



*ARC Centre of Excellence
in Policing and Security*

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‘Alien’ control and policing strategies before the age of counter-terrorism



THE AUSTRALIAN NATIONAL UNIVERSITY



The Cold War politics of migrant surveillance

Attorney-General John Spicer to Director-General of Security(ASIO) on interrogation of aliens in event of war for advice on internment (Sep 1951)	'I like the idea of you doing it less than the idea of the State police doing it'
Immigration Department Secretary Tasman Heyes (1951) on the police recommendation for finger-printing of migrants	'the finger-printing of the non-British section of the community will be bitterly resented if the only persons fingerprinted are criminals'.
Harold Holt, Minister for Immigration (Dec 1952) rejecting a recommendation to deport a Greek Cypriot Communist	'while his political activities may have been a cause of trouble and disturbance there is no evidence of a subversive intent'.

The 'alien' as a historical category

- Historical – the other side of citizenship: from late C18th on; the reinvention of entitlement at a national rather than local level; the late C18th 'security' context: UK, USA
- Legal – the object of constitutional power (eg s. 51 of the Australian Constitution)
- Policing – the national security context; the crime control context; the bureaucratic and institutional context

The alien as an object of security

Contexts

1. The politics of national security - constituting the alien as desirable/undesirable, benign/malign, low risk/high risk, welcome/unwelcome
2. The institutions of national security – defence, policing, intelligence, but also immigration, customs, foreign affairs

Problems

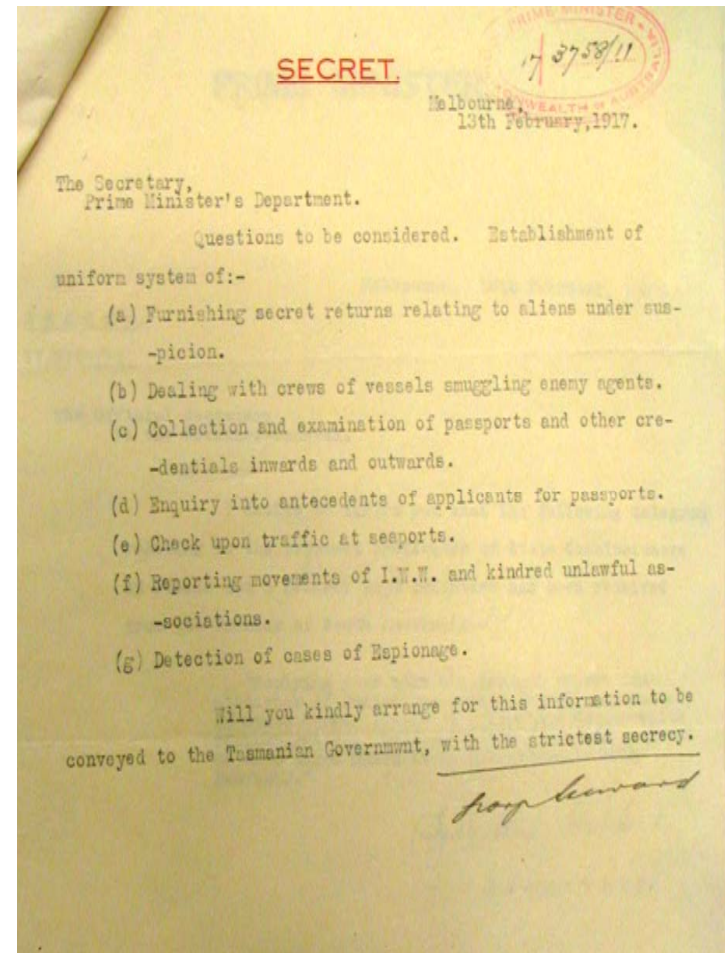
1. The historical problem - who shall watch the alien?
2. The policing problem – how shall we know and track the alien?

Four phases in the policing of aliens in Australia

1. World War 1 – ‘The enemy within the gates’
2. Between Wars – The struggle for control
3. World War 2 – The architecture of control
4. Cold War – The attrition of policing controls

World War 1 - 'The enemy within the gates'

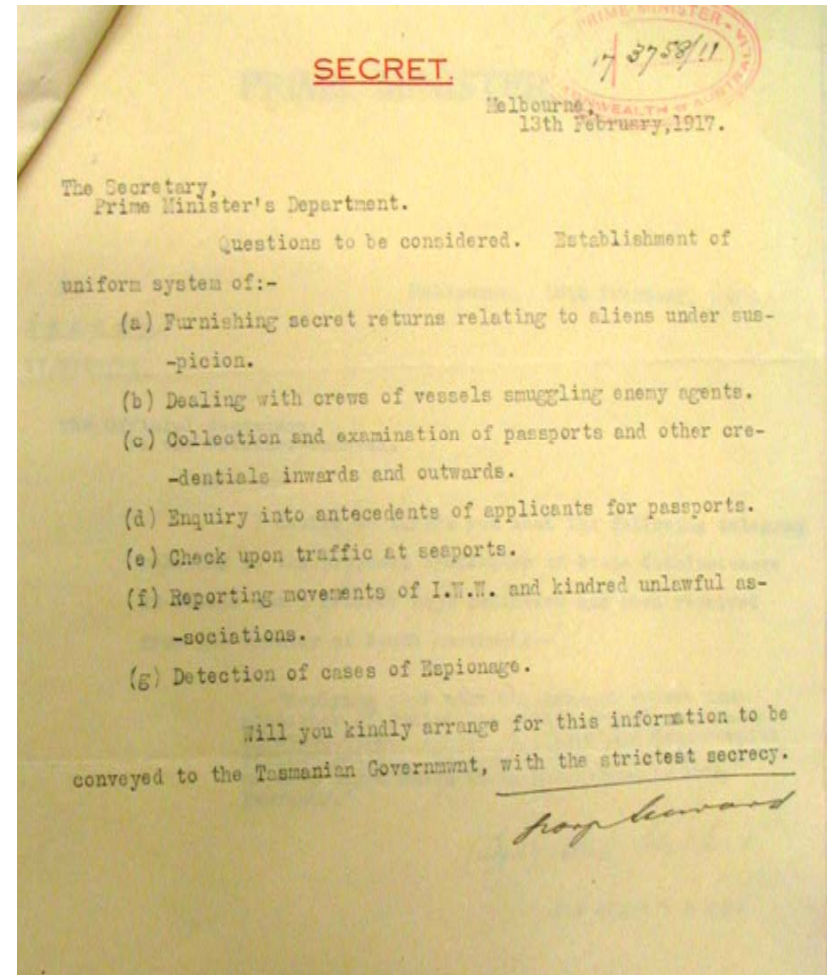
- War Precautions Act framework – by regulation
- Policing – absence of specialised and national police function, dependence on State police
- Functions of police – informants and protectors?
- Intelligence – and its absence (the problem of invisibility)



An agenda for border security and uniform policing 1917

- a) Furnishing secret returns relating to aliens under suspicion.
- b) Dealing with crews of vessels smuggling enemy agents.
- c) Collection and examination of passports and other credentials inwards and outwards.
- d) Enquiry into antecedents of applicants for passports.
- e) Check upon traffic at seaports.
- f) Reporting movements of I.W.W. and kindred unlawful associations.
- g) Detection of cases of Espionage

From: Geo Steward (Sec to Governor-General, 13 Feb 1917), NAA, A2939 (A2939/1), SC245, Conference - Police Commissioners



Between wars – the struggle for control

- International and transnational contexts – passports and immigration controls
- Police collaboration and police restructuring: Commonwealth Police, Investigation Branch, CPC conferences
- Aliens Registration Act 1920 (based on UK model) – but failure of federal-state co-operation in Australia 1920-25
- Pre-war planning (1936-39) – and aliens registration: police or other agencies (eg Electoral Officers)
- Triumph of principle of registration; faltering mechanisms of control

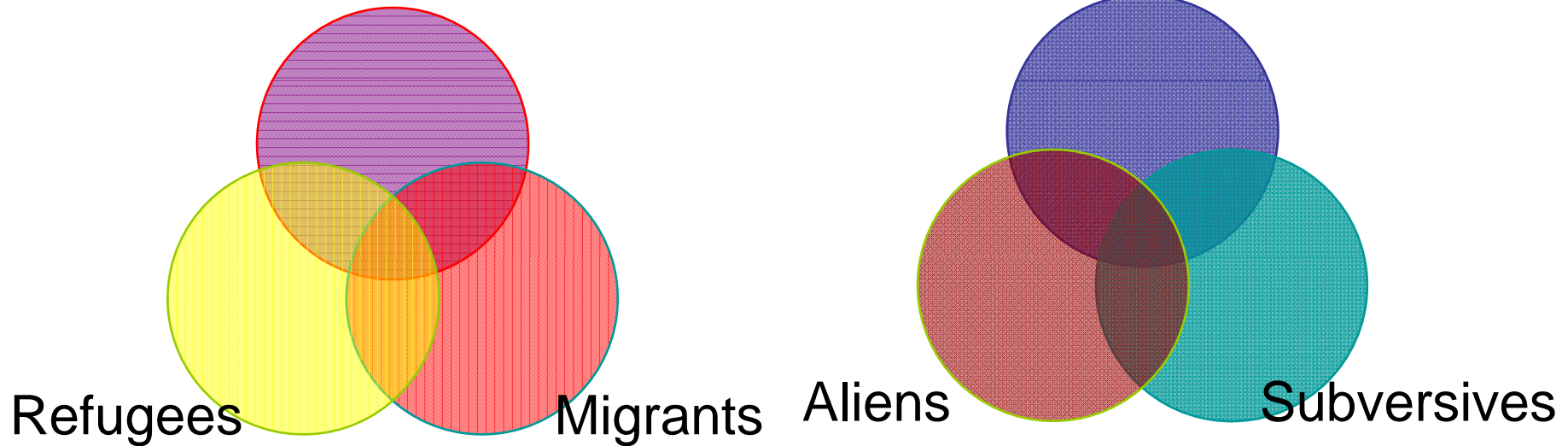
World War 2 – the architecture of control

- Strategies – registration, curfew, internment
- Targets – enemy aliens, and political subversives
- The incitement of opposition – bureaucratic review, policy refinement (the Aliens Classification Committee), civil liberties activism

The historical conception of risk – two historical archetypes

Terrorists

Enemies



Post-9/11

World War 2

Cold War – the attrition of policing controls

- Legacies of war – memories of police-state; civil liberties struggles; new policing security institutions (CSS - >ASIO)
- National structures and policies – immigration programs, refugees and displaced persons
- Police agendas – managing and tracking new immigrants – crime, victims
- Immigration department agendas – integration/ assimilation
- Refinement of policing – specialised targets rather than universal tracking
- The attrition of police controls

How police lost the battle to surveil immigrants

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Critical approaches to the politics of exclusion

- Cultural xenophobia (Burke)
- State Crime (Pickering)
- Fluid borders and new technologies of control (Pickering and Weber)
- Moral panics (Poynting)
- 'Governing through Migration Control' (Bosworth)
- Refugee camps as 'bare life' (Agamben)
- Aliens as not citizens, lesser human beings (Douzinas)



