

Britain: government proposes house arrest of terror suspects

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On Wednesday January 25, the Blair government announced its most draconian attack on civil liberties to date.

Speaking in the House of Commons, Home Secretary Charles Clarke announced a series of “control orders”, under which anyone suspected of terrorism could face house arrest, curfews or electronic tagging. Other prohibitions might include bans on meeting with other people, using telephones or the Internet.

The new laws would confer the powers upon the Home Secretary, a politician, and not the courts. It will mean that the Home Secretary can order the house arrest of an individual based on alleged “intelligence” provided by the security services. Clarke told parliament that the orders would be used against those who “cannot be prosecuted or deported”. Judges would provide “independent scrutiny” of the orders, but hearings could be held in secret.

Clarke said the measures would only be used in “serious cases”, claiming, “There remains a public emergency threatening the life of the nation”.

Clive Stafford-Smith, the lawyer representing two of the British detainees recently released from the US prison camp in Guantánamo Bay, denounced the measures as “a further abuse of human rights in Britain”.

The announcement by Clarke had an air of panic about it. In December, the Law Lords ruled that the indefinite detention of supposed foreign terror suspects without trial was discriminatory. The case involved some 11 foreign men detained in Belmarsh under the 2001 anti-terrorism act based on secret “evidence”. Those detained in this way were denied access to the courts to defend themselves against the allegations against them. Indeed, even the specific allegations were a secret.

The detentions have been heavily criticised by human rights groups and legal experts. Law Society president Edward Nally called indefinite detention without charge or trial “totally unacceptable”. His colleague, Law Society chief executive Janet Paraskeva said, “It’s not a question of guilt or innocence, it’s a question of due process”.

However, Clarke said that these detainees being held in Belmarsh, dubbed Britain’s Guantánamo, would not be released until new the measures were in place.

In order to avoid future charges of discrimination, the new powers will cover both British citizens and foreigners. They could then be used to impose house arrest upon those such as the four British subjects recently released from Guantánamo and returned to the UK. The four men—Moazzam Begg, Martin Mubanga, Feroz Abbasi and Richard Belmar—had been arrested immediately upon their return to the UK under anti-terrorism laws but were released without charge after 26 hours.

Moreover, from the government’s standpoint, the existing anti-terrorism laws have proved ineffective: of 544 people arrested between 2001 and 2004 under this legislation, only 98 eventually faced charges, with just six being convicted.

With the new measures proposed by Home Secretary Clarke, the British state will enjoy draconian powers to detain its subjects without recourse to due process. Such wide-ranging and oppressive measures have not existed in Britain since World War II.

The government’s so-called anti-terrorism legislation, rushed through in the aftermath of the 9/11 attacks, is thoroughly undemocratic and discriminatory. Its rejection by the Law Lords unleashed a constitutional crisis that the government is now seeking to redress by resorting to measures that are even more

repressive.

The government's latest proposals underscore the old maxim of the workers' movement that an injury to one is an injury to all. The abuse and denial of basic democratic rights to foreigners and immigrants now heralds the extension of these attacks to all citizens.



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