

The barbarism of indifference: Sabotage, resistance and state-corporate crime

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Abstract

Increasingly, state crime scholarship frames criminality as a social property that attaches to particular illegitimate state practices through a mediated process of struggle from below. Building on this foundation, the following paper presents a comparative study of two cases – using a range of primary materials – where sabotage was deployed by social movements to dramatically stigmatise illegitimate state-corporate conduct. In order to understand the symbolic and practical significance of this exchange, a theory of indifference will be developed. It will be argued that in the cases observed sabotage acted as a device which social movements could employ to impose a sense of consequence on organisational actors otherwise indifferent to, and alienated from, the significant harms their operations' produced.

Keywords

State-corporate crime, state crime, corporate crime, resistance, Marxism, sabotage, war crimes, ecocide, human rights

Within state crime studies significant disagreement still exists over what constitutes state crime (Green and Ward, 2014). Scholars grounded in criteria-based traditions, have tended to distinguish criminal state practices through appeals to international law and human rights principles. In contrast, a dialectical tradition of state crime scholarship contends that the establishment of conduct norms only generates the *possibility* of state crime – its *actualisation*, as a social property, requires a practical moment of censure and sanction operationalised by organised communities of resistance.

Informed by the latter tradition, this paper draws on a comparative study of two social movements, both of which employed sabotage as a dramatic technique to censure and prohibit deviant state-corporate practices. The first case centres upon events that took place on 9 August 2006, when nine Derry anti-war activists (Raytheon 9) entered the Northern Ireland Software Centre run by arms manufacturer, Raytheon, and poured water onto a computer mainframe. They aimed to disrupt and censure the Israel Defence Force's use of Raytheon built guided bomb units, which, at the time, were striking civilian targets in southern Lebanon. The second case occurred eighteen years earlier on the island of Bougainville,¹ where landowner activists used dynamite to close a large copper mine operated by Rio Tinto subsidiary, Bougainville Copper Limited (Bougainville Copper), which stood accused of ecocide. While the two campaigns are culturally and temporally distant they are outstanding examples of the power of the social audience in defining crimes of the powerful, and the dialectical nature of state crime.

Employing a range of primary materials, this article compares these two campaigns in order to examine the circumstances that prompt movements of resistance to draw on sabotage as a method to censure state-corporate deviance. Consideration will also be given to the symbolic

and practical exchanges which enable sabotage, on occasions, to exact a stigmatising effect. To help conceptualise the social content of this exchange we will develop a materialist theory of *indifference* drawing upon Marx. In particular, it will be argued that sabotage was employed by movements of resistance *to impose a sense of consequence on organisational actors otherwise indifferent to, and alienated from, the significant harms their operations' produced*. To assist contextualise our theoretical intervention, we will first survey key contributions on state crime, resistance and censure, before examining the notion of indifference in Marx's thought.

Resistance, censure and indifference

State crime and resistance

Since state crime studies emerged as a distinct field during the 1990s, scholars have attempted to develop a robust foundation for conceptualising state crime. Two distinct conceptual approaches have emerged to date.

The first of these approaches – which we label criteria-based – draws on international legal norms as a defensible criteria for distinguishing *criminal* state practices. For example, Cohen argues that the label state crime should be reserved for “‘gross” violations of human rights – genocide, mass political killings, state terrorism, torture, disappearances’ (1993: 98). Other authors have opted for a more codified approach. Kramer and Michalowski (2005) for instance suggest that international law constitutes the strongest foundation for defining state crime, ‘even when they do not violate domestic law’ (2005: 447). While differing in scope,

these interventions share a common commitment to differentiating criminal state acts on the basis of their extra-normative or illegal character

In contrast a dialectical approach has emerged which frames state crime as a historical property that is inscribed on certain practices and regimes, through a mediated process of struggle. This approach is underpinned by a number of conceptual innovations pioneered by Marx during the 1840s, specifically the centrality of motion, practice and contradiction to social analysis, all of which have informed in important ways the dialectical tradition of state crime scholarship. The first, articulation of the dialectical approach appeared in a series of papers authored by Green and Ward in 2000. Their conceptualisation of state crime is organised around three core categories – legitimacy, human rights and deviancy.

Legitimacy alerts us to the fact, Green and Ward observe, that if states are to govern with some semblance of consent, they must accept and abide by certain conduct norms (2000: 108). Their argument here draws on Gramsci's concept of hegemony, which characterises the state as the concentrated expression of bourgeoisie class power, as well as a contested space where social reproduction is organised through material compromises and ideological discourses that temporarily diffuse class antagonisms (Ward and Green, 2000: 80). Drawing on this insight, Green and Ward suggest, states must concede to be governed by certain norms, if they are to uphold the appearance of neutrality essential to their consent-forging role. Importantly for these scholars, human rights have now become one of the most powerful normative frameworks to which states' must subscribe (Green and Ward, 2000: 109).

Yet, while states must concede to certain social norms, the antagonisms and ruptures that are an enduring and systemic feature of capitalism, frequently prompt their contravention. At this

moment in the argument Green and Ward engrain a sense of momentum and agency into their approach. The breach of norms, they argue, does not in itself inscribe state practices with the quality of being criminal, rather it is the *struggles* that emerge in response to these deviant acts which stigmatise state practices, and the regimes that author them, as being wrong. Green and Ward, in this respect, break with criminology's traditional bias towards official judgements administered by the state, and argue, 'deviancy labels and informal sanctions can ... be applied "from below" to state action that is perceived as illegitimate' (2000: 105).

Building on Green and Ward's research agenda, an emerging tract of state crime scholarship grouped around the concept of resistance, is indeed now examining in greater detail the civil society configurations that censure illegitimate state practices, and the transformative movements they are part of. Resistance here is employed to denote social acts, ranging from the discrete to the spectacular, which are organised in order to communicate opposition to events, regimes or social systems, and to bring about some form of emancipatory transformation (Stanley and McCulloch, 2012: 4-5). As Stanley and McCulloch observe, 'the scope of activities that might be defined as resistance is broad. It may be violent or non-violent, passive or active, hidden or open, verbal or physical, spontaneous or strategic, local or global, and frequently a combination of some or all' (2012: 4). If we fuse this concept of resistance to the approach forged by Green and Ward, our focus becomes more honed. We are concerned not only with how communities resist, but how this resistance becomes a creative force that converts the contradiction between state practice and hegemonic norms into the social property of criminality, through a range of stigmatising acts.

There is also a need to think more deeply about the social realities in which these struggles take place, employing theory to enrich our understanding of history from below. Indeed, it is

only through articulating, the often elusive, social dynamics that condense in these complex social transactions that we can properly disclose the meaning and significance of resistance. It is, with that in mind, that we now turn to Marx's concept of indifference, to aid our understanding of the censoring struggles considered in the forthcoming comparative study.

Marx's theory of indifference

Often overlooked in the literature is the significant treatment of agency in Marx's thought, and the distinctive social ontology this inspired. Simply put, Marx argues that in abstraction from society, individual beings are only human potential. This potential assumes particular historical forms – with a distinct range of characteristics and abilities – through the participation of actualising subjects in practices that are prompted by the relationally bound processes, around which social life is organised (Marx, 1973: 265). Out of this dynamic emerges the possibility that certain paths of practical existence can cultivate within organisationally based actors, priorities, attitudes, values, and objectives, which are not only condemned as wrong by others, but elicit direct forms of sanction. The challenge here is to understand the historically mediated character of this antagonistic process.

With respect to the latter point, Marx contends that capitalism engenders in those who manage and oversee the circulation of capital, what he calls an 'indifference' towards the human calamities their actions produce (Marx, 1973: 163). He writes, 'capital is *reckless* of the health or length of life of the labourer, unless *under compulsion from society*' (italics added) (Marx, 1976: 381). Marx continues, '[capitalist production] squanders human beings, living labour, more readily than does any other mode of production, squandering not only flesh and blood, but nerves and brain as well' (Marx, 1981: 182).

He attempts to explain this reckless *indifference* in the first instance by examining how surplus labour is extracted from the immediate producer under capitalism. To that end, Marx observes, commodities possess value only in so far as they are the crystallisation of human labour as measured by the socially necessary labour time required for their production (Marx, 1976: 128-29).

With this social dynamic in mind, Marx describes capital as ‘value for-itself’ (1973: 456). That is, capital accumulates by putting value into motion, so that it passes through a succession of different stages (i.e. money-capital → productive-capital → commodity-capital → money-capital), which gives it command over social labour time, and value producing labour. As a unified whole these stages form what Marx calls the circuit of industrial capital (1978: 183). Through navigating this circuit capital is fertilised by labour, thus allowing the initial sum of value invested to be both preserved and augmented, i.e. ‘value for-itself’ (Marx, 1973: 313). As this circuit frenetically turns over, the social interconnections between human beings, and those between human beings and nature, become increasingly subordinated to a process of expanded value production, spurred by capital’s ‘boundless thirst for surplus labour’ (Marx, 1976: 345).

This ‘ceaseless augmentation of value’ (Marx, 1976: 254), Marx argues, stimulates practices that display indifference to certain features of the process through which ‘value for-itself’ must pass in its valorising journey (1973: 224). For instance, he contends, ‘capitalist production ... is indifferent to the particular use-values it produces, and in fact to the specific character of its commodities in general. All that matters in any sphere of production is to

produce surplus-value, to appropriate a definite quantity of unpaid labour in labour's product' (Marx, 1981: 297-98).

Accordingly, it may be hypothesised that those responsible for capital's valorisation, actualise their human potential through practical life-activity that impresses worth on a range of intricate processes essential to value's preservation and augmentation. On the other hand, matters that do not impinge in any meaningful sense on the latter, including for instance environmental harm or the squandering of human life, fail to assume a lived importance, even when the organisational actors concerned have the capacity to recognise the wrongfulness of these outcomes. The seeds are thus being laid here for the forms of contention that inspire resistance and stigmatising sanctions delivered from below.

When we add state-power to the equation the argument must be modified, but not abandoned. For Marx the state assumes a particular historical form under capitalism, where its juridical and political technologies are appropriated to manage the production and circulation of value. To that end, capitalist state-power is a social force which stimulates, intensifies, guides, and secures circulating values as they pass through key stages in the valorisation process. The state also protects and reinforces the class arrangements that permit this process to occur. Thus, state-power *governs* the value economy through which capitalism functions, in all its diverse manifestations, and always with an overriding mandate to keep value flowing through its different moments, which is decisive if social reproduction is to occur, and governing priorities are to be achieved (Foucault, 2007: 64-5). As a result, state-managers, through their practical existence, also develop priorities that necessarily reflect the law of value, and the forms of indifference it prompts.

It is in the context of this indifference inculcated by the dynamics of capital accumulation, that we argue sabotage becomes an external force employed by civil society to challenge capital's alienated position in relation to certain calamities it helps generate. Sabotage, as resistance, emerged briefly in the criminological discourse of the 'new criminology' in the early 1970s. Taylor and Walton argued that sabotage was effectively an inchoate and unarticulated form of resistance to capitalist exploitation, an attempt by workers to ameliorate the effects of alienating labour (Taylor and Walton, 1971). In this article we explore sabotage, not as an individualised, unconscious act of the powerless against the process of distant capital, but as a form of conscious activism designed to challenge the indifference to human suffering encouraged by capital's pursuit of profit.

Censuring through sabotage: The cases of Northern Ireland and Bougainville

Introduction

The following comparative study was prompted by one of the author's work on the militarised state-corporate reaction to a sabotage campaign organised by traditional landowning communities on Bougainville (Lasslett, 2014). While Lasslett's initial research focused on the organisation of state-corporate deviance, landowner resistance became the subject of interest in 2013-14, as part of an ESRC-funded study on civil society conducted by the International State Crime Initiative (www.statecrime.org). A more recent case (that of the Raytheon 9), was selected for comparison on the basis of four criteria identified in the Bougainville study: the use of sabotage as a technique to prosecute censure of state-corporate deviance; evidence that sabotage succeeded in achieving, to an extent, censure and prohibition (we wanted to understand how and why); the possibility of accessing key

organisers of the sabotage action; and, the existence of contextual difference that would enable us to explore whether general social drivers could be identified in both campaigns. The two empirical examples employed here may be considered exploratory cases, which present primary evidence on a phenomenon that has yet to be considered in the field; and by comparing distinct historical articulations of this phenomenon our aim is to better theorise the social transactions which sabotage facilitates.

In both cases purposive sampling was employed to identify relevant participants and documents. To that end, where possible, the key organisers of the sabotage actions were interviewed,² while internal documentation relating to the campaigns was obtained using, inter alia, archival searches and freedom of information requests, which in particular helped evidence the state-corporate reaction.

It should also be noted that the two cases were not compared in order to discover descriptive patterns from which abstract generalisations on the causation of state crime and resistance might be inductively generated. Rather, our aim has been to illuminate the social processes which framed sabotage's employment, and criminological significance, in both cases – processes that are not always apparent from the vantage point of sense-perception. And in so doing we wished to determine whether a common social thread could be observed within these two distinct articulations of sabotage. In this sense the goal of the research has been largely exploratory, that is, to frame sabotage as a method of protest against state-corporate crime that also helps constitute state-corporate crime itself as a construct. In so doing the analysis of the selected case-studies serves to reveal a fundamental challenge to the problem of “indifference” (or harm-producing capital) identified in Marxist theory.

In presenting our findings we note that the particular forms of indifference that are the subject of resistance in this study have a range of distinguishing qualities which we will first outline, before moving on to examine the mediating role played by the state. Attention will then be turned to the movements of resistance that arose in opposition to state-corporate deviance, and the impact of the sabotage campaigns they organised. This will lay the foundation for a series of theoretical propositions developed in this article's final section.

The emergence of contested industries

We begin with the case of Bougainville, an island on Papua New Guinea's eastern border, where a large copper and gold mine became the subject of a prolonged campaign of censure organised by surrounding landowning communities.³ In the first instance, the mine's emergence and operation presupposed global capitalism's frenetic expansion, which increases the demand for raw materials (Marx, 1981: 201). Attached to this dynamic is a social impulse which sees gradual reductions in the social labour time expended in the extraction of raw materials, an impulse that is concretely experienced by specific mining capitals as a competitive drive to become, or remain, a low-cost producer (see Lasslett, 2014). On Bougainville, this translated into the arrival of a major mining conglomerate, Rio Tinto (through its subsidiary Bougainville Copper), which erected a sophisticated extractive apparatus designed to efficiently exhume large tonnages of copper and gold. The size and character of this apparatus not only demanded significant tracts of land, its operation would also have a seismic impact on the surrounding ecosystem and communities.

The comparator case from Northern Ireland centres on the arms industry, whose most socially provocative feature is prompted by the consumption of the use-values it creates, i.e. weapons.

Demand for these use-values is, in part, connected to the social drives which are generated by an international system of state-power, whose constituting units are competing nation-states of varying size and capacity. In this context, military power is one means by which states can exercise social control at home and shape the global governance of the international economy (Kiely, 2010). The pressures and geopolitical anxieties these intersecting roles generate create an enduring demand for armaments of growing sophistication. However, the weapon industry's growth can also be linked to the intrinsic dynamics of capitalist production. By increasing social productivity, capitalism frees up social labour time for productive use, which in turn drives capital to both develop new use-values for consumption, and transform the character of existing use-values (Marx, 1973: 224). With respect to arms, this translates into an industry that perpetually advances weapons technologies, and pro-actively cultivates markets through which to realise the value embedded in weapon systems.

Of course, the emergence of industries – whether mining or arms – within particular geographies is rarely accidental. On Bougainville the Australian colonial administration mapped and advertised the island's resources during the 1960s, as part of a broader drive to accelerate inward investment in the lead up to self-government in Papua New Guinea (see Lasslett, 2014). When Rio Tinto signalled its interest a generous package of tax exemptions was offered to secure their half-billion dollar (US\$) investment.

In Northern Ireland, significant incentives were also offered to attract the investment of international defence contractor, Raytheon, as part of the so called “peace dividend”. In addition to advertising the region's cheap labour costs, and skilled work-force, the government's investment arm – the Industrial Development Board, which would later be rebranded Invest NI – emphasised the lucrative public subsidies that were available. Indeed,

to attract Raytheon's £3.5 million investment, a grant of £1.25 million was offered (Industrial Development Board, 1999), on a 'non-repayable [basis] provided the company achieved its [employment] objectives [of 150 staff]' (Invest NI, 2003b).

The Northern Irish government believed that Raytheon's presence in the city of Derry would act as a powerful beacon for further foreign investment. This, in turn, would help reduce the city's rate of unemployment, which stood at 9.3 per cent, against the Northern Ireland average of 5.6 per cent (McGurk, 2000: 41). However, there were concerns that as a weapons manufacturer, Raytheon's presence may attract criticism. To minimise local resistance, the investment's principal architect – the Member of the Legislative Assembly for Foyle, John Hume – made an agreement with Raytheon. A Director at Raytheon's British subsidiary, Raytheon Systems Limited (Raytheon Systems), would later recount its content to the Northern Ireland Secretary: 'There was a verbal agreement that we would not carry out defence work in Londonderry. The exact terms of this verbal agreement are not known, but we do not believe that it had any legal status' (Raytheon Systems, 2002b). When Raytheon's arrival was formally announced in August 1999, at the Derry Guildhall, audiences were told its Northern Ireland Systems and Software Centre, would be a civilian contractor supporting 'a variety of Raytheon's electronics programmes, including air traffic control systems for European and other airports' (Raytheon Systems, 1999).

The evolution of resistance

In both cases local resistance to the inward investment was almost instantaneous. On Bougainville, communities in the mine area contested the expropriation of their land, and once mine operations began they lobbied for increased compensation through the Panguna

Landowners Association (PLA), which became the representative body for mine-affected communities. Resistance, however, assumed a more radical posture during the late 1980s, as certain seismic shifts in the region's social and environmental fabric were felt (see Lasslett, 2014).

For instance, changes in rural production – specifically the growth of cash-cropping and certain tertiary industries – had prompted land shortages, social differentiation, inequality, and the individuation of household interests. The opening of the mine accelerated this process of change, and heightened tensions within communities. In addition to this, the mine's considerable environmental impacts became a catalysing symbol of injustice. Indeed, the disposal of mine tailings had devastating effects on the local terrain, including the Jaba river, while the process of ore extraction is also said to have contributed to erosion, flooding, chemical pollution, air pollution, and the contamination of drinking water, all of which decimated surrounding animal and marine life, and harmed the health of village communities (Böge, 1995; Connell, 1991; Jubilee Australia, 2014; Vernon, 2005).

These social and environmental impacts provoked a significant shift within the PLA. A new generation of leaders emerged representing less advantaged households who had borne the brunt of the inequalities and environmental damage. Two of these leaders, Francis Ona and Perpetua Serero, challenged the PLA executive to an election, and won in August 1987. Whereas the previous executive had been reformist, Ona and Serero promoted a revolutionary agenda that drew on customary land rights as a vehicle for expropriating Bougainville Copper. In its place, they championed an ecologically-sustainable path of development. This path, they believed, required a radical transformation of the island's political economy, which Ona claimed catered 'for the few capitalists whose hunger for wealth is quenchless and unceasing' (1989).

During 1988 the PLA loudly condemned the environmental effects of Bougainville Copper's operation. To that end, they demanded the mine's closure, and the payment of compensation (US\$12 billion) for environmental destruction (Bougainville Copper, 1988b; PLA, 1988a & 1988b). Bougainville Copper rejected both demands (Bougainville Copper, 1988a).

The censure of Raytheon also formed part of a broader movement of resistance. However, in the Northern Irish case it was the industries that enabled imperial violence and war-making that were to be the focus. The most active organisations in this respect were the Derry Anti-War Coalition (DAWC) and the Foyle Ethical Investment Campaign (FEIC).

DAWC emerged during the first Gulf War, and had become the main organisational framework for Derry activists opposing imperialist violence. To that end, they had organised against the US-UK invasions of Iraq and Afghanistan, Russian military aggression in Chechnya, China's occupation of Tibet, and the NATO bombing of the former Yugoslavia. FEIC, on the other hand, was focused on promoting alternatives to the arms industry. A member of FEIC explained, 'we very deliberately said this is not just about saying no to particular developments, it's also about saying yes to ethical investment'.⁴ Uniting both groups was an overlapping membership strongly grounded in socialist traditions of collective organisation, enacted through historical engagement with a range of environmental, trade-union, civil rights, and anti-imperial struggles.

DAWC-FEIC's joint opposition to Raytheon's investment, was based on two core arguments. First, Raytheon's products had caused mass-civilian casualties. A FEIC campaigner observes: 'Raytheon as a corporation is a mass murderer on a global scale ... they are in the business of

terror and there is no other word for it'.⁵ There was also a view that Raytheon had become a significant player in the military-industrial complex. 'I knew enough about arms companies', claims one DAWC activist, 'to know that they lobbied not just for higher arms spending but specifically to support war, and would urge governments towards particular wars, and the Raytheon company was very much in the forefront'.⁶ As a result, DAWC-FEIC embarked upon a prolonged campaign to publicly illuminate Raytheon's criminogenic role in the military-industrial complex, and to remove their operations from Derry.

Mass-mobilisation and censure

In both the instance of the PLA and DAWC-FEIC, movement organisers spent considerable time building alliances and generating popular support. For DAWC-FEIC the invasion of Afghanistan and Iraq proved a catalysing event which attracted significant numbers to the cause. Drawing on this growing support base, they were able to organise frequent protests, and direct action, such as the March 2003 occupation of Raytheon's premises, which followed the dropping of a Raytheon bomb on a Baghdad marketplace, killing 62 people (Milmo, 2003).⁷

The PLA also forged a strong local support base. Most critically, strategic alliances were made with sympathetic Chiefs. One notable inclusion was Damien Dameng, a traditional leader who had a following of around 4,000 villagers in the Kongara region, south-west of the mine (Oliver, 1991: 180-81). With his assistance the PLA was able to organise a demonstration against the mine in March 1988 with around 400 marchers, they also implemented road-blocks and lobbied provincial and national politicians.

Initially, the respective corporate interests in Derry and Bougainville underestimated the censoring movements opposing them. For example, following a meeting with Raytheon Systems on 18 May 2000, the Industrial Development Board noted: ‘The consensus ... is that the issue is being driven by only a very small number of people’ (Industrial Development Board, 2000). Two years later in a letter to the Minister for Enterprise, Trade and Investment, Raytheon Systems confidently noted ‘we do monitor their activities closely to ensure it does not get out of hand’ (Raytheon Systems, 2002a). Bougainville Copper was also initially unalarmed by the PLA’s campaign. Indeed, senior management viewed the new PLA leadership as ‘try-ons’,⁸ who were ‘not fully representative’ of the community (Quodling, 1991: 57).

However, corporate anxieties increased in both cases when it became apparent that there was some formal political support for the respective resistance movements. In DAWC-FEIC’s case they had obtained Derry City Council’s support. This resulted in the unanimous passing of a special motion on 7 January 2004, which stated: ‘Council had received assurances that the Raytheon facility here in Derry would only be engaged in activities that had civilian applications ... Council acknowledges that Raytheon’s core global business is the arms trade ... Council wants no part of that trade in this city’ (cited in McCann, 2006). This motion came at an inopportune time for Raytheon Systems, who were in the process of shifting their Derry focus to weapons-systems.

This shift was first signalled in December 2002 when Raytheon Systems privately informed the Northern Ireland Secretary: ‘We have limited the business to non-defence work which has unfortunately resulted in only 40% of the revenue required to sustain and grow the business. Consequently we have not been able to increase the number of employees in line with the

conditions of the grants received' (Raytheon Systems, 2002b). In a subsequent meeting with Invest NI, Raytheon Systems noted 'that opportunities in the UK military arena are mega' (Invest NI, 2003a). By August 2004, Raytheon Systems confirmed their Derry plant would be working on the Ministry of Defence's Joint Effects Targeting System a project that aimed 'to improve ... operational capability in the battlespace by enhancing the combat effects of tempo, simultaneity, surprise, tactical agility, lethality and survivability, all whilst reducing fratricide' (Invest NI, 2004a; Raytheon Systems, 2004; Raytheon Systems, 2006). Several months later Raytheon Systems also informed Invest NI that the Derry office was likely to be involved in 'deconfliction work':

[This] will allow various vehicles e.g. land vehicles, planes, shells etc. all to be assessed in real time. In addition stationary items e.g. schools, enemy bunkers will also be considered all in order to allow military objectives to be achieved e.g. the dropping of humanitarian aid, or other goals. (Invest NI, 2004b)

As a result of the transition, Raytheon Systems was aware it needed to sure up political support.

With Invest NI's assistance, the company lobbied the government during 2004. By January the following year, Raytheon System's Director of Engineering Technology, Alan McCormick, confirmed relations had improved with the Derry City Council. Invest NI notes, 'McCormick thanked Invest NI for its support during this period, including our input to the Derry Council situation. It appears that the current mayor (Sinn Fein) is very supportive' (Invest NI, 2005b). Raytheon Systems, however, agreed that no press release would be issued advertising their new defence contracts, instead 'the company will continue its policy of

maintaining a low profile whilst continuing to work with local charitable initiatives' (Invest NI, 2005a).

In contrast, Bougainville Copper had a more turbulent relationship with Papua New Guinea state officials. Following a 25 November 1988 meeting with government Ministers, Bougainville Copper's Managing Director recalls, 'I fairly quickly gained the impression that it was BCL [Bougainville Copper] more than the Landowners who were considered responsible for the problems that had arisen' (Bougainville Copper, 1988e). The different political response here can be explained, in part, by the nature of Bougainville Copper's investment. Unlike Raytheon, it had embedded significant quantities of capital in an extractive apparatus. Thus the company was heavily anchored to Bougainville, making it more vulnerable to political demands. Compounding matters, the influential Minister for Provincial Affairs – who was an MP for Bougainville – along with the head of Bougainville's provincial government, both felt that the company benefited from an unfair revenue-sharing agreement, negotiated during the colonial period. Accordingly, they leveraged the PLA's activities to lobby cabinet and Bougainville Copper for changes to the arrangement. That said, the use of sabotage would illuminate the state's ultimate priority in both cases.

Sabotaging the means of production

In the lead-up to the sabotage campaigns, both social movements sensed the limitations of their existing tactics. 'Everything else had been tried, that's the point', remembers one Raytheon campaigner, 'we had marched, we had visits to the local council, we made delegations twice, we had written to news, MPs and so forth'.⁹ Similarly, despite wide-ranging protests, petitions, road-blocks and political lobbying the PLA had also failed to

achieve its campaign objectives. Francis Ona's frustration was evident at a 31 July 1988 meeting. 'We the landowners will close the mine', he claimed, 'we are not worried about money. Money is something nothing. The operation is causing hazards healthwise. We don't want to talk anymore' (Bougainville Copper, 1988c).

There was also, in both instances, a specific triggering event. For DAWC-FEIC, it was an Israel Defence Force missile attack which destroyed an apartment block in the Lebanese town of Qana on 30 July 2006 (Human Rights Watch, 2007). Twenty-seven people were killed, 16 of whom were children. The missiles derived from an MK-86 guided bomb unit (GBU), manufactured by Raytheon (Fisk, 2006: 1). Eamonn McCann, a Raytheon 9 activist recalls, 'we knew immediately that the GBU was associated with the Derry plant because we had done enough research ... to know ... that the electronics being produced at the Derry plant were involved specifically in the production of GBUs'.¹⁰

DAWC-FEIC activists involved in the subsequent sabotage campaign, identify two principal motivations. First, they had a duty under international law to inhibit the Israel Defence Force's capacity to attack civilian targets, 'even for only minutes or an hour'.¹¹ A Raytheon 9 activist explains, 'the Raytheon plant in Derry was part of the global link up where the technology that was being used for bunker buster bombs, that have been delivered on Lebanon, was being developed in Derry. So there was an idea that if you could get in and destroy the actual means of production in the Raytheon plant in Derry then you can stop bombs hitting Lebanon'.¹² Second, it was now felt that something drastic was needed to censure Raytheon Systems, and their state supporters: '[We] were also dramatising the issue, showing the city that [Raytheon's Derry plant] ... which has been defended by some local politicians, was directly implicated in war crimes'.¹³

On Bougainville the triggering event was of a different character. In August 1988, the Papua New Guinea government contracted a consultancy firm, Applied Geology Associates, to conduct an inquiry into the social and environmental impacts of the Bougainville mine. To the PLA's surprise, the consultants concluded at a public meeting in November 1988 that 'BCL [Bougainville Copper] has done good work' (Bougainville Copper, 1988d). The PLA's Secretary stormed out declaring the inquiry a 'whitewash'.¹⁴ A 'special operations planning committee' set up by the PLA, then decided only sabotage could 'put a quick end to all this arguing and environmental damage'.¹⁵

Once triggered both sabotage operations were successfully carried out. In Derry, nine activists gained entry to Raytheon's premises on 9 August 2006, while around 100 stood outside in solidarity. Employees were asked to leave.¹⁶ An hour later, activists decommissioned the plant by pouring water on the computer mainframe that linked the centre to Raytheon worldwide.¹⁷ Several computers were also thrown out the office window. A banner was then unfurled, stating 'Raytheon has been decommissioned'.

An elaborate police operation was implemented in response. Goretti Horgan, a DAWC-FEIC activist remembers: 'The police actually sent hostage negotiators, they actually flew in by helicopter, as if there were hostages ... So that's also what people saw on their TV screens, they saw them being treated as dangerous criminals'.¹⁸ One Raytheon 9 activist recalls their trepidation upon seeing the force marshalled against them: 'My first thought was of my family because I thought ... "you're not getting slapped on the wrist for this" ... which, I understand, was the point, we needed to highlight Raytheon and it turned out that that was the best way to do it'.¹⁹

The police entered the premises in the late afternoon, using chainsaws to break through a blockade. One of the Raytheon 9 recalls, '[40 police] smashed through the doors wearing riot gear, many holding Perspex shields, some pointing plastic-bullet guns' (McCann cited in Steel, 2008: 30). They were met by nine activists playing cards.²⁰ The Raytheon 9 were arrested, held in custody, and subsequently charged with three counts of criminal damage and affray, while two were also charged for the theft of computer disks. One of the activists recalls, 'we were very happy to accept the consequences', indeed the trial was an integral feature of the group's strategy to censure Raytheon.²¹ In this respect, the Raytheon 9 tactics drew from a tradition initiated in the US by the Plowshare movement; made up mainly of Christian pacifists, Plowshare activists appropriated arrest, and prosecution, as forums through which to censure organisational actors implicated in the military-industrial complex (see Nepstad, 2008: 78–82).

Northern Ireland's political establishment was united in its condemnation of the saboteurs. Mark Durkan, the MP for Foyle, claimed 'people are ... free to express opposition to the arms trade and the role of a company like Raytheon at a global level within that. But destroying property and possibly prejudicing other investment and employment prospects is not the way to register such concerns' (cited in Pogatchnik, 2006). According to one of the Raytheon 9, Eamonn O'Donnell, 'even our own local parties turned against us...of course, the right wing parties and the DUP [Democratic Unionist Party] would condemn it, but our own, Sinn Féin, they didn't want to know'.²²

On Bougainville sabotage was conducted covertly, under the cover of night on 25/26 November 1988, and culminated in a number of dramatic operations where high voltage

transmission towers were felled using dynamite. Bougainville Copper labelled the operation, ‘highly organised terrorism by the Landowner party under [the] directions of Francis Ona’ (Bougainville Copper, 1988f). The company’s Managing Director told government Ministers that it was necessary ‘to apply the law first, i.e. charge and deal with those involved’ (Bougainville Copper, 1988f). However, Papua New Guinea’s Prime Minister rejected Bougainville Copper’s proposal and instead sent a peace delegation to the island. The company’s Chairman informed Directors at Conzinc Riotinto of Australia (CRA), Bougainville Copper’s immediate parent: ‘The PM’s priority was to “appease” the landowners. I expressed the view that CRA would want to review its assessment of PNG [Papua New Guinea] as a place to invest’ (Bougainville Copper, 1988g). The Prime Minister was, however, unmoved by the Chairman’s threat.

The aftermath

For DAWC-FEIC, the Raytheon 9 trial proved to be the validating forum they had hoped for. Indeed, the case attracted wide support from prominent public intellectuals, in addition to a range of anti-war organisations. DAWC-FEIC also organised regular protests to coincide with the court appearances. The defence team argued that their clients had a lawful excuse under Article 7 of *The Criminal Damage (Northern Ireland) Order 1977*, as the damage was inflicted in an honest belief it would help to protect the property of Lebanese citizens from being destroyed by the Israel Defence Force. To that end, Raytheon’s complicity in Israel Defence Force war crimes was a central feature of the defence’s case. Indeed, at one point during the trial the judge warned a Raytheon Systems witness that he was at risk of self-incrimination.²³

The jury acquitted the Raytheon 9 on 11 June 2008. One of the exonerated activists, Eamonn McCann, informed supporters outside the courtroom:

The jury has accepted that we were reasonable in our belief that: the Israel Defence Forces were guilty of war crimes in Lebanon in the summer of 2006; that the Raytheon company, including its facility in Derry, was aiding and abetting the commission of these crimes; and that the action we took was intended to have, and did have, the effect of hampering or delaying the commission of war crimes. (Raytheon 9, 2008)

The success of the campaign, and their its subsequent vindication by the courts, led DAWC-FEIC to organise another sabotage action after Raytheon weaponry was employed by the Israel Defence Force during Operation Cast Lead. When activists were unable to reach the computer mainframe they chained themselves to the internal door. The occupation ended when police agreed to investigate Raytheon's complicity in Israeli war crimes – no investigation was subsequently conducted.²⁴

The embarrassment caused to the Northern Ireland government by the second act of sabotage was registered in a letter to Raytheon Systems sent by the Minister for Enterprise, Trade and Investment: 'I wanted to take this opportunity to write to you following the disgraceful events that occurred at Raytheon's NISSC [Northern Ireland Systems and Software Centre] facility on January 12th and to reaffirm my strong and continuing support for Raytheon's valuable presence in Northern Ireland' (Foster, 2009). The activists involved were once again acquitted by the courts.

Invest NI records suggest Raytheon was dismayed by the attacks, and subsequent jury decision: ‘Unfortunately, it would appear that the view of senior US management is that the legal system in Northern Ireland does not offer the degree of protection to their business that could be expected in other parts of the world’ (cited in Mullin, 2010). Of particular importance here was the classified nature of the work conducted at Raytheon’s Derry office, which made repeated breaches of security especially problematic (see Raytheon, 2010: 19). Despite offers of further government support and financial assistance, Raytheon Systems closed its Derry plant in February 2010.

In contrast, Bougainville Copper’s departure occurred under more spectacular and violent circumstances. Although an amnesty was initially offered to the PLA leadership, Papua New Guinea’s Police Commissioner defied cabinet wishes and ordered their arrest. Following violent police raids, the PLA leadership escaped into the Kongara region under Damien Dameng’s protection, where they formed the Bougainville Revolutionary Army. Having in place a defensive buffer landowners resumed the sabotage campaign during May 1989, felling transmission towers, and this time also firing upon a Bougainville Copper bus convoy.

The company’s Managing Director immediately wrote to Papua New Guinea’s Prime Minister, insisting on the need for an authoritative response (Bougainville Copper, 1989a). Unlike Raytheon, Bougainville Copper was anchored to a geographically specific ore body, which needed to be extracted by labour over an especially prolonged period in order to progressively realise the extensive investment of (constant) capital in mine infrastructure. Thus for Bougainville Copper, stability meant ensuring their long term tenure at Panguna. In contrast for Raytheon it correlated more closely with the sanctity of their premises, which

could be moved if need be to more fortified areas without significant loss. These important differences mediated the respective corporate reactions.

Working in Bougainville Copper's favour, a cabinet reshuffle had given rise to an influential 'hawk' faction at a time when government finances were seriously affected by the sabotage campaign – the mine generated '24 per cent of total government revenue' (Namaliu, 1995: 61). On the 8 June 1989, Bougainville Copper's Managing Director was informed by the Minister of State that the Papua New Guinea Defence Force was planning to 'neutralise' the Bougainville Revolutionary Army through 'brutal firepower' (Bougainville Copper, 1989b). To aid the offensive, Bougainville Copper supplied trucks, fuel, messing facilities, accommodation, storage space, office blocks, and secretarial support to the troops (see Lasslett, 2014). Papua New Guinea's main strategic partner, Australia, contributed armaments, helicopters, and military advisors.

Employing this assistance, Papua New Guinea launched a series of counterinsurgency operations (see Lasslett, 2014). Dozens of villages around the mine were burnt, and their residents placed in internment camps. The Papua New Guinea Defence Force also bombarded civilian areas with 81mm mortar rounds, and helicopter gunfire. Those suspected of Bougainville Revolutionary Army collaboration were frequently tortured and then executed. In response, the Bougainville Revolutionary Army condemned these atrocities as a violation of international law, and drew on the visceral emotions they provoked, to increase their support base and mobilise the island behind secession, which they argued, was the only viable political mechanism for achieving justice (Ona, 1989). By 1990 the Bougainville Revolutionary Army enjoyed island wide support. As a result, Bougainville Copper withdrew from the island, with the last employees leaving in February 1990. A military blockade was

then placed around Bougainville by the Papua New Guinea government, cutting off humanitarian supplies – renewed military efforts followed. The conflict continued for another seven years before a cease fire was reached. By then, however, approximately 10,000 people had lost their lives. To this day the mine remains closed, and the surrounding area is heavily guarded by ex-combatants who oppose Rio Tinto's return.

Theoretical conclusions

As we noted above, a problem associated with criteria-based definitions of state crime is that they risk omitting from the field, practices essential to the historical actuality of state crime. Indeed, in both the cases examined here, deviant state-corporate conduct did not in itself inscribe the operations and operators with the quality of being criminal (though they were essential preconditions). Rather, the way communities converged into resistance movements, and the techniques these movements employed to expose and condemn, proved of critical importance.

In the latter respect, sabotage had a number of specific qualities that helped facilitate censure and control. First, the act itself, which in both cases was deliberately spectacular, provided a dramatic way through which to impress the point that the means of production had specifically destructive qualities which breached elementary conduct norms. Second, the resort to sabotage, as a final act in a prolonged campaign of peaceful resistance, powerfully exposed state complicity in deviant corporate activity. Indeed in both cases it compelled the state to openly abandon its 'neutral' role, and prioritise capital over life and environment. Third, the enactment of sabotage demanded a visible display of self-sacrifice by those condemning state-corporate deviance – at the very least their liberty was at stake. Through

acts of self-sacrifice activists inscribed both worth and meaning on the victims of the censured practices, and at the same time ascribed wrongfulness to the state-corporate perpetrators. Finally, sabotage also generated a new site of contestation in which activists could manoeuvre to amplify the effects of their protest. DAWC-FEIC, for instance, employed their appearance before the courts, as a site in which to engage in counter-hegemonic practices. In so doing they subverted a space of discipline, and employed it to amplify the censoring power of sabotage. On Bougainville, where the state's punitive response assumed a more brutal form, rebel landowners harnessed state terror to legitimise their campaign against Bougainville Copper, and to mobilise on a scale that was previously unthinkable, employing secession as an organising framework. As a result of these efforts, there remains a vocal ban on industrial-scale mining in the Panguna region enforced from below; while the success of the Derry activists has become a powerful symbol frequently cited in the ongoing campaign against the arms trade.

Of course, there are other dimensions of these struggles which we argue are best captured drawing on Marx's social ontology, and theory of capitalism. To that end, in the cases examined here, we have suggested those in positions of corporate power experienced a mode of life that overwhelmingly engendered care – in a mediated sense – for the intricate ways in which value, is applied and then realised. For state-officials, this concern had a definite geopolitical dimension to it, with the focus being on how value embeds and circulates, and its consequential effects upon governing priorities. The resultant ecological damage/war crimes were matters of no *practical* importance or meaningful consequence, removed as they were from the immediacy of value's circulation. Indeed, Bougainville Copper's drive to act as value for-itself meant its management primarily experienced the surrounding ecosystem as a physical barrier to the ore body in need of efficient removal, and an inexpensive receptacle

for mine waste. The environmental harms being challenged by landowners were also of minor lived importance for state actors, compared that is with their significant lived experience of the mine's impact on the state's fiscal life.

Similarly, in the instance of Derry, the end use of certain Raytheon products (i.e. killing human beings), and the negative reaction it might elicit, was primarily experienced by state-corporate actors as a barrier to expanded reproduction that needed be overcome. This barrier was eventually circumvented through the covert flow of capital into weapons systems. When censure was subsequently enacted, state officials overtly prioritised 'investment' and 'employment' – despite the small size of the Derry operation – over the 27 lives taken in Lebanon, without, that is, repudiating the norms DAWC-FEIC were appealing to. Furthermore, when the social priorities generated by practical experience (i.e. the production and realisation of value), clashed with the social priorities designated by fundamental human rights norms (i.e. the sanctity of human life), state-corporate actors in Northern Ireland displayed no evidence of dissonance. This indicates that even where conduct norms are accepted by state-corporate actors, their violation does not necessarily invoke a sense of guilt or responsibility. We suggest, in this respect, that such indifference arises in situations where there is an absence of a meaningful relation with victims – a determination, which is directly linked to how practices connect actualising subjects with the social landscape in which they operate.

In both cases, the antagonisms cultivated by varied experiences of capitalism's social dynamics, converged most palpably through the medium of sabotage. When indifference confronted its opposite, the reaction of state-corporate actors was one of incomprehension, outrage, and condemnation. These reactions speak more to a sense of managerial and

administrative alienation from the concrete impacts of their actions than they do of malevolence. Just as the social product of labour, capital, stands above the worker as an ‘alien power that dominates and exploits him’ (Marx, 1976: 716), the disasters which capital generates, are realities that its practitioners are disconnected from, and bear no meaningful sense of lived responsibility for. Such disconnection also points to the difficulty of establishing normative frameworks that can restrain state-corporate deviance, given that the very outcomes these norms designate as wrong are commonly experienced by instigating actors as both alien and insignificant.

Of course, sabotage is only one, rarely employed form of censure. Nevertheless, we contend that it, and other dramatic forms of direct action, are powerful methods of resistance that expose, define and challenge state/corporate crimes. While indifference may not have been overcome, both acts of sabotage, perhaps because of their confrontational nature, served to publicly highlight the integral nature of indifference in state criminality. By forcing state-corporate criminal actors to make explicit their commitment to capital over human life (and therefore their indifference to human suffering) the two cases of sabotage publicly expose the raw brutality of state crime and reaffirm the essentially dialectical nature of the processes central to its constitution.

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Notes

¹ Bougainville at the time formed part of Papua New Guinea's North Solomons Province. However, following a 2001 peace accord it now forms part of the Autonomous Region of Bougainville.

² Two key landowner leaders involved in the sabotage campaign, Perpetua Serero and Francis Ona, had by this stage passed away from illness. Accordingly we have relied on archival records to document their views. Activists closely connected with Ona and Serero were also interviewed.

³ Ninety-seven percent of land in Papua New Guinea is owned by clans who administer landed property according to custom.

⁴ Interview, Peter Doran, FEIC, Belfast, 4 October 2013.

⁵ Interview, Shane O'Curry, 2013 FEIC, Dublin, 8 September 2013.

⁶ Interview, Eamonn McCann, DAWC, Derry, 7 October 2013.

⁷ Interview, Colm Bryce, DAWC, Derry, 20 September 2013; Interview, Goretta Horgan, DAWC-FEIC, Newtownabbey, 19 August 2013.

⁸ Interview, Senior Manager, Bougainville Copper Limited, 7 June 2006. The name and location of company personnel and PNG state officials have been anonymised.

⁹ Interview, Eamonn McCann, DAWC, Derry, 7 October 2013.

¹⁰ *Ibid.*

¹¹ Interview, Eileen Webster, DAWC, Derry, 3 October 2013.

¹² Interview, Davy McAuley, DAWC, Derry 20 September 2013.

¹³ Interview, Peter Doran, FEIC, Belfast, 4 October 2013.

¹⁴ Interview, Senior Manager, Bougainville Copper Limited, 7 June 2006.

¹⁵ Interview, Bonabenja, PLA Special Operations Planning Committee, 18 December 2013.

¹⁶ Interview, Goretta Horgan, DAWC-FEIC, Newtownabbey, 19 August 2013.

¹⁷ Interview, Sean Heaton, DAWC, Derry, 18 October 2013.

¹⁸ Interview, Goretta Horgan, DAWC-FEIC, Newtownabbey, 19 August 2013.

¹⁹ Interview, Sean Heaton, DAWC, Derry, 18 October 2013.

²⁰ Interview, Colm Bryce, DAWC, Derry, 20 September 2013.

²¹ *Ibid.*

²² Interview, Eamonn O'Donnell, DAWC, Derry, 20 August 2013.

²³ Interview, Colm Bryce, DAWC, Derry, 20 September 2013.

²⁴ Interview, Goretta Horgan, DAWC-FEIC, Newtownabbey, 19 August 2013.

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