



Civil Aviation Security: The ideologies the Australian Government subscribes to when identifying terrorists

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Abstract

Civil aviation has been proven to be a prime target of terrorists and it has become an area of major concern since the 9/11 terrorist attacks. The increased level of threat to airports and aircraft has resulted in the Australian Government introducing new legislation in addition to introducing new security measures. The ideologies that the Australian Government subscribes to when identifying terrorists in the civil aviation security environment have not been made explicit. By extension, the role that these ideologies play in the making of policy, and ultimately in the implementing of practice, is unclear. This paper reveals the ideologies the Australian Government subscribes to when identifying terrorists, which can be categorized into two distinct groups; 1) ideologies concerned with identifying terrorists by attack vector, and 2) ideologies concerned with identifying terrorists based on who they are. It was also determined, for the most part, that these particular ideologies played a significant role in the making of policy and in the implementing of practice.

Keywords: Terrorism, Aviation, Policy, Australia, Ideology, CDA

Introduction

This study sought to make explicit the thinking and assumptions that underpinned the Australian Governments framing of its counter terrorism policies and priorities in relation to aviation security. Any paper like this that is focused on revealing Government ideology and understandings of terrorism must include explication of what ideology is and its role in shaping policy, and a broad overview of the causal factors of terrorism. The definition of ideology offered by historian Michael Hunt provides a good understanding for how it has been interpreted in this study. According to Hunt ideology is defined as “an interrelated set of convictions or assumptions that reduces the complexities of a particular slice of reality to easily comprehensible terms and suggests appropriate ways of dealing with that reality” (1987, pp.12-13). Influenced by the works of Foucault and Derrida, the authors have examined the language used by policymakers and analysed the meanings of

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those that compose policy. By situating language at the centre of social reality, the 'linguistic turn' reaffirms the importance of ideology (See, 2002) in assessing policy.

The 9/11 attacks have brought about policing, military, security, political, legal and ideological responses to countering terrorism, specifically Islamic terrorism, worldwide. The attacks have also led Australia and many other nations around the world to reconsider aviation security, principally given that it was the focused attack on civil aviation that created such destruction. While there has been significant changes in the organising principles and resultant practices of aviation security in many countries including Australia, the area has received limited public debate, whether that be amongst scholars, Government or any other circle.

By exploring the connections between policy and practice and the wellspring of ideologies this paper has helped trace deficiencies in aviation security. Ideology is the first link in the policy and practice chain. Ideology precedes policy, whilst policy precedes practice. Failure in policy or practice could be the result of those implementing it at each level, but it could also be the result of ideology. However, it would be near impossible to trace these failures back to the source of the problem (ideology) if that source is unknown, or is not made explicit. The paper has therefore helped make this position clearer.

Method

Theoretical Framework and Methodology

Stemming from Habermas's (1973) critical theory, the aim of Critical Discourse Analysis (CDA) is to assist the analyst in their understanding of social problems that are mediated by mainstream ideology and power relationships, and which are perpetuated by the use of written texts in our professional and daily lives. The object of this type of analysis is to reveal the ideological assumptions that are concealed in the words of written text, speech and visuals (Fairclough, 1989).

CDA deals with studying and analysing written texts and spoken words to unearth the discursive sources of power, dominance, inequality and bias, and how these sources are initiated, maintained, reproduced, and transformed within specific social, economic, political and historical contexts (van Dijk, 1988).

With the aim of interpreting meaning from text, speech and visual representations the research process sought to discover the values and ideologies underlying these. Given that these values and ideologies tend to be hidden rather than explicitly stated, a comprehensive CDA step-by-step approach is required (Threadgod, 1989). However, CDA does not have a unitary theoretical framework or methodology (van Dijk, 2000).

Ultimately, it was the variant of CDA presented by Huckin (1997) that was adopted. Huckin's (1997) approach is widely referred to in the field of discourse analysis and his approach is comprehensive in that it analyses how both text and visuals are used to convey meaning. Huckin's (1997) approach also provided the flexibility that was required in uncovering the Australian Government's ideology regarding the identification of a terrorist in the field of aviation security.

A comprehensive analysis regarding the selection of data has resulted in the identification and selection of three key sources; those being Hansard regarding the *Aviation Transport Security Act 2004*, the Australian Government's Department of Infrastructure, Transport, Regional Development and Local Government (DITRDLG) *National Aviation Policy Green Paper* (2008) (Green Paper), and the eight Australian Federal Police (AFP) webpages dedicated to aviation security.

Discussion

Australian Aviation Security Practices

When comparing the results of the study with the information in the literature regarding the current aviation practices in Australia, both commonalities and differences were found. One of the most notable similarities was regarding the use of new technology, specifically biometrics. Davitt (2008) identified the increased likelihood of Australia adopting new and advanced technological security measures, particularly biometrics. In the DITRDLG Green Paper (2008) we saw the use of the term “biometrics” (2008, pg. 85) and the connotations it carried in that particular setting, That is, for many people, the term biometrics is narrowly understood, rarely considering examples past fingerprinting for example. However this term, particularly in the field of aviation security, encompasses such things as palm geometry, DNA testing and odour /scent technology; all of which are currently being employed or being trialled in aviation security regimes around the world.

What this implies is the belief that the Australian Government thinks that this could be the best way to identify terrorists in the future. Viewing biometrics as the ‘future’ of aviation security reveals a belief in the supremacy of detection technology, as opposed to the human element that was conspicuous by its absence in the Green Paper. It also reveals the Australian Government ideology that terrorists can be identified by their intrinsic physical or behavioural traits; given this is the purpose of biometric technology.

However the results of the paper gave no indication as to whether there was an external pressure (from the Federal Bureau of Investigation for example) to adopt this measure. Furthermore, it is unknown what type of biometrics will be tested (for example fingerprinting or odour/scent technology). It can therefore be concluded that the Australian Government favours the adoption of a technological security measure that can identify terrorists based upon one or more of their intrinsic physical or behavioural traits. The question of whether the use of security measures like biometrics align with Australia’s ideology of identifying terrorists, as is raised in the literature, can therefore be answered in the affirmative.

Another major issue that appeared in the literature was raised by Heilbronn (2008) who is concerned with the incompatibility that currently exists between legislation and practice in aviation security, specifically in relation to the conducting of frisk searches. The results of the study show that this issue was addressed once by a Government member, Paul Neville, who was the Chairman of the Government inquiry into Commercial Regional Aviation Services in Australia and Transport Links to Major Populated Islands. In his address, *The Power of Official’s Amendment* (Neville, 2003) which granted screening officers additional powers to screen people at airports, Neville stressed that, security officers cannot conduct frisk searches without an individual’s consent. Even though there is a concentrated effort on screening and conducting frisk searches for prohibited items before passengers board an aircraft, it appears that the Australian Government still considered the rights of the individual as being sacrosanct. In this context, respecting people’s rights appear to be more important than violating them when attempting to identify terrorists.

The third major themed area regarding aviation security practices currently employed in Australia was the effectiveness and costs of the Australian Security Officer (ASO) program and the hardened cockpit doors. Stewart and Mueller (2008) found that these measures were implemented post-9/11 with the aim of preventing a replica of the 9/11 attacks.

The importance of the Air Security Officer (ASO) program in providing onboard security in the case of a terrorist attack, particularly the threat of hijacking, was revealed in the analysis of the AFP webpages. Stewart and Mueller (2008) however found that the ASO program failed a cost-benefit analysis. It therefore appears the role of the ASOs has been accepted and endorsed by the Australian Government in identifying and nullifying suspicious and dangerous terrorist activity onboard aircrafts, despite the academic literature indicating it failed to provide value for money as a security measure.

Stewart and Mueller (2008) found that the hardening of the cockpit doors was a cost effective measure. However, Stewart and Mueller (2008) and Lott (2004) did question its overall effectiveness at preventing terrorist attacks apart from preventing terrorists from physically breaking down the door. There were no findings of the study that related to the hardening of cockpit doors. This raised questions when it comes to revealing the ideology regarding the identification of terrorists by the Australian Government. It is unknown whether this security method is employed on only a few aircraft or whether perhaps it was a knee-jerk reaction to 9/11 and has since been abandoned. Nonetheless it can be concluded that, given it has not been mentioned in any of the three data sources, it is not regarded by the Australian Government as being a significant part of their counter-terrorist approach.

Social Construction of a Terrorist

Major discrepancies exist between the results of the study and the way in which the literature attempts to socially construct a terrorist. Russel and Miller (1977), Lacquer (1987), Taylor (1988), Merari (1990), Neihardt (1992), Smith and Morgon (1994), Hudson (1999), Ergil (2000), Ganor (2000), Gunaratana (2000), Joshi (2000) and Schbley (2000) all made concentrated and explicit attempts to profile a terrorist based on either their political beliefs (left or right-wing), age, socioeconomic background, occupational background, employment background, gender, marital status or a combination of these characteristics. Privacy International (2005) also revealed that the European Union (EU) believes that terrorists can be revealed by such things as ethnicity and religion (as is revealed by the use of Passenger Name Record (PNR) technology); however no specific race or religion is mentioned.

In contrast, the results of the paper reveal that the Australian Government has been implicit in its attempts to profile terrorists. Not age, nor socioeconomic background, nor gender nor marital status of the terrorist are mentioned throughout the selected texts. However the sociological characteristic that is identified is religion, with the Muslim faith being specifically identified.

The analysis of both Hansard and the Green Paper revealed the Government's identification of the Muslim extremist threat. The Muslim extremist threat was identified in Hansard on three separate instances; the comments by Ministers Somlyay (2003) and Seker (2003) in pinpointing the 9/11 attacks and Bali Bombings, and in Minister Brown's explicit referral to "Osama Bin Laden and his followers" (2003, pg. 2). This specific threat coming from the Muslim faith was also found in the Green Paper's use of the term "Jihadist" (2008, pg. 75). The results however showed that there was no Australian aviation security technique that has so far been dedicated to identifying terrorists based on their religion or any other sociological characteristic. Therefore when considering what ideology the Australian Government subscribes to in identifying terrorists at our airports, it is safe to say that they do not explicitly attempt to identify terrorists based on their

sociological characteristics (religion or otherwise). The implementation of biometric technology in the future, which is mentioned in the literature and revealed in the findings, could however change this. Obviously this will be dependant on how the Australian Government chooses to use it.

The Human Eye versus Detection Technology

The results of the paper and the information presented in the literature revealed few commonalities but many discrepancies. Avihai (2007) conducted a comparative analysis between the effectiveness of the human eye and detection technology; however the results of the study revealed that no such debate or comparison has taken place in Australian public policy circles when considering aviation security. Avihai's (2007) study highlighted the various advantages and disadvantages associated with each of the approaches, finding that the best security approach is a combination of both. In contrast, the results indicated that the security measures implemented were not even categorised as either belonging to the human element or to the technological element of detection, let alone considering the advantages or disadvantages of each security approach.

The results of the paper did however reveal an emphasis on specific security measures that could be categorised as belonging to the 'human eye,' however not in the same sense as in the literature. The results of the AFP website analysis showed a reliance on Uniform Policing at Airports (UPA), Protective Service Officers (PSO), the Counter-Terrorism First Response Capability (CTFRC), the National Canine Capability (NCC), ASOs and Bomb Appraisal Officers (BAO). All of these security measures are heavily focused on the human element (in addition to the canine element) in identifying terrorists. However the human element discussed by Ron (Access Control and Security Solutions, 2007) focused more on profiling. These security measures therefore appear to satisfy the critical need for human inspection in identifying terrorists behaving suspiciously, although in a difference sense to what is purported by Ron (Access Control and Security Solutions, 2007).

Major absences could, however, be seen in the literature regarding profiling and questioning (or interviewing) of passengers in airports. In highlighting the past success profiling and on-the-spot questioning as evidenced at Israel's Ben Gurion International Airport, the literature commends the effectiveness of these security measures in identifying terrorists. The results showed that the Australian Government does not officially support the practice of profiling people in airports, nor were there any findings related to security officials conducting on-the-spot interviews with passengers in the hope of identifying suspected terrorists.

The results of the study did however show a move from the Australian Government towards the use of the advanced technology detection, namely biometrics. The Green Paper revealed that the Australian Government is working closely with other nations in promoting the use of biometrics. What is therefore evident is the Australian Government belief that this could be the best way to identify terrorists in the future. Seeing biometrics as the 'future' of aviation security therefore reveals a belief in the supremacy of technology. In contrast, there was no evidence of a future increased reliance on the human eye in the detection of terrorists.

It appears that the Australian Government has not engaged in or even framed the debate as human eye versus detection technology when it comes to identifying terrorists. There is however a focus on certain human eye security measures and there appears to be a move towards the use of advanced detection technology (biometrics). Whilst it appears

as though the Australian Government believes that the human eye does play a considerable role in the identification of terrorists, it also appears they view the future as being in the use of detection technology. This corresponds with the belief that technology as 'objective' and does not appear to consider that all technology represents and manifests the subjectivities and beliefs of how and where terrorism is likely to present itself.

The Effect of 9/11 on Aviation Security

Both the literature and the results of the study showed that the 9/11 was a defining moment in aviation security history, for it had a major impact on aviation policy and practices in Australia and across the world. Whilst the results revealed that the attacks have led the Australian Government to define and address the two distinct periods of aviation security, those being pre and post 9/11, they failed to highlight specific security measures that have been introduced as a result of the attacks.

Koslowski (2004), the EU Committee (2007), and Wilson (2007) all identify the effects the 9/11 attacks has had on specific aviation security measures. Koslowski (2004) and the EU Committee (2007) highlight the introduction of new legislation regarding PNR technology and Wilson (2007) reveals the proliferation of biometrics and surveillance technology that has occurred. Wilson (2007) even specifies the types of biometric technologies that have been introduced in Australia, the specific airports they have been implemented in, and that the spread of biometric passports has been largely driven by the United States.

The results of Hansard and the Green Paper do highlight that 9/11 caused a change in focus in how the Australian Government identifies terrorists, as there has been a shift towards preventing a similar style of attack. However, it is not clear from the results which specific measures have since been introduced as a result of the 9/11 attacks.

Conclusion

When it comes to the ideologies the Australian Government subscribes to when identifying terrorists, the paper found that the underpinning and organising beliefs about terrorists were that they;

1) Can be identified by their intrinsic physical and behavioural traits:

It is this assumption that has resulted in the move towards biometric technology (as is identified in the Green Paper), suggesting this is the appropriate way to identifying terrorists that possess, what the Australian Government perceives to be, abnormal or risky traits. Despite being unable to state whether this ideology aligns with Australia's approach to identifying terrorists, Davitt (2008) did identify the increased likelihood of Australia adopting biometric technology.

2) Will attempt to launch an attack onboard a plane, notably by hijacking:

This ideological stance was the most purported, with these interrelated set of convictions being gleaned from the construction of the speeches made by many of the Government Ministers, the selected use of terrorists examples by Neville (2003), the Green Paper's assumptions in its Layered Aviation Security System (where the aircraft is portrayed as the focus of security) and the findings of its visual on page 77, and the ASO

program as identified in the AFP webpages. All of these revealed that the plane was considered to be a main target of a terrorist attack, with hijacking being perceived as the preferred way to conduct the attack. The appropriate ways of dealing with this reality, as determined by the Australian Government, was the Layered Aviation Security System and the ASO program. An attack launched from onboard the plane, specifically hijacking, was identified in the literature by Stewart and Mueller (2008) as being a major threat in the post 9/11 security environment.

3) *Will act suspiciously in airports:*

The assumptions implicit in the AFP's employing of both UPA and the PSOs is that terrorists will engage in suspicious behaviour that can be identified and that the appropriate way of dealing with this is deemed to be a physical presence at airports. Similarly, Tucker (2003), Avihai (2007) and Ron (Access Control and Security Solutions, 2007) have all purported the belief that terrorists will act suspiciously and that this is best detected by human inspection.

4) *Will carry explosive mixtures in airports:*

The set of convictions that terrorists will carry explosive mixtures in airports were shown to be evident in the AFP's employing of the CTFRC and the NCC, in addition to the visual used on its webpage of the policewomen with a canine. These specialised police units have been deemed the appropriate way to identify terrorists carrying such mixtures.

5) *Will use bombs in airports:*

The assumption that terrorists will use bombs, and the appropriate way to counter this threat, was made evident through the AFP's use of BAOs and in the CTFRC and the RRDT, which possess the capability to respond to such an attack. While the bomb has been identified by Avihai (2007) as being a weapon that could be used in a terrorist attack, he focused on its being used onboard a plane rather than in the airport.

6) *Carry firearms in airports:*

The assumptions that terrorists will use firearms in an attack and the necessary way of identifying this threat, was revealed in the AFP's employing of the CTFRC and the visual of the policewoman with the canine.

7) *Will focus their attack at or from Australia's major metropolitan airports:*

This ideological belief stems from the interrelated set of convictions and the security methods employed in identifying this threat, which was evident in two visuals of the Green Paper; figure 2.1 'Layered Aviation Security System' that is employed at Australia's major airports and figure 2.3, which shows aviation security at the major airports as being the strongest.

8) *Could launch an attack at or from Australia's regional airports:*

This ideological position was found to be evident through the RRDT that was implemented by the AFP. The RRDT possess the ability to identify, nullify and respond to terrorists aimed at conducting attack at or from Australia's regional airports.

9) *Will most likely be Muslim:*

This ideological position was made clear through an interrelated set of convictions and assumptions. The assumption that terrorists will most likely be Muslim was found to be evident in the commonality (being Muslim extremism) in Ministers Somlyay (2003) and Secker's (2003) referral to Bali and the 9/11 attacks. This ideological position was also made evident by the interrelated set of convictions found to be evident in Minister Campbell's reference to "Osama Bin Laden and his followers" (2003, pg. 2) and in the Green Paper's use of the term "Jihadist" (2008, pg. 75). Whilst no security measures have currently been employed to identify the Muslim threat specifically (although the introduction of biometrics has the potential to do this), the increased aviation security measures as a whole has been deemed the appropriate way of dealing with this reality.

The paper has found a number of ideologies the Australian Government subscribes to when identifying terrorists in relation to aviation security. These can be categorised into two distinct groups: 1) ideologies concerned with identifying terrorists that is revealed by the way they choose to attack, and 2) ideologies concerned with identifying terrorists based demographic features. The latter would include the ideological beliefs that terrorists can be identified by their intrinsic physical and behavioural traits, and that terrorists will most likely be Muslim. The rest of the ideologies, like using bombs in airports and carrying explosive mixtures in airports, would fall into the former category. Nonetheless, in keeping with Hunt's (1987) definition of ideology, they are all ideologies the Australian Government subscribes to when identifying terrorists in the civil aviation security environment.

When locating this approach in the wider theoretical debate regarding the root causes of terrorism, it appears that the Australian Government ideology subscribes to elements of both schools of thought. Religion as an identifying factor would suggest subscription to the environment as being the root cause of terrorism (Maleckova, 2005). A move towards biometrics however signals a belief in both the 'born not bred' theory and the environmental theory. The ability of biometrics to identify people based on the personal characteristics they were born with like sex, highlights a subscription to the former theory, while the ability to identify people based on their environmental characteristics like religion and status of wealth, displays a belief in the latter theory (Privacy International, 2005).

Importance must also be placed on ideology as the role that it plays in the decision making process by Government officials has been continually understated. When Government decides that changes must be made, they find themselves operating in a particular context. That context may be in the immediate aftermath of significant terrorist attack, as in the case of the 9/11 attacks, or it could be in response to a comparatively minor breach of airport security, like the brawling of Biekie gangs in the airport terminal. Context is a powerful thing: human behaviour and decision-making is not only sensitive to, but is also strongly influenced by the environment. Policymaking is also sensitive to the conditions and circumstances of the times and places in which they occur. However one should not be overawed the power that context exerts, as it is ideologies that forms the basis of belief systems.

Ideology is hugely significant as policymakers have the ability to draw on ideological resources in making their decisions when reacting to a specific situation. It is not say that policymakers will draw an ideology alone, but it becomes a significant determinant of policy by influencing decision makers. Ideology permeates all government decisions,

irrespective of whether it or not it is espoused as an overt system of thought. Ideology is how a Government views things, and without being clear in ones view, there exists a tendency for the creation of disjointed policy and ultimately, disjointed practice. Implicitly every political tendency entails an ideology whether or not it is propounded as an explicit system of thought. It is how society sees things.

More broadly, aviation security policy in Australia appears to have slipped under the radar with respect to the larger policy perspectives for Australian counter terrorism. The most prominent and authoritative statements made by the Australian government regarding the causes and characteristics of terrorism and the most effective mechanisms for responding are contained in the Governments security publication, *Protecting Australia Against Terrorism (2004)*, the White Papers *Transnational Terrorism: the Threat to Australia (2004)*, and *Securing Australia / Protecting Our Community (2010)*, which are all very careful to distinguish between Islam and ‘Muslim extremists’ (in 2004) and later ‘violent Jihadists’ (2010). For example there is repeated differentiation between ‘extremist Muslim ideology’ and the Islamic faith, “The doctrine advanced by these terrorists is far removed from the tolerance towards other faiths that has been so important in Islamic tradition” (Australian Government 2004, ix) and more recently “the primary terrorist threat to Australia ... is from a global violent Jihadist movement – extremists who follow a distorted and militant interpretation of Islam” (Australian Government 2010, ii). These high-level public documents make a variation that does not appear when examining the documents and sources for aviation security. The Hansard records and other documents in aviation security examined lump together all forms of Jihad or simply refer to ‘Osama bin Laden and his followers’.

Not only was there a disconnect in terms of who represents a security threat to Australia there were important differences between the aviation specific policy documents examined and the documents outlining Australia’s security posture more generally. In *Protecting Australia against terrorism (2004)* a significant proportion text regarding aviation security referred to gravity of threat posed by surface to air missiles known as Man-Portable Air Defence Systems. This threat, identified by the Department of Foreign Affairs, and detailed in *Protecting Australia Against Terrorism (2004)* was entirely absent in the aviation-specific policy materials reviewed. This lack of alignment of contemporaneous policy is at odds with a whole government approach to aviation security and/or represents a continual fixation with a 9/11 style attack, at the expense of countering the new and emerging attack vector posed by surface to air missiles.

Another significant disconnection revealed between aviation-specific policy and national counter terrorism priorities concerns the supposed significance of aviation security, as evidenced by the language employed in the Hansard debates and in the Green Paper (2008), and the lack of commitment in terms of financing and implementing aviation security measures like biometric technology. Hansard and the Green Paper place great emphasis on the importance and introduction of biometric technology in order to detect potential terrorists, however recent publications reveal that the Australian Government still remains in the planning stages of implementing this technology. If the biometric technology really was as crucial as is suggested in Hansard and Green Paper then surely the Australian Government would have made concrete advances in this area, and as such, would have made these publicly known in most recent White Paper focused on terrorism.

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