



*ARC Centre of Excellence  
in Policing and Security*

**Mark Finnane**

ARC Australian Professorial Fellow  
Chief Investigator, CEPS

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



THE AUSTRALIAN NATIONAL UNIVERSITY





# The Cold War politics of migrant surveillance

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

# The 'alien' as a historical category

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

# The alien as an object of security

## Contexts

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

## Problems

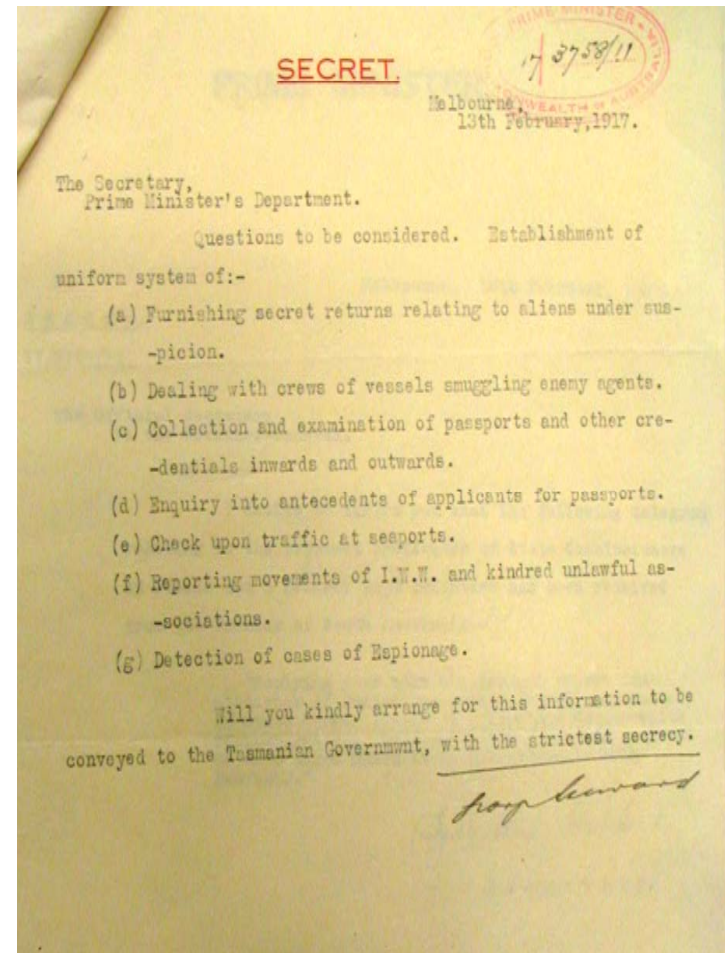
1. The historical problem - who shall watch the alien?
2. The policing problem – how shall we know and track the alien?

# Four phases in the policing of aliens in Australia

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

# World War 1 - 'The enemy within the gates'

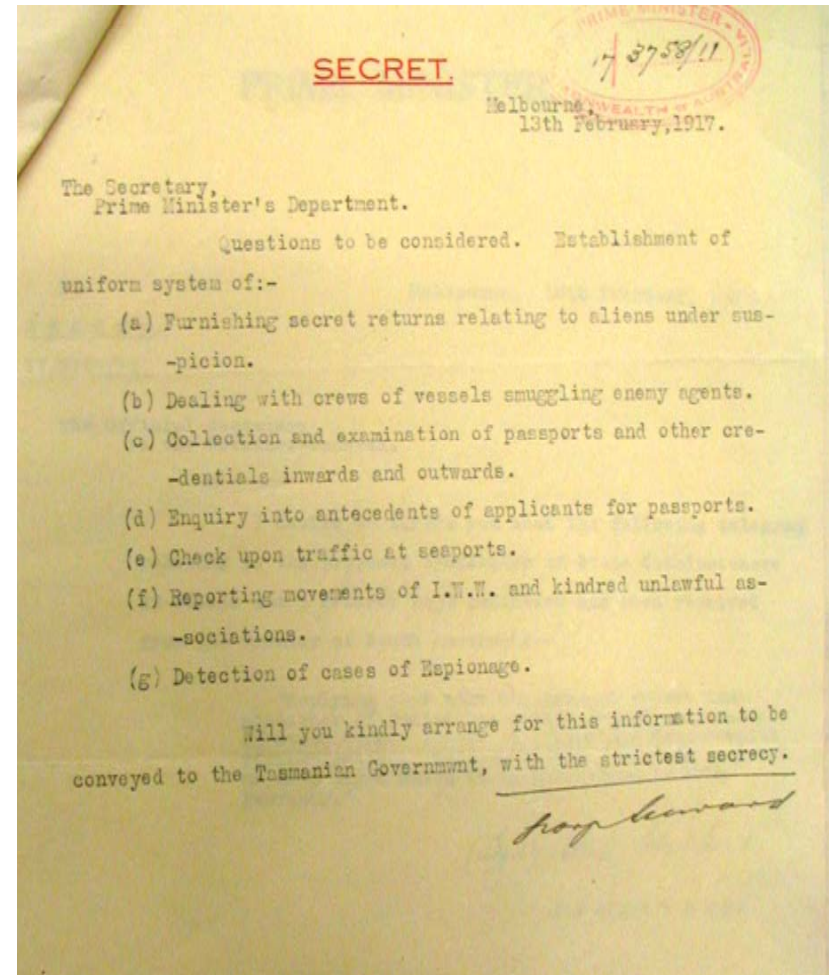
- War Precautions Act framework – by regulation
- Policing – absence of specialised and national police function, dependence on State police
- Functions of police – informants and protectors?
- Intelligence – and its absence (the problem of invisibility)



# An agenda for border security and uniform policing 1917

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

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



# Between wars – the struggle for control

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

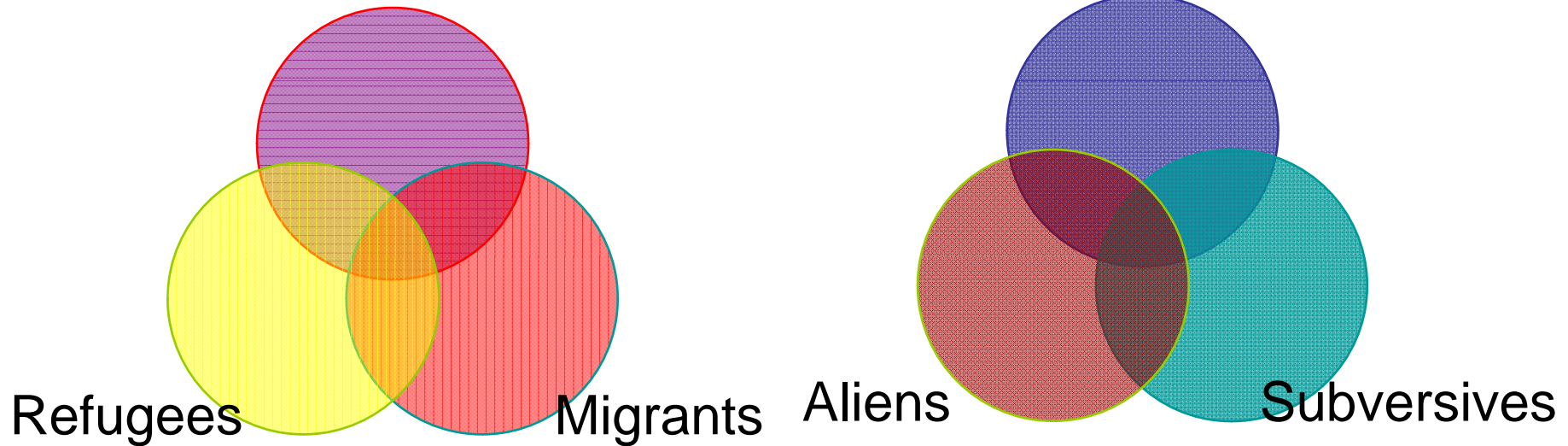
# World War 2 – the architecture of control

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

# The historical conception of risk – two historical archetypes

Terrorists

Enemies



Post-9/11

World War 2

# Cold War – the attrition of policing controls

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

# How police lost the battle to surveil immigrants

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m.finnane@griffith.edu.au

# Critical approaches to the politics of exclusion

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



