

Securing Justice: A Critical Examination of Security Ten Years after 9/11
Centre for Interdisciplinary Justice Studies
University of Winnipeg, Manitoba, Canada

Final Long Program

All Sessions are held in room 2M70, located on the second floor of Manitoba Hall at UW.

THURSDAY, MAY 10, 2012

2:00-2:30 Welcoming Remarks

Dr. Glenn Moulaison (Acting Dean of Arts, University of Winnipeg)
Richard Jochelson and Kelly Gorkoff (Criminal Justice, University of Winnipeg)

2:30- 3:20 Keynote Presentation

Chair: Steven Kohm (Criminal Justice, University of Winnipeg)

How would we do Anti-security? George Rigakos (Law, Carleton University)

We are told we are living in exceptional times. That the world changed after 9/11. That our age is a new age of insecurity and risk. That the police have been forced to respond in ways that are a product of this very difficult epoch. This presentation critiques these notions arguing that the concept of "security" has always trumped liberty, camouflaged domestic and international pacification and acted as a blockage to intellectual debates about social problems and potential social change. The idea of security was an Enlightenment project that quickly rose to the status of "the supreme concept of bourgeois society", eventually colonizing all aspects of commodity production and consumption, and by extension human relations. To understand security today we must deny false binaries such as liberty versus security, public versus private, soft versus hard, domestic versus international, exceptional versus normal, and civilization versus barbarism. To be against security, therefore, is to stand against the securitization of political discourse, and to challenge the authoritarian and reactionary nature of security. Instead of ever-more security, seemingly at any cost, we must aim for an alternative political language that takes us beyond the narrow horizon of capitalist insecurities and its associated police power.

3:30-4:45 Policing and Security Post-9/11

Chair: Gavin Donatelli, Manitoba Justice

The Privatisation of Security Post 9/11: A Cause for Concern. Anne-Marie Singh (Criminal Justice & Criminology, Ryerson University)

In the post 9/11 context, private security has grown dramatically in both size and function. Not only does private security outnumber the public police but increasingly they out-police the police. Private security increasingly operates to secure public spaces, primarily through the

application of the law (or rule enforcement) and other reactive, coercive and exclusionary measures. Such initiatives reflect long held beliefs about what security is and how best to achieve it: beliefs that are deeply tied to liberal capitalist political economy. After exploring these connections to political economy, I examine contemporary efforts to regulate the private security industry in Canada and abroad, ultimately finding "hierarchical" approaches to governance lacking. Towards reframing the regulatory debate, I argue for the need to design "heterarchal" approaches to regulating private security in the public interest.

Penal Governmentality in the 2012 Canadian Anti-Crime Legislation: Wars Against Crime, Dissent and Democracy and Economic Imperatives of the Hypersecurity State. Claudio Colaguori (York University)

On March 16, 2012 the Safe Streets and Communities Act becomes law in Canada. It enacts sweeping legislation aimed at crime control. While most nations are moving away from a "crime control" (Packer) model of justice the Canadian government led by Prime Minister Stephen Harper is moving in an opposite direction. Against sociological expertise and criminological evidence the Canadian state will be implementing a law and order agenda typical of the model that characterized American crime policy based on mandatory minimum sentencing and a "zero-tolerance" attitude. It is argued in this paper that this tactic of governance is firmly supportive of the new turn in neoliberal authoritarian politics characterized by post 9/11 hypersecurity (Colaguori). The Act on the surface deals with crime control but is framed within a larger context of securitization strategies that police civil disobedience and other dissident activities. In the context of global economic and political uncertainty it is governmentally strategic to put forth legislation that can be used to safeguard against public insurrection and other forms of instability that threaten the fragile economic and corporate prosperity conditions that are the cardinal aims of conservative governments worldwide. This analysis examines the new Canadian anti-crime legislation as an intensification of governmental strategies aimed at a broader form of social control beyond violent crime towards the policing of public conduct with the ultimate aim of economic order, and which comes at the cost of public liberty.

Developments in Canadian Policing and Security Post 9/11. Christopher Murphy (Sociology and Social Anthropology, Dalhousie University)

This presentation focuses on security-related developments and/or lack of developments primarily in public policing and public safety and security in Canada post-9/11. I discuss the reconfiguration of the role and infrastructure of public policing in the aftermath of 9/11, the blurring of policing and security boundaries, the movement towards police and policing integration and interoperability. I will also focus on the emergence of public order policing as a problem and a priority, and future directions in the ongoing evolution of Canadian policing in the new security era.

5:00-6:15 Culture, Media and Security

Chair: Pauline Greenhill (Women's and Gender Studies, University of Winnipeg)

Listening to the 'war on terror': Sound, audio culture and security and justice post 9/11

Michael Mopas (Sociology and Anthropology, Carleton University)

While much has been written about the visual images of 9/11 and how they have repeatedly been used for a variety of political purposes since the attacks a decade ago, very little has been said about the cacophony of sounds that have been generated from this tragic event. From songs written to commemorate the victims to the recorded phone calls between EMS dispatchers and those inside the Twin Towers on the morning of September 11, a wide range of sounds have not only served to shape our collective understanding and memory of this day, but have also been mobilized by different actors to propagate various security initiatives. Other sounds have had an even more direct role in the so-called 'war on terror'. Audio intelligence collected through wiretaps, sonic weapons aimed at quelling protestors and loud music used to torture prisoners, are just a few examples of the sounds employed as tools of warfare. This paper explores the ways that sounds have been used to both legitimize and carry out the 'war on terror'. I begin by looking at how the contestation of sounds surrounding 9/11 has helped to structure the social, political and cultural framework within which questions of security have been debated. I will then examine the impact that this event has had on the audio culture of security. More specifically, I will consider how the 'war on terror' has altered our conceptions of what sounds can do and how they work, what sounds we can and cannot hear, and who is permitted to hear and be heard, in the 'name of security'. I conclude by discussing the broader implications that this war on terror fought through sound has for security and justice post 9/11.

Policing (by) the Urban Brand: Governing Security in Winnipeg's Exchange District

Sonia Bookman (Sociology, University of Manitoba)

Contemporary urban branding efforts are often directed by Business Improvement Zones (BIZs), which bring together private and political actors in an organized bid to project a coherent and marketable image of urban space. Drawing on insights from contemporary branding, policing and security governance literatures, and data from a study of the Exchange District BIZ in the City of Winnipeg, we assess the branding of the Exchange neighbourhood. We examine the ways in which the urban brand is both policed to ensure that the BIZ region maintains a coherent image, paying particular attention to the use of security patrols and environmental design to shape perceptions of place. However, we also consider the brand itself as a source of policing, since it acts as a regulatory ideal or 'definition of order' that facilitates the coordination of the multiple auspices and agents engaged in the co-production of the brand. We conclude by examining some of the socio-spatial implications of this process, reflecting on the way urban brands increasingly mediate the "right to the city" of different social groups (Lefebvre, 1991).

Mass-mediated (In)Security in Trinidad and Tobago Steven Kohm (Criminal Justice, University of Winnipeg)

Since 9/11, the Eastern Caribbean nation of Trinidad and Tobago has seen an increasing convergence of public and private security. Peculiarities of the national legislation blur the boundaries between public and private and suggest a longstanding privileging of private interests and property flowing from the colonial history of the nation. The market imperatives driving the private security industry in Trinidad and Tobago respond to and feed a general public atmosphere of insecurity and fear of crime. I argue that a peculiar alignment can be observed between official discourse, private sector marketing rhetoric, and mass-mediated crime news. These three sources of rhetoric about security stoke broader cultural concerns about government corruption, the nation's colonial history, and aspirations for developed world status. Growth and development of security in Trinidad and Tobago can only be fully understood by interrogating these broader cultural contexts.

6:30-9:00: Dinner Sponsored by CIJS

All conference participants are welcome to join us for dinner at Sorrento's Restaurant, 529 Ellice Avenue, about 1 block west of UW. Sorrento's is a casual Italian restaurant.

FRIDAY, MAY 11, 2012

9:00-9:30: Coffee and Registration

9:30-10:45 Knowledge, Power and Resistance

Chair: Jacqueline Romanow (Indigenous Studies, University of Winnipeg)

Networks of Destruction in Indigenous North America: Boarding/Residential Schools and Securing the "Indian Problem" in Canada and the US. Andrew Woolford (Sociology, University of Manitoba)

This presentation offers a comparative sociological perspective on the position of boarding/residential schools within patterns of attempted colonial genocide in North America. Using concepts adapted from the theory of Nodal Governance -- including "Networks of Destruction", "Genocidal Nodes", and "Colonial Outcome Generating Systems" -- the presentation situates Indigenous experiences of schooling within a network of colonial actors and institutions directed toward solving the "Indian Problem", which is understood here as form of governmental problematization directed toward removing perceived Indigenous barriers to settler land appropriation, resource extraction, and nation-building. Within this network, particular 'genocidal nodes' (sites where knowledge, capacity and resources are mobilized to manage a course of events) are directed toward addressing a governmental problem through their own specific institutionalization of the colonial outcome generating system (a term used to capture the order that underwrites complex collectivities as they create outcomes across time and space). Through the deployment of these terms, residential/boarding schools are argued to have acted as genocidal nodes within a broader network of destruction animated by a colonial outcome generating system that failed to fully recognize, sought to interrupt, and rationalized the forcible

transformation of Indigenous lifeworlds. In this presentation, the nodal governance framework will be examined in relation to the development and implementation of residential/boarding schools in the Canadian Prairies and the US Southwest.

The Hassan Diab Case: Human Cost in Harper's Canada Post 911 and How We Can Fight Back. Aaron Doyle (Sociology and Anthropology, Carleton University)

Abstract TBA

Pathologizing Resistance: Criminalization, Pacification and Psychocentrism. Heidi Rimke (Sociology, University of Winnipeg)

Relying on an anti-security approach, the presentation discusses the growing role of psychocentrism in the criminalization of resistance by examining the contemporary discourse of “violent extremism” as an Official effort to pacify the population and to fortify dominant law and order rhetoric characterizing Western neoliberalism.

11:00-12:20 Law, Society, Justice and Democracy

Chair: Curt Pankratz (Sociology, University of Winnipeg)

Securitizing Sexual Freedom through Obscenity and Indecency Law. Kirsten Kramar (Sociology, University of Winnipeg)

This paper traces the logics underpinning obscenity and indecency law in Canada from *R. v. Hicklin* (1868) to the present day in *R. v. Labaye* (2005) to discuss the emergence of a precautionary principle in the law governing sexually explicit materials and conduct. The most recent Supreme Court decision on obscenity and indecency law (*R. v. Labaye* 2005) is interesting for its appropriation of a security inspired logic of pre-emption (or precautionary governance) into the heart of obscenity and indecency law. The replacement of the community standards of tolerance test for the undue exploitation of harm with a new, so-called objective test for risk of harm, obviates the need for empirical evidence of harm to justify the exercise state power. Today, risk of harm becomes a stronger element within the rubric of obscenity and indecency law thus enabling criminalization on the basis of a judge's perception of the imagined negative effects of sexual conduct and materials on constitutional values such as liberty and equality.

Risk, Security, and Social Justice: Preventing Terrorism Financing in Financial Services Vanessa Iafolla (Centre of Criminology, University of Toronto)

Post-9/11 changes to Canadian proceeds of crime legislation have transformed the landscape of financial services. The responsabilizing effect of the legislation meant that private-sector employees, like bank tellers, were suddenly responsible for policing financial activities at the teller wicket and examining them for irregularities. Employees in financial institutions who encounter a transaction that they deem ‘suspicious’ are required by law to report this suspicion to Fintrac, Canada's reporting body for money laundering and terrorism financing. This paper will

address two key questions raised by the reporting process: firstly, it will inquire into the ‘red flags’ that alert bank tellers to possible financial wrongdoing by bank clients, with particular emphasis on terrorism financing. How do tellers construct financial transactions—and the clients who would conduct them—as ‘risks’ to bank security? Secondly, this paper will inquire into the implications for clients who fall under the gaze of this security apparatus. What are the negative effects of being identified as a risk that clients might experience? In what ways does being constructed as a risky subject carry the potential to adversely impact a client’s participation in trade and commerce in Canada and internationally. Relying on interview data with employees working in the banking sector, this paper examines the application of Canada’s *Proceeds of Crime (Money Laundering) and Terrorism Financing* legislation in Canadian financial institutions, and inquire into the effects of Canada’s rush to ensure security by preventing the funding of terrorism on bank practices, and the clients who are subject to them.

Democracy: A Philosophical, Political, and Legal Trap, Eye-Catching, and Catch-All
Sirus Kashefi (Osgood Hall Law School)

Based on a free philosophical, legal, and political approach, this paper aims at critically analyzing how *democracy* has become a harassing word or a leitmotiv around the world regardless of political regimes. Indeed, there is scarcely anybody who has not said anything about democracy yet. From Ancient Greece to our time, almost all philosophers, lawyers, and politicians have abundantly written and talked about or have even worshiped democracy. It may not be wrong if I say that to speak about democracy is a jurisprudential and political obsession touching all thinkers and politicians in the world. In short, democracy is a universal scripture that justifies all types of government through politico-legal verbiage.

Thus, I would like to show in this paper how democracy has become a philosophical, legal, and political trap, eye-catching, and catch-all whereby all dictators (from Lenin and Stalin to Sukarno by passing George W. Bush and Gaddafi, for example) and warlikers (e.g. Bush and Blair) have justified their cruelties and political murders. On the one hand, this paper analyzes some philosophical and legal propagandist ideas on democracy. On the other hand, it will show how the politicians and the Statesmen put into practice those ideas in order to ensure so-called “security” at both national and international levels in a context so-called “globalization” of democracy and security. In short, democracy has become universal.

12:30-1:30 Lunch

1:30-2:20 Keynote Presentation

Chair: Heidi Rimke (Sociology, University of Winnipeg)

Security’s Resilience. Mark Neocleous (Politics and History, Brunel University)

The category ‘resilience’ has in the last decade come to be widely used to address a whole range of social, economic, political and personal issues. From the ways in which organizations might deal with corporate set-backs to how individuals might manage personal trauma, ‘resilience’ is now a key term in political and cultural discourse. This development has huge implications for the politics of security. The paper suggests that resilience has simultaneously become a key

political category of both neo-liberal subjectivity and new security measures. As such, the rise of 'resilience' reveals the ways in which security and capital have conjoined histories; the authoritarian dimension of neo-liberalism; and the way in which we are nurtured into a 'securitized' vision of the future. In the terms of the conference theme, a critical examination of security in the last 10 years reveals that the issue is less 'securing justice' and more 'securing capital'.

2:30-3:45 Securing International Migration

Chair: Peter Ives (Politics, University of Winnipeg)

Unsettled Waters: The Arrival of Tamil Asylum Seekers. Harini Sivalingam (Socio-legal Studies, York University)

Borders have become a key battleground in the governance of security since 9-11, which facilitated and legitimized the process of restricting migration of racialized groups into the Western hemisphere. Asylum processes are viewed by conservative elements of society as a weak and often risky link in Canadian migration policy. Using the cases of the Tamil boat arrivals via the MV Ocean Lady in October 2009 and MV Sun Sea in August 2010, this paper will examine how deeply this security-conscious ideology has become entrenched and infused into dominant discourses concerning refugee protection and humanitarianism. The arrival of these Tamil asylum seekers by boat, caused a wave of panic among some Canadians and government officials and reignited the public discourse over reforming Canada's refugee determination system. The dominant discourse of government officials invoked themes as "que jumpers", human smuggling, terrorism, public health risks, and burdens on the public services to justify reforming the "broken" refugee system. While, the discourse of resistance by community groups and refugee advocates opposed the government's negative portrayal of refugees that arrive in Canada and culminated in advocacy efforts to resist the government's efforts to restrict the flow of asylum seekers by "irregular means" through legislative measures. The tension between securitization and humanitarianism is reflected and highlighted by these various discourses and counter-discourses.

Human Capital Assets of Internationally Trained Medical Doctors in Canada: A Needed but Unwanted Commodity. Cindy Sinclair (Sociology and Equity Studies in Education, Ontario Institute for Studies in Education, University of Toronto)

The Canadian government changed its immigration policy in the late 1960s to a points-based system to attract highly educated immigrants to Canada, thereby removing the restrictions of immigrants from visible minority countries or religious backgrounds from immigrating to Canada. It drastically shifted the earlier immigration demographics immigrants from the United Kingdom and Western Europe to immigrants from visible minority countries such as Asia, the Middle East, the Caribbean and Central and South America. Foreign-born population in Canada, including highly educated immigrant internationally trained medical doctors (IMDs) has been growing rapidly. While Canadian medical schools endeavour to train Canadian doctors to meet the Canadian patient care needs, Canadian immigrant patients are refusing to go the doctor because of fear of not able to communicate their illnesses and medical concerns to Canadian

doctors (Ref). Canada continues to fall below the Organization of Economic Co-operation and Development's (OECD) doctor-patient ratio for developing countries. It is estimated that by 2015, almost five million Canadians will not have access to family doctors. At the same time, several thousands IMDs in Canada are deemed unsuitable to fill the doctor-shortage vacancy needs. My research study will examine some of the factors that may be contributing to IMDs unsuitability to fill the Canadian doctor-shortage vacancies. More importantly, it will focus on exploring the social injustices against IMDs in overlooking their human capital assets as incompatible for the Canadian medical profession.

Security for the Many at the Expense of the New: The Securitization of Refugees in Canada. Josh Walker (Criminal Justice, University of Winnipeg)

This paper explores the problem of how refugees are constructed as a threat to national security in Canada. Taking the Tamil refugee incident of 2010 as an example I explore how refugees are constructed as a danger, a threat and are ultimately subjected to exclusionary policy measures. Using theories of risk management and cultural hegemony I argue that culturally informed anxieties about immigrants and refugees form the basis for risk logic, eventually leading to the construction of certain groups as a national security threat. The case of the Tamil refugees is apt as it provides a recent example of the anti-terrorism anxiety that had its zenith in the aftermath of the 9/11 attacks. This paper further argues that this matter is a concern for those in the area of Criminal Justice as it is part of a neo-liberal expansion of the criminal justice apparatus which is blurring the boundaries of what is criminal and civil.

4:00-5:00 Militarizing Security

Chair: Neil Funk-Unrau (Conflict Resolution Studies, Menno Simons College at the University of Winnipeg)

Vertical Policing and Pacifying Populations: Securing “Domestic” Space & Markets with Aerial Drones Tyler Wall (Criminal Justice, Eastern Kentucky University)

In *Society Must Be Defended*, Michel Foucault mentions how governing practices and control technologies first deployed against colonial subjects often “boomerang” back to the metropole – effecting an internal colonization. This paper engages one such example, namely, Unmanned Aerial Vehicles (UAVs), or drones. As kill-at-a-distance technologies that are remotely-controlled by ‘pilots’ potentially thousands of miles away aerial drones have become a contemporary icon of the cutting edge of military air power. Although emerging within the context of US military violence in Iraq, Afghanistan, and northern Pakistan, some police departments in the UK and US are promoting, and some defense corporations are marketing, military drones as important domestic security commodities that lend themselves to the aerial monitoring and pacification of “home-front” territories and populations. For certain, in fundamental ways the contemporary securitization of everyday life is routinely articulated as a search for a “technological fix”, namely, through the deployment of surveillance technologies charged with rendering the invisible visible, the illegible legible, and the unknown known. While situating police UAVs within a context where discourses of risk and security reign supreme, this paper critically engages the blurred boundaries between the military and police and

battlefront and homefront while simultaneously problematizing the distinctions between markets and militaries. Ultimately, I argue that drones – as either military technology or domestic policing technology – are generative of the pervasive securitization of late modern forms of life, whereby the security state and security industry join together in efforts to pacify populations and secure capitalist markets.

Conservatism and Continentalism in the Martin and Harper Governments' Foreign Policy

Stéphane Roussel (Canada Research Chair in Canadian Foreign and Defence Policy, Université du Québec à Montréal)

This presentation examines neo-conservatism/neo-continentalism in Canadian Foreign policy as security strategies that developed in the post 9-11 socio-political context. Its purpose is to demonstrate that a major shift is occurring in Canadian Foreign and Defence policy, from a liberal internationalist perspective to a (neo)continentalist/(neo)conservative one. Values such as Law and Order, and effective control over the territory (including the North), embedded in a worldview where a distinction is made between "the good" and "the evil" and where the use of force against the latter is justified, can now be traced in Canadian foreign and Defence policy. Using the cases of the Canadian Arctic policy and the Perimeter security since 2001, this presentation will examine how neoconservative ideas are contributing to frame the discourse and the decision-making process in Canadian Foreign and Defence Policy.

5:00-8:00 Reception at the University of Winnipeg Faculty Club

All conference participants are invited to the Faculty Club, located on the 4th floor of Wesley Hall. Complimentary wine and snacks will be served.

SATURDAY, MAY 12, 2012

9:30-10:00: Coffee and Registration

10:00-11:20 International Legislation, Terrorism and Security

Chair: Sorpong Peou (Chair, Department of Politics, University of Winnipeg)

The Independent Reviewer of Terrorism Legislation: Controlling Executive Power or Constraining Legislative Scrutiny? Jessie Blackburn (Law, University of New South Wales)

When the UK parliament enacted the *Terrorism Act 2000* it included provision supporting the appointment of an independent reviewer of the legislation's operation. With the exception of the *Counter-Terrorism Act 2008*, each subsequent anti-terror law has expanded the reporting responsibilities of the independent reviewer. The UK has now had two holders of the office of independent reviewer: Lord Alex Carlile who was appointed in September 2001 and whose tenure ended in February 2011; and David Anderson Q.C. who has held the post since then. Whilst it is yet too early to assess the role that Anderson will play in reviewing the legislation, over his tenure Carlile garnered criticism for his failure to offer an adequate critique of the

government's counter-terrorism policy, having been called by one journalist 'an enthusiastic advocate for the government.'

It has been argued that most changes in legislation have been the result of external pressure – such as the courts – rather than the actions of the reviewer. This paper will assess how effective the independent reviewer has been as a check on the government's anti-terror laws. In doing so it examines whether the establishment of an office of independent reviewer has itself inhibited the effectiveness of other forms of parliamentary scrutiny, such as from the JCHR or in parliamentary renewal debates. The goal is to question whether the provision for independent review of some of the state's most restrictive legislation offers an effective safeguard against its possible abuse or whether it unwittingly undermines parliament's own role in monitoring the impact of laws it has enacted for the protection of the community.

Constitutional Exceptions to Combat Terrorism: A Way to Secure More Justice or a Shortcut to Normalize the State of Emergency? Svetlana Tyulkina (Law, University of New South Wales)

After 11 September 2001 many democracies introduced various anti-terrorism laws and justified such measures by the possibility of being attacked by the international terrorist groups. However, there are democracies which have been struggling with terrorism well before the international community launched its global "war on terror". One of these countries is Spain with its unfortunate and relatively long history of combating terrorism within its borders.

Spanish legislative framework was not radically changed after the September 11 attacks and remained relatively resistant to the international community general trend to adopt strict and overbroad anti-terrorism laws though Spain participated in the major global treaties and enacted few legislative measure in response to terrorist attacks in Madrid in 2004 (for which Al Qaeda but not local terrorist group ETA seems to be responsible).

Spain is a fascinating jurisdiction to learn lessons on anti-terrorism policies not only because it has experienced numerous acts of terrorism but also for its Constitutional provision allowing enactment of laws limiting individual rights procedural guarantees for terrorist trials (Article 55.2).

The paper will assess if such normalization of terrorism exceptions in the national constitution as we can find in Spain and some other jurisdictions (i.e. limiting of jury trial guarantees in Ireland) assists in securing more justice for terrorist suspects or is a way for the government to ease its job by applying emergency powers to combat terrorism.

Securing Justice: A Critical Analysis of Kenya's Post 9/11 Security Apparatuses

Peter Ndichu Wa Muriuki, Imboko Oteng' Dennis, and Kimotok Barnabas (Criminology and Social Work, Masinde Muliro University of Science and Technology, Kenya)

The 9/11, a codename for the September 11, 2001 suicide attacks in New York City and Washington, D.C triggered a number of security responses both in the United States of America and other Countries in the World. Kenya, which is an ally and a close partner to North America, was not left behind. It is to be noted that although most States had been parties to a number of the terrorism conventions for a considerable period, their response in implementing them had been slow and "needed" this catalyst.

This *special* case offered a window of opportunity in cementing anti-terrorism legal apparatus and the international conventions on terrorism for Kenya. At the Global level, the 9/11 case led to the hasty adoption of Security Council resolution 1373 in 2001, which called upon states to inter alia, “become parties as soon as possible to the relevant international conventions and protocols relating to terrorism.” Since then, Kenya has responded with exceptional speed in devising legal-criminological and political actions.

Specifically, the last decade has seen Kenya come up with:

- i. Amendment of existing legislations that are useful in the fight against terrorism,
- ii. The enactment of new legislation in accordance to Security Council Resolution 1373 for the purpose of fighting against terrorism, and
- iii. The establishment of institutions for the purpose of combating terrorism.

While 9/11 might be termed as the beginning of massive “terror exposure” to global audience, Kenya as a state had been exposed to these violence prior to these attacks. The following cases help in bringing out the acute problem of international terror where Kenya has been affected. On December 31st 1980, a terror attack killed 16 and more than hundred were left injured after Norfolk Hotel, owned by an Israeli Jack Block was bombed, on August 7th an Al-Qaida connected suicide bomber killed 246 Kenyans and 12 Americans in what has been referred to as *Kenya’s Dark Friday*, on November 28th 2002, Paradise hotel in Kikambala Coastal beaches is bombed leaving 15 dead coupled with a failed missile attack on an Israeli aircraft. At present, the threat of Al-shaabab, a terrorist group from Somalia with its piracy and kidnapping of tourists from Kenya has *necessitated* a militaristic intervention by Kenya Defense Forces in a conflict where securitization has succeeded without a clear exit strategy.

This paper will critically examines the legal-criminological and political security apparatus employed by Kenya, one decade after the 9/11 trigger of *new wars* and new forms of anti-terror and counter-terror. The discussions will focus on the State-centric approaches to security and evaluate how these mechanisms and specifically, the anti-terror regimes and governments have affected lives of ordinary citizens. Other approaches to security such as Securitization process and Human-Security dynamics will be synthesized as alternative paradigms and at the same time offer their immanent critique.

Surveillance After September 11: The Making of a New Political Order. Erin Knight (Political Science, York University)

This paper explores the impact that September 11 has had on surveillance practices in the United States. It builds on and responds to existing surveillance studies literature and introduces the ideas of philosopher Giorgio Agamben as providing valuable conceptual and analytical tools for understanding the domestic and international political context in which surveillance has operated in the United States after September 11. The analysis, against this framework, of surveillance after September 11 focuses on U.S. surveillance measures, practices and examples.

This paper finds that surveillance in the U.S. has been mobilized for the (re)assertion of sovereign (state) power following September 11. Through the practice of terrorist profiling, surveillance practices under the administration of George W. Bush incorporated a new category of political and legal exclusion that has allowed government officials to de-naturalize within the legal sphere individuals deemed threatening and detain them indefinitely without charges.

Following September 11 these powers were often exercised along ethnic/racial lines, effectively working to re-constitute the Western political order as one resting on a new, racially motivated

distinction between citizens and non-citizens. Subsequent years have demonstrated that the powers granted in the USA PATRIOT ACT are in danger of being mobilized against anyone who takes a stance deemed threatening to state security agendas, including whistleblowers and anti-war activists. Under Barack Obama, many of the exceptional state powers that emerged after September 11 have become increasingly normalized, legitimized, and codified within the current legal-political order, effectively turning the 'exception' into the 'rule'.

11:30-12:20 Public Perception, Fear and Security

Michael Weinrath (Chair, Criminal Justice, University of Winnipeg)

What Has Changed Post-9/11? Media, Fear of Crime and Punitivity. Courtney Waid-Lindberg (Criminal Justice and Political Science, North Dakota State University)

How citizens perceive crime has been the focus of much research within criminology. The examination of the fear of crime as well as empirical work on what influences punitive attitudes of the general public have been the focus of a large body of perceptual literature in the field. Citizens can experience fear or changes in their punitive attitudes through direct experience with crime or indirect experience, the latter of which often focuses on media exposure to crime events. More specifically, does the type and amount of time one spends reading newspapers, watching television, listening to radio broadcasts, or utilizing the internet to access news about crime impact fear levels or punitivity? These issues are especially salient to consider a decade after the 9/11 terrorist attacks, as the media inarguably shaped citizen understanding of these events, thus impacting the fears of citizens as well as their punitive attitudes. This paper seeks to examine how citizen perceptions of justice have possibly changed following 9/11 utilizing what is known from the literature concerning the media's influence on citizen fear and punitivity.

The Life of the Nation is Secure Only While the Nation is Honest, Truthful, and Virtuous Shauntrice Martin (International Institute of Restorative Practices)

Unfortunately for U.S. citizens, sustainable security will not be realized until our actions better reflect our words. The lack of consistency and reciprocity denote a failure to work towards security that can be described as an objective deliverable. The concept of national security is merely a medium of exchange that occurs in three steps: 1. those in the private sector (i.e. multi-national oil companies) develop rules that allow them to maintain or widen the gap between wealth and poverty, 2. Politicians decide how scared citizens must become in order to blindly support that legislation, and 3. The fourth branch of government (media) appeals to public fear. Security and fear are directly correlated. This paper will show the ways in which security has been used to sway public opinion and why that practice ultimately weakens our safety.

12:30-1:30 Lunch and Closing Remarks

Steven Kohm (Criminal Justice, University of Winnipeg)