GUILTY UNTIL PROVEN INNOCENT

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In the lead up to the Sydney 2000 Olympics, there has been increased scaremongering about Australia becoming a target of terrorist attacks. Ironically, there has also been heightened anxiety among Arab and Muslim Australians that they will be scapegoated and treated as guilty until proven innocent.

This epitomises a situation where the fears about becoming a victim of terrorism can inadvertently lead to a climate where ‘secondary victims’ (those falsely accused) are created. The media stereotype of Arabs and Muslims (the two being wrongly treated as synonymous) associates both groups with terrorism. The stereotype is exacerbated by media reports which make simplistic connections between ethnicity and crime. Inevitably, this affects our propensity to treat such people with suspicion and prejudice in conflict scenarios, in determining who is the victim.

This cycle from propaganda and scaremongering to racism and violence can be broken. The challenge will be to shift these issues from the subliminal to the conscious, so that groups like media, police, judiciary and community are more aware of the causes and effects of prejudices.

Despite the absence of a single case of Arab terrorism in Australia, there are ironically many documented incidents of Arab Australians being terrorised and targeted in racial hate crimes. These crimes increase in times of international war and domestic scapegoating.

This paper will examine recent case examples of terrorist false alarms, and their cumulative impact on both the ‘secondary victim’ and the wider community. Professionals who work with victims of crime must be aware of how the repeated terrorist label has affected the welfare, identity and opportunities for these ‘victims’.
‘Guilty Until Proven Innocent’

It is 15 September 2000, Sydney Olympic Park, Homebush Bay. Over 100,000 people are gathered in the stadium for the millennium Olympics opening ceremony. Over three billion people around the world are poised as they tune in to this historic spectacle on television.

Suddenly, there is an explosion in the stadium. It is not part of the ceremony. Cameras zoom in, security and police rush to the scene. Three men are intercepted as they flee from the scene. The word terrorism flashes around the world. How dare they ruin our peaceful games? Experts are called in to deal with the crime and the victims, the cause and the effects.

Cut.

How far are we prepared to go to prevent this nightmare? Will we stop at anything to protect our games from terrorism? With the security and counter-terrorist strategies in place for our Olympics next year, this nightmare is not likely. What is more likely is scaremongering through the media, and victimisation of those who are perceived to have a monopoly on terrorism. But can we objectively discern between terrorism and freedom fighters, cause and effect. Recent years have demonstrated that terrorism is less likely to be international and more likely to be domestic.

How often has the menacing finger and wolf cries of fear mongers, hate peddlers and so-called experts pointed towards Arabs and Muslims, only to be proven wrong, with impunity? What is the cumulative psychological effect on people who have been subjected to this systematic vilification and demonisation, especially when they enter the criminal justice system as victim or victimiser?

While professionals in the criminal justice system and victim services are unlikely to be responsible for the scaremongering, they are likely to be dealing with its victims. Our apprehension about the primary victims of terrorist attacks should not overshadow the secondary victims, those who are tarnished and suspected, those who are treated by some as guilty by association, guilty even if there are no primary victims, guilty until proven innocent.

In presenting this paper which cautions against media scaremongering and paranoia about Arab terrorists, I run the risk of portraying Arabs as scaremongering and paranoid. However, the risk of being ill prepared for the human consequence on secondary victims outweighs the risk of sounding alarmist.

In the lead up to the Sydney 2000 Olympics, there has already been increased scaremongering about Australia becoming a target for terrorist attacks. Ironically, there has also been heightened anxiety among Arab and Muslim Australians that they will be scapegoated and terrorised.

Clearly, security measures are required, and we do need to learn from past and international experiences. But when these measures extend to public profiling of potential suspects along racial lines, this needs to be juxtaposed against our principles of fair go, adherence to factual evidence, civil liberties and innocent until proven guilty. We must ensure that threats to national security do not ultimately imply threats to any of our national citizens. Rather than passively waiting for such hysteria, history has taught us to actively raise consciousness about these patterns as a pre-emptive strategy, and to have multi-pronged contingency plans in place.
Professionals in this field need to be aware of how cultural stereotypes can impact on prejudice, and how experiences of vilification can impact on the frame of mind and expectations of victims, especially when they are subjected to crime.

This climate of Arabphobia is best understood in the geo-political context in which these terrorist false alarms have taken place.

In this post-Soviet era, the Arab world is constructed by the US as the new enemy. The rhetoric about the enemy has shifted from behind the iron curtain, to behind the black veil. This gives Hollywood a new villain, it gives the secret services justification to expand, and it gives a legitimate dumping ground for the west to off-load and test weapons. This increases the propensity for Arabic people to feel paranoid that they will be treated as guilty until proven innocent, as the following examples testify.

**Russell Street**

The day after the bombing of the Russell Street police headquarters by local criminals in Melbourne on 27 March 1986, *The Age* ran a front-page story by Bob Bottom. The story made a groundless assertion of PLO involvement, followed by an unsubstantiated, untrue and racist claim that police were looking for an ‘Arab-looking suspect’. This effectively threw community suspicion, fear and hatred on to the Australian Arabic community.

In a letter months later, Immigration Minister Chris Hurford condemned the ‘Arab-looking suspect’ claim as ‘a quite unfair slur on all Arab-Australians’. It ensued that the person who was ultimately apprehended had absolutely no Arabic connections. The damage was done and no apology was issued.

**Gulf War**

This damage was to be repeated in an unprecedented scale during the anti-Arab hysteria which was triggered by the 1990-1991 ‘Gulf War’. Here there were a spate of false alarms about Arab terrorists, and widespread demonisation of Arabs in general. In a public letter issued by (then) Prime Mister Bob Hawke on 20 December 1990, he stated that ‘reported harassments have risen fourfold’.

After a delegation of community leaders from Melbourne and Sydney met with Mr Hawke in Canberra, and expressed concern about how some government instrumentalities were ‘feeding’ the terrorism hysteria, Mr Hawke stated on 14 January 1991: “I condemn utterly any attacks made by racist elements in the Australian society against any group on the basis of their ethnic or religious or cultural adherence”. Unfortunately, he did not address the sources within his government instrumentalities which fuelled the racism.

**Oklahoma**

On 19 April 1995, a car bomb tore apart the Alfred Murrah building in Oklahoma City, USA, killing 146 people. Again, terrorism experts immediately pointed their menacing finger towards Arabs. A Jordanian American, Abraham Ahmad, was mistakenly detained, strip-searched and interrogated at London’s Heathrow airport. Then Timothy McVeigh was arrested, and the terrorism story changed to one of a home grown boy with pathological problems. It was as if Arabs have a monopoly on terrorism, and the same act committed by anyone else was anything but terrorism. Again, no apology was issued.
Sydney

On 7 December 1995, the *Sydney Morning Herald* declared ‘Terrorism alert: Sydney suburbs under scrutiny’. The article was ostensibly based on a confidential Immigration Department alert, asking all overseas missions to screen all Arab visa applicants ‘to see if they conformed to a profile that had been drawn up to help Australia counter terrorism’ The article claimed that ‘Australia’s security services are now concentrating on the danger of terrorism during the Sydney Olympics.’ The Immigration Minister at that time Senator Nick Bolkus promptly declared that the ‘routine cable....is now almost eighteen months old’. But this did not get in the way of creating front page news.

Hassanien

On 17 June 1996, so-called terrorism suspect Mohamad Hassanien was extradited from Melbourne by police under Operation Dynamo. Initially, police were quoted as stating that ‘a more dangerous terrorist had never before been seen in Australia’ (*The Age*, 22 June 1996). But once he was released in Denmark, we were told that he does not appear on list of known terrorists, with Interpol stating that ‘he is not wanted by the police for anything’ (*Herald Sun*, 20 June 1999). To add to the embarrassment, one newspaper allegedly photographed the wrong man.

The (false?) alarm surrounding these public reports generated widespread hysteria, and once again the Australian Arabic communities bore the brunt of adverse media stereotyping. The information passed on to the media by the relevant authorities provided enough ammunition to resurrect the usual anti-Arab stereotypes. There were many insidious suggestions that a local centre of worship was a sinister place which harbours terrorists, even though a place of prayer represents the antithesis of this. In turn, these media stories gave rise to abuse, racism, vilification and ridicule against the implicated communities through no fault of their own.

TWA

On 18 July 1996, TWA Flight 800 from New York exploded, and claimed 229 lives. The proximity to the Atlanta Olympics fuelled speculation and knee-jerk reactions about Arab terrorism, thanks to the usual chorus of ‘experts’. After three yeas of analysis and investigations, the black box recovered from the plane wreckage appears to indicate that a technical wiring fault was the most likely cause.

Terrorism

Let us examine the accumulated effects of the false alarms, and the terrorist labels. While the word terrorism creates banner headlines, any retractions appear to only make footnotes.

No single claim can more negatively stereotype a community in the public’s mind than this loaded label. By its very nature, the claim of 'terrorism' is easy to make, devastating in effect, and impossible to reverse. The word ignites a bush fire which cannot be contained once unleashed. Once the damage is done, any reaction by the tainted community is too little too late, again reiterating why consciousness raising now is imperative. The word is more damning because ‘national security considerations’ do not allow ‘evidence’ to be revealed and scrutinised. How can a community refute the claim when the ‘evidence’ is shrouded in secrecy?

Moreover, some sections of the media never tire of telling us of the ‘possibilities’ and ‘potential’ of the Arab connection without, of course, boring us with trivial detail as evidence.
Ironically, there has never been a case where an Arab Australian has been convicted of terrorism in Australia, yet there have been well documented factual evidence where Arab Australians have been terrorised, threatened, and subjected to violent acts of racism and hate crimes, sometimes leading to fatal consequences.

The cumulative effects of these repeated stereotypes on the Australian Arabic community are immeasurably damaging, and diminish their quality of life and experience of citizenship.

Governments have a responsibility to promote harmony and cohesion in our multicultural Australia. The loose and irresponsible manner in which the term ‘terrorism’ is used, and unjustly associated with particular groups, does nothing to enhance racial harmony, and only serves to undermine efforts for a fair go to all Australian citizens.

On 10 July 1996, the Australian Arabic Council wrote to Attorney General Daryl Williams, urging the government to establish guidelines for all federal authorities in regard to the attrition of the term ‘terrorism’, so that gratuitous and unsubstantiated claims will no longer see the light of day. There was no response.

Police

The experience of guilty until proven innocent extends beyond the terrorist label. Police descriptors of suspects have traditionally relied on ethnic categories, and have inadvertently had a similar effect.

The Australian Arabic Council was instrumental in persuading the National Police Ethnic Advisory Bureau to review the categories used by police to describe suspects to the media, and create national standard guidelines. It was recognised that Middle Eastern appearance is a farcical description, and has inadvertently led to the victimisation of people. Victoria led the way by reducing fourteen categories to four, and excluding Middle Eastern appearance as a category. Most states have followed suite. However, NSW Police Service is currently planning to reduce their fourteen categories of ethnic descriptors to eight, which will include Mediterranean/ Middle Eastern appearance.

In the Mt Gravatt area near Brisbane recently, the term ‘Lebanese appearance’ was frequently featured in front page news story in a local newspaper. If the gangs were indeed Lebanese foreign nationals in Australia, then the Lebanese Embassy should have been contacted to deport them. But if they were Australian born citizens who were by-products of the local environment, then the resort to ethnic descriptors is a cop-out. According to the national guidelines, the ethnic descriptors should only be used when the suspect can be positively identified as such, and the ethnicity is relevant to the crime.

When a criminal suspect is publicly described as being of Middle Eastern appearance, a witch-hunt often ensues. In the work place Arabic people are confronted about one of your mob again, what’s wrong with you people? In the school yard, children are taunted and teased by copycat peers. In the media, talkback radio and letters pages see a green light for legitimate Arab bashing. In shopping centers and on the streets, those who resembled Middle Eastern suspects are treated accordingly, with verbal and physical abuse.

Then the suspect was found and apprehended, and it so often becomes obvious that (whoops!) he has absolutely no Middle Eastern connections. Does anyone offer an apology or compensation to the victims who were collectively incriminated in the process?

No, these are incidental victims, they don’t count.
Services

Professionals who work with victims of crime need to be aware of these experiences of false alarms, scapegoating and Arabphobia, and their effect on the psyche, identity and sense of security among Arab Australians.

We need to avoid simplistic connections between ethnicity and crime. This affects our propensity to treat people with suspicion and prejudice in conflict scenarios. It can affect our assessment of who is victim and who is villain.

The cycle from propaganda and scaremongering to racism and violence can be broken. We can shift from the subliminal to the conscious, so that we are more aware of the causes and effects of prejudice.

In victims of crime cases, professionals need to be aware that for local Arab Australians, the experience may open the floodgates for bottled up frustrations at being systematically vilified.

If we are ‘tail gated’ and watched with suspicion, we become paranoid, prone to error, and the so-called villain becomes victimised.

What are the implications for support services?

Counselors need to bear in mind that the entire family is potentially the victim in Arabic and similar cultures, and therefore one-to-one counseling may need to be complemented or even replaced by family counseling. All family members are affected by the crime because the family honour and reputation is on the line.

Rather than encouraging one path to recovery, it is better to outline each option, explaining the full implications for each choice. This way, the victim can make an informed choice, which is free from cultural assumptions.

Also, the insanity plea by offenders does not always attract sympathy among immigrant communities, especially when they are skeptical about this defense, and the perceived leniency of a loophole. It then creates a blur as to who in fact is the victim, and pressures the victim to ‘write off’ the experience without compensation.

Trauma counseling should be handled with some background about the person’s past experiences of victimisation, such as war. Trauma may trigger flashbacks and rekindle nightmares about threatening ordeals from the past.

Conclusion

The soil is fertile for the planting of these seeds of terrorism tales in the current climate. The word terrorism immediately sprouts when it reaches the media, conjuring up the prescribed stereotypes, starring bin Laden, with the Olympics looming in the background.

We all need to be cognisant and vigilant to the temptation to treat locals Arabs as suspects or enemy aliens.

Our principles of fair go, rule of law, adhering to factual evidence and innocent until proven guilty should not be compromised by paranoia, hysteria or scaremongering.