Embedding the War on Terror: State and Civil Society Relations

Alan Fowler and Kasturi Sen

ABSTRACT

The global war on terror was used by the Bush administration and its allies to defend a US dominated geopolitical configuration. To this end, counter-terrorism measures (CTMs) were introduced which strengthened the alignment of development aid with diplomacy and defence. The broad, adverse effects of CTMs on civil liberties and human rights are well documented. Despite the advent of a new US administration and a ‘soft power’ approach to international relations, the legacy of the war on terror remains embedded in the laws, policies and attitudes of many states and regimes that continue to enclose the lives of citizens. This article describes the experiences of civil society organizations (CSOs) as ‘securitization’ processes unfolded. Studies over two years involving some forty countries provide an on-the-ground view to probe the gains and losses of securitization, both for governments in the US-led ‘coalition of the willing’ and for civil society in terms of the pressures emerging from a development-for-security agenda. The authors identify some of the perverse zero-sum effects on governments of CTM philosophy and the means employed. Findings also show asymmetry between northern and southern CSOs in terms of their negative-sum subordination, found in the definition of security and in the vulnerability to new risks involved in undertaking development work.

INTRODUCTION

A state has a supposedly defining duty to protect its citizens. This article examines how this imperative rapidly evolved as a consequence of the 9/11 attacks in the United States of America. It focuses on relations between states and civil society during some eight years of designing and applying counter-terrorism measures (CTMs). While recognizing the potential effects of revisions to past US security policies signalled by the Obama administration, CTMs are still on the statute books of many countries. Most of these means are still available to and are being utilized by regimes that want to
apply their original logic. Sri Lanka offers a recent example of counter-terror legislation being applied to journalists and human rights activists. This article therefore traces the creation of a terror-driven legacy of constraint on development space and civic agency across the world. It does so by drawing on participatory research undertaken between 2005 and 2007.

Responses by the USA and other countries to acts of violent insurgency indicate that the justification used by regimes for ensuring national security at global and national levels typically overstated the nature of human insecurity that existed or had emerged. Similarly, the means adopted to prevent terrorism were often disproportionate to a cogent degree of threat. Consequently, it is argued that the global thrust to generate anti-terror legislation became an end in itself. The hurried introduction of counter-terrorism laws and measures occurred with very little understanding of a sense of ownership by the citizens whom the legislation is intended to protect. Neither has this political energy strengthened or supported multilateral institutions, such as the United Nations, established in the aftermath of world wars with the intention of overseeing and advancing global conditions of peace and stability.

The reasons for this state of affairs are variously attributed. One interpretation concentrates on systemic global political and economic forces that invoke the notion of Empire. Though a recent security study by the US government portrays an emerging multi-polar geopolitical scenario (NIC, 2008), Hardt and Negri (2000), for example, have argued that a new Empire has been unfolding that appears irresistible and carries with it great powers of destruction. This process is driven by a US-centred economic and financial expansion — recently made vulnerable — which confronts the territorial logic of sovereignty while creating political stress and social instability through accelerating inequity (Harvey, 2003). Forces resisting such economic pressure can translate into popular action, civil unrest and interconnected national and global insecurity that, by this logic, must be contained.

Chhachhi and Herrera (2007) have usefully explored and compared contending interpretations of Empire in terms of both substance and process. In dispute are arguments in support of a historical cultural calling and necessary hegemonic role of the US. This imperative justifies extra-territorial military force and rejection of international constraint through the United Nations, which is simply ignored or procedurally side-stepped (Cockburn and St. Clair, 2004; De Goede, 2008).

Sidel (2004: Ch. 1) argues that many regimes have taken advantage of a climate of insecurity to (re-)consolidate state primacy. Typically this agenda

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1. Numerous authors’ and NGOs’ assessments of the War on Terror conclude that its rationale and measures have been counter-productive, with some arguing that it has increased the threat of terror and violence world-wide, as exemplified by the cases of Iraq, Afghanistan and Palestine (Millar, 2006; Putzel, 2006; Reality of Aid, 2006).
shifts the balance of power away from parliaments and citizens towards an executive while, where possible, curtailing previously enjoyed democratic rights (Sen and Morris, 2008; Tigar, 2007). The International Journal of Civil Society Law documents case after case of new legislation or rules that circumscribe civic space affecting, for example, freedoms of assembly, expression, religion and belief, access to information and resources, fiscal controls on financial transfers and alterations to the legal framework (see also World Movement for Democracy, 2008). The pertinent observation is that virtually no country has remained immune from instituting CTMs that impact on citizens and civil society in one form or another. Such steps are generating a relational condition which is becoming increasingly institutionalized and embedded (Howell and Lind, 2009).

For our purposes it is necessary to recognize the wider framework but not, at this stage, to adjudicate between the explanatory merits of the analyses on offer. Our interest is directed towards the effects of a systematic instrumentalization of aid in pursuit of greater security for donor countries, whatever the causation. More specifically, this article is concerned with the effects of CTMs on the lived reality of development-oriented non-governmental organizations and civil society organizations (NGOs/CSOs). Using the lenses of international aid and civil society, the article explores the potential gains and losses of anti-terror legislation levels as experienced on the development back and front lines. Drawing on empirical data derived from a series of civil society dialogues, it provides a more finely grained complement to theoretical and macro level analyses of the incorporation of foreign aid into international security agendas such as Beall et al. (2006), Fowler (2007), Keen (2006) and Sen and Morris (2008).

The analysis asks: what have states gained from the war on terror? Is the understanding of what it means to be secure shared by both state and citizens? Do citizens, whether in the north or the south, feel more secure and confident in their space for agency? What role does aid play, particularly in terms of its core driver of promoting economic investment and growth as a means to reduce poverty? Answers to these questions were explored through eight policy dialogue workshops held over the course of two years by the International NGO Training and Research Centre (INTRAC). Covering some forty countries in four geographic regions — the Middle East, Asia, Europe and North America — the events involved more than 200 people. Participants included civil society members and representatives working on conflict resolution, members from social movements, NGOs, think tanks and

2. Here ‘back line’ refers to northern NGOs/CSOs supporting ‘front-line’ counterparts in southern countries. Obviously NGOs on the back line in international relations are on a ‘front line’ domestically.
3. Here, agency is understood as a capability to navigate a political terrain on self-determined terms consistent with a citizen’s rights and obligations.
4. For details of the regional workshops, see the INTRAC website: http://intrac.org/pages/CTM_workshops.html
researchers. Several NGOs were working with their governments. Dialogues allowed for regional voice and comparisons not previously documented. They focused on researchers engaging with NGOs and civil society about counter-terrorism measures relating to their back and front-line experience of the effects of the War on Terror — a term now replaced in US security parlance by Overseas Contingency Operations (OCO) — and the behaviour of their governments.

The process also provided a forum for discussion between and among NGOs, other members of civil society and researchers, culminating in a meeting of civic actors from all regions held in Syria in September 2007. Many participants requested anonymity for fear of harassment. This was true, for example, for the groups based in the ‘front-line states’ in the war against terrorism such as Syria, Iraq, Pakistan and Afghanistan, where those working in particular for advocacy and civil society voice felt vulnerable, commenting that, in their situation, democratic rights were a luxury.

These exchanges have documented the impact of anti-terror laws and measures on civil society, in particular upon well-established, reputable NGOs. One of the main issues addressed is the extent to which the actions of governments to provide security for their citizens have involved consultation, dialogue and ownership, some of the essential principles of democratic good governance. Complementary geo-cases enabled examination of counter-terrorism processes in particular countries as well as globally. This allows us to compare and contrast between national and global over-spill in counter-terror measures, exemplified in similarities and differences in the methods used in different contexts. Table 1 summarizes the major features of the workshops with respect to participant experiences and perspectives of CTMs for states, NGOs/CSOs and the aid system. In the sections which follow, these broad findings are disaggregated in relation to a working hypothesis that, given structural asymmetries in coercive power between governments and civil society, the war on terror generated a different type and balance of gains and losses for states and NGOs. A mediating feature in this security ‘game’ is ‘development space’, understood as the degree of freedom of agency enjoyed by non-state actors to bring about political, social and economic change.

The following section briefly reviews evidence on the progressive incorporation of international aid into security agendas to better integrate with other foreign relations instruments of defence and diplomacy. Though uneven across donor countries, increasing alignment is to be seen in the deployment of ‘remedial aid’ to post-conflict settings and of ‘preventive aid’ in failed states that may erupt into contagious or violent instability. The ways in which CMT processes and methods have impacted on development space is the topic central to the third section, with emphasis on the legal instruments deployed. This is followed by a citizens’ eye view of the gains and losses that states have encountered in their decision to join the ‘coalition of the willing’ called for and led by the USA, assessing the trade-offs involved.
<table>
<thead>
<tr>
<th>Region (Venue)</th>
<th>State</th>
<th>NGOs/Civil Society</th>
<th>Aid</th>
</tr>
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<tbody>
<tr>
<td>Europe (Utrecht, The Netherlands, 2006)</td>
<td>Ill-defined security and terrorism are useful — feeds uncertainty to induce self-compliance. Follow/block the money. EU strategy of minimal public consultation.</td>
<td>Confusion about policy positioning and concern about loss of civic space. Not geared up and some complacency — the problem is ‘over there’.</td>
<td>Abetting a security agenda. Development and poverty reduction recast from ends to means.</td>
</tr>
<tr>
<td>South Asia (New Delhi, India, 2006)</td>
<td>Control and monitor all non-state actors as a potential security threat.</td>
<td>Anger and upset about civic restrictions and arbitrary application of security checks.</td>
<td>Aid to CSOs draws attention of the security apparatus. Aid in the public interest means ‘silence’ and delivery of social services.</td>
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<tr>
<td>Central Asia (Bishkek, Kyrgyz Republic, 2006)</td>
<td>Islamic radicals are a potential security threat.</td>
<td>Concern about erosion of recently hard-won civic rights and freedoms.</td>
<td>Possibility of aid being co-opted to serve security is on the horizon.</td>
</tr>
<tr>
<td>Middle East (Beirut, Lebanon, 2006)</td>
<td>Civic action must go with or through state structures; those who do not are trouble makers.</td>
<td>Terror is of the state, not the polity. Instability, livelihoods and occupation are the priority, not terrorism</td>
<td>Supporting state security capabilities for control and repression. Political instrument. Reinforcing existing (ethnic) divisions.</td>
</tr>
<tr>
<td>Middle East (Damascus, Syria, 2007)</td>
<td>Civic action must go with or through state structures; those who do not are trouble makers.</td>
<td>Terror is of the state. Need to co-ordinate voices across the South.</td>
<td>Supporting state security capabilities for control and repression. Political instrument.</td>
</tr>
<tr>
<td>United States (Washington DC, 2007)</td>
<td>For or against: neutrality is not an option. Criticism is opposition and a threat.</td>
<td>Fear and uncertainty of government interpretation of CTMs leading to self-restraint with some vocal minority.</td>
<td>Aid has to protect national interests. New opportunities for NGO finance. NGO darlings and orphans.</td>
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We then provide a more substantive review of the gains and losses both seen and self-experienced by NGOs involved in development work, with particular focus on the effects of aid financing as it more firmly reflects a security imperative and paradigm. The concluding section revisits the original questions and working hypotheses.

**AID FOR SECURITY: DISPLACEMENT AND DISTORTION**

The ostensible official functions and goals of international aid have always been at variance with actual allocations (Hjertholm and White, 2000). A well-founded explanation is that aid is yet one more instrument in a donor’s foreign policy repertoire (Alesina and Dollar, 2000). This section locates our study as an update on this old empirical finding, but now stemming from counter-terrorism as a new driving force.

The first decade of this century has witnessed a significant shift from aid disbursement for advancing human security to aid disbursement for protecting northern national security interests. This transition has been analysed in depth by others (Aning, 2007; Beall et al., 2006; Cosgrave, 2004; Millar, 2006; Reality of Aid, 2006). For reasons of both domestic politics and geopolitical positioning, the movement is more transparent for some countries, such as the USA, than it is for others. This phenomenon reflects a response to global instability, where foreign policies in the West have become better integrated around a mutually supportive triad of defence, diplomacy and development aid (see DFID, 2005; Natsios, 2006). Initially, analysis from the development sector suggested a range of implications for NGOs and CSOs that relate to the international aid system (Christian Aid, 2004; Fowler, 2005). This article moves to grounded evidence of the experiences and observations of NGOs and wider CSOs as the development for security agenda unfolded. However, to help set the scene, more recent reviews of aid for security are worthy of note.

A common finding in construction of the foreign policy triad is that Western governments and major donors have introduced similar conditions and priorities in aid packages and their disbursement. In doing so, the primacy of security considerations for international development co-operation is often explicitly stated. The 2002 National Security Strategy of the USA — together with policy statements made by most donor states — confirms this trend. Such donor commitment includes the UK, Canada, Denmark and Australia among others. Donor statements illustrate the view aptly described by Beall in an analysis of shifting aid priorities, namely that security and development have evolved as two sides of the same coin (Beall et al., 2006). Aning (2007) suggests that securitization has led not only to a geographic displacement and concentration of aid but also to its politicization, to the detriment of the basic principles of co-operation. This process has created a ‘coalition of the willing’ to conjure up support for an international partnership in the war on terror.
Furthermore, analysis of aid disbursement since 2001 by the Philippine-based organization Reality of Aid, supplemented by further scrutiny from Cosgrave (2004), Aning (2007) and, on the US, Moss et al. (2005), illustrates the trends in overseas development assistance (ODA) and its ‘securitization’ since 2001. A major consequence for NGOs has been to reduce the ability to argue for the targeting of aid for poverty reduction. This constraint is particularly evident in USAID which, since 2001, has been forced to act closely with the US Department of State and the Department of Defense (Moss et al., 2005) in determining the criteria for allocations of development assistance.

One of the main effects of the war against terrorism has been to divert development assistance to the front-line states, to the detriment of a focus on dealing with growing poverty and inequality. As Cosgrave argued in 2004, though aid budgets are increasing, the aftermath of the war on terror may absorb all of the increase and more: ‘Some donors are already cutting programmes elsewhere to pay for their commitments for rebuilding Afghanistan and Iraq. This means that there will be less assistance for the poor’ (Cosgrave, 2004: 4).

INTRAC’s work and analysis has argued that, in addition to undermining a poverty-focus for assistance, geographically concentrating aid in the front-line states worsens rising global inequalities in incomes and the erosion of livelihoods. It further undermines the ability to ensure a distribution of ODA premised upon need. This trend exacerbates the gap between the rhetoric of development targets and plans set by the same donors since 2001. This distancing of word from deed has been fed by global meetings committing to the Millennium Development Goals in 2000, on aid financing at Monterrey in 2002, and the Paris Agenda for the aid effectiveness in 2005.

Finally — and of even greater concern — in undertaking this work, we discovered that some countries have begun to view securitization as a new form of development aid provided, for example, by payments for hosting bases and forces that are part of the ‘coalition of the willing’. A perhaps even greater perversity is that, to attract more foreign assistance, countries seek out or label groups as ‘terrorists’ on their soil (Beall et al., 2006; Reality of Aid, 2006, on Nepal; Sen and Morris, 2008 on Kyrgyzstan and on Lebanon). Overall, such a development for security agenda may be seriously damaging the credibility of the aid system.

CTM IMPACTS ON DEVELOPMENT SPACE: PROCESS AND METHODS

The research questions pivot around perceptions and experiences of the impacts on relations between states and civil society organizations when they are subjected to concerted geopolitical forces. What happens in terms of responses? In finding and describing answers, this section introduces the
notion of ‘development space’ as a way of viewing the relational processes involved.

Civil society operates in environments that may be more or less susceptible to civic influence, but are seldom subject to empowered citizen control through political systems that are robust and substantively accountable to the polity. Consequently, the way in which operating contexts are ‘securitized’ — particularly in the case of legal measures — is of concern. In a succinct analysis of the global process of managing the terrorist threat, Sidel (2004: Ch. 1) examines case studies of anti-terror legislation in the UK, Australia and India. Each of these countries highlights a common path and pathologies.

First, new and draconian measures to combat terrorism have been introduced when existing legislation to contain criminal activity could have sufficed (Amnesty International, 2006a; Sidel, 2004: Ch. 1; Tigar, 2007). Second, none of these countries engaged in a dialogue with its citizens to increase awareness of the need for such legislation, nor were the laws debated at any length in parliament. Executive pressure and hurried decision making were key features of the rapid passage of most anti-terror laws. The costs involved, and the public oversight required for controlling internal security services or the police as they implement the laws, is neither discussed nor revealed. Almost uniformly there is a lack of due process which means that those falling foul of anti-terror laws are not able to access the evidence gathered against them. One result is ‘criminalizing’, particularly in the USA and the UK, those who have played a lead role in pointing out these affronts to civil rights.

For many lawyers throughout the world (such as MacDonald and Gareth Pierce, UK lawyers who have defended terrorist suspects), ‘pushing through’ vague laws and leaving them open to subjective interpretation is a major setback for democratic government. Consequently, some countries have witnessed the formation of a broad coalition among human rights and public interest law groups together with NGOs; these include, for example, Simorgh Pakistan, SAFHR India, CAMPACC UK and Islamic Digest UK. One shared aim was to establish a permanent challenge to legal measures such as detention orders and surveillance measures of internal security services. Another was to use legal means to monitor on what basis the legislation is made and to monitor detentions and trials (as, for example, by Interaction US and Liberty UK).

On the ground, application of hurried security laws to the work of specific charitable organizations creates a cloud of public suspicion and stigma. This

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5. Over the course of three years, the Eminent Jurists Panel of the International Commission of Jurists looked at evidence of the impact of legislation on civil societies in more than forty countries; see the May 2009 report on the EJP website: http://ejp.icj.org/

6. These include bodies such as ICJ, NCVO UK, BOND-UK, Liberty UK, OMB WatchUS and Interaction US.
is particularly so for charities formed by or serving Muslim populations who are attributed with terrorist sympathies for which there is no evidence. One example is the legal action against Holyland, one of a number of charities based in the USA providing humanitarian support in the Palestinian territories (Grantmakers Without Borders and OMB Watch, 2008; New York Times, 2007). Also affected is the campaigning activity of NGOs and the provision of humanitarian aid, most notably by organizations based in the UK and Australia, such as Interpal, which provide humanitarian assistance in the Gaza strip. Their actions are portrayed by sections of the media as providing support to terrorist causes, but without any concrete evidence to support such a claim. In a recent case, a charge of aiding and abetting terrorism was brought to the UK courts but failed, in December 2008.7

Legal opinion provided to the UK membership body for charities, the National Council for Voluntary Organizations (NCVO), has argued that the UK anti-terror laws are ‘breathtakingly broad — they are motive blind and on the face of it appear to criminalise any humanitarian work in certain areas of the world’ (Quigley and Pratten, 2007). The main problem identified by legal opinion has been the absence of evidence and the paucity of definition of what constitutes a risk to security and what may be defined as terrorism (Macdonald, 2008; Quigley and Pratten, 2007). As a response, NCVO argued to the UK government that while the threat of terrorism needs to be taken seriously by all parties, greater clarity was needed to ensure that legitimate humanitarian work funded or undertaken by charities is not criminalized by terrorist financing laws (Quigley and Pratten, 2007).

Observations made by the UK-based civil rights NGO ‘Article 19’ are relevant to most countries that signed up to and have implemented a plethora of security laws and resolutions. The concerns of Article 19 encompass three main issues. First is the overly broad labelling of terrorism. According to legal experts, there is no agreed meaning of terrorism as things stand. Both the universal declaration of human rights (1948) and the International Covenant of Civil and Political rights (1966) specifically allow ‘violence’ (not war crime) that is used for self determination (Macdonald, 2008). Hence the clauses regarding the provision of ‘material support’ or the ‘glorification of terrorism’ — as in US and UK legislation respectively — are based on a non-definition (Tigar, 2007).

A second issue is the use of anti-terror laws to stifle legitimate social and political protest. This includes in particular those CSOs working in advocacy and for the rights of the poor to a livelihood in countries such as India and Central Asia. For example, without due cause, and citing ‘security’, police in India have visited the offices of certain NGOs to check on their accounts and reports. The thrust of these visits was to emphasize state watchfulness

7. The charity concerned was the Palestinian Relief and Development Fund (Interpal). Based on three reviews, it was cleared in February 2009 by the UK Charity Commission of aiding or abetting terrorism: http://www.charityandsecurity.org/Background/Interpal_Cleared.
and induce self-restraint and caution (pers. comm., Indian NGO leader). Third, a new prohibition on the ‘encouragement’, ‘other inducement’ or ‘glorification’ of terrorism — based on the UK Anti-Terror Law of 2006 and being emulated by other governments — is considered to be highly problematic in relation to the rights of citizens enshrined in international laws as well as European laws such as the European Charter on Human Rights (ECHR) Article 7. Despite being varied in content, UK anti-terror laws since 2001 have generated a climate of fear, uncertainty and exclusion among civil society organizations, as each component of counter-terror law is open to interpretation and abuse of the fundamental rights of citizens. Moreover, these laws also send the wrong (moral) signal to the rest of the world (see Article 19, 2006).

In this context it is vital for analysts to reflect with care and to assess — beyond the actual violence of the acts of terror since 2001 — the assumptions and justifications made by governments in their swift adoption of a plethora of laws against terrorism and for the so-called maintenance of public order. What is clear overall is that, in terms of both substance and process, civic space is being seriously undermined. With this in mind, when seen from within civil society, what have states achieved in their security efforts?

STATES AND CTMs: GAINS AND LOSSES

States have had to decide how to satisfy UN Resolutions on countering terror and similar pressures coming through bilateral relations. Each faces a context-specific set of CTM-related trade-offs. This section explains how such processes and outcomes have been experienced by NGOs and other CSOs in terms of a calculus of the gains and losses which governments have deemed appropriate. However, gains and losses can mirror each other and play out over different time scales.

Anti-terror legislation in most countries stems from the dual need to protect citizens from terrorist attacks and to provide a stable climate for economic progress. In addition, CTMs are intended to curb the influence of radical groups as potential causes of violence. However, overt justifications for adopting CTMs are also informed by a state’s strategic reading of its geopolitical interests and preferred alignment in a global war on terrorism. The unprecedented international collaboration in the ‘coalition of the willing’ (Millar, 2006) was accompanied by concerted efforts to isolate states that are not part of this alliance. By default, those joining signal a shared perspective on a path of economic development to be guided by the principles

8. When it was faced with challenges from defence lawyers on the use in the UK of detention without trial, the UK government requested that it remove itself from the European Court of Human Right’s Convention for the Protection of Human Rights and Fundamental Freedoms (binding since October 1950 for all European countries).
of neoliberalism and multinational investment. Supposedly, this economic imperative also harbours and abets a mutual belief in the ‘civilizing’ values of democracy, growth and development.

However, the presence of authoritarian regimes in the ‘coalition of the willing’ belies adherence to such values, subordinated as they are to adherence to Western hegemony in the war against terrorism (Focus on the Global South 2007; Keen, 2006; Woods, 2005). For example, the 2004 Human Development Report for the Arab world (UNDP, 2005) noted that state repression and a lack of human rights (rooted in ‘emergency’ powers) had become common features of the whole region, and a problem which Western allies promoting ‘democracy’ continued to ignore. This hypocrisy has been reflected throughout the war on terror. Consequently, when faced with donor lip service to a democracy agenda, joining the ‘coalition of the willing’ offered short-term economic favour within the existing global economic and political dispensation (Saad Ghorayeb, 2007; Siwakoti and Shrestha, 2006).

In fact, an imperative of gaining some type of economic advantage emerged as a common thread in workshop discussions. The enmeshing of economic, political and cultural aspects of the current discourse on terrorism was experienced across all regions, but with differences in significance depending on local conditions and location in the geopolitical landscape of aid. For example, Gohar (2007) writes from Pakistan that the escalation of religious extremism in Waziristan and in Swat was largely sponsored by the state in order to impress upon Western allies that the region (Pukhtunkhwa) is a breeding ground for terrorists and that whole populations of this region were extremists. Hence more aid was needed to fight extremism.

Reflecting the ‘empire’ interpretation, CTMs were seen to be used by local political-economic elites in the service of imposing a Western economic model. Participants at the South Asia workshop held in India argued that the primary motive of anti-terror laws in India (and Pakistan) was not to provide security from ‘terror’ but rather to defend the neoliberal order. When the impact of the latter affected the right to livelihood, to shelter and to food security, then anti-terror laws were often used to violently suppress dissent, with the state justifying this on the grounds of a threat to national security. In the words of a participant at the South Asia workshop in June 2006: ‘this is clearly not just a war on terrorism. . . it is a brazen endeavour to create a neoliberal world order. In this war, the US led power block has chosen the most despotic and corrupt regimes, wherever they govern societies of vital military, strategic or economic interests to it, as their strategic allies’.

While mal-development was a shared perspective, however, there were also differences. Instability created by war and occupation was a more defining characteristic of the Middle East workshops; excessive rules and regulations with little consultation were the preoccupations of NGOs and other civil society members at workshops in Europe and North America. At the Central Asia workshop many argued that anti-terror laws were used to suppress
protest against the new elites emerging in the post-soviet era, but with blame being put on Islamic radicals. Participants at the Middle East workshops lamented dictatorships, the lack of democratic rights and an overriding illegal occupation of Arab lands by Israel, which then served to justify the lack of civic freedoms amongst dispossessed Arabs: ‘the strongest inhibitors of development in the Arab region have been foreign occupations and the war on terror’ (INTRAC workshop, Damascus, Syria, 2007; see INTRAC, 2009).

Implementation of laws or the methods adopted at national and global levels can also generate benefits for regimes in power. First, the reorientation of the state apparatus to the maintenance of security and order contains a strong emphasis on the control of dissent that is unlikely to face international challenge, even if human rights are violated. A second gain is increased inclination among donors in the coalition to support and reward securitization of the institutions of state and governance. In the Lebanon in the aftermath of the summer war of 2006, aid did not lead to reconstruction of thousands of destroyed homes. Instead, in 2007 some US$ 60 million was provided by the USA to the Lebanese state to boost internal security. This heightened tensions among confessional groups and marginalized attempts by civil society organizations to bring together warring factions. Khalas (literally, ‘enough’) in Lebanon is an example of a multi-faith civil society organization which was set up in 2007 to unite factions and challenge politicians. It failed to achieve its aims, as a result of outside interference and support (mainly financial but also through political pressure) provided to retain internal difference over unity (Saad Ghorayeb, 2007). In Pakistan, state-sponsored vigilante activity, through the Mullah Military Alliance (MMA) sought to strengthen allegiance in the war against terror (Gohar, 2007). ‘Membership’ provides an opening to assess credibility for funding and reinforcing the by now well-recognized nexus of defence, diplomacy and aid (Moss et al., 2005).

Third, control of civil society is enhanced and supported by the rise of an industry of surveillance whose products are routinely shared among the coalition as additional modes and mechanisms of containment are explored (Sen, 2006). Workshop participants claimed that they were routinely monitored (some, as in India, openly) whilst others were hounded (in Central Asia) and stigmatized through false rumours and slurs in the press — for example, by untrue statements that individuals were either in receipt of illegal funds or were ‘anti-national’ in their actions. The intent was to induce fear and suspicion that would negatively affect the ability to raise funds. Participants also reported disappearances of activists as the most violent type of containment. This form of CTM was particularly effective in generating real fear in communities and successful in silencing dissent. In the UK, surveillance was acknowledged as a major factor in creating division and a rising tide of racism against minority communities that frequently led to violence and even fatalities.
Most of these processes involve the strengthening of the powers of the executive over that of parliaments or congresses (in the US). Relying on executive decision making prevents scrutiny of budget allocations for strengthening security, in relation to developmental need at country and global level. Notwithstanding changes to the allocations of national budgets towards defence expenditure, levels of surveillance of those who oppose government decisions about war in the USA and UK have been unprecedented. The UK is described by Privacy International as an ‘endemic surveillance society’ (Privacy International, 2007; see also Garton-Ash, 2007). In the USA, rules on proscribing individuals and organizations are regularly challenged. In the UK, the NGO Statewatch monitors terror lists and the lack of any public discussion or debate. Similar concerns have also been raised about proscription to UN list of suspects:

Proscription raises serious human rights concerns and is clearly at odds with the European Convention. Moreover the lack of effective judicial remedies at the national level and the minimal jurisdiction of the EU courts mean that no proscribed group has yet had full ‘access to court’ and the chance to challenge the underlying matters of law and fact in full, whether domestically or in an international court.\(^9\)

Whilst an international coalition to fight terrorism may have a justifiable basis, it has also created fundamental dilemmas for the credibility of ‘sovereign’ governments with serious long-term implications for state–civil society relations. First and foremost a coalition based upon largely ill-defined acts of terrorism risks losing meaning and thereby also public support for its policies (Beall et al., 2006; Tigar, 2007; also INTRAC workshops, Utrecht, The Netherlands, 2006; New Delhi, India, 2006; Damascus, Syria, 2007; see INTRAC, 2009).

From monitoring anti-terror laws throughout the world, the International Commission of Jurists (ICJ) argues that such laws have become an end in themselves, rather than a means to an end. This view is reinforced by the Asian Commission for Human Rights. According to the results of a monitoring visit to the South Asian region, the ICJ reports:

The responses to terrorism can be and indeed are most effective if they comply with international human rights standards... they suggest that a lesson to be learned from South Asia is that excessive counter-terrorism laws and practices often prove counter productive. Abuses lead to serious grievances and discontent and to the alienation of communities instead of isolating terrorist suspects, thereby risk exacerbating rather than reducing tension.\(^10\)

Furthermore, it is increasingly evident that a global coalition threatens national sovereignty. Countries are increasingly unable to opt out of the coalition if they need to do so, as evidenced by the situation in Pakistan,

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10. See the report on the EJP website referred to in footnote 4: http://ejp.icj.org/
Afghanistan and Iraq in particular. Overseas development assistance had become conditional upon membership of a global alliance against the war on terror, with some conditions more explicitly stated than others (Danish Ministry of Foreign Affairs, 2004; Putzel, 2006; Siwakoti and Shrestha, 2006). A major fall-out of membership of the coalition has been a substantial erosion of public trust in government, with increasing charges of state impunity and lack of accountability. This reaction has been documented by (participant) CSOs in South Asia and the Middle East. The South Asia Forum on Human Rights (SAFHR) is currently exploring the issue of state impunity in the region as a major programme of action research (SAFHR, 2007). The views of SAFHR seem to be confirmed by a global survey undertaken in 2007–08 by the World Movement for Democracy and the International Centre for Non Profit Law which is concerned with and angered by the extent of state impunity world-wide (World Movement for Democracy, 2008). In other words, the potential short-term gains of coalition membership can be off-set by the restrictions on choices that they bring and the considerable long-term public disaffection that they create by implying an endorsement for a state ‘to do as it pleases’.

Finally, despite massive investment, the most glaring deficiency of the war on terror has been its inability to reduce the threat of terrorism, (Keen, 2006; Millar, 2006; Sen and Morris, 2008). Quite the contrary: participants observed that methods adopted to fight the war on terror in the front-line states alone (Afghanistan, Iraq and Pakistan) are fostering an atmosphere and motivation for joining the insurgency. Moreover, the lack of adherence to international standards and due process in the implementation of the fight against terrorism can increase the tendency for violent resistance throughout the world (Christian Aid, 2004; Keen, 2006; Tigar, 2007). Governments reap what they sow. This truism is illustrated by findings from both the South Asia and Middle East workshops. These are regions where movements for self-determination are rife, as segments of the population are marginalized and terrorized by the state.

What do the substance, processes and civil society experiences described above add up to in terms of states’ embrace of counter-terrorism and its institutional embedding? Drawn out of extensive discussions in policy dialogue workshops over the two years, Table 2 distils, summarizes and highlights potential gains and losses for a state in promoting anti-terror laws. The losses are most critically identified by civil society actors both in the South and in the North around a range of political, economic, legal, social and cultural issues. Whilst these would vary in their intensity from one context to another, they provide a pertinent overview. From a citizens’ perspective there does not appear to be an unequivocal positive sum outcome for states that actively participate in the global war on terror, ostensibly in order to protect

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11. There are increasing disagreements among coalition partners on how to deal with insurgency in Afghanistan where many civilians are caught in the crossfire.
Table 2. CTMs: State Gains and Losses

<table>
<thead>
<tr>
<th>State Gains</th>
<th>State Losses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reorienting state apparatus premised on security needs.</td>
<td>Compromised autonomy over national policy making on security meaning and needs.</td>
</tr>
<tr>
<td>Better territorial control.</td>
<td>Increased per capita costs for stability.</td>
</tr>
<tr>
<td>Additional revenue streams for actively collaborating on the war on terror.</td>
<td>Dependency and compromised sovereignty.</td>
</tr>
<tr>
<td>Executive powers strengthened.</td>
<td>Budget diversions to non-productive sectors.</td>
</tr>
<tr>
<td>Additional instrument for geopolitical negotiation and positioning.</td>
<td>Complex foreign policy trade-offs, introducing uncertainties and vulnerabilities.</td>
</tr>
<tr>
<td>Easier to label and stigmatize the ‘opposition’.</td>
<td>Credibility of political system.</td>
</tr>
<tr>
<td>Selective, increased official ‘tolerance’ for human rights violations.</td>
<td>Weakening of legitimacy with more international media attention to security-related state behaviour.</td>
</tr>
<tr>
<td>Increased acceptance by donors of funding to maintain security status quo.</td>
<td>Threat from terrorism not reduced despite massive investment.</td>
</tr>
<tr>
<td>Increase in surveillance giving better oversight of political space and capability to prevent and contain dissent.</td>
<td>Erosion of public trust in government.</td>
</tr>
<tr>
<td>Control of civil society and dissent through new legislation.</td>
<td>Increased charges of state terrorism and impunity.</td>
</tr>
<tr>
<td></td>
<td>Loss of democratic accountability fostering disillusionment and people’s motivations for violent resistance.</td>
</tr>
</tbody>
</table>

their security. By all counts, and in most regions of the world, states’ actions to protect their citizens have had a reverse effect by stimulating popular disaffection. The overall outcome can perhaps be described as an uneasy re-configuration of the social contract, but one where the security of a state still ultimately rests on the human security of its citizens.

CTMs AND CIVIL SOCIETY: GAINS AND LOSSES

Whilst NGOs have varied experiences of state approaches to combatting terror, they have been uniformly affected by the uncertainties and burdens that accompany most counter-terror measures. These have typically increased the administrative load and financial costs for compliance. For example, in many donor countries, NGOs are now required to ensure that staff and members of their own governing body and those that they work with overseas are not on a proscribed list. Informed by legislation against money laundering by organized crime, disbursement and audit requirements have been sharpened to ensure conformity with new rules about transparency of international financial flows.

For those NGOs that have allied with their governments in the war on terror, there have been financial and status gains that are protective. However, deciding to conclude aid contracts based on compliance with CTMs has also resulted in conflict and tension between international NGO headquarters and their field offices, where different appreciations of consequences prevail, or
where INGOs are forced to abide by stringent legislation as in the USA. Hundreds of NGOs in the West Bank, for example, refused to sign up to the conditions of US terror laws, resulting in a loss of funds and a rupture of long-standing relations with their partners in the USA. This was true also for several NGOs in Nepal and India (Sen and Morris, 2008: Ch. 2), resulting in the closure of many NGOs working in reconciliation projects and often under direct pressure from the state: ‘Opponents and supporters of the war on terror have either been chastised or rewarded respectively through the use of ODA allocations’ (Aning, 2007: 11).

Workshop participants reported that NGOs are typically viewed as providers of services where the state has failed to reach communities. In such cases, the relationship between state and NGOs has been generally harmonious. But the degree to which the latter have been able to represent ‘civic voice’ is negligible or non-existent. New laws in countries such as India prescribe a clause on proof of public-benefit, left open to interpretation by the state. The ‘service provider’ function is also increasingly advocated by donors as the only legitimate role with major benefits attached and has led to the creation of ‘donor darlings’ and ‘donor orphans’.

For Northern NGOs, in particular, the growing alignment of development with military security by their own governments has opened up and re-energized debates about the meaning and purpose of development among their constituents. A public made more aware of the challenges facing the development community because of CTMs can usefully reinvigorate interest in what NGOs do and why. This was evident in European workshops, led by civil liberty and faith-based INGOs. Liberty, Amnesty International, the Inter-church Co-ordination Committee for Development (ICCO) and INTRAC are examples of this public presence. Repression arising out of state and donor-led CTM actions has in effect sharpened the debate about the need for human rights-based development to defend a range of citizen’s rights. It has raised questions about the failure of democracy to prevent poverty and violence against citizens in many regions (Aguirre, 2006).

On a more negative side, it is evident that close alignment with any part of the coalition of the willing has created additional threats for INGOs, especially for those working in the humanitarian sector (Feinstein Center, 2004). Here, distinctions between charitable activity and work related to military security have become increasingly blurred. One consequence — experienced by some participating NGOs — is a higher risk to the lives not only of local partners but also of many aid workers and Western reporters, who have, in the eyes of insurgents, become legitimate targets (Christian Aid, 2004; ODI, 2006; Reality of Aid, 2006).

Compliance with counter-terror measures has also been seen and felt to polarize the NGO community. The phenomenon of donor darlings and donor orphans has become a source of struggles and factionalism. A tension between Northern and Southern NGOs was evident in all the workshops, most notably in South Asia (Pakistan) and in the Middle East. Northern NGOs
are seen to be increasingly risk-averse which translates into an imposition on southern NGOs to accept limitations in approaches to poverty reduction premised on empowerment and exercise of rights. An Irish NGO signalled internal disagreement: staff working in sensitive areas were not well understood by their own colleagues, their managers and often their Board, whose prime concern was to do the work and stay within the ‘laws’. Others argued that keeping a risk-reducing ‘safe distance’ challenged their ‘partnership’ mission statements and undermined their relations with Southern counterparts.

The association of development with military and strategic security has also challenged solidarity between NGO ‘partners’ as the basis for relationships. The UK government, for example, has secretly requested information on members and activities of NGOs in case they are linked with potential acts of terrorism and has suggested that communities keep an eye on each other (CAMPACC, 2006). The culture of surveillance has particularly affected migrants and minorities (Somali, Pakistani and Sri-Lankan communities) but also individuals working with them.

Official enjoinders to co-operate in the name of security have serious implications for the principles of inclusive citizenship and are discriminatory in that efforts typically focus on the Muslim community and Muslim NGOs. An issue voiced in the UK workshop is that disproportionate targetting and racial profiling, accompanied by accusations with little evidence made against Muslim NGOs, have the potential to drive legitimate organizations underground.

In addition to these general findings, with contextual variations, three distinct themes emerged across the workshops. We will look at each of these in turn.

**Southern Populations: Absorbing the Impact of State Responses to Terrorism**

NGOs observe and experience two types of state strategy in responding to terrorism. One is for the state to embark on security activities that are themselves forms of terror towards the population. The other, previously alluded to and further elaborated below, is a general pre-emptive tendency to rely on counter-terrorism measures to label and constrain ‘inconvenient’ civic agency and assertion of rights.

A central and consistent issue — articulated most vociferously at the initial workshop held in Utrecht in 2006 — was the need to recast definitions of terrorism in such a way as to incorporate Southern perspectives. This conforms to the broader literature referred to in the introduction on the definitional dilemmas of the war against terrorism. Participants wanted to include state-led terror in the definition of terrorism, arguing that state actions have often involved bombardment of innocent civilians in the front-line states.
A prominent US advocate (Tigar, 2007) supports the need for careful distinction by law between different actions labelled as terrorism and those related to resistance to occupation, and to random acts of violence against innocent civilians whether by the state or individuals or particular organizations. Others, such as Lumnis (1994: 304), describe this inequality as the ‘terror of the rich’. The Lebanon workshop, which included civil society actors from nine countries of the region, reiterated this view. Resistance to occupation, they argued, cannot be deemed an act of terrorism, whilst systematic bombing of civilian targets as undertaken by Israel in Lebanon or in the Gaza strip was tantamount to an act of state terrorism (INTRAC workshop, Beirut, Lebanon, 2006; see INTRAC, 2009).

In comparison, evidence from South Asia also showed that counter-terror legislation had been superimposed on existing laws about national security and used with increasing frequency to protect often very oppressive policies (Agarwal et al., 2007). This overlay permits an interpretation of popular resistance to the implementation of economic policies as a threat to (regime) security. Examples cited by participants included the eviction of poor people from their land and property in favour of multinational development, as in the special economic zones. In West Bengal, invoking ‘security’ justified police action against protests by farmers being forced from their land, which was to be allocated to a new Tata car factory. As a ‘catch-all’, security measures often bypass existing laws on investment and erode basic human rights to livelihood and shelter.

Participants across workshops agreed that the discourse on terrorism had become so powerful that CTMs will continue to have a major effect on NGO decision making in both strategy and programmes. They will also leave a legacy in terms of undermining charitable giving, for example with the closure of many NGOs. Under the umbrella of the Millennium Development Goals, participants reported that relations between organizations are already being tested in terms of adopting less risky, palliative, service-delivery projects rather than, for example, empowerment through self-organization. An aftertaste of ambiguous laws will linger for years to come. It will not, however, halt challenges when the rights of citizens to protest and dissent are suppressed. The reactions of many participants are summed up by two quotations from workshops in South Asia — ‘In most cases the security legislations are used against those who question the dominant idea of globalization and liberalization which is represented by the multinational corporations’ — and in the Middle East — ‘The whole concept of security is meaningless when millions of people are not sure about their next meal’ (INTRAC workshops, New Delhi, India, 2006, and Damascus, Syria, 2007; see INTRAC, 2009).

The security argument is increasingly used to support state-led international development objectives which may dispossess and destroy livelihoods.

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12. Israeli participation was prevented by law from both sides.
However, NGOs noted that the biggest threat facing communities and individuals was the loss of due process. This was noted especially in South and Central Asia, covering many countries. Despite differences in political systems and ideology, police abuse, summary trials by hurriedly set up courts and media spin were common. Little concern is shown for following correct procedures, while barriers to accessing resources are applied to those who continue to challenge.

At the Central Asia workshop in Kyrgyzstan, participants were concerned about the proximity of the Central Asian states to a front-line state in the war on terror. The war on terror in Afghanistan was creating spill-over effects for repression of civil society in those countries not directly involved. Whilst condemning random violence and terrorism, participants claimed that the region had unique problems related more to development issues than to ‘security’ alone. ‘The main factors causing instability in our countries’, they argued, are ‘demographic factors, territorial disputes, disputes about border crossings, disputes over the distribution of natural resources and the overall levels of poverty in the region’. They viewed support for civil society as retaining the right and the ability to challenge the existing order and to express disagreement with the policies of each of their governments, through various forms of legitimate protest (INTRAC workshop, Bishkek, Kyrgyz Republic, 2006; see INTRAC, 2009).

In contrast, the workshop in the Lebanon was more concerned with the overriding effects of war in Iraq and the occupation in Palestine and how this had generated instability and insecurity throughout the region: ‘There is no state in the region today that remains unaffected. Most societies are facing ruin and sectarian conflicts have spread from Iraq to all the neighbouring countries. Lebanon as a small country is as a result most acutely affected’ (INTRAC workshop, Beirut, Lebanon, 2006; see INTRAC, 2009). Those living in proximity to the first war on terror in Afghanistan felt the effects most acutely and were deeply affected by its potential long-term consequences, particularly in relation to the waves of refugees and their wretched existence. Participants at INTRAC workshops from Pakistan argued: ‘The military feudal tyrants of Pakistan quickly lined up behind the United States in its global war on terror, having already managed the US inspired Jihad against the Russian occupation of Afghanistan, Pakistan and three million refugees’ (INTRAC workshop, Damascus, Syria, 2007; see INTRAC, 2009). They were also concerned with the prospect of maintaining a never-ending state of national security so that: ‘national security threats perceived and real became handy to the leaders of this alliance to keep democracy at bay... but these threats never ceased and have become enduring aspects of life’ (ibid.)

The general experience expressed in the dialogues was that the war on terror had discredited the development process, which should be premised on accountability, participation and ownership. It was suggested that CTMs have neither delivered nor protected development contexts and processes. On balance, the effect is to create both a reality of repression and an atmosphere
of taboo and paranoia that has led to self-censorship among citizens and risk aversion among NGOs.

Effects of Aid Financing: The Context of the Security Paradigm

This section describes the general dynamics of ‘securitizing’ aid in terms of donors’ macro-policy and practice. Issues of reallocation of aid to sites of Western military intervention and the incentive for regimes to find and label terrorists to attract aid finance were characteristic features. The evidence gained from the research offers a more finely tuned appraisal of the effects of a counter-terrorism imperative on official aid and downstream effects into NGO operations and relationships.

A key issue raised across the regional dialogues was the effect of the financing of aid in a politicized climate dominated by security concerns. Current donor policies on aid effectiveness focused on national ownership and support for state intervention is just one example of this concern. There was disquiet that the aid effectiveness agenda would encourage many states to use their special access to donor funds to curtail dissent and support repressive practices (INTRAC workshop, Damascus, Syria, 2007; see INTRAC, 2009). There was also a worry, particularly among NGOs in South Asia and Central Asia, that states would be in a strong position to dictate what they considered to be (il)legitimate activities by NGOs. In the current climate it was observed that development is being translated for NGOs into simply acting as service providers for the state. Participants from South Asia claimed that the militarization of what was formerly known as ‘humanitarian aid’ was part of the new language of ODA which appeared to target only those states that were part of the ‘coalition of the willing’. One result was to place NGOs and other CSOs working in crisis states in a vulnerable position owing to a visible lack of neutrality, which is a fundamental premise for the delivery of humanitarian assistance.

The effects of the politicization of aid have also been documented by NGOs such as Christian Aid (2004) and the Reality of Aid (2006), reflecting the concerns of participants at the INTRAC workshops. Collectively, they come to the conclusion that the politicization of aid, based on a war against terrorism, weakens civil society and civic agency through the spread of a climate of fear and impunity. This undermines the achievements of the past, in terms of poverty alleviation and the ability to contribute to empowerment of poor and marginalized communities. Participants from Central and South Asia in particular claimed that their working relationships with local and national level agencies had contributed to empowerment of poor excluded groups (Kannan and Pillai, 2005). Securitization of aid is countering these achievements. The security agenda denigrates a developmental vision of fairness, equity and justice that has acted as an impetus to much work undertaken by NGOs over the past three decades (Bebbington et al., 2007).
Moreover, in South Asia and in Europe, the creation of suspicion about NGO motives was having detrimental effects on public trust and giving. In the Middle East, it was forcing greater reliance upon religious-based funding (*zakat*). Beyond *zakat*, one participant noted: ‘the attack on Islamic charities since 9/11 has had the unintended consequence of driving money underground where regulators have no control over it’ (Benthall, 2007).

Other effects of the politicization of aid are demonstrated by the treatment of charities such as Interpal (UK) and the Holyland Charity (US), both falsely accused by the US government of advocating terrorism in Palestine. The charges were made with little evidence and without the possibility of recourse to justice. Despite this, the bank accounts of both charities have been frozen to the serious detriment of critical humanitarian aid need in the region (*New York Times*, 2007; Sen and Morris, 2008). In Bangladesh, a moratorium had been proposed on foreign donations for NGOs whose activities in 2005 involved advocacy and empowerment of the poor. As one participant from that country explained:

> The suspension or dissolution of the governing bodies of the NGOs or registered organizations is not uncommon, if the government reaches the conclusion that the NGO is engaged in activities that influence policies directly or even indirectly. Thus the government gets to define what is political and what is not undermining the independence, authority and the need for flexibility but more stringently the law would make it virtually impossible for rights-based NGOs to work freely since their activity would be deemed too political and risky by the state. (INTRAC workshop, Damascus, Syria, 2007; see INTRAC, 2009)

In this discussion, there was general agreement that the autonomy of agencies administering ODA was under threat, with the knock-on effect that the accountability of governments to their citizens was on a downward spiral.

Finally, in South Asia, despite a lack of hard evidence to support official suspicion and assertions, many worried that their work could, at any moment, be deemed illegal. This was reported on more than one occasion by NGOs working in conflict zones. NGOs in India, for example, have been warned (in 2008) that their work in conflict zones such as the north east (Manipur) or in Kashmir is a ‘threat’ to national security and if continued could lead to closure (pers. comm., September 2007). The work in question has been focused entirely on ‘conflict resolution’, ironically viewed by the state as a threat. Similar experiences were reported by civil society organizations working on issues of the rights of migrants and Muslim minorities in Kyrgyzstan (INTRAC workshop, Bishkek, Kyrgyz Republic, 2006; see INTRAC, 2009). An image that occurred regularly in the discussions across the workshops is that development — premised on a shared humanity — is

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13. Interpal’s accounts have been opened and closed periodically, negatively affecting their work, whilst the Holyland Charity’s accounts have remained frozen for several years despite legal clearing of their name.
being systematically eroded by an association with intolerance, conflict and violence.

**Perpetuating Vulnerabilities**

With the exception of the US dialogue, a common experience across regions is that a disproportionate focus on a narrow security agenda is used to reinforce neoliberal economic policies. Such policies impact on NGOs in that they exacerbate the persistence of poverty in far-reaching ways. The South Asia workshop exposed examples from Pakistan of corporate acquisition of land with assistance from the military authorities. This led to the dispossession of thousands of poor people, notably in the provinces of Baluchistan and Waziristan (Amnesty International, 2006b; Rahman, 2007). Anti-terrorism laws allowed circumvention of due process for those dispossessed.

One of the European workshops also revealed the dire situation experienced by migrant labour, most notably Somali migrants, caught up in the effects of monitoring global financial transactions to prevent terrorist finance. The key remittance bank for Somali migrants in Europe had its assets frozen by the US in late 2001 with little evidence or any right of response. To date, transactions through this bank remain blocked, affecting the lives of thousands of recipients in Somalia and Somaliland dependent upon remittances for their basic needs. A leading member of the Somali Development Bank (al Barakat) in London argued that the future depended upon real co-operation between banks and authorities in order to protect channels of funding for poor people in developing countries. He urged the need for a clear assessment of the value of remittance transfers for development rather than focusing only on the fight against terrorism (INTRAC Somalia Diaspora workshop, London, UK, 2006; see INTRAC, 2009).

The overriding and common concern was for the loss of vision in development programmes which had been ambitiously planned during the 1960s and 1970s and later, as the mantle of the Cold War lifted. The original aim among many donors was to share risks and resources in order to counter the negative effects of economic policies. This objective has been undermined by the securitization of aid. Securitization of the policies of development is also eroding the hopes of partnership between civil society groups and governments across boundaries to create a better future for all. Such policies are accompanied by a rising tide of resentment and mistrust of foreign aid as a component of anti-terror and national security strategies for the North, leading to more misery and poverty in the South. One major consequence of living under the threat of violence and insecurity has been to damage solidarity between people and partnerships between nations, conceived in the aftermath of the Second World War, but battered by the discourse of the clash of civilizations revived after September 11 2001.
Gains and Losses: A Summary

Table 3 summarizes some of the gains and losses of the war on terror for civil society, as perceived by CSOs. Obviously, the intensity of experience varies by region, by history of civil society and NGO voice and the geostrategic location of countries in a particular region. The Table can be interpreted as experiential results of a ‘stress test’ on the political-economy of CSOs, particularly aid-related NGOs. For example, the force of and responses to CTMs illustrate a paradox. Allied to counter-terrorism measures, securitization has compressed development space on the one hand, while on the other opening up opportunities to recast poverty reduction and other work of NGOs as fundamental for the kind of social stability in the South that the North requires if it is to be secure. Agitating against the former while promoting the latter can appear a morally confusing contradiction for supporters. Similarly, distribution of gains and losses between NGOs in South and North invite contrasting strategies towards economic viability within interdependent relations. Put another way, South–North NGO solidarity is put under strain. In the North, allying with aid policies that play the ‘development = domestic security’ card could be strategic financially, but it frames NGO partnerships as, yet again, an arrangement benefitting the giver. Moreover, it can implicitly tie

<table>
<thead>
<tr>
<th>CS Gains and Losses (North)</th>
<th>CS Gains and Losses (South)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gains</strong></td>
<td><strong>Gains</strong></td>
</tr>
<tr>
<td>Increase in budgets to fight perceived development-related causes of terrorism (poverty, poor governance, etc.).</td>
<td>Increased military and police presence with possible increase in state budgets enable some sections of civil society to function in front-line states with marginal security.</td>
</tr>
<tr>
<td>Public sensitivity to poverty in the South as insecurity for the North opens up arenas for debate and development education.</td>
<td>Opportunities for dialogue when governments seek to portray a positive international image.</td>
</tr>
<tr>
<td><strong>Losses</strong></td>
<td><strong>Losses</strong></td>
</tr>
<tr>
<td>Loss of freedom from suspicion by association when working with communities (division into suspect and non-suspect).</td>
<td>Poverty as a truly international issue.</td>
</tr>
<tr>
<td>Loss of moral grounding for anti-poverty work.</td>
<td>Decline in civil society status as autonomous voice to monitor state activity.</td>
</tr>
<tr>
<td>Reduced potential to undertake advocacy and rights work especially in front-line states.</td>
<td>Compliance costs result in higher overheads.</td>
</tr>
<tr>
<td>Reduced equity in treatment, e.g., racial profiling, discrimination of Muslim NGOs.</td>
<td>Less equitable distribution of risk with Northern counterparts.</td>
</tr>
<tr>
<td><strong>Shared Losses</strong></td>
<td></td>
</tr>
<tr>
<td>Growing polarization of NGOs into donor darlings and donor orphans.</td>
<td>Loss of trust in the purpose and integrity of aid.</td>
</tr>
<tr>
<td>Decline in solidarity as the basis for relationships.</td>
<td></td>
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<tr>
<td>Increased risk aversion in partnerships.</td>
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</tbody>
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Northern NGOs and their Southern partners to the inconsistencies and dual standards that characterize the foreign policies of many donor countries. For Southern NGOs, taking distance from this ‘framing by association’ could be politically prudent but financially detrimental. These are but two dilemmas that have arisen from CTMs.

CONCLUSION

We began this analysis by asking what states have gained in the global war against terrorism. The common answer is an unprecedented, questionably founded or unaccountable increase in state authority over the polity, all in the name of security. In particular, the power of the executive in decision-making processes has been strengthened universally. The second question was whether the new security measures have increased security for citizens, since this was the rationale for the new powers. From the evidence gathered, the answer to this is a resounding ‘no’. This suggests that citizens continue to feel insecure and afraid of attacks, not just from violent insurgency, but also from their state using both overt and covert violence.

We also asked whether economic investment as an aid objective was protected. The answer to this question varies. According to the civil society participants, the link between the war against terrorism and mal-development is strong. Whilst this view was reiterated in several workshops, we cannot argue that it represents a global position. But there is evidence that the promotion of economic investments towards export-oriented growth has, despite widespread protests against them, been enhanced by security polices, under the aegis of the war on terror. There is also an indication that the securitization of aid features in the political-economy of some members of the ‘coalition of the willing’, such as Kyrgyzstan, which mediates the gains and losses for states and civil society.14

Another question posed was whether the understanding of ‘security’ was shared by both state and citizens. To some degree, it is: most citizens ask for both physical and economic security and expect their governments to protect their rights to shelter and to livelihoods, as well as their right to engage in and to dissent from policies. However, it has become clear that the meaning of security underpinning the global discourse on terrorism is dictated by the ‘coalition of the willing’; it is unilateral and is imposed on citizens everywhere. This has had a paradoxical impact of increasing the motivation for violent insurgency; of enabling and abetting dispossession;

14. See case studies documented by Philippine-based Focus on the Global South (2007) and the report on poverty and conflict by Christian Aid (2004), which reiterate the experiences highlighted from INTRAC dialogues. For a succinct analysis of the political economy of violence in the age of terrorism and failed states, see Aguirre (2006).
of undermining gains made in democracy and in respect for rights; and of further reducing citizens’ trust in government and reliance on the rule of law and due process.

Our working hypothesis was that states and NGOs have a different balance of gains and losses from the global war on terror. If the view from below expressed though the INTRAC dialogues, and other sources, are fair reflections of wider lived experience, then the argument that securitization of aid is, at best, a zero sum for nation states and more often than not a negative sum for NGOs appears to hold true. It remains to be seen whether the advent of a new administration in the USA will herald a change to this by breaking the link between security imperatives and aid policies.

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Alan Fowler is an affiliated Professor at the International Institute of Social Studies (PO Box 29776, 2502 LT, The Hague, Netherlands). His professional work focuses on civil society in aided development. Forthcoming publications include an entry on civic agency in The Encyclopaedia of Civil Society, and a co-edited volume on capacity development.

Kasturi Sen is affiliated to Wolfson College, Linton Road, Oxford OX2 6UD, UK (e-mail: kas_sen2002@yahoo.com). Kasturi has worked on the political economy of health and development for the past three decades, based in Europe, the Middle East and South Asia. Forthcoming publications include a co-edited, historical overview of the impact of aid policies on health care (Cambridge University Press), and a volume on the impact of development policies on households in three states of India (Tulika).