next generation of global terrorists. These parts of the world I call the non-integrating Gap... The real reason I support a war like this is that the resulting long-term military commitment will finally force America to deal with the entire Gap as a strategic threat environment.'

In this 'Gap' are listed Haiti, Colombia, Brazil and Argentina, the former Yugoslavia, Congo and Rwanda/Burundi, Angola, South Africa, Israel-Palestine, Saudi Arabia, Iraq, Somalia, Iran, Afghanistan, Pakistan, North Korea and Indonesia -- to which China, Russia and India are added, for good measure, 'as new/integrating members of the core [that] may be lost in coming years.'

Thomas P.M. Barnett, 'The Pentagon's New Map: It Explains Why We're Going to War and Why We'll Keep Going to War', *Esquire*, March 2003.

The trouble for the American empire as it inclines in this strategic direction is that very few of the world's 'non-core' states today are going to be able to be reconstructed along the lines of post-war Japan and Germany, even if (indeed especially if) they are occupied by the US military, and even if they are penetrated rather than marginalized by globalization. The possibilities of 'blowback' are great, as exemplified not only in Iraq but also in a country like Pakistan, whose state which has played a crucial geostrategic role for the empire in the current conjuncture. This is a country where 85-90% of the state budget is devoted to paying interest on the debt and for the military and coercive

apparatus, leaving almost nothing for anything else. Little wonder, with no public educational system to speak of, that the poor in Pakistan – who do not vote for fundamentalist parties in any great numbers - have nevertheless been sending their boys to the religious madrasas, where they will be fed as well as indoctrinated in fundamentalism. And little wonder the imperium has been worried about such even such a compliant state losing control of its nuclear arsenal. The consequences are incalculable precisely because the imperium, even if it has military bases everywhere, cannot rule except with and through such states. As Ellen Wood wrote in the 2002 *Socialist Register*:

The very detachment of economic domination from political rule that makes it possible for capital to extend its reach beyond the capacity of any other imperial power in history is also the source of a fundamental weakness... National states implement and enforce the global economy, and they remain the most effective means of intervening in it. This means that the state is also the point at which global capital is most vulnerable, both as a target of opposition in the dominant economies and as a lever of resistance elsewhere. It also means that now more than ever, much depends on the particular class forces embodied in the state, and that now more than ever, there is scope, as well as need, for class struggle.

This has enormous implications for the Left everywhere today, with one of the most important questions being to what extent the new coercive domestic practices and legal measures adopted under the banner of the war against terrorism will foreclose the scope for struggle.

Imperial Security on the Home Front

The *USA Patriot Act* and similar acts in Canada and Europe have greatly enhanced the power and resources of the coercive and security apparatus with broad implications in terms of repressing dissent and protest. In the US, the *Patriot Act*, along with the *Homeland Security Act* and dozens of executive orders, stripped citizens as a

well as immigrants of basic rights to civil liberties and severely limited their rights to legal defense. It has primarily been Arab and Muslim men, of course, who have experienced the worst effects of post 9/11 repression. In the first seven weeks after 9/11, almost 1200 were added, without hardly any pretence of procedural justice, to the two million people already in US prisons. And the ‘preventative detention’ of thousands more was effected as immigration law was ‘stretched, twisted, exploited, altered, and in many instances violated’, as David Cole put it in his book, *Enemy Aliens*:

....[I]mmigration law is such a useful pretext; it imposes a wide range of technical obligations on all foreign nationals. Because our economy literally depends on illegal immigration, we have long tolerated the presence of literally millions of noncitizens who have violated some immigration rule. This means the attorney general has extremely broad discretion in how and when to enforce immigration obligations; any immigrant community he targets will inevitably include many persons here in violation of their visas... Of the more than 5000 persons subjected to preventative detention as of May 2003, not one has been charged with any involvement in crimes of September 11... Only five detainees... have been charged with any terrorist related crime... [B]y the government’s own account, nearly all of the thousands it has detained in the war on terrorism have turned out to have nothing to do with terrorism.

For its part, the *Patriot Act*, passed by Congress on October 26, 2001, defined ‘domestic terrorism’ so as to include acts by American citizens deemed ‘dangerous to human life that are a violation of criminal laws ...[and] that appear to be intended...to influence the policy of a government by intimidation or coercion’. With even vaguer and more expansive provisions against immigrants, it expanded state authority to undertake secret surveillance and searches of library, student, medical and financial records. Draft legislation for ‘Patriot Act II’ (*The Domestic Security Enhancement Act*) to expand these powers even further was leaked in early 2003; its provisions were subsequently disassembled and some of its parts reassembled into other legislation, such as *The Intelligence Authorization Act* passed by Congress at the end of that year.

There was at the same time considerable pressure from Washington that other states should adopt anti-terrorist measures. However much such legislation was presented in terms of their own 'national security', the explicit justification offered by other states for such measures - in terms of the need for coordination among states to deal with 'international terrorism' - suggested that the more accurate designation would have been 'imperial security'. That said, it is also true that the adoption of these measures was also fuelled internally, as the forces which were already arraigned against anti-globalization protests and immigrants rights rushed into the post-9/11 mix.

The United Kingdom immediately derogated itself from Article 5 of the European Human Rights Convention to pass its *Anti-Terrorism, Crime and Security Act 2001*, using an elastic definition of terrorism under which, three years later, it still is imprisoning ten men without charge or trial, alongside the many hundreds detained under immigration violations. But the EU itself was hard at work on an expansive definition of terrorism: before the end of September 2001, the EU Commission had already come forward with a proposal defining terrorism so broadly that it included any 'unlawful seizure or damage to state or government facilities, means of public transport, infrastructural facilities, places of public use, and property (both public and private)' - and it added, for good measure, that 'this could include, for instance, acts of urban violence.'

Despite concerns expressed by a few member states that the breadth of the definition of terrorism might entrap trade union activities or anti-globalization protests, the Council of the European Union passed in December 2001 a *Framework Decision on Combating Terrorism* with a definition of terrorism still so broad that it encompasses acts that 'may be seriously damaging to a country or an international organization' with the

aim of ‘(i) seriously intimidating a population, or (ii) unduly compelling a Government or international organization to perform or to abstain from performing any act, or (iii) destabilizing or destroying the fundamental political, constitutional or social structures of a country or international organization.’ The concerns that had been raised were addressed in a preamble which averred that this definition of terrorism could not be ‘interpreted as intended to reduce or restrict fundamental freedoms such as the freedom of assembly or association or of expression, including the right of everyone to form and join trade unions with others for the protection of his or her interests and the related right to demonstrate.’ Notably, however, in February 2002 the Spanish Presidency of the Council still saw fit to present a draft for a Council Decision that would ‘prosecute violent urban youthful radicalism...at summits or other events arranged by various Community and international organizations.’

Before 9/11, in the wake of the Genoa protest, the European Police Office had been given license to create an EU-wide database on ‘suspected’ protesters and develop an action plan to place protesters under surveillance. After 9/11, the main focus of such data-sharing, formalized by two formal agreements signed with the USA, was related to enhancing ‘the cooperation between the EU Member States – acting through Europol - and the USA in preventing, detecting, suppressing and investigating serious forms of international crimes [which] include not only terrorism... [This] established a new level of intensive cooperation between Europol and American law enforcement agencies... an unprecedented dimension of data exchange both in terms of quantity as well as in terms of sensitivity of data.’ [Nicholas Lavranos, ‘Europol and the Fight Against Terrorism’, *European Foreign Affairs Review* 8:2003]

Exemplifying the quite draconian measures passed in individual European states were the French government's Sarkozy Law on domestic security in February 2003 and the 'Perben 2' law a year later and denounced by all lawyers' organizations in France. As Ignacio Ramonet pointed out in *Le Monde Diplomatique* in March 2004, encouraged by European 'democratic governments, some of the world's most repressive regimes have decided to adopt anti-terrorism rhetoric. In Colombia, Indonesia, China, Burma, Uzbekistan, Pakistan, Turkey, Egypt, Jordan and the Democratic Republic of the Congo the authorities now find that defining their opponents as "terrorist sympathisers" is a convenient way of stifling opposition movements.' This was also true even where liberal democracy has greater salience in the South, such as in India. As Arundhati Roy pointed out: 'We are having to deal with the effects of the Prevention of Terrorism Act (POTA), which is similar to the Patriot Act in the United States. In states like Jharkland and Utar Pradesh, it isn't even used against "suspected terrorists." It's really used against people who are protesting their own impoverishment by these huge development projects. So there is a lot of conflation of terrorism and poverty.' (*International Socialist Review* July/August 2004)

As for Canada, *The Anti-Terrorist Act* (Bill C-36) passed quickly in the fall of 2001 went a long way to undermine the advances made for civil liberties when *The War Measures Act* (under the invocation of which many hundreds of innocent people swept up by the Trudeau government during the FLQ crisis in Quebec) was replaced by *The Emergencies Act* in 1988. *The Anti-Terrorist Act* allowed the government to avoid much of the parliamentary oversight against unrestricted state powers *The Emergencies Act* would have required. Moreover, Canada's new anti-terrorism law brought political

motives under its definition of terrorism, so that it applied to acts committed ‘for a political, religious or ideological purpose, objective or cause.’ It thereby risked appearing to follow the thinking of General Jorge Videla, one of the leaders of the Argentine military dictatorship, who once said: ‘A terrorist is not just someone who carries a gun or a bomb, but also someone who spreads ideas which are contrary to Western and Christian civilization.’ It was in fact only following the example of the British anti-terrorism legislation, although the Canadian legislation went further than the UK’s by encompassing within its definition of terrorism acts designed to compel not only governments but also corporations to change their behaviour. Among the most problematic new powers *The Anti-Terrorism Act* accorded enforcement agencies were those associated with ‘preventative detention’. This allows police to make arrests on ‘reasonable suspicion’ for up to 72 hours (arrestees have to be brought before a judge within 24 hours, and the judge has the discretion to adjourn any hearing for another 48 hours). The legislation also introduced ‘investigative hearings’ into Canadian law, whereby a person could be compelled to answer questions and provide documents with only a limited immunity against this being used against them. And it gave the Cabinet extensive and largely unrestricted powers to designate groups as ‘terrorist’ on the advice of the Canadian Security and Intelligence Service, and to make it a serious crime to belong to such groups or provide them with material support.

Even with the ‘sunset clauses’ that were added to require parliamentary approval for the renewal of some of its provisions, legal scholar David Dyzenhaus was correct when he argued (in a timely book, *The Security of Freedom*, quickly published by University of Toronto legal scholars): ‘...the fact that what we have is not emergency

legislation but a terrorism law – an emergency law masquerading as an ordinary statute – means that we have stepped outside the rule of law... We have the permanence of the temporary, an attempt to normalize the exception.’ This is reminiscent of what Donald Swartz and I designated, in our book *From Consent to Coercion: The Assault on Trade Union Freedoms*, as ‘permanent exceptionalism’ – the federal and provincial use of special back-to work and wage-freeze legislation against particular groups of workers to revoke their right to strike as provided for in the general legislation covering collective bargaining. In that case, the judicial deference to each case of temporary ‘exceptional’ legislation, despite its repeated condemnation by the ILO’s Freedom of Association Committee, has normalized the practice of ‘permanent exceptionalism’. In this case, the expectation was that the courts would defer to the permanent emergency legislation that the Anti-Terrorism Act represented. In the one ruling the Supreme Court made (in June 2004) that relates to the ‘investigative hearings’ provisions of the anti-terrorism legislation, it did not disappoint the government’s expectations.

In actual practice, the main thrust of the post-9/11 state repression in Canada has, as in the US and Europe, been directed at Muslim and Arab men. The Arar case is deservedly infamous in this respect (the judicial investigation of the Canadian government agencies’ connivance in Maher Arar’s deportation from New York to Syria where he underwent torture is at the time of this writing being delayed by ‘national security’ secrecy limitations placed upon that investigation). But less attention has been given to the Canada’s own misuse of immigration law, such as in the RCMP’s and Citizenship and Immigration Canada’s ‘Project Thread’, which led to 22 Pakistani

nationals (and one Indian) to be jailed, and half of them subsequently deported to Pakistan where they have faced interrogation, harassment and even beatings.

Project Thread and Canadian Security

In post-9/11 Canada, even minor immigration irregularities can quickly become the basis of suspicions of terrorist activities depending on your religion and country of origin. The terrible consequences for immigrants of this new arrangement are obvious with the seven-month long *Project Thread* investigation by the RCMP's Public Security and Anti-Terrorism unit (PSAT) and Citizenship and Immigration Canada (CIC)... The multimillion dollar investigation with its enormous resources, wide-ranging search and seizure powers, and seven-month time frame came up empty. In fact the CSIS and RCMP incompetence might be laughable if it didn't have such serious consequences for the falsely accused.

In the middle of the night of August 14, 2003 the RCMP burst into apartments around the Greater Toronto Area dragging 40-50 Pakistani men out of bed at gunpoint, and the discovery of an "Al Qaeda sleeper cell" was announced. The common thread was that the men had at some point either studied at or put Ontario Business College (OBC) down on a student visa application, *or were acquainted with someone who did...*

PSAT investigated only 31 cases from the over 400 students on file at the OBC. How did they choose which files to pursue? *They only pursued the Muslim and Pakistani cases.* The RCMP and Immigration Department were further very careful to only go after men whose status was not regular. In some apartments they did not arrest landed immigrants who had also attended the OBC, while in other apartments roommates who had never heard of the OBC, but were Pakistani, Muslim and a refugee claimant or visa student were detained. The most important criterion for detention was not whether an individual had actually done something, or whether there was any evidence that they might be planning something, but simply that they were not landed or a citizen...

By early September it became clear to nearly everyone concerned with the case that what the government had on its hands was not a sleeper cell but a bunch of international students, security guards, and gas station attendants. However, by this time CIC had had them in detention for a month, and had subjected the men to numerous interviews without a lawyer present. The PSAT had interviewed acquaintances and employers, had confiscated documents, computers, and personal possessions. It was not surprising that in this context Immigration Department officials could dig up some violation - no matter how minor - upon which to base a deportation order...

Govind Rao, 'Inventing Enemies', *Canadian Dimension*, Jan/Feb 2004

Even more draconian effects have been felt in Canada under the CSIS "security certificates" (these go back to 1991, but were renewed in 2002) under the *Immigration and Refugee Protection Act (IRPA)* under which five Arab men (two arrested before 9/11

and three since) have collectively been incarcerated (collectively for over 164 months) on secret evidence that even their lawyers have not been allowed to see. They face deportation to their countries of origin, even if there is a substantial risk of torture or death. As the Campaign to Stop Secret Trials in Canada put in a statement (released at a protest sit-in at Toronto's CSIS headquarters on October 22, 2004): 'These men are shadows of their former selves, often broken in body, and scarred in spirit. Their families are traumatized, their communities fearful. And each day they wake brings the same nagging question: why are they being held behind bars, and why is Canada attempting to deport them to torture?'

The Implications for 'Anti-Globalization' Protest

The fear that the Canadian anti-terrorism legislation would up the ante considerably in relation to anti-globalization protests was enhanced by two accompanying pieces of legislation to *The Anti-Terrorism Act*. One of these, Bill C-35, included a provision that allowed the RCMP to 'take appropriate measures, including controlling, limiting or prohibiting access to any area to the extent and in a manner that is reasonable in the circumstances.' The government was apparently emboldened to include this provision by a judicial ruling that the fence that had been erected in Quebec City in April 2001 was justified as a limit to freedom of expression under the Charter. And the provisions that were contained in Bill C-42 for a declaring any area of land, water or air a 'military security zone' for reasons of national defence or security especially seemed tailored to the G8 Summit in Kananaskis, Alberta in 2002 (this provision was dropped when the Bill was reintroduced after the summit was over).

Some of the fears of the effect that the legislation could have on anti-globalization protest activity as well as strikes had already been allayed when *The Anti-Terrorism Act* was amended before it was passed explicitly to indicate ‘that protest activity whether unlawful or lawful would not be considered a terrorist act unless it was intended to cause death, serious bodily harm, endangerment to life, or serious risk to the health and safety of the public.’ But this by no means dispelled all concerns. Indeed, two years after the legislation was passed, Reed Morden, the former Director of the Canadian Security Intelligence Service posted on the CSIS website his concerns that the Canadian government ‘in its race to catch up, went beyond the British and American legislation defining terrorist activities to include legal political, religious and ideological protests that intentionally disrupt essential services... The overall effect is to lengthen the long reach of the criminal law in a manner that is complex, unclear and unrestrained.’ Morden’s concerns especially related to the use that the RCMP or provincial and local police officers might opportunistically make of the new legislation in dealing with protest activity.

As we saw in the case of the protests at the APEC Summit in Vancouver in 1997, the police are sometimes encouraged by politicians or at least their political aides to use whatever legal justification they can to suppress protests, especially when they are likely to embarrass or inconvenience their guests at international meetings (even when some of those guests are notorious for extreme practices of violence against their own citizens). Thus, Jaggi Singh, one the foremost anti-globalization activists in Canada, was arrested at the APEC summit in Vancouver for assaulting a police officer by virtue of his having spoken too loudly through a megaphone; and he was arrested again in at the 2001 Quebec

City FTAA Summit (and detained for 17 days) both for violating bail conditions by attending the protest and for allegedly possessing an offensive weapon in the form of the infamous teddy bear catapult (that he had in fact nothing to do with).

Fears Induced by Bill C-36

'Perhaps indicative of an alarming disengagement from the parliamentary process, no direct representatives of the anti-globalization movement appeared before the various parliamentary committees that examined Bill C-36. Nevertheless, a representative of the Canadian Labour Congress allied the labour movement with the anti-globalization movement by expressing concerns that, "given the number of people participating in the extensive civil disobedience and disruptions associated with demonstrations in Seattle, Prague, Washington and Quebec City, police may feel justified in using preventative detention provisions of the against protestors." Similarly, a representative of the Canadian Arab Federation argues that Bill C-36, combined with other legal initiatives, was "an attempt to stifle the current evolution of human rights culture among the general population, as was witnessed at the APEC summit in Vancouver, and the anti-free trade agreements in Quebec City...". [A] definition of terrorism which included illegal attempts to disrupt essential public and private services and which defined security to include threats to economic security and attempt to compel corporations to change their behaviour, understandably raised alarm bells among some anti-globalization protestors.'

Kent Roach, *September 11: Consequences for Canada*, McGill/Queens University Press, 2003

The danger that police would feel justified in preventing activists from engaging in demonstrations even before they began (and would find some legal pretext to do so short of the anti-terrorism legislation) was realized soon after 9/11 in Toronto. Police detained four people at a protest against the Harris government's neoliberal policies in Toronto's financial district, as an act of 'preventative detention' against 'breach of the peace', and confined them in a police wagon for six to nine hours. (An apology was secured three years later). Similar events occurred at the anti-globalization protests against the IMF/World Bank meeting in Ottawa in November, 2001, where the police suppression of the protest was very intimidating. And in February, 2002, the effect of the war on terrorism on protest in the US was first tested in the massive mobilization of

police forces in advance of the large protest that took place at the ‘Davos-on-the Hudson’ meeting held by the world capitalist elites in New York (held there to mark their solidarity with the US in the wake of 9/11). ‘Preventative detention’, employed here as part of the police promise of a ‘zero-tolerance policy’ against lawbreaking, was immediately implemented early in the day via the arrest of two protesters who were standing slightly off the curb on Fifth Avenue and charged with disorderly conduct for blocking traffic; 150 more arrests soon followed.

But all this soon looked restrained in comparison with the FTAA Summit in Miami in November 2003, where over forty law-enforcement agencies were mobilized to deal with what the police chief of Miami called ‘outsiders coming in to terrorise and vandalise our city.’ As Naomi Klein observed in a report titled ‘The Enemy Within’ in the *Guardian* on November 26, 2003: ‘Small, peaceful demonstrations were attacked with extreme force; organizations were infiltrated by undercover officers who used stun guns; buses of union members were prevented from joining permitted marches; people were beaten with batons; activists had guns pointed at their heads at checkpoints...’ The mayor of Miami presented this as ‘a model for homeland defence.’

Although there was a notable dampening of protest immediately after 9/11, it can hardly be said, of course, that protest was stifled. On the contrary, the scale and scope of the world-wide anti-war demonstrations in advance of the actual US attack on Iraq were unprecedented. And the explicitly imperialist actions of the Bush administration encouraged protest in unexpected places by unexpected protestors within the US itself. For instance, in one of the great many anti-war protests on March 20, 2003, the day the U.S. invaded Iraq, one of the activists who obstructed the entrance to the federal building

in Philadelphia was a 89 year-old Quaker woman who subsequently went to jail for seven days rather than pay a \$250 fine. Over 330 cities, towns and counties, and four states, passed resolutions critical of the Patriot Act; and the American Library Association devised a scheme to get around the part of the law that prohibits librarians from refusing to divulge the reading habits of their patrons.

That said, the containment of protest has become a major preoccupation of police and security forces. In the US, even before 9/11, but in the wake of Seattle, the Republican Convention in Philadelphia had already set the precedent for quarantining protesters in fenced-in areas far from the convention site. (No less than 420 people were arrested - 75 of them for sleeping in a large space set aside for making puppets!) The Democrats soon followed in step (as usual) with their own notorious ‘free-speech zone’ at their convention that year in Los Angeles. Throughout Bush’s first term, the Secret Service routinely ordered local police to keep protesters far away wherever Bush went – and to arrest those who few who got close enough to hold up a protest sign anywhere nearby. And as the 2004 presidential campaign heated up, ‘preventative’ practice in forestalling protest became common:

F.B.I. counterterrorism agents and other federal and local officers [seeking] to interview dozens of people in at least six states, including past protesters and their friends and families, about possible violence at the two conventions... ‘This kind of pressure has a real chilling effect on perfectly legitimate political activity,’ said Mark Silverstein, legal director for the American Civil Liberties Union of Colorado, where two groups of political activists in Denver and a third in Fort Colorado were visited by the F.B.I. ‘People are going to be afraid to go to a demonstration or even sign a petition if they justifiably believe that will result in your having an F.B.I. file opened on you. The issue is a particularly sensitive one in Denver, where... it was disclosed that the police had kept files on some 3000 people and 200 groups involved in protests. (*New York Times*, August 16, 2004)

This did not forestall massive protests at the 2004 Republican convention in New York. But what went on there, as the accompanying account indicates, raises important questions about what may be in store under the second term of George W. Bush – and what strategic questions protestors need to ask themselves in the face of this.

First They Came for the Protesters

Tourists, old ladies and gentlemen, a building superintendent who was taking out the garbage, teenagers on their first date to a play, ministers, students, bicycle messengers and a good number of bruised and dirty yet singing and chanting protesters. It's the kind of diversity that New York City is famous for, and during this past week, the best place to find it was in the makeshift jail at Pier 57. The biggest underreported story of the Republican National Convention was not Laura Bush's Botox or conservative women making fools of themselves for California's manly governor. It was this: how could 1,800 people be arrested when they had done nothing wrong with the exception of crowding the sidewalks or block traffic? These events happen a thousand times every second in New York City. If these are crimes, all of New York should be arrested every single day.

In a country that engages in preemptive war against a small nation that had neither the intention nor the ability to attack us, preemptive suppression of dissent is the next logical step. But the word "preemptive" is misleading here, because it implies that a crime was about to be committed. It implies that Barbara Gates, 78, whose plans were as nefarious as walking at a slow pace to somewhere near the Convention and lying down, is a criminal and a threat to society. It implies that Julia Gross, 24, arrested while walking away from a "kiss-in," is a potential terrorist. These arrests, the lack of media attention concerning them, and the simultaneous pageantry within the convention imply that there is a legitimacy, in these "unsafe" times, for arresting anyone who has the audacity to even think about speaking up for dissent, even before they do so...

Some are calling the pier where the arrestees were held "Guantanamo on the Hudson." While the comparison is obviously a gross and privileged exaggeration (arrestees were released within days, not years, and none were interrogated, tortured, or isolated to the extent of the Guantanamo detainees), it does emphasize the cold but consistent policies of this administration: bomb, suppress, detain, arrest and shoot first, defend and prevaricate later...

There were a number of comparisons made, pre- and post-Convention, to the Chicago '68 demonstrations, in which the police were much more violent but arrested half as many people. The main difference between New York and Chicago, however, is the media savvy of both the police and the protesters. There were no pictures in New York of protesters being violently beaten by police. There were too many cameras around for that. Instead, protesters were just peacefully and unconstitutionally arrested. Similarly, there were no pictures of protesters being violent, and not because they didn't get the chance, but because ... as protest organizers made clear ... it was never in their plans.

The protests and arrests in New York raise two interrelated questions. First, how do we hold police and other agencies accountable

in blatant examples of "preemptive arrests?" The second, and the one asked less often, is: what constitutes a strategically effective protest in a time of mass media conglomeration and constitutional disregard? The first question is an easier one to answer. Christopher Dunn, associate director of the New York Civil Liberties Union, told a Boston Phoenix reporter that "the common denominator" in alleged civil rights violations in Philadelphia, Los Angeles, and Miami was the presence of the Secret Service. In a pending lawsuit, the ACLU accuses the agency of discriminating against President Bush's critics, confining them to protest areas where the president and media will not see them. Gross and others arrested said they are also considering civil suits against the New York Police Department for unlawful arrest and chemical burns that occurred while staying in the toxic and uncleaned pier.

Answering the second question is more difficult. Does it make sense to focus on large peaceful marches that get positive media attention but don't show the range, intensity, or directness of the marches and protests that occurred the rest of the week? Or does it make sense to continue to protest in a myriad of ways: large general marches like Sunday's United for Peace and Justice procession; fierce and focused marches like that of the poor people's campaign marching for their lives; outbreaks of theatre, kiss-ins, satire, shut-up-athons; and blockades designed to disrupt and bring home people's deep dissatisfaction with the government's international and domestic policies? Part of the strength of the left/liberal/progressive/radical movement is their diversity and breadth of tactics. And activists will continue to do it all. In doing so, however, it is wise to neither underestimate the possibility for suppression and arrest, and to continue to strategically refine the message. The question for activists is not just what are you for or against, but who are you speaking to and who is really listening...

As it was, on the final day of the convention, with over a thousand protesters still arrested and sitting in detention, the New York Times was quick to declare "victory" to the forces of suppression and order: "It appears that the New York Police Department may have successfully redefined the post-Seattle era by showing that protest tactics designed to create chaos and attract the world's attention can be effectively countered with intense planning and a well-disciplined use of force." While the paper of record might have been a little too eager, it does point to the need for activists, protesters, and other potential dissidents to consider their tactics more carefully... The goal of many on the streets of New York was not to speak up for John Kerry but to make visible the vast and deep running opposition to the President, the war on Iraq, and what Kensington Welfare Rights Union Director Cherrie Honkala and others called an "aggressive and unrelenting war on the poor" at home. They achieved this with limited success as most major media mentioned the size of the crowds and the number of arrests, but very little of the protesters' concrete concerns... [P]rotesters, faced with the effective shut-down of much of their plans, are left with the need to rethink the idea of simple disruption as a protest strategy in what promises to be an ongoing battle.

**(c) Rachel Newman, 'First They Can for the Protestors'
Independent Media Institute, 2004**

Strategic Questions for the Global Justice Movement

Such strategic questions are pertinent to the global justice movement in general. The mass protests that developed in recent years have been intended to be raucous and, if possible, disruptive. It is that character that made them different from set-piece march along a route pre-agreed with the authorities. Most of the demonstrators come with nothing more illegal, let alone violent, intended than marching without a permit, occupying public spaces adjacent to the meeting places of the assembled elites, and engaging in the remarkably creative street theatre for which these demonstrations have become justly famous. The ‘diversity of tactics’ approach adopted at these demonstrations (and especially elaborately preplanned in Quebec City) to allow people to choose to stay away from a confrontation with the police at the security fence, explicitly made allowances for those who come to the demonstration with such a confrontation in mind. To be sure, confrontations with the police at such demonstrations were already, even before September the 11th, leading a good many people involved in these protests to question the ‘diversity of tactics’ approach, and lack of accountability to the whole of those who undertake the most militant tactics. Those who want to engage in a classic strategy of civil disobedience have sometimes felt that they are effectively prevented from doing by those who come with the intent of physically challenging police lines. For the police truncheons and tear gas inevitably descend indiscriminately and push everyone off the streets. The image of generalized violence among those who watched the protests on television or read the sensationalized accounts in the papers also led many people inside the anti-globalization movement to question the diversity of tactics approach and

to demand a serious discussion of which tactics are in fact most productive of building greater popular support for the movement against globalization.

But it is still true that the confrontations led by groups like the Black Bloc were minimally violent in comparison with anything remotely resembling terrorism, and actually resembled much more the pushing and shoving at a militant picket line during a strike where the police have a large presence. Moreover, most of those tear-gassed, assaulted by the police and even arrested at such demonstrations intended nothing but peaceful protest but in the face of what seems an overbearing and unjustified police blockage and interference, and only often joined in the pushing and shoving or resist arrest when they refuse to clear an area as instructed. Some of them then went off to join a better-prepared and more militant group for the next demonstration. Even to the extent that global justice activists were inspired by certain struggles where violence is a strategic element, from the Zapatista uprising in Mexico to the 'Cremate Monsanto' campaign in India, it nevertheless remained the case that this movement could only be seen, in any historical and comparative perspective, as very far away indeed from anything that might fairly be designated as terrorism let alone armed struggle. Even among the anarchist elements on the movement, the stress lay rather on inventing, through their street protest preparations, a form of direct democracy based on small consensus finding meetings rather than voting. This is seen to presage the participatory democracy at a local level that often constitutes the foundation of an alternative vision to the freedom of capital movements and export competitiveness that is the essence of globalization.

Direct action protests are hardly entirely new and have often proved effective, as the marches by the unemployed and the occupations of factories and streets in the 1930s

and 1940s proved. Looking back, what is now considered more legitimate – the firing by the Royal Canadian Mounted Police on the unemployed marchers in Regina or the vociferous protest that led to putting unemployment insurance legislation on the agenda? And does anyone give much credit today to the charges of lawlessness that thundered over Windsor when autoworkers commandeered over 1000 cars on the streets of that city in the famous 1945 blockade that led to union security legislation? The effectiveness of the mass anti-globalization demonstrations has been clear from the way meetings of the global elites have been put on the defensive, and now proclaim their abiding concern with addressing world poverty every time they get together.

In any case, there is much more to the global justice movement than is visible at the large protest demonstrations. The protests, as Naomi Klein put it in the 2002 volume of the *Socialist Register*, ‘are not demonstrations of one movement, but rather convergences of many smaller ones, each with its sights trained on a specific multinational corporation (like Nike), a particular industry (like agribusiness) or a new trade initiative (like the Free Trade Area of the Americas), or in defence of indigenous self-determination (like the Zapatistas)... Rather than a single movement, what is emerging is thousands of movements intricately linked to one another, much as ‘hotlinks’ connect their websites on the Internet.’ To this could be added groups like the Ontario Coalition Against Poverty whose radical egalitarian goals and tactics of direct action have become symbols of admiration for (and led such groups to attach themselves to) the anti-globalization movement and its protest demonstrations. The greatest success of this movement of movements has been its diverse transnational political subculture of activists, with each group still conducting their own specific campaigns, research,

advocacy and related direct actions. This in turn has given critical researchers and writers against globalization a sense that they not only are heard, but also have a broad political base, and thus led them to redouble their efforts. This decentred movement often made it seem as if the agents of globalization, be they states, corporations or international organizations, were being 'swarmed' from a thousand directions.

In terms of moving forward, the hardest problem the global justice movement faced even before 9/11 was not at all its alleged orientation to violence at its demonstrations, but rather figuring out how to go beyond protest. What was already impelling the organization of the World Social Forum in Porto Alegre, Brazil in January 2001 was exactly this. Laying out alternatives as well as showing off the various movements' wares (in terms of what they have done on their home ground) was the order of the day at the remarkable second Forum there in 2002 and the third in Mumbai in 2003, and the regional social forums that have mushroomed in their wake. There has been considerable recognition that there can be no effective change unless and until well-organized new political forces emerge in each country that have the capacity, not just to protest vociferously, but to effect a democratic reconstitution of state power, turn it against today's state-constituted global American empire and initiate cooperative international strategies among states that will allow for coherent and cooperative local development.

In this respect, one of the promising aspects of the anti-globalization and anti-war protests today, compared with the anti-war protests of the 1960s, has been that many of the groups associated with them have increasingly designated themselves as anti-capitalist, and have given some positive direction to what that entails by their

decentralized and participatory visions of different social order. Even if the most visible and energizing characteristic of the global justice movement has remained its protests at the international economic and financial gatherings which foster capitalist globalization (seen most recently again in the 50,000 people protesting at the APEC meeting in Santiago, Chile in November 2004), there has also been a growing sense that such protest is not enough either. If the Internet has been an asset in unleashing the capacity to organize dissent and resistance on the global stage, it has proved no substitute for the hard work of class formation and political organization that the Landless Movement in Brazil and the Zapatistas in Chiapas had to engage in on their own ground. The Internet was also indispensable in bringing together the hundreds of thousands activists and researchers at world and regional social forums to discuss the various meanings of 'another world is possible', but it is no substitute for building in each country new parties, post-communist and post-social democratic, capable of developing new structures of popular democracy as a prelude to and an effect of competing for state power. As Naomi Klein admitted:

There is no question that the communications culture that reigns on the Net is better at speed and volume than it is at synthesis. It is capable of getting tens of thousands of people to meet on the same street corner, placards in hand, but it is far less adept at helping those same people to agree on what they are really asking for before they get to the barricades – or after they leave. Perhaps that's why a certain repetitive quality has set in at these large demonstrations; from smashing McDonald's windows to giant puppets, they can begin to look like McProtests. The Net made them possible, but its not proving particularly helpful in taking them to a new stage.... Now the police have subscribed to all the e-mail lists and have used the supposed threat posed by anarchists as giant fundraising schemes, allowing them to buy up all manner of new toys, from surveillance equipment to water cannons. More substantively... the movement, no matter how decentralized, [is] in grave danger of seeming remote, cut off from the issues that affect people's daily lives.

On my way to the World Social Forum in Porto Alegre in 2002, I met two brothers in Santiago, Chile whose parents were involved in the MIR movement of armed struggle in the early 1970s and who had escaped to Cuba after the Pinochet coup against Allende and the mass murder of the Chilean Left that ensued. They returned to Chile as young men, having rejected their parents' armed struggle politics, with a determined orientation, very much in tune with the new generation of activists in the North, towards working with people in their neighborhood associations as much as in their workplaces on a broad agenda of social, ecological and cultural as well as economic issues to begin anew the difficult process of class formation and political organization. As we traveled from Santiago to Porto Alegre together I asked them to give me one concrete example of the kind of organizing on the ground they were doing to bring this about. The example they gave me certainly qualifies as direct action. It involved organizing workers in the construction sector where trade unions and collective bargaining have been completely wiped out, and where all workers are casual and contract labour. They led an occupation by the workers on a building site where an Italian multinational construction company was developing the largest planetarium in Latin America. But when the police massed outside to break the occupation, the Italian engineers on the project, locked up inside but sympathetic to the protest, insisted that the Minister of Interior negotiate with the workers. A 72-hour cell-phone negotiation ensued, ending in a collective agreement, with minimum wages and standards specified.

This is the kind of direct action that may well come more and more onto the agenda of activists in Europe and North America. As the new generation on the Left seeks to ground its protest against the global structures of oppression and exploitation, it

already engages itself more and more with addressing, including through direct action – whether through homeless squats or factory occupations - the immediate troubles facing people in their own societies. If this kind of activity, which is part and parcel of beginning anew the long-term process of class formation and political organization, is going to be repressed by the state as violent, indeed as terrorist, activity we are in for some very ugly times.

But for the present, despite all the justifiable concerns that post 9/11 anti-terrorist legislation and state action has raised, there still remains today considerable space for struggle. The repression of protest, while serious, has yet to exceed that which occurred in some earlier conjunctures in liberal democratic states over the past century. So far at least, the attempt to paint, in rhetoric and legislation, the protest activities of the current generation of antiwar and social justice movement activists as violent, let alone terrorist, has not worked. And in the face of the imperial state terror in Iraq that grows more and more heinous and obvious by the day, the more difficult it will be to make this credible. To be sure, it is possible that exasperation with the lack of electoral alternatives - and with the limits of protest as both the coercive apparatus and the media learn how to contain and frustrate its impact - will lead a few people to consider taking up again bombings or kidnappings along the lines of the Weathermen and Red Brigades in the 1970s. While such a reaction to war on the home front in the USA is quite imaginable under the second Bush administration, it would unfortunately only further fan the flames of repression and reaction. But this would entail a break with what the social justice movement has been all about. Far more characteristic of that movement will be the invention of new modes of protest that in creative, coherent and accountable ways will

connect with the needs and interests of more and more people. It is likely as well that activists will increasingly devote more thought and energy to long-term political organization and education at every level, recognizing that within the space that is still open for struggle, this is necessary to build anew such democratic and socialist political forces as are capable of transforming each of the states that are presently the lynch-pins of global imperialism and capitalism.