

Media, Secrecy and Guantanamo Bay

This contemporary comment emerged out of our interest in how issues of extra-territoriality, media and secrecy are interconnected in the case of Guantanamo Bay.¹ As many commentators have noted,² spatial organization reproduces conditions of state power. We seek here to analyse the inscription of state power in and through the spaces of extraterritorial detention facilities through an analysis of the 'public space' of media representations. Secrecy surrounding Guantanamo Bay has been highly organised and all consuming. We suggest that paradoxically this has heightened the media salience of Guantanamo Bay. The David Hicks and Mamdouh Habib stories in particular — as the localised Australian personifications of an international media frame — have produced contradictory media and public responses, particularly the recent Special Broadcasting Service (SBS) documentary (2004). The increasingly vigorous public debate surrounding Guantanamo Bay in Australia also dovetails with debates around national sovereignty, the US alliance and the nature of justice. The reporting of Guantanamo Bay, as an extra-territorial site of state power and control, has seen a number of key contradictions in state-media relations come to the fore. First we will turn to representations of Hicks and Habib in the media; second to generalised reporting of Guantanamo Bay; and finally to how we can come to understand the role of extra-territoriality in the orchestration of public consent.

In late March 2004 the Australian Federal government considered proposed changes to counter-terrorism legislation to prevent 'terrorists' who write books from profiting from the proceeds (Nicholson 2004). Because this provision has been positioned alongside attempts to increase the amount of time alleged terrorists can be detained in police custody, little attention has been given to the myriad issues that restrictions against publications of those once alleged to be affiliated with terrorist activities raise. This revisits the debate raised in relation to Mark 'Chopper' Read benefiting from collecting royalties from his popular 'true crime' series of publications. However, it raises greater questions surrounding the press coverage of Guantanamo Bay generally, and Hicks and Habib in particular.

Media representation of David Hicks and Mamdouh Habib, the two Australians detained in Guantanamo Bay, has differed substantially. The coverage of Habib has worked within a discourse of the racialised terrorist,³ with only a smattering of human interest stories concerning his law-abiding wife and children (cf Poynting 2002). Hicks, by contrast, has been constructed within discourses of white Australian masculinity.⁴

1 The argument advanced in this paper might easily be extended to the recent media coverage of the human rights abuses of prisoners detained in Abu Ghraib prison, Baghdad, Iraq. See for example Seymour M. Hersh, 'Torture at Abu Ghraib', *New Yorker*, 10 May 2004. On the reluctance of the Australian media to report the story see ABC Media Watch, Broadcast 31 May 2004, transcript available <www.abc.net.au/mediawatch>.

2 See for example, Michel de Certeau (1984), *The Practice of Everyday Life*, University of California Press, Berkeley and David Harvey (1990), *The Condition of Postmodernity*, Blackwell, Oxford.

3 Here we are referring to the ways that Habib gets produced as an 'Islamic terrorist' within a racialised discursive economy that pits the 'white' Christian West against the 'black' Islamic East.

4 We should note here that the discourses through which Hicks is constructed are also racialised. However, they operate in terms of hegemonic whiteness and as such, this racialisation remains invisible in the terms of dominant discourse.

Hicks has primarily been represented either as misguided and foolish, or as a typically careless young Australian travelling the world in search of adventure. For example, the headline of one report read: 'Australian filmmaker says David Hicks is a naïve adventurer not a terrorist' (Debelle 2004:4). The same article goes on to remark that 'it's amazing how an uneducated boy from the suburbs of Adelaide was able to get out of what he would have found a boring existence'. The article quotes film-maker Curtis Levi describing Hicks as a: 'former rodeo rider and stockman', a biographical detail that serves to underline Hicks' 'Australianness'. Another report in the Sydney's *Daily Telegraph* (2004:10) reported released Guantanamo Bay detainee Shafiq Rasul as commenting of Hicks 'If you met him you would think he was the typical kind of Aussie you might see drinking Fosters in a bar'. This representation has in some ways been emphasised by the rise of Terry Hicks, David Hicks' father, as a media personality and has often served to reduce the global complexities of the Guantanamo Bay situation to a family drama of the separation of father and son.

Historically, prisons and immigration detention centres have discouraged media scrutiny of their internal operations. In Australia this situation has been exacerbated by the private operation of both prisons and IDCs, frequently involving the same contractors. In 2002 the Australian Press Council reported that journalists were routinely denied access to asylum seekers, noting that 'the immigration centres at Port Hedland, Woomera, Villawood in Sydney and Maribyrnong in Melbourne follow the same exclusion procedures as high-security prisons'. As the Chair of the Press Council commented: 'it is of grave concern ... that his [Prime Minister John Howard's] government is severely restricting the ability of the news media to report freely on a question that has become central to political debate in Australia' (Australian Press Council 2002). In relation to refugees and prisoners in Australia the curtailment of media access has worked to ensure that media representations are not based on personalised stories and have focused instead on policy issues and the various positions of government and non-government bodies. Hence, very rarely have refugee voices been heard at the height of refugee debate in hard news sections of the Australian mainstream media.

A similar scenario has emerged in relation to the reporting of Guantanamo Bay. Reporters Without Borders has condemned the careful stage management of the Guantanamo Bay facility, citing numerous instances of restrictions being placed upon reportage. On 7 October 2003 journalists visiting Guantanamo Bay were required to sign an undertaking to not ask questions about investigations underway there, on the threat of being forcibly removed. This incident was not the first time journalistic access had been restricted for reasons of 'operational security'. In April 2003 the Pentagon banned journalists from covering the transfer of prisoners from Camp X-Ray to Camp Delta prison. Since the 'unlawful combatants' were transferred to Guantanamo Bay from Afghanistan, journalists have reported progressively greater restrictions put in place by military authorities, with access to prisoners becoming progressively more difficult and photographs totally banned. The desire to project a sanitised public image of the facility has resulted in the intense surveillance of journalists, even to the extent (in one instance) of journalists being accompanied to the toilet by military personnel (Reporters Without Borders, 2003a).

The meticulous stage management of the detention facility at Guantanamo Bay aims to project a public façade of legitimacy to incarceration without due process — a public relations strategy that contravenes international law. Simultaneously it also aims to suppress counter-narratives of internment with the potential to destabilise hegemonic constructions of a 'just' war on terror. On 20 June 2003 the military authorities seized sound equipment from a BBC 'Panorama' crew, erasing recordings of the detainees shouting questions to journalists (Reporters Without Borders 2003b). Journalists remain banned

from communicating or identifying prisoners, taking photographs of prisoners or recording remarks by them. Failure to comply can result in the withdrawal of accreditation (Reporters Without Borders 2003c). The incarcerated 'enemy combatants' have therefore remained — until very recently — de-individualised and voiceless. This absence of individual experience facilitates the perpetuation of a generalised and caricatured terrorist identity. Distant photographic images of faceless bodies in orange jumpsuits are mobilised as a pivotal image of security and containment — the neutralisation of a fearsome 'other'. This simplistic imagery attempts to elide the problematic nature of this extra-territorial site of incarceration in its relationship to questions of human rights, international justice and due process.

These restrictions on reporting in Guantanamo Bay stand in stark contrast to broader observations regarding the expansion of the media's watchdog powers over past decades. As Garland observes, media changes since WWII:

... have helped create a greater level of transparency and accountability in our social and governmental institutions. Bad decisions and shoddy practices are now much more visible than ever before and there is closer scrutiny of what is going on behind the scenes. Official secrecy and government privilege are increasingly challenged by an emboldened and popular press (Garland 2001:86–87).

However, the hyper-control of media in times of national security crisis, such as the recent war in Iraq, have resulted in practices that have seriously precluded wide ranging reporting practices and the kinds of checks on executive power noted by Garland. As Redden has observed:

During GW2 [Gulf War 2], the US government shut down most forms of communication with the media except formal briefings given by the White House, the Pentagon and the Central Command of 'operation Iraqi Freedom' in Doha, Qatar ... The Doha centre provided state of the art press conference facilities far from the war zone ... The more pervasive reality was the relative lack of contestation of the moral framing for the 'War on Terror' as offered by the 'Coalition of the Willing'. Heavy media reliance on official sources meant that the Bush Administration's othering techniques ... achieved a mantric force. (2003:156–157).

In this highly controlled media reporting environment, arguably audiences have been co-opted into consenting to the range of questionable practices carried out in extra-territorial detention centres on behalf of 'our' national security.

Nevertheless, we might say that ceaseless efforts by the US, British and Australian administrations to be 'on message' in the 'war on terror' have only been partially successful. The salience of terrorism as a media frame has resulted in heightened reportage and an increasing demand not only for the newly invented army of media friendly counter-terrorism experts, but also for the voices of those labelled as terrorists. The release of five British prisoners from Guantanamo Bay in March resulted in a media bidding war, with publicists, solicitors, publishers and television stations offering 'six-figure sums'. Within days one of the former prisoners had signed a deal with the *Daily Mirror* newspaper and the television programme *Tonight* for an initial payment of 60 000 pounds, and was already negotiating a separate book deal (Syal 2004:10). Subsequent allegations of physical and psychological deprivation, lengthy interrogations and forced confessions pierced the screen of secrecy surrounding the internal workings of Guantanamo Bay and were widely reported in the British Press (Rose 2004:5). The widely-publicised stories personified and individualised the experience of unjustified internment by the US government, and as such undermined the government monopoly on the framing of 'terrorist' detention as a necessary and just strategy for the containment of the terrorist threat facing the West.

The Australian Government must surely be concerned that the return of David Hicks and Mamdouh Habib will provoke a similar public relations fiasco. Since they are already high-profile personalities within the mainstream Australian media, their return and the telling of their stories would undoubtedly receive saturation coverage. Moreover, such concerted media attention would be accompanied by a range of questions, some of which are potentially very damaging for the Howard Government, particularly those concerning prisoners' human rights. If the stories of Australian prisoners bore any relation to those of the British prisoners, it could potentially indicate that the Australian Government was willing to have its citizens tortured by the government of another State.

Further, in some instances, restrictions on reporting of Guantanamo Bay have resulted, perhaps ironically, in the situation where government control of information and the subsequent 'artificial' manufacturing of consent for practices of detention have themselves *become the media story*. That is, there has been increased media focus on the inability of media personnel to enact the duties of their profession in concordance with widely held and enduring notions of the democratic functions of the media. In this context, the international media might be understood to have played a crucial role in the critique of state power, contesting the boundaries not only of states' rights to detain potential terrorists but perhaps more prominently of the state's right to control access to public information in an era of mediated democracy. The media, in this understanding, have opened up new counter-hegemonic spaces of critique — spaces that simultaneously enable the democratic expression of *dissent* and seemingly open up a forum in which the *public negotiation of consensus* can take place.

However, whilst we cannot discount the importance of the fourth estate functions of the media in intercepting the totalising tendencies implicit in the kind of state control of media coverage that we have seen in relation to Guantanamo Bay, we need nonetheless to remain critical of these ideas. The media can be understood to have performed the watchdog role traditionally ascribed to the media within liberal theory of the press. Yet, in so doing they satisfy a collective desire in liberal democracies that there are institutional mechanisms that keep check on executive power and renders accounts of this public. After all, a watchdog media and vibrant debate over the public contestation of executive power are presumed to be the vital signs of healthy democracy. But without evidence that this kind of debate translates into political change, we have only the *semblance* of spaces of public critique and the contestation of power. This in turn enables the displacement of responsibility and the reproduction of hegemonic order.

In particular, we need to be wary of media coverage in which the human rights of prisoners are elided with a preference for a media debate over our democratic 'right to know'. Such debate, whilst important, potentially diverts attention from the issues of the exercise of state power in extra-territorial detention facilities in order to rehearse reassuring narratives about the health of democratic processes in relation to access to information. Ultimately, what emerges in this scenario is, to use Jean Baudrillard's (2002), term, a 'simulation' of healthy democracy.

The state exercises power through the dividing up of space, and extra-territoriality is yet another process of apportioning space. This process of the state delineation of space enables a much larger degree of control over media coverage of enemy combatants within the public space of the media. Extra-territorial confinement attempts to contain the threat of enemy combatants and render them invisible. It not only physically excludes but also morally excludes, thus making it easier to legitimise a range of state practices advanced for the purposes of national order and national security. As we have suggested, the continual

performance of these state practices on the 'enemy combatant' is subject to regimes of administrative secrecy. The crucial inscription of the state occurs at the moment of expulsion and invisibility. Paradoxically, moments of invisibility can give rise to conditions of increased public focus — that is, increased *visibility*. However, this does not necessarily result in counter-hegemonic interventions into the exercise of executive power. Rather moments of increased visibility facilitate the simulation of democratic debate over detention practices. Media debate in turn gets constructed as one of the markers indicative of the healthy state of debate in liberal democracies in the context of the 'War on Terrorism', enabling the recuperation of hegemonic order.

The mainstream media have been instrumental in both perpetuating and deconstructing the hegemonic construction of the terrorist. In the case of Guantanamo Bay the media have played an important role in critiquing the exercise of executive power. However, reporting that contests official narratives about what happens inside Guantanamo Bay potentially simulates democratic debate, giving the *appearance* that the War on Terror is vigorously contested within public discourse. There can be no doubt that the media's reporting of detention practices in Guantanamo Bay has been instrumental in exposing the darker side of state power and fostering a culture of critique that engages powerfully and opportunistically in the interstices of dominant narratives. However, to date, these spaces of counter-hegemonic discourse have yet to translate into concrete policy reform *vis-à-vis* the detention, and treatment within detention facilities, of 'enemy combatants'. And in the meantime, the simulation of democratic debate within the media means our faith in hegemonic ideas about democracy has, at least temporarily, been restored.

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