

**Living Under Security Certificates: Experiences of Securitization of Detainees and
their Families**

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Thesis submitted to the Faculty of Graduate and Postdoctoral Studies
In partial fulfillment of the requirements for the
Master of Arts Degree in Criminology

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November 30, 2018

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ABSTRACT

Security and race have historically been entangled in the politics of nation-building, whereby national security discourses have constructed the ‘public’ whom it should protect as ‘white’ while demonizing persons of colour as a threat to that public. In the current war against terrorism, these racialized discourses, underwritten by a colonial logic, have materialized through the symbolic and literal displacement of Muslim persons. Under this imperative of national security, both existing and novel legislations have either been suspended, contorted, or implemented to be used against Muslims, or anyone who visibly appears Muslim. Security certificates are one of such judicial tools. This thesis seeks to explore the experiences of securitization, analyzing how this legislation strips the subjects of the security certificate program of their legal rights and social connectedness. To explore this, I interviewed three of the five men from the ‘Secret Trial Five’ cases and some of their family members. I investigate how securitization manifests in the lives of those who have been securitized, exploring the practices that are used to maintain and reinforce the othering and the displacement of Muslim populations.

ACKNOWLEDGEMENTS

I would like to sincerely thank my thesis supervisors Maritza Felices Luna and Baljit Nagra. Baljit, you were such an incredible mentor throughout this process. You continuously challenged me to think critically. Your knowledge and expertise guided me as I made my way through this journey. Your patience, motivation, and encouragement are truly appreciated. Maritza, you pushed me in so many ways. You challenged me to do this project even when I debated opting for the simpler route. There were several instances when I left your office ready to give up, but you believed in my ability to succeed. More importantly, your bottomless patience for the level of attention that I required through this process is greatly appreciated and I genuinely thank you for that. I am honoured to have had you both as my supervisors.

To my parents, you have sacrificed more than I can ever understand to provide me with the opportunities I have today. You have never judged the route that I have chosen and remained supportive in the moments that I have needed your patience. The experiences you went through as racialized citizens within Canada inspire my desire to dismantle racialized structures of oppression. Your sacrifices and struggles are appreciated.

To Brianna, we did it! The endless caf nights, the sleepless weekends, and the countless cry sessions were all so worth it. Thank you so much for being there throughout this process.

Most importantly, I must express my profound gratitude to the men and women who shared their stories with me for this project. Your resilience, strength, and positivity inspire me beyond words. I began this research project with the desire to understand and share your stories, but I am ending it with a wealth of appreciation, insight, and motivation to truly evoke change. Thank you for taking the time to let me in on your fight, thank you for showing me the true essence of humanity, and thank you for teaching me that despite adverse experiences, you can still find seeds of happiness. I will continue to show my support in your struggles in every way that I can.

To all those that doubted my research project, thank you for motivating me to push myself harder and reach my goals.

‘To deny people their human rights is to challenge their very humanity’ - Nelson Mandela

Thesis Introduction

In the global north, discourses of foreignness have generated imageries of the ‘racialized other’ as outside of the Canadian national identity and as an intrinsic threat to - rather than an integral part of - the development of the Canadian nation-state and the well-being of its peoples (Kamp, 2010; Thobani, 2007; Bhandar, 2008; D’arcangelis, 2017; Bannerji, 2010). Particularly, the foundation of the Canadian state and by extension, Canadian national identity, is neither natural nor spontaneous, rather, it is imagined, as suggested by Benedict Anderson (Anderson, 1991). Nagra (2017) argues that the logic of security is an ontological necessity to the creation of these imagined national communities, as foreign ‘others’ are framed as threatening the national ‘we’ (see also Brodie, 2009). These racialized constructions of the ‘other’ as an (in)security have historically been instrumental to nationalist difference-making, where the ‘other’ is seen as racially not belonging and defined by their differences (Ibrahim, 2005; Brodie, 2009; Thobani, 2007).

While an investigation of the racialized constructions of dangerous ‘others’ throughout Canadian history is revelatory of the interplay between discourses of foreignness, nation-building, and security, there is a significant gap in understanding the lived experiences of securitization – that is what colour and shape do securitization take in one’s daily lives? (Naber, 2006). This thesis is an attempt to address this lacuna by analyzing how securitization is experienced through processes and practices that undermine legal rights and social relations, resulting in experiences of social and civil death for those directly/indirectly subjected to it.

The first chapter presents the research problem at the heart of this thesis. It does so by situating securitization within Canadian history and illustrating the ways by which the nation has deployed narratives of (in)security to discursively construct racialized minorities as security threats (Brodie, 2009; Huysmans, 2000). Muslim bodies (or those who visibly appear Muslim)

are currently being scapegoated as (in)securities, leading to an intensification of inherently racialized legislations to be used against these ‘alleged threats’ (Nagra & Maurutto, 2016; Razack, 2008; Lyon, 2006). Security certificates are one of the judicial tools that have been mobilized under the ‘war on terror’ as a racialized technology. While the security certificate provision does not appear racialized in its formulation, academics have argued that its application in the post 9/11 era against Muslim men has undeniably treated Muslims as synonymous with ‘terrorists’ (Bell, 2006; Razack, 2008; Davies, 2006). The most significant – yet contested – element of the certificate program is that it is grounded in a ‘pre-emptive’ logic, wherein persons can be held indefinitely as allegations of past affiliations, networks, beliefs, etc. are sufficient to indicate that they fit the profile of ‘potential terrorists’ (Razack, 2008; Bell, 2006; Larson, 2008, McKay-Panos, 2009). Critical security studies have exclusively explored the discursive elements of securitization as it pertains to the security certificate program. My research shifts the focus from analysing the state’s discursive construction of the men subjected to a security certificate as security threats to exploring the lived experiences of these men and their families - that is, what does securitization look like, feel like, sound like, and what are the implications of being subjected to these extraordinary legal measures.

To address this, I turned towards the lived experiences of some of the men who have been issued a security certificate since 2000 and their families. While this provision targets all non-citizens who allegedly pose a danger to the security of Canada, its recent application against five Muslim men, infamously known as the ‘Secret Trial Five,’ has garnered significant attention (Oriola. 2009; Aitken, 2007; McKay-Panos, 2009; Larson, 2008)¹. Held without formal charges

¹ Since the year 2000, there has been 8 security certificates issued. My research focuses on the cases of the ‘Secret Trial 5’ as they have attracted significant attention for operating under the ‘war on terror’. The security certificate provision does operate in different contexts as a legal technology, however my focus is on how it has been mobilized under the war on terror.

or convictions, Hassan Almrei, Mohamed Harkat, Mahmoud Jaballah, Mohamed Zeki Mahjoub, and Adil Charkoui have been subjects of a security certificate. In the methodology chapter, I describe how I mobilized semi-structured interviews to explore the lived realities of securitization, as narrated by the interviewees (Galletta, 2013). By bringing together different fragments of the interviewees' experiences – which would be considered meaningless if observed alone – and analyzing them collectively, I was able to yield an understanding of their shared experiences (Leininger, 1985). In using a hybrid inductive-deductive approach to interpret the raw data, my findings are an integration of data-driven and theory-driven results, thereby including both elements of theory and personal experiences (Fereday & Muir-Cochrane, 2006).

To analyze how securitization is experienced through the lived realities of those subjected to a security regime, I draw from the concepts of civil death and social death. By way of their status as 'security threats,' these men and their families suffer a civil death in which they lose their status as legal subjects (Ewald, 2002; Alikaj, 2014; Miller, 2012). Given that these men no longer exist as 'full' political-legal subjects in the eyes of the law and are therefore reduced to their mere biological existence, violence exercised against them is not understood as morally outrageous (Kotef, 2010; Butler, 2004). Rather, when people are no longer conceived of as juridical rights-bearing subjects, they are ultimately excluded from the civic order (Spillane & Miller, 2012).

In this way, the practices that emerge from civil death facilitate social death. Specifically, through their securitization, these men and their families experience a social death - a process whereby their social existence in society is terminated, and they are excluded from their intimate, extended, and national communities, "dehumanized, and introduced to the [existing] communities as non-beings" (Stears, Swanson, Etie, 2017: 2). Consequently, the securitizing

process not only emerges from a context wherein the racialized ‘other’ is perceived outside the moral compass, as described in the existing literature but, the processes of securitization reproduce and enhance the invisibility of life for these groups (Kotef, 2010; Butler, 2004). In the analysis chapter, I explore how securitization processes pick away at the layers of one’s humanity through targeting the different elements of their personhood, leading to their social and civil death. Particularly, securitization operates on the body, the home, and relationships such that the legal rights of persons are stripped and that their relationships, which constitute their connectedness to the social body, are destroyed.

Research Problem

This chapter explores how the project of nation-building has been historically entangled in the politics of securitization. Critical securitization scholars have argued that security, and by default, (in)security discourses, establish a national community and a citizen identity, where non-white minorities are not only seen as racially ‘not belonging’ but also as threatening the security of the nation-state (Arat-Koc, 2005; Brodie, 2009; Burnett, 2011; Dua, Razack, Warner, 2005; Aguiar, Calliste, Dei, Gibson, Agnes, 2000; Goutor, 1969). The racialized processes of belonging and by extension, not belonging, are embedded in a hierarchal relationship, designating degrees of worthiness to the (white) national self and unworthiness to racialized others (Thobani, 2007; Kamp, 2010; Abu-Laban, 2015; Sharma, 2006). This hierarchical racial positioning, or what Thobani, (2007) refers to as the exaltation of a subject², is contingent upon the language of security and (in)security to shape a collective (white) identity. This process elevates the humanity of the (white) national subject by constructing it as, “ontologically and existentially distinct from the strangers to this community”, (Thobani, 2007:28) and as legitimate heirs to the entitlements offered by the state (Dua et al., 2005; Aguiar, Calliste, Dei, Gibson, Agnes, 2000; Goutor, 1969).

The process of constructing racialized groups as threats to the Canadian national identity is an enduring process that depends upon the judicial system and its practices to actualize security discourses which frame racialized minorities as perilous. Given that legal and social exclusionary practices not only reflect the societies they emerge from but constitute them as well, the law upholds racialized systems of governance by giving legal definitions to social categories and legitimizing racial hierarchies (Ngai, 2004). In this way, the law provides a place for racialized

² Thobani relies on the Oxford Dictionary definition when referring to the ‘exaltation of a subject’ or the ‘exalted subject’. She conceptualizes the exaltation of a subject as “the action of elevating someone in rank or power” or “the action of praising someone or something highly” and ‘the exalted subject’ as (of a person or their rank or status) at a high or powerful level.

explanations to be rehearsed, making it a central tool in the construction and reinforcement of racial subordination (Lopez 2006; Razack, 2012; Hage, 2000; Thobani, 2007; Razack, 2008; Razack, 2012).

In this chapter, I not only present literature on the processes and practices of securitization but explore the thread of exclusion that has been weaved throughout Canadian history. I investigate how racialized minorities have been framed as threats to the Canadian national social fabric at different historical junctures, paying particular attention to the current case of the ‘war on terror’ (Thobani, 2007; Dua et al., 2005; Knowles, 1996; Razack 2005; Oikawa 2000; Moffette and Vadasaria, 2016). Security certificates are one of the legal tools that have been incorporated in the ‘war on terror’ as a racialized technology. In a post 9-11 security era, this judicial tool has received significant attention and has therefore been thoroughly analyzed in the literature. However, a shortcoming of these analyses has been that they remain exclusively at a discursive level with no attention attending to lived experiences. The limitations of this literature lead me to explore the lived realities of securitization which will be addressed through the concepts of civil death and social death.

Securitization

Williams’ (2003) argues that security is not a naturally occurring condition; rather, it is the product of social processes (discourses and practices) that construct who needs ‘protecting,’ and by extension, who ought to be securitized against. Effective securitization is assessed on the ability of securitizing actors such as political elites (re government, politicians, and associated policy networks), public opinion and the media to ‘speak security.’ This process involves discursively constructing racialized minorities as threatening the well-being of the civic order, thereby reinforcing the idea that the threat towards the nation takes the form of the racialized ‘other’ (Cesari, 2017; Ibrahim, 2005; Razack, 2008; D’apollonia, 2015; Roe, 2004; Brodie,

2009). In this way, securitization is a process not about “responding to enemies and fear [rather, it is about] creating them” (Huysmans, 2014:3). Given that the process of securitization occurs through discourses that draw on racial identity as a logic to securitize and exclude, racialized discourses gain their legitimacy from constructing non-white minorities along racial, ethnic, citizenship and religious lines, and suggest that by way of these inherent differences, these groups are not only inept for integration but pose a profound threat to Canadian national security (Brodie, 2009; Ibrahim, 2005; Harting & Kamboureli, 2009). Framing these (in)security discourses along the lines of national community, identity, and security effectively relegates non-white minorities into objects of security policies and ultimately, justifies their eviction from the moral community (Kotef, 2010). This objectification process reduces non-white subjects to sites through which security operates. Particularly, this relegation denies a common bond of humanity “between nationals (who have the birthright to national space) and foreigners (who exist outside this space or live precariously inside it),” thereby making violence against the ‘outsider’ justified (Brodie, 2009:690)

Security becomes an essential tool for Western nation states to uphold the imagined white national communities (Brodie, 2009; Moffette & Vadasaria, 2016). By constructing racialized minorities as threatening ‘others,’ it becomes a way to evict or restrict entry for these groups to the national space, demonstrating how systems of othering and processes of nation building are mutually constitutive (Dhamoon & Laban, 2009). In this way, there is a theoretical link between securitization and racialization of the ‘other,’ as these processes often function through one another. Specifically, constructions of the threatening foreigner gain legitimacy “through state-driven appeals to security, where these appeals then go to serve as ‘alibis’ for racialized forms of nation-building” (Dhamoon & Laban, 2009:165). In this regard, my review of the historical

instances of racialization within Canada reveals that narratives surrounding racialized minorities and (in)security have been interlaced, where the construction of the ‘other’ as threatening ‘our’ national identity, ‘our’ dominant norms of the body politic; ‘our’ familial, legal, symbolic, ideological, and economic values and ‘our’ control of the land effectively marks them as outside of and a threat to ‘our’ nation-state (Ibrahim, 2005).

Part I: Historical Instances of Securitization of Racialized Minorities

Civilization: The ‘Crazed Savage’

The early relationship between settler authorities and Indigenous communities was extremely complex; while the Europeans held racist attitudes towards Indigenous persons, these feelings were moderated by their economic interdependence and the military alliance between the two groups (Thobani, 2007). When there was a shift in economic priorities, settler authorities felt that the traditional tribal lifestyle of the Indigenous culture was incommensurable with the commercial agriculture and capitalist industry needs of the newly founded nation-state (Satzwich & Liodakis, 2010; Titley, 1986). It was during this period when racialized discourses constructing Indigenous persons as threats appeared. The group was framed as lacking the necessary structures for ‘civilized’ life, and because of their primitive ways, were thought of as prone to caprice and deceit (Razack, 2008; Banks, 1995). Indigenous persons were constructed as unknowable ‘figures of concern’ and lawless heathens in need of civilization, and settlers viewed their ‘barbaric’ and ‘savage’ ways of life as a threat to their modern lifestyles (Banks, 1995; Abu Laban, 2015; Binnema & Hutchings, 2005; Dua & Razack & Warner, 2005; Knowles, 1996).

Settler authorities sought to erase Indigenous cultural identity and impose a character upon the group which reinforced the colonial imaginary of the Indigenous as being ‘primitive.’ This (re)identification process was not only intrinsic to the settlement process but also to the

securitization of the racialized group (Thobani, 2007). For example, under the trope of ‘a civilizing mission,’ settlers imposed a common identity, constructing Indigenous persons as a threat to the Canadian way of life by way of being ‘sub-human.’ It was precisely this discursive framing that provided settlers with the platform then, to fulfill the colonial ideology of ‘development through civilization’ (Binnema & Hutchings, 2005; Banks, 1995; Dua et al., 2005). The imposition of this identity not only legitimized the role of the colonizer as the governor of the land but transformed the colonized into objects to be governed (Hage 2000).

The implementation of a European legal system served to confirm these racialized discourses, as it allowed for the colonial state to legally impose a range of (racialized) policies (Razack, 2012; Thobani, 2007; Blue, Bunton, Crozier, 2002). In this regard, the judicial system became an exceptional vehicle for advancing the colonial project and securing ‘white societies’ against the ‘uncivilized’ Indigenous groups who were perceived as threatening the project of modernity (Thobani, 2007; Lopez, 2006; Benjamin, 1921). For instance, the 1857 Act for the Gradual Civilization of Indian Tribes attempted to regulate the transformation of Indigenous peoples from an uncivilized state into docile-beings embodying and assimilating the needs of the Western world (Satzwich & Liodakis, 2010). Implicit in this legislation was the notion that there was something inherently defective with Indigenous peoples and their cultures that could be mended through the generous and altruistic actions of missionaries and state actors (Satzwich & Liodakis, 2010). The 1876 Indian Act made participation in cultural events (sundance parties, worships of non-Christian symbols and objects) the focus of government surveillance and subject to control (Titley, 1986). The fact that (white) settler authorities rendered the traditional practices of Indigenous persons as indictable offences, is a glaring example of the state relying on security discourses to exclude persons based on racial and cultural identity (Hage, 2000; Delgado, 1995;

Aguiar, Calliste, Dei, Gibson, Agnes, 2000). Not only did the Act prevent Indigenous peoples from engaging in cultural acts, but it also defined which members were eligible for Indian status³, thereby contributing to the political disempowerment and vulnerability of Indigenous persons (Abu-Laban, 2015; Lawrence, 2003; Coates, 2008). The prescribing of racial identities by administrators outside Indigenous culture became an additional tool of colonial control, as it was mobilized by federal authorities to classify, regulate, and control Indigenous identity and membership (Coates, 2008).

Eventually, in the late nineteenth century, the Government of Canada held the view that Indigenous communities and governments were incapable of managing their affairs. The legal policies implemented in this period sought to integrate Indigenous cultures into the Canadian mainstream by eradicating traditional cultural and religious practices (Coates, 2008). Indigenous children were forcibly dislocated to residential schools - institutions established to destroy Indigenous identities (Woolford & Benevenuto, 2015). During this removal era, colonizers relied upon discourses such as the 'incompatibility of intransigent tribalism' to support the imposition of an alternative (Eurocentric) justice system and justify the forced removal and dislocation of Indigenous children (Woolford, 2015; Cunneen, 2014). The spatial dislocation of Indigenous persons to reserves or residential schools - institutions responsible for the genocide of the Indigenous - was necessary to the project of nation building (Razack, 2012; Thobani, 2007; Cunneen 2014). More generally, the displacement of Indigenous children to residential schools and Indigenous persons to reserves illustrates the (white) settlers' desire to evict non-white minorities from the social, moral, and political space and fulfill the fantasy of a 'white' nation.

³ For instance, Indian status was denied to Indigenous women who married non-status men which not only disempowered them but rendered them vulnerable as Indigenous women were more vulnerable to land imperialism through marriage (Harris, 1990). Most critically, the "Indian Act defines the qualifications of holding a status identity, and as such has been the centre piece of [Indigenous] anger over federal attempts to control [indigenous] identity and membership" (Coates, 2008: 1; Lawrence, 2003)

The colonial dispossession of the early nineteenth century removal era, materialized through Indian status, reserves and residential schools, is prevalent in contemporary society through the continuous stripping of land and the social, economic, and political marginalization brought on by Indigenous overrepresentation in the criminal justice system (Cunneen, 2014; Razack, 2012).

While colonial policies have shifted over time to include particular rules, they have retained the overarching goals of settler sovereignty, assimilation, and land control. This colonial control is evident given that Canada's Indigenous people comprise 2.7 percent of the general population, but makeup 17.3 percent of the inmates in the penitentiary system (Cunneen, 2014). Cunneen (2014) describes how the roots of this Indigenous crisis is embedded in the social and historical context of colonial dispossession, where the new form of indigenous domination, specifically, through administrative, economic, and legal control, have onset a new type of enforced dependency on the government (Altman and Hinkson, 2007). Indigenous persons argue that their overrepresentation in the criminal justice system is a means by which their resistance against colonization is silenced as it is based on the unwillingness of white authorities to acknowledge the jurisdiction of Indigenous law. Moreover, they contend that this relationship is an ongoing colonial effort at erasing and restructuring Indigenous identity to uphold the interests of the colonizer (Blagg, 2003). The contemporary treatment of the Indigenous is an example of how the Canadian nation continues to subject Indigenous persons to systematically racist legal processes (Cunneen, 2014). The experiences of Indigenous persons, through their colonialization and their criminalization, is a vivid example of how groups perceived as racially not belonging to the imagined 'white society' become subject to security policies, and through the use of statutory tools, become both literally and figuratively evicted from Canadian society.

Disease and Economic Threat: The Framing of Asian Migrants

Chinese migration into Canada took place in two distinct waves. The first influx was associated with the Fraser River gold rushes in the 1850s and 1860s (Lai, 1988; Ward, 1978). The second wave occurred when the Colony of British Columbia entered the Confederation as a province of Canada in 1871. The joining of the British Colony to the Confederation took place on the condition that a transcontinental railway is built to connect it to the rest of the country, making cheap Chinese labor appealing (Lai, 1988). In this way, Chinese minorities were central to the formation of the Canadian nation-state just as they were to the construction of the intercontinental railway (Burnett, 2011). Although anti-Chinese sentiment began simmering when thousands of Chinese laborers entered Canada, it was not until the Canadian state started experiencing economic hardships in the late 1860s that discrimination against the racialized group flourished (Lai, 1988; Tyner, 2006). Ngai (2004) argues that racialized minorities are often knitted into the economic fabric of the nation, but merely as cheap and disposable labor, thereby demonstrating how economic and political needs continue to shape Canadian immigration policy (Burnett, 2011). She argues that as a result of their location in the lower strata of the workforce, immigrants are often constructed as outside the boundaries of national membership (Ngai, 2004; Cornell & Hartman, 1948; Goutor, 1969). As such, when the need for cheap labor declined, Chinese racial antipathy became embedded in the thinking that Asian migrants were threatening the economic prosperity of 'real' Canadian citizens (re white national citizens) (Aguiar, Calliste, Dei, Gibson, Agnes, 2000; Goutour, 1969). Hostility against the racial group intensified when Chinese persons began fostering their own economic niche through monopolizing the grocery businesses, gardening businesses, the mine industry, laundry mats, the fishing industry, the clothing market, and other trades such as cigar and footwear production (Tyner, 2006; Walcott, 1999; Li 1998; Chan 2003; Cornell and Harman 1948; Lai, 1988). As such, in the following

section, I examine the racialized security discourses engendered during this period that facilitated the exclusion of Chinese migrants while allowing (white) Canadians to exalt themselves and reaffirm their claims of belonging to the nation.

Although state policies and practices targeting the Chinese were not implemented until the late 1870s, for many white miners', racialized ideas about Chinese persons formed before the Chinese migrated to the West (Ward, 1978; Lee 2003). The prevailing fear during the late nineteenth century was that Asians were barbaric as they were often depicted as being, 'heathen, crafty, dishonest, and marginal members of 'the human race' (Lee, 2003; Tyner, 2006; Cho 2002; Chan, 2003). Westerners believed that due to the racialized groups "inferior civilization, their language, their religion, their habits of living" and their unwillingness to adopt the customs and prejudices of the 'dominant' race, they were not only unsuited for, but threatened Western standards of living (Ward,1978:28; Johnson, 1997). Furthermore, (in)security discourses were framed around the sexual purity of white women and the 'mongrelization' of Chinese men, where Chinese men were presented as threatening the racial purity of a 'White Canada' by their desire for miscegenation (Tyner, 2006, Aguiar, Calliste, Dei, Gibson, Agnes, 2000; Peglar-Gordon, 2006).

At a time when Canadian society was still struggling to define its national identity, white Canadians drew on the language of health and contagion to construct Chinese men as vectors of diseases, demonstrating how discussions of (in)security and race are intimately linked to the formation of the nation-state (Lee, 2003; Burnett, 2012). Discourses concerning the biological inferiority of the group were embedded in the persistent belief that the 'Chinaman' was unclean as he would neglect western sanitary conventions and thrived in overcrowded housing (Ward, 1978). The conflation of health and race drastically impacted the treatment of Chinese migrants

as public health officials presented illnesses as aberrations to the country itself, and therefore reflective of personal moral failings (Burnett, 2011; Kraut, 2010). By disseminating racialized ideas about ‘uncleanliness,’ it provided the state with the necessary platform to “reify a new spatial order mandating the compartmentalization of land and people into a system of racial-segregation” (Burnett, 2011:364). In this way, discourses branding Chinese persons as the source of ill-health, transformed the group into objects of securitization as they were constructed as outside of and dangerous to the body politic by being ‘disease-ridden’ (Burnett, 2011).

Chan (2003), Bolaria and Li (1988), and Cornell and Harman (1948) all argue that the construction of Chinese migrants as (in)securities to the body politic manifested through institutional racism. Institutional racism materialized through governmental legislation prevented Chinese persons from participating fully in Canadian society by barring employment in certain sectors, forced segregation within schools, and restricting their access to shelter within specific ethnic enclaves (Li, 1988; Ngai, 2004). Moreover, between 1884 and 1923 there had been a series of policies aimed at restricting the political and social rights of the Chinese (Tyner, 2006; Thobani, 2007). As early as 1875, the government of British Columbia passed a bill that disenfranchised the Chinese by barring them from voting in provincial and municipal elections (Li, 1998; Ward 1978). Other legislation that excluded Chinese migrants included an 1884 bill that disallowed Chinese from possessing Crown lands; there was an amendment made to The Coal Mines Regulation preventing Chinese persons from working underground; The Provincial Home Act of 1893 excluded Chinese persons from being admitted to the home for the aged and infirm; and the 1899 Liquor License Act excluded the group from holding a liquor license. Finally, the 1897 Alien Labor Act was seen as one of the most restrictive pieces of legislation that had passed in the province at the time, as it banned the employment of Asians on various

private works under the provincial government's purview (Ward, 1978; Li, 1998; Lai, 1988). Moreover, the Chinese Head Tax, a legislation emblematic of how institutional racism is materialized through policy, was introduced as a means to virtually prevent Chinese migration into Canada (Chan, 2003; Cho, 2002). The tax not only designated a bounty for Chinese migrants but barred vessels that were carrying more than one Chinese for every fifty tons of tonnage (Li, 1998; Aguiar, Calliste, Dei, Gibson, Agnes, 2000; Hameed & Vukov, 2007). Following the 1885 Act was the 1923 Chinese Exclusion Act, which sought to ban Chinese migration into Canada (Lee, 2003; Ngai, 2004). The legislation restricted Chinese immigration until the Second World War while calling for the eviction of those already settled (Satzwich & Liodakis, 2010; Thobani, 2007). This legislation closed the Canadian nation's gates against what was declared to be an alien invasion from the yellow proletariat. According to the Act, entry into Canada would be reserved for diplomatic corps, children born in Canada to parents of the Chinese race, merchants and students. The provision mandated that every person of Chinese descent, irrespective of citizenship status, was obligated to register with the Government of Canada within twelve months of its enactment (Satzwich & Liodakis, 2010)

The racialized ideas surrounding Chinese migrants are demonstrative of the Canadian nation-state transforming a racialized group into an object of security to create sites of belonging and meaning, whereby non-white minorities are regarded as within, but not of the body politic. While currently no legislation specifically targets Chinese persons, discrimination against this group is still widespread. Racist rhetoric characterizing the racialized group as undercutting wages of white workers by providing cheap labor services is ongoing in contemporary society. Explicitly, by establishing business ventures in the restaurant, laundry, and other service industries, Chinese persons are still framed as threatening the economic prosperity of a (white)

society (Ward, 1978; Tyner, 2006). Through disseminating narratives that positioned the Chinese as morally inferior, economically perilous and as vectors of diseases, it successfully allowed for the Canadian state to construct the racialized group as a threat to the security of the nation. Ultimately, these racialized discourses of (in)security led to the securitization of all persons of Chinese descent already within and those newly arriving to the nation.

National Security: The 'Perilous' Japanese

During the first half of the nineteenth century the racist assumptions characterizing the Japanese emerged from the stereotypes targeting the Chinese, as the distinctions between the two nations were often blurred (Ward, 1978). Despite the cultural, social, and political differences between Japan and China, the two groups were conceived as part of the larger Asian whole, “a mysterious, overcrowded, and backward society when judged by Western standards” (Ward, 1978:98; Chan, 2003). Ultimately, it was in the late nineteenth century when Japan and its citizens were rapidly developing that Canadian society’s image of Japan shifted. Specifically, Japan’s modernization regarding its industrial expansion, technical progress, and military strength threatened many Canadian onlookers (Ward, 1978). During the 1920s and 30s, discourses suggesting an aggressive militaristic Japan were deployed to frame the Japanese as threats to Western national security (Ward, 1978; Sunahara, 1981).

Tyner (2006) argues that Japanese persons were constructed as biologically unable and socially unwilling to assimilate into white society. Racist narratives rested upon the conviction that the Japanese could never entirely be socially or racially integrated into Canadian society. The presumption that ‘they did not look like whites’ and therefore ‘they were also unable to feel or think like other white Canadians’ framed the Japanese as both racially and morally inferior to Europeans (Ward, 1978; Sunahara 1981; Dhamoon & Abu-Laban, 2009). Moreover, Prime Minister King framed the Japanese as threatening the purity of the West by arguing that the

Japanese would alter the fundamental moral character of the population (Robinson, 2017). Consequently, Canadians not only feared that they would be flooded by a racial group that differed racially and culturally but also considered the high birth rate amongst Japanese immigrants to threaten the whiteness of Canadian society (Tomoko, 1980; Ward, 1978; Ngai, 2004).

Security discourses presented Japan as posing a national security threat by introducing their growing militarism and aggressive patriotism as indicators of their desire to invade the West. For almost a decade (1920-1939), rumors of Japanese persons as focusing on treachery, subversion, espionage and as spies penetrating the country from within, transcended the US and Canada (Ward, 1978; Sunahara, 1981; Oikawa, 2000; Stein, 2003). The construction of the Japanese as fifth column spies and saboteurs not only led to their increased surveillance but onset rage amongst several different groups within Canadian society, including but not limited to white farmers, merchants, and political leaders who called for the immediate evacuation of all Japanese persons (Robinson, 2017). Following Japan's attack on Pearl Harbor, the Canadian government declared war against the Japanese for attacking the West, "attacks described as a threat to the defense and freedom of Canada", leading to the securitization of all Japanese persons, regardless of citizenship status (Sunahara, 1981:47).

On February 24, 1942, Prime Minister Mackenzie King followed suit of the United States, and using the power of the 1914 War Measures Act, ordered the wholesale expulsion and incarceration of Japanese Canadians (Kobayashi, 2005; Oikawa, 2000; Dhamoon & Abu-Laban, 2009; Ward, 1978; Tyner, 2006). The first steps towards the displacement of Japanese persons from Canadian society were outlined in different Orders-in-Council, ordered by the federal government. From 1942-1943, these Orders imposed strict conditions on the racialized group

such as all persons of Japanese ancestry were excluded from a “100-mile zone inland from the Pacific Coast”; constraints were placed on where and when Japanese persons could travel (for example, all fishing boats were impounded, making the waters an out of bounds zone for them); a dusk to dawn curfew was imposed (limiting their access to public places and one another); community infrastructures were dismantled and rendered illegal; Japanese language schools were closed; public community gatherings were disallowed, and churches were not permitted to hold services except for funerals (Oikawa, 2000; Robinson, 2017). Moreover, Japanese language newspapers were removed, and the federal government liquidated their businesses, sold off their vehicles, their homes, and all their personal belongings (Sugiman, 2004). The internment of Japanese persons was presented as a military necessity and predicated on the security of the Canadian nation-state (Stein, 2003; Oikawa, 2000; Tyner 2006). Over 22 000 Japanese persons, including citizens, naturalized citizens, and non-citizens, were dispossessed during the internment period (Oikawa, 2000). Included in this were the 3, 965 people that were expatriated to Japan and the 8 000 people held at Vancouver’s Hastings Park Prison, the first incarceration site (Oikawa, 2000). Ngai (2004) reveals that although internment camps did not formally revoke naturalized Japanese of their citizenship, it nullified their citizenship status on the grounds of racial difference (Reeves et al. 2016:104).

The forcible expulsion and confinement of Japanese has been defined as a moment of crisis in Canadian history, wherein the rights of all Japanese persons in Canadian society were suspended. Compared to other instances of racialized violence in Canadian history, the Japanese internment has been the only case that has permitted the expulsion of an entire racialized group, notwithstanding their status as Canadian citizens (Dhamoon & Abu-Laban, 2009). To this end, racial identity for the Japanese superseded their citizenship status; by way of being of Japanese

descent, they were automatically constructed as outside of the national space. Although the internment ceased in 1949, the wartime experiences have become a source of identification for Japanese persons (Tomoko, 1980; Seligman, 2004). For example, in an attempt to protect their children against the racial hostility that they endured, Japanese parents further encouraged the cultural assimilation of their own children (Seligman, 2004: 361; Oikawa, 2000; Reeves et. al, 2016). The compulsory expulsion, incarceration, and displacement of Japanese persons was accomplished through Canadian law (Oikawa, 2000). It was precisely through (racialized) state policies that the Japanese understood themselves as existing outside and not worthy of the Canadian national identity. To this end, literature has highlighted how the displacement of Japanese-Canadians under the trope of national security “had more to do with a re-nationalization project than the necessities of war” (Dhamoon & Abu-Laban, 2009:171).

The ‘War against Terrorism’

The thread of exclusion weaved throughout the construction and constitution of the Canadian nation-state through the securitization of non-whites, continues through the current ‘war on terror’ (Bhandar, 2008; Razack, 2008; Thobani, 2007; Semati, 2010; Bahdi, 2003; Reese & Lewis, 2009). The ‘war on terror’ is linked to the racialized narratives which predate it, whereby the ‘dangerous Muslim terrorist’ is a reconfiguration of the uncivilized Indigenous body during colonialization, the Chinese during the Chinese exclusionary era, and the Japanese during the internment. Arat-Koc (2005) argues that albeit in different ways, the construction of the Muslim other as a threat to national security is a “crystallization of the already existing precarity of national belonging for people of colour” (33).

Although the September 11 attacks were carried out against the United States, Canada’s geographical and cultural proximity triggered its alignment with America and its incentive to reiterate sentiments such as ‘We are all American now’ (Lyon, 2006; Dua, Razack, Warner,

2005). As a direct result, this allowed the two countries to discursively construct the attacks as targeting Western⁴ civilization and its values of freedom and democracy (Arat-Koc, 2005). Problematically, this has led to Islam being conflated with terrorism, where Muslims persons were deplored as the ‘enemy’ determined to terrorize and devastate the West. The rhetorical and political coupling of Islam with terrorists has been central to inscribing suspicion, fear, and terror on Muslim bodies (Thobani, 2007; Lyon, 2006; Dua, Razack, Warner, 2005; Arat-Koc, 2005). Therefore, the ‘war on terror’ has become a powerful organizing principle in Western society, where in today’s geopolitical imagination, ‘brown’ has become a signifier for the menacing ‘other’, who by way of his ‘primitive and violent anti-Western’ beliefs, is subjected to unprecedented forms of control by means of incarceration, stigmatization, abandonment, and exceptional levels of state surveillance (Thobani, 2007; Semati, 2010; Bahdi, 2003; Reese & Lewis, 2009; Nagra, 2016; Jamil and Rousseau, 2012). For example, the deployment of discourses of ‘terrorism’, embedded with imageries of ‘brown men’, has not only made racial profiling a politically acceptable technique of governance but has rendered the suspension of rights as essential to protecting Canadian national security (Thobani 2007; Arat Koc, 2005; Braber, 2002; Nagra & Maurutto, 2016; Amin Khan, 2012).

In the (white) Canadian imaginary, the discourses surrounding the politics, values, and cultures of the Middle East have merged into one conception of Islam, which has been perceived as the very antithesis of Western civilization (Semati, 2010; Arat-Koc, 2005). Specially, the securitization of Muslims has not only marked Muslim bodies as ‘dangerous others’, but is underpinned by the racist ideology that the modern enlightened secular people of the West need to safeguard themselves against the pre-modern, religious Muslims of the East (Nagra &

⁴ In this context, I use the term Western as opposed to Canadian nation state as I am referring both to the United States and Canada.

Maurutto, 2016; Said, 1979; Marvasti, 2006). This racialized image of the Muslim body, as it rests on “religiously, culturally, and territorially based distinctions (i.e., the terrorist is dark, Muslim, has illiberal values, and lives outside the West)”, restricts their access to and/or access within the national space through appeals to national identity and security (Dhamoon & Laban, 2009:180; Razack, 2008; Thobani, 2007; Winter 1971). Moreover, this war has also been presented in gendered terms as it mobilizes colonial discourses of rescuing women and bringing them into civilization to construct the nation-state as liberating Muslim women from hyper misogynist and medieval male fanatics. Thobani (2007) discusses how the Middle East is constructed as the “pre-eminent site for terrible gender oppression and violence against women, where forced marriages, dowry deaths, honor killings, [and] genital mutualisation” characterizes the lives of Muslim women (228). Racializing and gendering these discourses reduces Muslim men to objects in need of securitization while simultaneously exalting (white) Canadian nationals as the ‘protector’ responsible for bringing the pre-modern Muslim into modernity (Thobani, 2015; Said 1981).

Although thinking of the racial group in terms of a ‘clash of civilization’⁵ frame has been present for decades, the attacks of September 11 drastically inflated this race thinking. Specifically, the longstanding image of Muslims as inassimilable with the West coupled with more recent post 911 imagery of Muslims as terrorists has intensified the mistreatment of Muslims (Arat-Koc, 2005). In a bid to make Western nations more ‘secure,’ there has been an intensification of legislation aimed at pre-empting the ‘alleged’ (Muslim) terrorism threat through modern forms of security control (Nagra & Maurutto, 2016; Lyon, 2006). For example, under the ‘war on terror’, Muslims or anyone who visibly appears Muslim has been subjected to

⁵ Samuel Huntington mobilizes this term in his 1996 book, *The Clash of Civilization and the Remaking of the World Order*. He utilizes this term to describe how Muslim culture and civilization will form the roots of Muslim rage and conflict with the West.

racial profiling, a practice that manifests across immigration and criminal law, employment, border control, intelligence agencies, and most nobly, through state surveillance techniques (Bahdi, 2003; Arat-Koc, 2005; Braber, 2002; Bhandar, 2008).

I will briefly outline some of the legislation introduced post-9-11 to contextualize the climate of the ‘war on terror.’ One of Canada’s first legal reactions to the events of 9/11 was the introduction of Bill C-36 or the *Anti-Terrorism Act* (Bahdi, 2003). The Act erodes the fundamental principles of justice by expanding police powers in Canada. One of the most debated measures of this Act was the amendment issued to the Criminal Code, whereby it granted the Governor in Council the power to provide a list of terrorist entities to financial institutions, per the recommendation of the Solicitor General. Literature has argued that this Act is highly problematic as the lists and instructions provided to financial institutions and OFSI⁶ per the Governor in Council, encourages racial profiling. Specifically, organizations are advised to not only treat people whose names appear on the list with suspicion but extend this treatment to anyone whose name resembles that of the listed person. In this way, the Act creates conditions where “race and religion, through the use of names, becomes a proxy for risk” (Bahdi, 2003:302). Among other elements, Bill C-36 also authorizes governments to imprison without charge, conduct secret searches, compel testimony, carry out inquiries without warrants, intercept private communication without judicial authorization, prohibit the disclosure of government information without review or appeal, and use secret evidence against groups and individuals (Murphy, 2007; Wark, 2016; Helly 2004 Booth, 2001).

Another significant initiative implemented under the ‘war on terror’ was the Passenger Name Record/Advanced Passenger Information (PNR/API) introduced in 2002 under the

⁶ Office of the Superintendent of Financial Institutions. This Office “issues a consolidated list that includes names of both individuals and organizations suspected of engaging or supporting terrorist activity” (Bahdi, 2003:302).

Immigration and Refugee Protection Act. These provisions require commercial airlines to provide data regarding passenger demographics to *Immigration, Refugees and Citizenship Canada*, so that anyone who appears as ‘threatening’ may be identified (Lyon, 2003). Although the seemingly neutral language does not specify a focus on members of Arab or Muslim communities, it nonetheless has had an adverse impact on Muslims through racial profiling by state officials (Lyon, 2003; Bahdi, 2003). Moreover, Bill S-7, The Combating Terrorism Act, was introduced in response to the expiration of certain provisions in Canada’s original Anti-Terrorism Act. Bill S-7 renewed and expanded some of the early anti-terrorism provisions while also imposing stiffer penalties on those subject to terrorism allegations. It introduced new prohibitions against individuals alleged to be leaving Canada to engage in terrorism-related activities (Nagra, 2016). Finally, both Bill C-51 and C-24⁷ have also been implemented as a means to target terrorism under Canada’s ‘war on terror.’ Bill C-51 increases the surveillance powers of CSIS⁸ and expands the parameters of internal information sharing across all government departments, and Bill C-24 calls for the revocation of citizenship status for persons accused of national security offenses (Hameed & Nagra, 2014; Nagra & Maurutto, 2016; Blacks, 2014). Held against the backdrop of a post 9-11 nationalism, race thinking (veiled in the aura of civilization and security) makes us at ease with the idea that the suspension of rights for Muslims is required for the fortification of national security (Razack, 2008; Benhabib, 2004).

The events of 9/11 have justified an ideological and literal war against Muslim bodies both out ‘there, and at ‘home.’ Under the ‘war on terror,’ there has been the engendering of laws, the suspension of laws, and the contortion of laws to abandon procedural fairness and fundamental justice for Muslims (and those who visibly appear Muslim) (Butler, 2004; Razack, 2005; Razack,

⁷ In June 2017, the current liberal government introduced Bill C-6 to replace Bill C-24.

⁸ Canadian Security Intelligence Service

2008). In particular, Canada's security certificate provision is an example of a legal tool that has been mobilized under the 'war on terrorism' by its application against five Muslim men, known as the cases of the 'Secret Trial 5'.

Security Certificates

Implemented in 1978⁹ and employed 28 times since its inception, Canada's security certificate provision is situated under division 9, section 77 of the *Immigration and Refugee Protection Act (IRPA)* (as amended by Bill C-3 in 2008). This judicial tool is used to indefinitely detain and render inadmissible to Canada foreign nationals or permanent residents who are alleged to threaten national security, violate human or international rights, or against persons involved in organized or serious crimes (Bell, 2006; Code & Roach, 2006; Aitken, 2008). The process is initiated when CSIS alleges that based exclusively on allegations of past affiliations, that the individual may potentially, at some point in the future, pose a threat to the security of Canada (Shapiro, 2008; Ralph, 2003). Following CSIS' advice, section 77 of the *IRPA* invests in the Minister of Citizenship and Immigration and the Minister of Public Safety and Emergency Preparedness the authority to issue a certificate calling for the detention and removal of non-citizens from Canada (Aitken, 2008; Bell, 2006). Upon the minister's signatures, the certificate is reviewed by a Federal Judge, where it is not assessed for its legitimacy, but simply reviewed to determine if it has been reasonably issued (Bell, 2006). In other words, for a certificate to be mobilized, the judge simply needs a bona fide belief, "which is more than a flimsy suspicion, but less than the civil test of the balance of probability" (Willis & Wilke, 2008: 29).

The threshold required in certificate cases is much lower than the standard of proof beyond a reasonable doubt required in criminal proceedings. The judge is presented with two options,

⁹ The security certificate legislation was reintroduced in 1991 in replacement of an earlier procedure that has been in place since 1978 (Aitken, 2008)

he/she either decides to quash the certificate or treat it as conclusive proof that the individual poses a danger to the security of Canada (Aitken, 2008; Ralph; 2003). Section 78 of the *IRPA* stresses that the Federal Court judge ought to issue a ruling on the certificate “as expeditiously as circumstances and natural justice permit” (Aitken, 2008:383; *IRPA*, S.C. 2001 c.27). As Hudson (2010) describes, the judge must review the evidence issued against the subject in the absence of the public, the person named in a certificate, and his counsel. If found reasonable, the certificate effectively becomes a removal order from Canada and the person named under the certificate is immediately subject to detention¹⁰. Ralph (2003) details the three options presented to subjects of this provision once they are detained, she describes them as “bad, worse, and unthinkable”; (1) to be granted bail with severe restrictions and no opportunity to clear their name, (2) to remain in prison indefinitely, or (3) to be deported to the countries they fled in the first place and face torture and execution (3; see also Aitken, 2008). However, because deportation to face torture is contrary to the Canadian Charter of Rights and Freedoms, it allows for the state to indefinitely and arbitrarily detain the men within Canada. In this regard, detention can take place indefinitely within prison or through home detention, as these appear as the only feasible options to uphold national security. Once the certificate is upheld, the detainee can be arbitrarily detained and they, or their counsel, are not provided access to review the evidence being used against them (Section 81, *IRPA*, S.C. 2001 c. 27; Aitken, 2008; Ralph,2003). Although the reasons for the continued detention must be reviewed at least once every six months by the judge, “the certificate program authorizes limitless and untested, forms of detention” (Aitken, 2008:384).

Although security certificates have been mobilized 28 times, the security certificates that have been issued in the cases of Mohamed Harkat, Adil Charkoui, Mohammed Zeki Mahjoub,

¹⁰ McKay-Panos (2009) clarifies that inadmissibility within the immigration context refers both to the option to enter Canada and the option to remain in Canada.

Mahmoud Jaballah, and Hassan Almrei have attracted unique attention since they coincide with “the wider post 9/11 securitization of Muslim men in North America and beyond” (Wills and Wilke, 2008:27; Aitken, 2007; McKay-Panos, 2009; Razack, 2008; Bell, 2006; Oriola, 2009). In total, these men have spent over 50 years combined in prison without being charged for a crime. Instead, their detention has been grounded in claims centered on the men’s potential to engage in acts of terrorism based on their alleged past affiliations, life history, memberships, relationships, etc., (Wala & Bingham, 2014; Shapiro, 2008).

In June 2006, Harkat, Charkoui, and Almrei, three of the men detained under the act, challenged the constitutionality of the security certificate process under the *Charkaoui I* case. The men argued that the security certificate process contradicted the principles of fundamental justice and violated section 7 of the Charter of Rights and Freedoms (Oriola, 2009; Hudson, 2010). The Supreme Court arrived at a unanimous (9-0) decision that the process was a violation of the Charter of Rights and Freedoms and was rendered “unjustified in a free and democratic society” (Oriola, 2009:263). Moreover, in 2007, the Supreme Court of Canada determined in the *Charkaoui I* case, that the security certificate proceeding is analogous to criminal proceedings and therefore, those subjected to the certificate program “have a constitutional right to a fair hearing, including adequate levels of disclosure, fairness, and adversarial challenge” (Hudson, 2010:129). As a result, on February 23, 2007, a Standing Committee was assigned to recommend changes to the security certificate provision. The Standing Committee on Citizenship and Immigration and the report of the Senate Committee were put into consideration in Bill C-3, which came into effect on February 23, 2008 (Mckay-Panos, 2009). Of the changes recommended in both the *Charkaoui I* and *Charkaoui II*, the most significant ones were the implementation of special advocates and more frequent detention reviews (Mckay-Panos, 2009).

The amendments issued by Bill C-3, Willis and Wilke (2008) argue, “appear as a veneer of legality, masking and legitimating the exploitation of a more fundamental rightlessness” (28). They argue that human rights are still curtailed under this new process as the Supreme Court upheld the problematic nature of the certificate program, while only adding a special advocate (Willis & Wilke, 2008; Oriola, 2009). However, although the special advocates are permitted to view the material included in the certificate, they are denied any communication with the person subject to the certificate or their counsel, making challenging the information exceptionally difficult (Code & Roach, 2006). Additionally, while the special advocate’s role is to protect the interests of the person subject to the certificate, they do not act as the lawyer for the detained person and as such, the client cannot provide the advocate with any information nor can he obtain any legal advice from the advocate to defend his case (Mckay-Panos, 2009; Code & Roach, 2006). Consequently, Willis and Wilke (2008) contend that while the *Charkoui I* decision provided additional procedural rights to the certificate process, it failed in addressing the underlying rightlessness for those subjected to the certificate program. Oriola (2009) argues that the amendments made to the certificate program fail to tackle the fundamental flaws inherent in the security certificate process as “there is still room for considerable legal laxity and political brinkmanship” (264).

In 2014, the constitutionality validity of the security certificate program was rechallenged by Mohamed Harkat. Harkat argued that the provisions under *IRPA* breached his section 7 Charter rights and suspended the principles of fundamental justice (Bronskill, 2014). However, in May 2014, Harkat’s challenges to the program were not accepted, and the security certificate program was upheld by the Federal Court and the Federal Court of Appeal (*Canada v. Harkat*). While the Courts argued that the certificate program does not violate Harkat’s right to know and

meet the case against him, the Federal Court of Appeal overturned the Court's ruling that CSIS human sources benefit from class privilege. The Appeal Court contended that the identity of CSIS human sources is not to be protected by privilege (*Canada v. Harkat*, 2014; Bronskill, 2014).

Scholars have critiqued the security certificate program for relying upon the discriminatory criteria of citizenship status to exercise the discretionary power of the sovereign and make the rule of law inapplicable for non-citizens (Bell, 2006; Oriola, 2009). Under the certificate program, citizenship status becomes deeply implicated in discussions of security, whereby non-citizens are framed as racialized threats to the security of the nation and removed from 'normal' legal and judicial recourse (Aitken, 2008; Davies, 2006; Code & Roach, 2006; Bell, 2006; Razack, 2008). Larson (2008) suggests that one could mistakenly consider security certificates as a tool of the criminal justice system, given its reliance upon arrests, allegations, imprisonment, court processes, and the involvement of judicial actors. However, he reasons that "the devil is in the details," and the security certificate provision operates as part of a parallel legal regime by being situated within immigration law (2008:32). In a similar fashion, Davies (2006) argues that the positioning of the legislation under immigration law, when there are sufficient provisions under the Criminal Code for trying anyone for terrorist-related activities, reveals the inherent thinking that it is exclusively non-citizens that would want to harm Canada through terrorist activities, and therefore should be subjected to an alternative form of judicial recourse (Oriola, 2009; Razack, 2008).

The discriminatory power of citizenship underwriting the certificate program demonstrates how the non-citizen "is a frightening symbol of the fact of difference" and is subjected to alien justice - "a justice that is strange, far from, and unbeknownst to the idea of justice, [it is] justice

to and for the alien” (Oriola, 2009:267). Moreover, Davies (2006) problematizes the positioning of the provision under immigration law by highlighting how this opens up the possibility for deportation to countries where there is a substantial risk of torture. By situating the certificate program under the IRPA, the subjects of a certificate are not afforded procedural protections such as innocent before proven guilty, requiring proof beyond a reasonable doubt, they are prevented from accessing the evidence being used against them, denied full rights of appeal, and excluded from their trial hearings (Willis & Wilke, 2008; Oriola, 2009; Razack, 2008; Hudson, 2010; Davies, 2006, Aitken, 2008). In this regard, the security certificate program strips its subjects of the writ of habeas corpus and permits for excessive and indefinite periods of detention without reliable judicial tests or reviews (Aitken, 2008). While under criminal law, the above-mentioned practices are deemed to be the basic standards when one’s liberty is at risk, for immigration proceedings these practices become circumvented (Davies, 2006; Oriola, 2009; Bell, 2008).

Davies (2006) argues that the security certificate regime invokes a ‘state of exception’¹¹ where the unfettered power of the state is exercised to materialize a force of law bereft of any procedural safeguards to ‘deal’ with the (racialized) national security threats, thereby demonstrating how this provision undermines the value ascribed to the lives of non-citizens (Davies, 2006; Razack 2008). Razack (2008) reasons that subjecting security certificate detainees to exceptional legal measures makes them vulnerable to a legal structure where paradoxically the law has decided that the rule of law is suspended. Importantly, it is the appeal to national security in these instances that allows the state of exception to be invoked, making it so that the plight for those detained under a security certificate “is not that they are not equal

¹¹ ¹¹ State of exception: A concept by Giorgio Agamben that allows the sovereign to invoke emergency powers.

before the law, but that no law exists for them” (Oriola, 2009:266; Aitken, 2008). The designation of these groups as security threats invokes the racialized lines of force that distinguishes between those bodies viewed as ‘rightful political citizens’ from those regarded as ‘bare life’¹² (Aitken, 2008). In this regard, the security certificate program is rooted in the relationship between citizenship status and (in)security; a relationship that often materializes in the targeting of the racialized ‘other’.

While security certificates do not specify racial, ethnic or religious groups in their text, the targeting of Muslim men post 9/11 has marked this legislation to be a racialized tool (Razack, 2008; Aitken, 2008; Oriola, 2009; Lopez, 2006; Jamil and Rousseau, 2012; Odartey-Wellington, 2009). Razack (2008) argues that for all five detainees, Mahjoub, Jaballah, Harkat, Charkoui, and Almrei, their Arab backgrounds have operated to mark them as people whose inclination towards violence is implied by their racial identity. Larson (2008) argues that the peremptory principle underpinning security certificates allows for unlawful imprisonment pending deportation, not because of allegations that an individual has committed an act of terror, rather, because they are deemed to fit a particular (racialized) profile of a ‘terrorist’. Echoing this point, Razack (2008) reasons that the very amorphousness of the charge is built upon the thinking of the groups latent capacity to be violent and the idea that an individual’s disloyalty is discernable, “not in what they do, but in who they are” (28). Razack (2008) argues that the culpability in security certificate cases is not assessed on any actual crimes, but in Razack’s (2008) words, the crime in these cases is something “born in the blood, a hidden indicator of the latent capacity to violence.” In this way, the cases discussed above demonstrate how race provides ballast to what

¹² Bare life refers to the condition when one exists outside of the normal judicial and political order (Aitken, 2008)

otherwise, is considered a weak argument (Razack 2008; Larson, 2008; McKay-Panos, 2009).

The security certificate provision does not require for any criminal act to be committed for it be issued, rather, it allows for arbitrary preventative detention under the broader concept of danger to the security of Canada (Shapiro, 2008). Under this discursive framing, the government is not required to demonstrate any identifiable criminal act that the detainee is likely to commit; instead, “mere association with or membership in terrorist organizations has been sufficient to motivate the issuance of the security certificate” (Shapiro, 2008:43). In this way, the foreclosure of legal rights and protections is grounded in the logic that one’s past associations are enough to determine one’s potential to pose a threat to the security of the nation (Shapiro, 2008; Razack, 2008). In the most recent instances of a security certificate, this potential has been assessed on the basis of the accused’s` origins (Razack, 2008; Bell, 2006, Oriola, 2009). Whereas in criminal law, evidence must be judged beyond a reasonable doubt, under immigration law, the threshold for assessing evidence is merely based on the *possibility* to commit an act of terrorism. The power behind mobilizing such a low threshold to determine the validity of evidence, is that the federal judge assessing the evidence is less concerned with uncovering the truthfulness behind these facts, rather, they are simply concerned with “whether the evidence is suggestive of the probability that an individual (...) may constitute a danger to national security” (Bell, 2007:73). Problematically then, in a post 9/11 society where Muslim is often conflated with terrorist, it “opens a channel for race to do the work of convincing [judges] that a terror suspect is indeed a terrorist”, making it so that the decision regarding the outcome of one’s life, is not based on evidence, rather, it is based on a ‘belief’ - to which race undeniably gives content (Razack, 2007: 14).

Significant attention has been given to the security certificate provision and its place within

the Canadian justice system. Hitherto, legal experts have analyzed the security certificate by means of questioning and criticizing its respect for the rule of law and due process; immigration scholars and lawyers have challenged the certificates positioning under the IRPA as opposed to criminal law; and finally, human rights activists have criticized the legislation for impeding and circumventing the rights outlined in the Charter (Oriola, 2009; Davies, 2006; Bell, 2006; Razack, 2008). Although each one of these perspectives presents differing analyses of the certificate program, the commonalities embedded within all three demonstrate the interwoven nature of discourses of citizenship, race, and national security. The discursive framing of the security certificate subjects as threats, coupled with narratives on ‘prevention, or the possibility of violence, and potentiality of terrorism,’ has led to their securitization. However, little attention has been given to the concrete practices that are entailed by these security discourses. This thesis seeks to address this void by exploring how the concepts of civil and social death can help us understand the experiences of securitization. As such, my working research question is “*How do securitization practices manifest themselves and operate in the lives of security certificate detainees and their families?*”

Part II: Experiences of Securitization: Social and Civil Death

To analyze how securitization is experienced, I draw on the concepts of social and civil death. Notably, the force of the law positions certain lives beyond the normative frame of what constitutes a ‘human’ through civilly killing them. Civil death emerges from security discourses which place these bodies outside of the civic order due to their racial, religious, ethnic, and national differences. In turn, civil death itself leads to a series of practices which, in their materialization, not only further exacerbate one’s civil death but also leads to their social death. Where civil death denudes one of their legal and political rights and constructs them as outside the law, namely, a being with no legal entitlements nor protection; social death socially excludes

persons leaving them with no connections, communications, or social bonds. In this vein, these ‘subjects’ are conceptualized as ‘no longer living’; while not ‘dead’ in the biological sense, their status as ‘non-living’ transpires through their civil and social death. I string Agamben’s (1998) notion of the figure of homo sacer through my discussion on civil and social death to highlight the entanglement between securitization and dehumanization.

Civil Death

The concept of civil death was first developed by lawmakers in Medieval Europe and was used to terminate a person’s existence by destroying their legal capacity (Ewald, 2002). The prevailing attitude in Europe at the time was that those identified as engaging in criminal activity would lose all civil rights, such as the “right to vote, hold property, enter into contracts, and even, in some cases, the right to life” (Spillane & Miller, 2012:406). Given that the legal capacity of a person is what acts as the “determining element to gain the quality of a natural person” (Alikaj, 2014:320), the logic was that the erasure of one’s status as a legal subject would force them into permanent exclusion from the civic order (Spillane & Miller, 2012). An autonomous juridical rights-bearing subject is understood as somebody who can possess legal rights and obligations; the revocation of these legal privileges then, effectively certifies one as being ‘dead in law,’ and therefore exempt from legal safeguards (Ewald, 2002).

Agamben’s (1998) analysis of the figure of homo sacer is particularly useful in illustrating how one undergoes legal dispossession through securitization. Giorgio Agamben describes how the central figure of modern politics is the homo sacer, someone who “has been reduced to biology whilst their political existence has been withdrawn by those who have the power to define who is included and who is excluded as worthy sovereign human beings” (Admin, 2008: para 4; Follis, 2011; Noys, 2006). Given that political agency is what constitutes one’s membership in the civic order, the lack of political-legal rights then situates the homo sacer

outside the frame of normal legal proceedings (Razack, 2008). In this regard, the homo sacer is conceived of as not fully human since “their existence simultaneously constitutes their subjection to the state rule via exclusion and their lack” of political rights (Johnson, 2017:26). By way of their eviction from the political space, the homo sacer occupies the ‘camp.’ This ‘camp,’ Agamben suggests, refers to a material and metaphorical in-between space where one is at once captured but also excluded from the sovereign power (Butler, 2004; Kotef, 2010; Aitken, 2008; Razack, 2008). Importantly then, those relegated to the ‘camp’ are not freed from the juridical order or sovereign rule, that is, they are not “simply set outside the law or made indifferent to it”. On the contrary, through its suspension, the law in fact encompasses living beings’, making it so that the ‘homo sacer’ is “simultaneously bound and abandoned” by the law (O’Donoghue, 2015: para 4; see also Aitken, 2008; Noys, 2006). To this end, the camp can be understood as a “permanent arrangement of who is and who is not part of the human community” (Razack, 2008:12). It is an arrangement where those considered outside of the human community are relegated to an ineffectual status, deprived of fundamental legal rights and expelled from the political community (Razack, 2008).

The security certificate program is an example of an exception to the legal norms of the judicial order, as those subjected to a certificate are treated as persons without political or legal capacity. For example, the writ of habeas corpus - one of the founding democratic rights proffered to all subjects of the state - is not applicable for those held under the certificate program. Noys (2006) suggests that the principle of habeas corpus is grounded in an individual’s rights over their body; however, under the security certificate program, the body shifts from being a site of autonomy, rights, and privacy to a site of state control. Like the homo sacer, the detainee’s ownership over their body is stripped, thereby making civil rights and entitlements

unavailable to these persons. In Noy's (2006) words, "in this way, political identity is no longer defined in political terms but is defined through the biological body" (19). Furthermore, Aitken (2008) stipulates that the security certificate "not only carves out an exceptional legal technique but certifies particular bodies as threats requiring unique forms of governance" (386). For instance, the security certificate's mobilization of preventative arrests, arbitrary detention, neglect for habeas corpus, and suspension of constitutional protections is emblematic of the suspension of the rule of law for certain groups, justified through appealing to the idea that a threat confronts the nation, a danger that demands exceptional defensive measures.

Those subjected to a certificate can be seen as incarnations of the homo sacer, where they are exempt from the law's protective safeguards, but still exposed to juridical power. The detainees are caught in the zone of exclusion but simultaneous subjugation to the will of the sovereign (Pope & Garrett, 2013). Put differently, Noy (2006) argues, "bare life is created in an act of power that includes [persons] within the space of power, at the same time; it seems to exclude [them] from all protection[s]" (19). For example, in security certificates hearings, "there is a casual, unreflected upon lawlessness, an abnouncement of the rule of law" (Razack, 2008:6), where the men are excluded from the democratic practices that underwrite the Canadian legal system, yet "are expected to unambiguously accept and unequivocally uphold a legal and political system that depends on the unquestioned permanency of their rightlessness" (Cacho, 2012: 6).

Subjects of the security certificate program undergo a civil death by way of being unmade from subjects of the law to being objects (targets) of the law. Specifically, Olurin (2015) suggests that in denuding a securitized being of their political and legal rights, they are transformed from being a site of rights, autonomy, agency, dignity, to a site of state violence.

Razack (2008) argues that the ‘other’ (the homo sacer), who is without the right to have rights (see also Arendt, 1951), differs drastically from those who are purely discriminated against. Instead, securitized subjects are considered a different order of humanity altogether by virtue of having no legal protections or entitlements (Razack, 2008).

Social Death

Humans are innately social beings. They depend heavily on social interactions and relations to constitute their connectedness, identity and their humanity. However, civil death often leads to one’s social death, a process in which one’s relationships and social value are destroyed (Kravola, 2015; Borgstrom, 2017). The concept of social death first emerged in Sudnow’s (1967) study of the social processes accompanying natural death. Grounded in his observations within hospitals, he noted that the social value of patients near death determined how medical professionals treated them and how much energy was invested into reviving them (Kravola, 2015; Borgstrom, 2017). Following his study, the concept of social death was picked up by Patterson (1982) in his research on enslavement. Patterson (1982) argued that slaves suffer identity loss, alienation, and experience total dependency on their master’s will. This form of psychological and physical powerlessness coupled with their complete rejection and isolation from society facilitated their social death. Both Patterson (1982) and Sudnow’s (1967) studies demonstrate how social death materializes when persons are believed to be unworthy of social participation and treated as ‘dead while alive’ (Brannelly, 2011). The process of social death is initiated when securitized persons are alienated from previous identities and relationships, including but not limited to their family, friends, community, etc. Brannelly (2011) argues that the “conceptual relationship between exclusion and dehumanization is central to understanding how one” (663) experiences a form of social death. In this way, Agamben’s figure of the homo

sacer is useful in understanding how those rendered as exceptional threats experience a withdrawal of social and cultural bonds.

Stearns and colleagues (2017) argue that being deprived of social connectedness or the ability to engage in social experiences weakens a person's social existence in the dominant culture (see also Ribas, 2014 & Price 2015). When one is conceived of as a legal rights-bearing subject, they are considered as a part of, rather than a threat to, the civic order; contrastingly, once securitized, the subject is stripped of these civil entitlements and positioned on the other side of this legal space; a space where they are conceived of as '*socially non-existent*'. Brannelly's (2011) discussion on social death and citizenship is integral in demonstrating the conceptual relationship between social marginalization and dehumanization. He describes citizenship in terms of a practice, where he suggests that being a citizen implies membership in a community; it suggests that one can be socially active and connected to others. While his theoretical consideration of citizenship and social death is in the direct context of patients suffering dementia, it is illustrative of the interplay between dehumanization and social death. In particular, Brannelly (2011) describes dehumanization as resulting from a process where subjects of a certain rank (healthier, younger, etc.) are unwilling to relate themselves to persons in a position of such infirmity. He argues that this distancing results in framing the incapacitated, older, or unwell person as 'less than human,' which leads to a reluctance to engage with the 'other.' Likewise, the process of securitization facilitates an environment in which 'citizens' are disinclined from relating to the 'object' of security. While the detainees and their families do not experience complete alienation from their relationships, and therefore their social existence in society is not entirely terminated, they do, however, experience a form of social death whereby some of their social bonds are severed. Moreover, the certificate program facilitates conditions

whereby members of their intimate, extended, or national community refrain from interacting with men and their families. In other words, marking persons as a threat to national security further establishes them as threats to the public space and security, thereby leading to their rejection as members of the social order.

Brannelly's (2011) theorization of the relationship between social death and dehumanization resonates with Agamben's (1998) figure of the homo sacer. Brannelly (2011) argues that persons who are branded as lesser, or to some extent, no longer, political beings are rendered 'not fully human.' By way of not being recognized as fully human, these groups, Brannelly (2011) contends, experience a social death, changing their views of themselves and the way they are regarded by society. A similar notion of the condition of being in-existence and non-existent in society simultaneously can be observed in Agamben's figure of the homo sacer. Kravola (2015) argues that "as a form of punishment, the status of the homo sacer was inflicted upon those who had committed a crime" (238). This status, she argued, lead to the indefinite withdrawal of "all legal, social, and cultural protection, meaning that such individuals could be killed at any time by anyone (238). Notably, Agamben (1998) suggests that the status of homo sacer is rooted in the notion of inclusive-exclusive, where inclusivity means turning one into a non-person by marking them as an easy target, "as if calling out to others you can hurt [them], you can kill [them], nobody will care" (as cited in Kravola, 2015:238); while exclusivity refers to their expulsion from the community and its resources. In effect, the figure of the homo sacer is embedded in this dualistic fold of inclusivity-exclusivity wherein their identity as alleged terrorists "inexorably exploit[s] [their] vulnerability, leading to [their] total social abandonment" from their social relationships (Kravola, 2015:238). Along the same lines, Noys (2006) suggests that excluding the homo sacer from the community costs them their humanity and leaves them as

nothing more than bare life, “something monstrous that exists between the animal and the human” (19). A similar experience can be observed with the security certificate detainees and their families. Securitization triggers a process where these men and their families are included by virtue of being identified and marked as security threats or supporters of ‘security threats,’ but excluded on the same account.

A complete social death manifests when one is stripped of or rendered ineligible for personhood by way of having no social bonds to constitute their humanity (Cacho, 2012). Under the security certificate regime, the subject not only exists in the margins of society by their lack of citizenship status and their status as a racialized being, but the conditions imposed upon them rob them from desperately needed social bonds. Not only does this process severely destabilize their existential core but points out how the subjects of this provision are excluded from society before, as well as after, their actual death (Kravola, 2015). For example, the certificate program involves restricting and surveying the subject’s mobility and communication, detention in segregation units, and the co-option of relationships by the state. These practices can be understood as the state’s attempt to sever the men’s social bonds and keep them in a state of isolation. Specifically, by hindering the men’s contact and interactions with their community, their family and friends, the men are “literally buried from the world,” making it so that they “exist in a marginal state of social death” (Sterns, Swanson, Etie, 2017:4). Moreover, the force triggered by the certificate is often enough to displace the accused and render them as socially non-existent. In particular, the stigma attached to the accused’s designation as a national security threat coupled with the stigma attached to their racial identity triggers ostracism from the community, whereby members of the public treat the accused as “already deceased, although still clinically and biologically alive” (Kravola, 2015:235). To this end, robbing the subjects of the

certificate of humanizing features such as their social identity, social capital, and social networks can be understood as ‘an act of social burial’ (Brannelly, 2011).

While civil death is easier to reverse through the attribution of civil/legal rights, the effects of social death such as the loss of personhood, humanity and the destruction of relationships cannot be undone as simply. Put differently, while the alternative to social death is social value, ascribing this value on lives previously rendered as ‘non-persons’ is undeniably challenging. Once a life has been devalued by being stripped it of its social connections, it is positioned in a ‘space of social death’. This space, in Cacho’s words (2012), “is a desperate space, overwrought with and overdetermined by the ideological contradictions of ineligible personhood” (145). This space makes it so that the ideal of personhood is firstly seized from, but secondly, made unattainable for those groups whose lives are assigned less value.

Conclusion

An analysis of the linkages between discourses of securitization and the racialized ‘other’ not only reveal historical patterns of othering and nation-building, but also, more specifically in the post 9-11 context, invite us to consider how practices of othering and renationalization may be operating even today through the ‘war on terror.’ I suggest that securitization practices emerge due to discourses constructing the racialized being as a threat to ‘us’ - a central ingredient of the othering process. Violence against this racialized dangerous ‘other,’ which materializes through the deprivation of legal rights and social connectedness, can only manifest if held against a backdrop of moral disregard, wherein the lives of the securitized subjects are no longer conceived of in terms of their humanity, and instead, as security objects.

While considerable attention has been given to how the certificate program is embedded in the discriminatory power of citizenship and been governed by race thinking, there has been an absence of analysis attending to how securitization is experienced. I attempt to address the lived

experiences of securitization by relying on the concepts of social and civil death. These processes lead to not only a weakening/withdrawal of legal protection but also to the complete loss of social connectedness and identity, ensuring then that “certain people live an abstract existence where living is something to be achieved and not experienced” (Cacho, 2012:7). Although securitization emerges out of systems of othering and an iteration of moral indifference, the processes of civil and social death reproduce the objectification of the securitized subject through stripping it of the right to belong in the legal, political, and social sphere.

Methodology Chapter

Research Question and Goals

The purpose of my research project is to explore how securitization practices are experienced and operate in the lives of those living under a security certificate. In order to address the experiences of securitization, my specific research goals consist of examining the practices deployed under the certificate program, unpacking the consequences of the security practices used on and against those who have been subjected to the security certificate process, and exploring the experiences and the meanings attached to these practices, as defined by the men and their families living under the security certificate program. To explore how securitization is experienced, I looked at the lived realities of groups living under a security regime. To achieve this, I carried out interviews with some of the men who have been issued a security certificate and their family members.

Data Production Technique

Nagra (2017) argues that “it is imperative to begin from the actualities of [people’s] lives,” to accurately capture the ways in which they make meaning of their experiences (35; see also Rabionet, 2011). As such, to gather empirical material on the lived experiences of securitization, I chose to conduct semi-structured interviews as they allow for the exploration of experiences and perceptions surrounding complex and sensitive issues (Barriball & While, 1994). Given that the nature of the interviews concerned one’s experience of the deprivation of freedom, the invasion of privacy, impacts on relationships, and a range of other intimate topics, I deployed an interview style that created a space for respondents to share their experiences, in their own words, at their own pace. Mander (2010) urges that “listening to the stories...from the heart of people... who reconstruct their own lived experiences...democratizes knowledge and leads to a more complete and nuanced understanding” of their experiences (252). In this vein, semi-structured interviews were a powerful tool as they acted as a window to the participants’

stories, by eliciting detailed narratives and the meanings attached to the experiences of securitization (Whiting, 2008; Rabionet, 2011)

A structured interview requires specific wording and that the sequence of all the questions be the same for each respondent, thereby eliminating the opportunity for the interviewees to openly engage in their narratives and discuss the elements of securitization that were significant to them (Whiting, 2008; Barriball & While, 1994; Dworkin, 2012). Moreover, a completely unstructured interview not only runs the risk of not eliciting the specific themes closely related to the research goals under consideration but would have also been more demanding regarding data coding and analyzing. In the middle of these two approaches is semi-structured interviews; this method was particularly useful as it allowed for data exploration grounded in the interviewees' personal experiences while still being theory-laden and carefully tied to my research goals (Galletta, 2013; Rabionet, 2012; Barriball & While, 1994). The questions within my interview guide pertained to topics such as family, personal health, security, detention, release, etc. Mobilizing a semi-structured interview style prompted personal stories by the interviewees where they could discuss the elements relevant to them while addressing the themes in my interview guide. This approach was valuable as it required me to listen carefully to the interviewees and pay particular attention to the “details, events, observations, insights, and emotions” within their narratives. Following this, I was able to probe and seek more in-depth information on any topics relevant to my research goals (Galletta, 2013:48; Barriball & While, 1994; Dearnley, 2005).

Semi-structured interviews allowed for all interviewees to be approached with the same topics, but also paved the way for them to address these themes in a way that holistically captured their experiences and meanings. Often, this would entail spending a considerable

amount of time on one topic over another, based on what the interviewee felt was important to discuss. In this way, the flexible nature of semi-structured interviews was extremely beneficial to my research study as it allowed for consistency, while also enabling a great deal of diversity and richness across the different conversations (Dearnley, 2005). Specifically, the open nature of this interview style invited participants to openly converse around their experiences, leaving the organization of further themes and questions to be determined by their responses and allowing for new concepts to emerge (Dearnley, 2005). Through my analysis, I unpacked several intersecting elements that revealed how securitized subjects undergo the targeting of their body, their home, and their social bonds. Moreover, the themes that emerged throughout the interviews revealed how different markers of belonging shaped one's experiences and forms of resistance.

While my themes will be explored in-depth in my analysis chapter, I find it important to point out two findings from my material that were contrary to my initial considerations. First, I was surprised that the men and their families spoke significantly more about their experiences post-release than when they were incarcerated. This was particularly interesting, as I had anticipated that a considerable part of their experiences would be related to their detention in isolation and at the *Kingston Immigration Holding Centre*. Further to this, I expected that the families' narratives would primarily be about the hardships imposed on them while their loved ones were incarcerated. Although this certainly was a point of discussion and was identified as a significant element in their experiences of securitization, a large part of the participants' stories concerned the security measures imposed during home detention.

I also found it interesting that the discussion of race and or religion was not as prevalent throughout the interviews. The literature on security certificates has argued from a position of race, suggesting that this judicial tool is embedded within race thinking and emblematic of racial

profiling (Aitken, 2007, McKay-Panos, 2009, Razack, 2008, Bell, 2006, Oriola, 2009). I am in no way disputing these arguments; I am merely suggesting that the empirical material from my interviews did not bring these discussions of race to the forefront of their experiences. Rather, instead of framing it along racial lines, the men and their families discussed their experiences of securitization in terms of their humanity. The interviewees argued that they felt their experience of securitization not only treated them as though they were ‘non-human’ but reproduced this bifurcation process in its implementation. Although this may have been related to race, the men and their families do not name it as such. I anticipate that the lack of discussion attending to the role of ‘race’ may have been due to the structure of my interview in which I did not ask specific questions about how racism has played a part in how the state has treated them. It is also possible that due to the dominant discourse of multiculturalism that is embedded through Canadian society and its institutions, the men and their families may not have been thinking of their experiences as being tied to racism. However, in doing it this way I was able to invoke information from the interviewees that they felt was important to share. Other considerations as to why the discussion of race, religion, and ethnicity was not as prevalent will be discussed in a later section.

Population and Sample

Since its implementation in 1978, the security certificate program has been mobilized 28 times. However, my research is predominantly concerned with the cases of the ‘Secret Trial Five.’ The experiences of these five men that have been issued a security certificate stands out “not only [concerning] the abuse they have suffered but also in terms of the exception their experience marks out” (Aitken, 2008:385). Hassan Almrei, a Syrian refugee, was arrested by the RCMP on October 19, 2001 (Bell, 2006; Razack, 2008), and he continued to live under a security certificate for more than eight years, until a federal court judge quashed his certificate on

December 19, 2009. Mohamed Harkat, an Algerian national was arrested and detained on December 10, 2002, and was released on strict conditions on June 21, 2006 (Aitken, 2008). While Harkat has been released from prison, he is now urging the Public Safety Minister to allow him to stay in Canada, thereby subjecting Harkat to 16 years of living under the certificate program. Mohamed Zeki Mahjoub has been living under a security certificate for over 18 years. Mahjoub is an Egyptian national and was detained under a certificate on June 26, 2000 (Aitken, 2008); he also continues to fight his deportation order. Mahmoud Jaballah, an Egyptian national, was first arrested on a security certificate in 1999, which was later quashed by the Federal Court. However, CSIS alleged that based on a 'reinterpretation' of the initial evidence that constituted his first certificate, a second certificate was issued in 2001. After living 15 years under the security certificate program, Jaballah's certificate was quashed on May 24, 2016. Finally, Adil Charkaoui, a Moroccan national, was arrested on May 2003 in Montreal. After spending almost two years incarcerated, he was released to house arrest and lived under various intrusive conditions, until his certificate was defeated on September 24, 2009.

For my research, I carried out a total of five interviews. These interviews were sampled from the above-mentioned population and some of their family members. To be specific, my sample included three of the men who have been issued a security certificate, a wife of a security certificate detainee, and a son. I decided only to include one family member per family as some of the men did not have the family capacity to participate nor were they comfortable in allowing their families to partake in reliving these memories of the past. As a result, to avoid overrepresentation of one families' experiences, I selected one member from each family in addition to the subject of the certificate.

Two primary considerations impacted my choice for this sample. First, most studies focusing on the lived experiences of marginalized groups are selective to individuals who have been incarcerated, detained, etc. As a result, these studies tend to exclude the voices of those family, friends, associates, etc. also touched by these processes. For that reason, I chose to include the experiences of family members in my project to illuminate that, albeit, in different magnitudes, these groups also experience securitization. My second consideration in selecting this particular sample was that it revealed how securitization manifests in varying contexts depending on a person's identity, status, location, etc. For example, within the sample there were several elements that shaped one's unique experiences of securitization, such as the experiences of the subject of the security certificate policy versus those indirectly impacted by it (re: family, friends, associates), the experiences of citizens versus non-citizens and born citizens versus naturalized citizens, and the experiences of securitization while being detained in a correctional facility versus being subjected to detention within their homes. Bringing together such diverse experiences was revelatory of the complexity and multifaceted nature of how securitization manifests.

For the purposes of this research project, I employed purposeful sampling as it is particularly suited for undertaking "multiperspectival [and] emancipatory research in information-rich cases" (Suri, 2011:63; Coyne, 1997; Patton, 2002). This form of sampling is often mobilized when researching specific cases that involve individuals who have extensive knowledge about or have experienced a particular phenomenon (Palinkas, Horwitz, Green, Wisdom, Duan, Hoagwood, 2013:533; Cresswell and Plano Clark, 2011; Patton, 2002). To this end, it made theoretical sense to implement this approach given that my research is primarily concerned with exploring the lived experiences of securitization through five specific case

studies (Suri, 2011). My initial point of contact for accessing this sample consisted of approaching the activists, the legal teams, the academics, and anyone else that had worked closely with the men and their families during their time under the certificate program. My strategy in adopting this approach was rooted in two key concerns. First and foremost, I recognized that the men and their families had experienced, and still are experiencing a great deal of trauma, exploitation, and loss. I wanted to be both respectful and cautious of these sentiments and did not want to appear as a ‘researcher’ attempting to capitalize on their experiences for a research project. Specifically, because my only avenue for contacting the men and their families would have been over an online platform, I felt that this approach would not accurately capture my genuineness nor would it be an appropriate means to contact someone for such a delicate matter. Secondly, I felt that given their experiences, it was essential that the men and their families felt comfortable in sharing their intimate stories with me. I was aware that simply sending a virtual description of my research study would not accomplish this objective. As such, I began building rapport with persons who have worked closely, or continue to work closely with the men and their families. Given that the academics, legal professionals, activists, etc. that I connected with are persons who have already built a foundation of trust with the men and their families, I hoped that in gaining their confidence and support for both the project and myself, they would be able to convey my sincere intentions to the individuals I wanted to interview. Through my ongoing interactions with these individuals, via in-person meetings, phone calls, etc. I was able to express my sincerity, trustworthiness, and respect for the potential participants, which eventually led to their agreement in assisting me. I provided these groups with a brief description of my research study which included my contact details. With the help of these lawyers and activists, two of the men held under the certificate program, and one of their

sons reached out to me. Furthermore, I had maintained communication with an activist who played a profound role in challenging the certificate program in Canadian law, and he reached out to a third individual who had been detained under the security certificate program who agreed for the activist to provide me with his contact details. Finally, given that the wife of one of the men is a public figure who frequently engages in public demonstrations, activism, rallies, etc. I was able to reach out to her by contacting her online platform.

Analysis of Material

The interviews were conducted in the summer and fall of 2017 and were audio recorded and transcribed. I began the analysis of my material through coding thematically to identify and analyze any patterns of meaning across the data (Joffe, 2011; Nowell, Norriss, White, Moules, 2017). I mobilized pre-assigned themes as they are responsible for capturing meaning and identity across different reoccurring experiences and variant manifestations (DeSantis & Urgarriza, 2000). In adopting this method, I aimed to capture the most salient constellations of meaning across the men and their families' experiences of securitization. To identify these themes, I relied on predefined codes to help guide my analysis. Codes can be defined as the smallest units of analyses that act as building blocks for themes, which then capture patterns of meaning across the data relevant to the research question (Clarke & Braun, 2017). However, while a thematic analysis was useful in "highlighting similarities and differences, and generating unanticipated insights", I found that precisely because these theoretical elements were not disjointed, but were actually interrelated, it made coding a challenging task (Nowell, Norriss, White, Moules, 2017: 2; Braun & Clarke, 2006). Since the interviewees spoke anecdotally, whereby they described a series of events, it made theoretical sense to change my approach and start looking at events and the emotions attached to these events, as described by the men and their families. At this point in my analysis then, I shifted from mobilizing a thematic analysis to

using categories that captured the different events in one's life. Within each of these categories of events, I began noticing similar patterns of meaning, thereby allowing me to draw parallels and create more relevant themes (such as the targeting of their body, their home, and their relationships).

In adopting my method to reflect my data better, I was able to avoid re-inventing the wheel and look for concepts that have not yet been unpacked in securitization literature, thereby potentially revolutionizing knowledge on lived experiences of securitization (Joffe, 2011). While I began my analysis with theory informing my data by relying on concepts such as 'moral indifference' and 'othering', after attempting to analyze the lived experiences of securitization, I ended up mobilizing other theoretical concepts such as civil and social death, thereby shifting to allow for my data to inform my analysis.

Ethical Considerations of Research Project

Several ethical considerations that informed my qualitative research project. These concerns comprised of issues that I had prior to beginning my study and also several matters raised by the University of Ottawa Research Ethics Board (REB), the body which granted permission to perform this study. Whenever qualitative interviews are carried out with populations who have undergone experiences of trauma and suffering, there needs to be ethical safeguards considered to not only uphold human dignity, but to avoid exploitation, jeopardizing one's health, and to prevent eliciting any harmful feelings (Ketefian, 2014; Copes & Tchoula, Brookman, & Ragland, 2018). My research is intended to contribute to the empowerment of those who have lived through experiences of securitization; therefore, my goal is to respect ethical boundaries while creating a safe platform for the men and their families to share their stories.

Given that my research project concerns the cases of the ‘Secret Trial Five,’ the issue of anonymity was raised by the Ethics Review Committee. Their concern was in relation to protecting anonymity in such distinctive and limited cases. I addressed this concern through removing all personal details from the data set (e: names of lawyers, friends, children, place of residence, etc.) that would be revelatory of one’s identity (Dearnley, 2005). However, while REB required that I uphold anonymity for the research participants, an ethical consideration that I faced was determining my place in imposing this decision of anonymity on the men and their families. In other words, the ethical dilemma was deciding how much of a right I, as a researcher, had to enforce anonymity, especially in instances where the participants wanted their identity revealed. The consequences of imposing anonymity upon the men and their families, particularly when they wanted it revealed, ran the risk of not only reinforcing power relations, where I imposed my research guidelines upon them but also reinforcing the stripping of their identity; specifically, through the detaching of their names from their stories, I contribute to the silencing of their voices. To address this, I was very transparent with the participants that the university REB considered anonymity a requisite given that participants would talk about their family and friends without them being able to consent. However, I aligned with the men and their families when they expressed their disagreement with this research requirement and expressed my sincere apologies for this research condition. I hoped that in explaining the justification behind the university’s requirements for anonymity coupled with my genuine regrets for imposing this requirement upon the interviewees, they would still feel comfortable participating in this project. Moreover, participants were made aware that there were certain identifiable factors that I would not be able to account for which may make their identity

recognizable. All interviewees were comfortable with the potential of being identifiable and consented to participate in the study.

A second ethical consideration that was briefly addressed in an earlier section was the issue of accessibility. In particular, a concern that emerged while organizing this project was the process through which I would be able to respectfully access this group and avoid appearing as a researcher exploiting their intimate experiences. To address this, I carefully formulated trusting relationships with the interviewees' networks through ongoing communication and by upholding their recommendations for my research project. For instance, in the occasion where experts, friends, and other research participants advised that I refrain from contacting one of the men subjected to this security policy, I respected their suggestion and avoided pursuing him as a potential participant due to ethical reasons.

Moreover, as this was my first attempt in conducting qualitative interviews, especially with a group who has experienced significant suffering, ethical considerations emerged around the best ways to conduct interviews without eliciting unfavorable and undesired emotional sentiments and resurfacing repressed memories. For example, some of the concerns raised were when it would be appropriate to respond/ask follow-up questions, how would a researcher react to different scenarios, how and when is it appropriate to probe, etc. While I in no way perfected these qualitative interviewing skills, I addressed these concerns through ongoing discussions and practice with my thesis supervisor who has extensive experience in conducting interviews with marginalized groups. Furthermore, I was particularly keen on upholding my relationships with the men and their families as I did not want them to think my relationship with them was simply to the extent of serving the goals of my research project. To illustrate my noble intentions, I not

only maintained ongoing support by attending their presentations, rallies, conferences, etc. but also continued constant communication beyond the scope of this project.

Finally, I was concerned with balancing my theoretical assumptions against the narratives of the interviewees (Dearnley, 2005; Finlay, 1998). I approached the interviews with a subjective understanding of the participants' experiences living under a security certificate based upon my review of literature and interactions with activists, lawyers, etc. I struggled with not interjecting my pre-existing knowledge obtained from these conversations or the literature in my interviews. Instead, I allowed myself to learn from the interviewees' narratives (Acker & Barry, Esseveld, 1991; Kirby & McKenna, 1989). Dearnley (2005) argues that it is only through engaging in reflexive thinking that, "the potential problem of subjectivity [can turn] into an opportunity" (21; see also Finlay, 1998). In this way, through personal reflection, I was able to recognize and put aside my conceptual presumptions, status, positionality, and history and allow for the men and their families to guide the narratives based in their personal experiences and meanings (Nagra, 2017; Galletta, 2013). Moreover, I also engaged with reflexive thinking through my analysis of the data. As previously discussed, I approached my data with previously established themes; however, upon analyzing, I shifted my approach, allowing for the data to inform my analysis. In this regard, I abandoned the themes that I had initially formulated based on my conceptual understanding of securitization, and instead organized my data around events, as suggested by the participants.

Limitations

This final section addresses some of the limitations identified in my research project. Specifically, the issue of transcription, accessibility, and the willingness of the men and their families to discuss their experiences all emerged as shortcomings of my study. While I argue that these issues are limitations within my research, I do not suggest that they impaired the quality of

my research or interactions with the interviewees. Instead, I present these as issues that simply impacted the extent of my research project.

Transcribing the interviews presented itself as a limitation within my study. Not only was the transcription of interviews costly in terms of the time that was needed to transcribe, but the language barriers, grammatical and common speaking errors made transcribing in the verbatim style especially challenging. Moreover, while transcribing and analyzing the interview material, I realized that there were several instances where I should have requested more clarity from the interviewee. At the time of the interview, there was a great deal of implicit understanding as the interviewees' facial mannerisms and body language complimented their narratives, thereby providing more context to some of the events discussed. However, when analyzing this material, void of these situational components, I realized certain elements were not as explicit as they may have been during the interview, thereby making analyzing the content more challenging.

Due to the nature of the certificate program being situated under immigration law as opposed to criminal law, it makes it so that even after a certificate is quashed, it can be reissued against the men without any new evidence. The legal framework constituting the certificate program is not only silent on the number of new certificates that can be deployed against one person, but problematically, it allows for the same certificate to be reissued based on the reinterpretation of existing evidence. In my discussions with the interviewees, they suggested that despite them currently being free of a certificate, the possibility of being (re)targeted was a significant concern. The legal nature of the certificate program not only limited potential participation but impeded the participants' willingness to communicate freely with me about their experiences. The structuring of the certificate program, then, could be the explanation for

why the men and their families refrained from politicizing their narratives and bringing in discussions of race, religion, ethnicity, and politics.

Finally, while I was still able to draw on the experiences of four of the five families impacted by securitization, I was unable to include the experiences of one family entirely. Although it would have been profoundly powerful to have the voices of all five of the men issued a security certificate, I am confident that in presenting the experiences of four of the five families, I captured how securitization is experienced nonetheless.

Chapter 4: Results and Analysis

This chapter dissects the ways in which security policies manifest and take on a local form¹³ in the lives of those detained under the security certificate program. It does so by not only unpacking how those framed as (in)securities are transformed into security objects, but also exploring how the bodies, the spaces occupied by those bodies, and the human connections of those bodies become targeted under the security regime. By examining the extent to which securitization practices target each element of one's life, I am able to highlight the totalizing experience of living under a security certificate. Put differently, by examining how one's body, their space, and their relationships are individually securitized, we can understand how the interplay of these elements strips the subject of the certificate of his¹⁴ autonomy, security, and social bonds. It is precisely through dissecting each facet of one's life that is obstructed by securitization that I can investigate the entirety of living under a security regime. I illustrate how no part of one's life is left untouched, rather, being securitized means precisely that every aspect of one's life is touched. Through unpacking these themes, I aim to highlight how civil death, brought on by exclusionary judicial tools, gives way to practices that, when inscribed on people's realities, not only furthers their civil death but also leads to their social death.

4.1 The Legal Framework of Security Certificates: Perceptions of Families

Securitization practices are both experienced through and legitimized under the legal procedures that constitute the security certificate program. This section problematizes how the security practices deployed the certificate program - which not only strip its subjects of their constitutional rights and entitlements but also ownership over their bodies, spaces and their

¹³ The term "local form" is mobilized by Nadine Naber (2006) in her study to describe the ways that the 'war on terror' manifests itself in the everyday lives of American Muslims.

¹⁴ The use of masculine pronouns is done deliberately as the 5 security certificate detainees that I refer to throughout this thesis are all men.

human connections - exist within a utterly legal framework. I address this through unpacking the men and their families' perceptions towards the legal operation of security certificates.

The legal framework constituting the security certificate legislation expands security agencies' powers to legally permit for pre-emptive arrest, indefinite detention, deportation (where they may be subjected to torture or death), and the use of secret evidence. Moreover, the certificate program leaves the lives of non-citizens without the same level of judicial protections afforded to citizens. It does so by granting security officials a wide range of discretionary powers that are without judicial checks and balances. In this way, procedures, that otherwise would be considered inadmissible under criminal proceedings, are legally implemented under the security certificate program. For example, a detainee's son discusses the challenges inherent in this legislation and argues that there are other judicial tools in place that may be deployed against those alleged of engaging in terrorism:

You always hear with a criminal case that you get tried & if you win, there is no double jeopardy. Like you know you win and you're done. They can't retry you. It seemed like in this process there is no end date. They want to keep going with it. As a matter of fact, when (...) the decision came out, [CSIS] tried to appeal it and they tried to take it up to the Supreme Court and Supreme Court said they wouldn't hear it. We were actually contemplating if we should sue the government to prevent them from trying to issue another security certificate. Because there is nothing in the law that prevents them from doing that (Son of detainee).

This thought highlights how the certificate program still draws on 'standard' criminal justice proceedings such as appeals, trials, etc., however, strips the subjects of the certificate program of any legal protections and entitlements afforded by criminal law. In this regard, securitized persons become "subjected to laws but refused the legal means to contest those laws as well as denied both the political legitimacy and moral credibility necessary to question them" (Cacho, 2012:6). This process is demonstrative of how those who are positioned outside of

standard systems of legality are not necessarily made indifferent to the law, instead, their very exclusion makes them bound to the law; their subjugation situates them as being outside of the law but at the same time, belonging within it. Moreover, his discussion of the legislation demonstrates the sense of fear that is invoked by a security certificate. The legal framework of the certificate program makes it so that the state can (re)issue a new certificate at any point. This process not only hinders the men and their families' desire to pursue legal action against the state for the wrongful issuance of a certificate but keeps them fearful against the indefinite expiry date on the provision. Put differently, given that the men and their families feel as though there is no 'end date' to the certificate, they are situated in a state of powerlessness against state power, whereby the men fear that a certificate may, for reasons that need not be disclosed, be issued against them. The detainee' son highlights how citizens held under the jurisdiction of criminal law are protected from double jeopardy; however, by way of being non-citizens, those subjected to immigration law are not presented with these statutory protections, demonstrating the different allocation of value assigned to the lives of non-citizens. This highlights the entanglement of citizenship and (in)security, where prevalent ideas about security and citizenship impact the rights of non-citizens. He also considers how the security certificate program neglects the fundamental principles of justice.

We have the criminal code system that does work so why is it that you have to resort to such barbaric systems. Anyone who is charged with anything is put in a position where he should have his fair day in court (...). Maybe at the time, the [security certificate] law was put into place there were circumstances, albeit I don't think anyone should ever be subject to such a process. (...) If you can't give people their day in court— if you can't show them what you have against them and allow them to defend themselves you cannot take away their security and liberty— at any price, it doesn't matter (...). This process targets the people that are in need of that protection. So, if you are a citizen you cannot be subjected to security certificates. So, we're targeting the people that are coming to us that are vulnerable and coming to us for protection. In my view, that's cruel and you know inhumane (Son of detainee).

Along the same lines, one of the detainees adds:

Of course, [security certificates] shouldn't [be used], they shouldn't. Because it hurts our rights. They put somebody for an indefinite time in the jail for nothing. This is fair? No. (...) And why do they want to kick me out from the country. I didn't do anything. If they have something okay – they can show it to us and we can fight it. (...) I am a human; I have a family. They are supposed to give me my rights because they are rights. This is what they are supposed to do (Former detainee).

By being situated under the IRPA, security certificates (re)assert the notion of “a different kind of legal being [by virtue of their citizenship status] [and] in the process, also constitutes them as different kinds of human beings at a symbolic level” (Thobani, 2007: 28). The quotes by the interviewees epitomize how the security certificate program, by way of not providing the same legal protections to non-citizens reinforces and reproduces the construction of the external ‘other’ – someone so dangerous that they are undeserving of basic *human* rights. For example, the detainee’s son argues that there is no place for legislation that robs subjects of their security and liberty without providing them with the rightful opportunity to defend themselves. His discussion illustrates the issues inherent in the certificate program; namely, that one may be detained indefinitely, stripped of any legal avenues to appeal their detention and refused access to evidence, thereby eliminating any opportunities for the men to contest their certificate. In this regard, we see how the security certificate program exists within a framework that is structured in such a way that legally allows for arbitrary indefinite detention based on appeals to ‘national security,’ while legally removing opportunities to appeal these allegations. This is apparent in the detainee’s and his son’s discussions, as they both argue that the certificate, while positioned under the IRPA- an act intended to provide aid for those seeking protection, actually “*targets the*

people that are in need of that protection.” His son also criticizes the changes made to the security certificate legislation in 2008 as pointless:

The changes to the program are quite frankly, quite ridiculous. (...) The process was changed to introduce the special advocate so now you had somebody defending you in the public realm move over to become a special advocate in the secret proceedings. But the advocate can't share anything with you. Now, if I hired you today as a lawyer and you can't discuss what you see with me, how are you going to defend me? Them changing the system in my eyes - it's still unconstitutional. It serves no purpose (Son of detainee).

While elements of the certificate program were invalidated in the 2007 Supreme Court *Charkoui* case, critics argue that the ruling failed to target the underlying rightlessness of those who were subject to a certificate and that the overall oppressive framework of the provision was still intact. While the addition of a special advocate was introduced as a means to reconcile legal values without jeopardizing security, the son refers to these changes as ‘*quite ridiculous.*’ He argues that this amendment served ‘*no purpose*’ and in fact, the legislation was ‘*still unconstitutional,*’ as it nonetheless denied the subject of the certificate access to the evidence against him. His perception on this ruling highlights how the changes made to the legislation fail to recognize the precariousness of citizenship status, and instead reinforce the “men’s exclusion from Canadian society and exploit their legal and social vulnerabilities” (Willke & Willis, 2008:28). In other words, the changes made to the certificate program were still grounded in the (racialized) logic that the rights of non-citizens can be implicated in national security policies.

The detainee and a detainee’s son both problematize the legality of the security certificate provision. They suggest that this legislation denies the more fundamental right to have rights or negates “the right to be treated as a person to whom human rights (...) apply as a matter of rights, not of discretion or charity” (Willke & Willis, 2008:27). They argue that the security certificate provision does not afford its subjects procedural justice nor does it uphold the rule of law. The men express that the legal entitlements that they are being denied, through the legal

framework of the security certificate program, should not be discretionary based upon the criteria of citizenship, rather, they should be *rights* inherently proffered based on their human status. However, designating subjects of the certificate program as objects of security leads to subverting their human status and consigning these subjects as morally distinct from ‘us.’ This process not only alleviates any duty of responsibility towards ‘them’, but this process of dehumanization makes violence against them appear justifiable and legitimate (Bauman, 1989; Butler, 2004; Thobani, 2007).

4.2 Stripping Ownership of the Body

I will now unpack how securitization is experienced through the targeting of the body. The security certificate program reduces its subjects to objects of state security; this reduction makes it so that they are no longer conceived of in terms of their humanity, and instead, are perceived of as mere bodies without rights. A political subject is someone who possesses legal rights and entitlements; however, for the men and their families, they undergo a process where the law is used to erase their legal capacity. When the law is used to erase their judicial capacity, they are no longer imagined as legal political subjects. As such, in this section, I explore what this process looks like and what this process means to the body being unmade as a legal subject (Olurin, 2015; Adey, 2009). Specifically, the body undergoes a loss of legal and political capacity through the violence deployed against it. The three ways that this violence appears under the security certificate program is through physical interference with the body, targeting one’s personal belongings – understood as extensions of one’s body; and through surveillance of the body.

4.2.1 Physical Interference with the Body

National security discourses relegate the body to a risk that must be mitigated, controlled, and ultimately erased. Several of the interviewees described how their bodies became read as a

security threat and subsequently subjected to specific ways of physical handling, signifying how security certificates allow for state security agents to legally harm the bodies of those transformed into security objects (Aas, 2006; Adey, 2009). The first instance wherein one's body was interfered with was through their experience of arrests. One of the detainees describes below:

[I was] with my daughter and I took her to go shopping. I went underground to take my car (...), and I found the people – they were attacking me (...) two guys came first, one guy wanted to hold me. I said what are you doing? I tried to fight him. I found a lot of people, they came around and they hold me. And they took my daughter she was screaming and yelling. She was around 5 years old (...) I think grade 1 (...). They put me in the jail for 7 months and the 7 months for me it was terrible (Former detainee).

Another detainee echoes a similar experience where he was subjected to an arrest by the RCMP:

I go to the bank to get some money from the ATM machine. And as soon as I put my card in the ATM machine, they opened all the doors and guns and said “come out, you are under arrest”. (...) They took me to the RCMP detachment – of course they strip me, they take photo of me – I don't know photo or video. They said “you have to take off your clothes”. I said no I won't take off. They said “you take it or we will take it”. So, they stripped me naked and they took my photos (Former detainee).

In a similar vein, a detainee adds:

I was kidnapped from the airplane by the FBI. Kidnapped! (...) In the transit, in New York (...), 5/6 guys with the weapons, masks, they came on the plane. (...) [The FBI agent] turned the weapon to me and said “stand up!” (...) I told them, no I'm (...) going to Canada, not United States. [He said] “follow us”, he handcuffed me and pulled my wife (Former detainee).

These instances capture how securitization can be experienced through the targeting of the body, specifically through the practice of arrests. Arrests are emblematic of the ways the subjects of the certificate lose legal rights through being subjected to security practices such as stripping one naked to be visually objectified, deploying weapons against them, and physically restraining them, practices that “would probably make anyone feel that the integrity of their bodies has been violated”, as argued by Aas (2006:128). However, the violence against one's body, through the form of arrests, is masked as non-violence as it is often exercised through

lawful means such as handcuffing, strip searching, detaining, and through practices such as video recording and photo taking. Moreover, the detainees describe their arrests as being particularly aggressive, for example, one of the detainees says he was “attacked” where the other uses the term “kidnapped” to describe his experience. The use of such descriptors which carry with them connotations of, aggression, invasion, attacks on liberty, illustrates how the physical handling of their body through arrests was done in a particularly violent and dehumanizing manner. Notably, the interviewees’ descriptions of their experiences of arrests echo the procedures mobilized against those who are presumed to have commissioned a crime; however, for all five of the security certificate cases, none of the men had actually committed an offence, and were merely being arrested on the peremptory principle that they may potentially pose a threat to the security of the nation. In this regard, their experiences of arrests are not only revelatory of how state officials perceive the men but showcase how by taking away these rights, this legislation renders the lives of immigrants as more fragile. Specifically, irrespective of their status as guilty or innocent, their potentiality allows for them to be treated as though they have breached the law.

Moreover, all three instances transpire publically, revealing how the practice of arrests are used to not only interfere with one’s bodily integrity but are deployed by the state to communicate to the broader public the perceived dangerousness of the men. The men are under constant surveillance and therefore could be apprehended by state security actors at any point. However, it can be argued that arresting the men in particularly public settings (re: bank, airplane, shopping mall), in the presence of their communities is a technique used by security officials to ostracize the men publically.

The second way in which the body was interfered with was through more explicit acts of physical and verbal aggression against one’s body. One of the detainees describes:

One time I was with a guard who like (...) was kind of an angry and racist one. I was on a hunger strike for about 40 something days and he told me “you think two of your fucking friends are outside protesting so you’re gonna get better treatment?” And he told me like that tone and he throw me at the bar, and I fell on the floor and I was hurt and sick (Former detainee).

In another instance, a wife of a detainee describes how her husband was physically taken from the shower while he was naked:

It’s in the middle of the morning and [my husband] is in the shower. CBSA - I see them at the door – they say “is [your husband] here?” (...) He was in the shower. They picked him up naked they forcibly took him downstairs (Wife of detainee).

The excerpts above are demonstrative of the combination of ways in which the men and their families are securitized. Namely, by way of being subjected to acts of aggression, they no longer possess privacy or ownership rights over their bodies. In this way, aggression not only encompasses the physical infliction of violence but can also be conceptualized as attacks against one’s privacy. Butler (2004) argues that violence against these bodies is justifiable because the precariousness of their lives keeps us from seeing or understanding their life as ‘human.’ The detainee’s status as an alleged terrorist threat to the Canadian nation not only evicts him from the normative frame of ‘human’, as understood in the Western bourgeois notion of the human but frames the physical acts of violence enacted against him as the ‘natural response.’ Moreover, this is also apparent in the wife’s description of her husband being physically removed from the shower. Removing him while he was in the shower, completely nude, can be conceptualized as a way for state officials to attack his privacy, his ability to consent, and most importantly, his ownership over his body, demonstrating the lack of regard for his humanity. Although security actors could have provided her husband the opportunity to dress before arresting him, his position as a securitized object makes it so that his body, - including his privacy, is no longer protected by legal processes, thereby rendering these practices legitimate. In this way, the

suspension of rights is embedded within the law, so that it does not appear as violence; instead it emerges as part of the law itself. Their bodies transform from being entities possessing legal ownership and legal entitlements to canvases unto which violence can be legally enacted.

4.2.2 Targeting the Body through Personal Objects

Belongings act as an extension of their possessor, therefore violence exercised against one's personal objects can be understood in broader terms, as violence deployed against their owner. Personal belongings are markers of one's individuality; they are not only reflective of people's identities but also constitute one's humanity. Given that individuals endow feelings of value and ownership in their belongings, attacking or stripping them of their possessions becomes a way then, to attack their very identity or strip them of the very possessions that constitute their human self. In other words, personal belongings humanize individuals through embodying their personality, identity, security etc., the denuding of their belongings then can be understood as a denigrating act, whereby both their humanity and wellbeing is attacked. Given that security certificates attach (in)security to the bodies of those subjected to it, their belongings inevitably become analyzed through a suspicion framework. This framework consists of fearing what this dangerous body might do with this object or alternatively, what this object may reveal about the dangerous owner. Targeting of personal objects manifests through the withholding, destruction, and confiscation of belongings. One of the detainees describes an instance during his detention where he was denied access to basic necessities and activities.

I am cold. I have no shoes (...). I have to go to Federal Court just to get shoes, a blanket and a heater in my cell (...). To go outside, which everyone is entitled to by the law for one hour every day, I am only getting 5 minutes every 2 to 3 days (Former detainee).

A wife of a detainee also describes how security officials withheld meaningful items from her husband during his detention.

He didn't have anything to read for the 3 months he was there. They didn't give him a Quran. I said they didn't give you a Quran? You're entitled to the Bible or Quran right! (...) Many times I had fights in the inside. The razor was one of them. He didn't shave for 6 months (...). We had to fight for everything for him in there, everything. From even having access to the phone (Wife of detainee).

Not providing essential amenities to cover the men's physical and hygienic needs, all of which constitute fundamental prison rights becomes a way to not only inflict physical discomfort upon their bodies but reinforce their status as objects of security (Comfort, 2003). Notably, while the men are being held in a correctional facility and are required to uphold the institution's security policies and practices, they are denied the legal privileges granted to those occupying that space. When the law is used to subvert one's legal capacity, it is not that they are reduced to their basic corporal needs, instead, they are evicted out of our normative frame of what constitutes human life, thereby erasing these corporal needs entirely. While the men are not seen nor acknowledged as legal rights-bearing subjects, withholding objects from them further physically transforms them and takes them away from their human form. For example, preventing the men from shaving and thus maintaining an unclean beard or withholding their shoes from them, becomes a way to make them physically appear as 'savages.' This is not only emblematic of state security actors simply treating the men in a way that coincides with their perception of the men as 'savages,' but through their actions, state actors attempt to physically transform the men to reconcile the image (savage) that they hold of them.

Objects are not only withheld from subjects, but they can also be confiscated. A detainee describes an instance at the airport where security actors seized his personal belongings during a search:

They searched me, they took my wallet. Since that day I don't have wallet. I just put it – my money and my credit cards and my driver license in my pocket (Former detainee).

In other instances, objects can be destroyed. A wife of a detainee describes a case where CBSA damaged her personal belongings during a search of their home.

Last time they took the computer they broke it. I had to fight for them to pay for a new one. I said I'm sorry you broke it you pay for it (Wife of detainee).

The quotes demonstrate how personal objects are weaponized to attack one's bodily integrity and security. The process of scrutinizing and stripping people's belongings to determine whether one poses a threat has profound psychological impacts as individuals endow self-feelings in their possessions (Goffman, 1961; Comfort, 2003). For example, up until today, the detainee refuses to carry a wallet anymore, demonstrating the lingering effects of securitization. More specifically, his actions are illustrative of the ways that people's experiences of securitization continue to shape their decision making, despite the certificate being nullified.

These processes are especially belittling as "in modern Western culture, material possessions are such a large part of the individual's conception of himself, that to be stripped of them is to be attacked at the deepest layers of personality" (Comfort, 2003: 100). Moreover, the lack of care and responsibility of objects belonging to the men and their families reinforces the notion that they and their objects are unworthy of state protection and care. Conversely, given that the law renders the individual as 'civilly dead' through stripping them of their legal status, they are no longer conceived of as right bearing subjects who bear any legal ownership over their possessions. Interference with one's belongings then becomes a vehicle to reassert one's lack of legal capacity.

4.2.3 Surveying the Securitized Subject

In a post 9-11 socio-political context, the body has become the central focus of domestic surveillance as it is often considered a site where risk can be instantly known and subsequently observed, controlled, and governed using surveillance tactics. The securitized subjects are no

longer conceived of as legal subjects bearing privacy rights against surveillance; instead, their bodies are reasserted as “objects of surveillance and sources of information and identification” (Aas, 2006:144). This section illustrates how the security certificate program reduces its subjects to sites of surveillance. Moreover, the deployment of surveillance technologies, largely underwritten by a modernistic logic, suggests that a perceived (in)security can be simply read through surveying the body, and secondly that these alleged threats can be jettisoned in deploying surveillance technologies.

The first instance of surveillance I explore is the deployment of surveillance technologies against the men and their families. In particular, the use of a GPS tracking device attached to the accused’s body coupled with 24-hour surveillance cameras renders the body as a mobile object that needs technologies with a similar (mobile) capacity to keep up with the perceived risk. The son of a detainee discusses the installation of cameras all around their house:

We’re the only people that in front of the house has security cameras. As a matter of fact, for the first couple of years when my dad came out on bail there was 24-hour surveillance all the time (...). You have a GPS bracelet that tracks him 24 hours a day and cameras and officers sitting outside the house (...). It’s so redundant (Son of detainee).

Along the same lines, one of the detainees adds:

[CSIS] put the cameras (...) in front of my house. And when they come to put the camera, they come to get me to wear like this bracelet around my leg all the time (Former Detainee).

The GPS devices, secured to the men’s bodies, are used to transmit their location to a state centralized computer system (George, 2006). The use of a GPS that is attached to the men’s physical bodies makes it so that they are literally conceived of as property of the state and subjected to its regulations, rules, and guidelines. The combination of a GPS that tracks the men’s movement at all times coupled with 24-hour surveillance cameras treats their bodies as

mobile threats, whereby the danger that they pose is conceived of as so unpredictable, that the force of three separate surveillance measures is essential to monitor this threat. Not only are these men subjected to aggressive security conditions that regulate communication, mobility, activities, etc. but the mobilization of the combination of these surveillance tools becomes a way to ensure that all components of the men's lives are securitized. Moreover, transforming the body into an object of visual inspection through photographing it and recording it on camera strips the body of its privacy and reasserts it as an artifact to be observed and documented, thereby stripping the men of their human elements and reaffirming them as something 'inanimate.' The literal and figurative interference of one's body through attaching to it a piece of metal is also emblematic of how the human body becomes relegated to an object of state observation (Payne & Gainey, 1998).

The second way in which surveillance is deployed against the subjects and their families is surveying one's communication activities. In particular, one's incoming and outgoing calls are tapped and recorded, mail is intercepted, and internet activity is monitored. A wife of a detainee describes:

Everyone in the house has to live under the conditions, the phone was tapped for everybody, the mail was opened for everyone. So, you would get an envelope with a sticker on it. Everyone's mail and everyone's phone is tapped so you're all being surveilled. Imagine the stress caused you don't have a personal life (Wife of detainee).

The son of a detainee adds

You know the PSP, Xbox, PlayStation, all these things connected to the internet? So, we were not allowed any of those things. The only thing we were allowed to connect to the internet was a desktop computer and that was it. We all had to sign waivers, so I had to sign a waiver for my phone so they would get my calls recorded, like they could see everybody that I communicate with and this has nothing to do with my dad – why are you subjecting me to that? (...) My sister, for example she was 16, we got her a cellphone – she had to sign the waiver. They monitored everybody and we all had to sign to allow them to do that. and some people may say “you agreed to it”. I didn't agree to it because

I had a choice (...) the choice was that you either have your dad at home and you agree to these things or you don't agree to them and you don't have your dad (Son of detainee).

Surveillance tactics go beyond just targeting the men, rather, they encapsulate every supporter, sympathizer, associate, or family member of the alleged detainee. As such, the bodies of family members and friends become vulnerable to the same security logic, namely that a security threat can be read on one's body or activities and subsequently eradicated. The excerpts above are illustrative of how the men and their families are stripped of their legal right to consent and are involuntarily subjected to these security practices. Despite their status as legally innocent persons, the family members of detainees are obligated to comply with the stripping of their privacy to be reunited with their fathers/husbands. The detainee's son argues that while this may be framed under the veneer of 'a choice,' it is not something that families should be expected to choose between. In other words, if the families opt to keep the men at home, as opposed to being incarcerated, their ability to exercise the legal decision against surveillance is stripped. It is evident from the son's quote the frustration experienced by family members when state officials position reunification amongst families as a 'choice.' Reducing this experience to a simple choice between 'yes' and 'no' is not only demonstrative of the moral indifference with which the lives of the family are treated, but can be understood as a way to 'legally' securitize those supportive of the men, and therefore, by extension, unsupportive of the state.

Finally, the third instance of surveillance is the use of state security personnel against the men and their families (e.g., following persons on outings, being stationed outside one's space).

A detainee describes:

I went [on vacation], I noticed that when I arrived, a car was in front of my building. Two guys, three guys. Following me everywhere and always changing their cars. When I was traveling from one city to another, they were doing it, I don't know if they were doing it openly which is just stupid (...). I noticed very strange things, for example, there

was a small store selling fruits and normally it was only one guy that was working there. One day, I asked my father-in-law, it's very small how come two people are working? He told me "two people? No, it's just one guy, he doesn't have any sons, nobody can help him". So, [CSIS] had put somebody there (Former detainee).

Similarly, a son of a detainee describes how his father and him were often followed:

We would go to the park and as I told you all these guys would follow us around (Son of detainee).

A wife of a detainee also draws on two instances to illuminate how the men and their families were followed:

We would have to babysit [our nephew] every Friday and we would go for a bike ride and CBSA would follow us with their vehicles. They're police looking vehicles with their bulletproof vests (...) with two cars. So, we are on the street and they are following us with their cars. (...) [Also], my sister bought a cottage around 2 months ago so we went to go see the cottage and CBSA followed us there and they stayed there the entire weekend. (...) They stayed parked at the top of the street in the car (...). We know the cars, we know the license plates, we know the guys (Wife of detainee).

She explains that when they would try to resist this surveillance, she was reminded of her status as an object of security:

One time we went out in the market the guy was so close, I turned out and said listen you're breathing down my neck. So, I complained about that and [CBSA] said "you have no personal space". (...) That day it was too much for me (Wife of detainee).

One of the detainees also speaks to the surveillance strategies deployed prior to his arrest:

So around or before September 11, I noticed a friend of mine keep calling me. "Oh somebody came around they keep asking us about you"! (...) I said that's cool I think they are just giving me my landing papers (...). And then all of a sudden September 11 happened. (...) I was in a coffee shop and I noticed right after September 11, like those white men – with like - wearing glasses came into an Arabic coffee shop and we could hear like "click, click, click" and a friend keep telling me "somebody's taking a photo in here of you". (...) I have a friend of mine in Toronto (...), I used to go to his business and he kept telling me as well, "I know somebody is taking your photo" (...) we could hear it. Later on, of course I learned that it's a part of the camera, and there's wiring from inside the wall where you can tape things that you say (...). So, that's how it started. September 11 happened and then I start noticing a car following me and everyone keep telling me "they keep taking your photo" and all these white men getting bigger and bigger and then coming into the coffee shop" (Former detainee).

The examples included above illuminate precisely how through the following, tracking, and, monitoring of one's movement, one no longer has privacy rights over their bodies (Adey, 2009). Rather, their lack of legal capacity positions them as objects of state control that can be subjected to ongoing state surveillance. Considering that every fraction of the men's lives, including their relationships, mobility, and communication is being surveyed through surveillance technologies, the deployment of state personnel is symbolic of the state exerting power over the men. In other words, the deliberate presence of state security personnel *following, watching, and interpreting*, the men's activities (even though it is already being surveyed through other measures) serves different purposes. Namely, it not only communicates to members of the public that these men are dangerous, but it also reinforces the notion to the subject of the security policy its condition as a securitized object. Moreover, the detainee's excerpt above demonstrates how, once the men have been ascribed as threats that need to be surveyed, this (in)security stays ascribed to their bodies even when they are no longer in the boundaries of the nation. In this regard, surveying the detainee can be conceptualized as a way to reinforce to the men that they are being watched, and despite their movement outside the state, they cannot escape security agencies and their operators.

Stripping the body of ownership rights manifests through the material interference with one's bodily integrity or belongings, and the intrusion of one's privacy through surveillance technologies. Importantly, these processes are not only made possible given that detainees' status as securitized subjects but also contributes to them experiencing a civil death. Specifically, the (in)security attached to their bodies justifies their transformation from "juridical, rights-bearing subjects, [to] subjects whose flesh and blood can no longer be seen" (Kotef, 2010:189). In other words, securitization is experienced through an objectification process where the men and their

families' bodies, personal belongings, and privacy, can be legitimately targeted given that these men are not considered political subjects. In turn, these practices further position them outside the contours of human life, making it not only so that do not have legal rights but that they are no longer protected by legal processes (Nagra, 2017; Razack, 2008). Next, I explore how the space occupied by these bodies, and the activities rendered possible within those spaces become similarly subjected to a security logic.

4.3 Redefinition of Space: Transformation to Carceral Space

Physical space becomes judged as threatening when those inhabiting it are marked as security threats. As such, this logic suggests that any space occupied by the alleged (in)security is perilous and ought to be securitized. In the following section, I analyse how the house becomes securitized through its transformation into a carceral space. Transformation into a carceral space occurs through targeting the house's architecture; I also suggest that restructuring the *house's* architecture mares one's feelings associated with their *home*¹⁵ (Comfort, 2003), it also occurs through subjecting the activities and the objects within the house to a punitive logic, and finally, through regulating access to public space.

4.3.1 The 'House' as a Carceral Space: Embodying a Carceral Architecture

Securitization processes erode the borders discerning the house from a prison through imposing upon it the structure, policies, and practices intrinsic to a prison setting. The house both figuratively and literally transforms from being a private space into a carceral setting, thereby subjecting those occupying that space to extreme security practices while curbing their personal freedoms and autonomy. This section describes the two ways in which the house is restructured to impose a regime of intrusive confinement unto the men and their families. I begin by

¹⁵ I differentiate between the terms 'house' and 'home'. Where the term 'house' refers to the physical space, the term 'home' is mobilized to describe the feelings attached to that physical space

exploring how this manifests through 24/7 monitoring via cameras and security agents stationed outside the house (which can be paralleled to guards in prison). A detainee's son details:

We're the only people that in front of the house has security cameras (...). So, on all exits of the house you have cameras. Anybody steps out the house you see when he leaves the house. On top of that, you're going to have officers sitting outside the house 24 hours a day (Son of detainee).

Along the same lines, a detainee adds:

During the house arrest [I rented] a townhouse where they had to install security camera all over. They also had to put security guards all around. Like there was 4 [cameras] – one of each room in the house (Former detainee).

The second way one's house transforms into a carceral space is through the mapping of zones within the house, specifying areas that are off limits where only authorized persons enter (areas in prison where only guards have authorized access and prisoners are prohibited from entering).

One of the detainee's son describes:

It was ridiculous to the point where like for example, we were allowed to use the internet but it had to be locked, so we had an office in our house with a locked door and a locked key and basically, he wasn't allowed to enter that room. And whenever somebody is in that room using the computer the door had to be shut. So, you couldn't even be on the computer and the door is open (Son of detainee).

Similarly, a wife of a detainee adds:

We had to lock the garage, he wasn't allowed on the property by himself. (...) He couldn't go into the backyard by himself. (...) That was one of the conditions that he could not be back here or there. (...) We had surveillance cameras. One there. One in the entrance where you came (Wife of detainee).

Restrictions on a person's mobility within the house coupled with monitoring through security personnel and technologies impose a prison-like environment on the men, their families and visitors who temporarily or permanently occupy that space. Moreover, by crafting spaces within the home that are restricted and only accessible by a select few, it imitates a prison context whereby there are no-access zones and prohibited areas that are off-limits for those

rendered ‘security threats’. The targeting of the house as a site of (in)security and subsequently, the attempts to (re)securitize that space through imposing upon it a carceral blueprint, effectively reduces those occupying that space into objects of security that must be controlled through a prison logic. Further to this, redefining, interpreting, and subsequently treating the house as a prison widens the net to include behaviours that typically would be considered normative conduct within the context of a house, as acts of criminality (re: using the internet with the door open, visiting the garage, being in the house alone, etc.). In this way, the house emerges as a perilous site whereby behaviours are not only redefined to constitute lawbreaking activities, but neutral behaviours are read through a punitive lens and subsequently, labelled as a breach of conditions, flagging both the complexity and problematical nature in constructing the house as a prison. The house becomes a site of friction as the men are stripped of their liberty, by way of subjecting both their actions and mobility inside the house to state regulation. Given that the house is conceived of as dangerous due to its occupants, it makes it so that the objects in the house and the activities it renders possible are also thought of as potentially threatening, resulting in the securitization of activities and objects.

4.3.2 The ‘House’ as a Carceral Space: Regulation of Activities within the House

Control is not only manifested through the restructuring of the architectural space, instead, it is harmonised through the prison practices deployed therein. Practices entrenched in the prisons institution’s rhetoric of security are deployed within the house, thereby implying that the house, although a lifeless object, is marked as a potential (in)security that needs to be securitized. In this section, I unpack two normative penal practices that were deployed within one’s house, namely, raids and controlled visits. In a rather long quote included below, a detainee’s son highlights how raids were mobilized in his house:

The conditions permitted CBSA to come and search the house unannounced anytime and they didn't have to give us notice or nothing (...). So, anytime you would have a knock on the door, there would be a bunch of CBSA officers or actual uniform police officers and (...) they would basically go through everything. (...) We're not just talking about my dad's room, they would go through all the closets, all the clothes, everything. And they'll take anything they want to take (...). One time they came and they did one of their surprise searches and they searched the whole house and my brother snuck the PSP in his room and he was playing with it in his room at night and fell asleep (...). He gets up in the morning and goes to school, the PSP is forgotten in his room, right? And they come to search the house and they find the PSP outside of the locked room and now it's such a huge thing. They take it to court because apparently, it's a breach of conditions (...). And then we had to go to court and then the ten-year-old would have to go to court and get on the stand and testify that "yes I – snuck it in my room, and you know forgot it" (Son of detainee).

A wife of a detainee also describes how her home was subject to an unannounced raid while she was in the shower, signifying once again, the erosion of privacy.

I was in the shower so [my husband] yells at me from the door "CBSA is here to search the house". And I'm yelling from the shower – look for what? And I'm yelling there's surveillance cameras, they follow us, they open the mail, they listen to our calls. And then the officer comes up to the door and she goes "you need to get dressed" (...). In my home - they opened, they touched everything, books, DVD boxes. They opened cracker boxes. They pulled wires, they took lights they looked under the kitchen cabinet. They removed the vents and put a whole bunch of stuff in boxes and left. 15 boxes of stuff. They took a picture frame that has an Arabic saying on it. They took my photo album with [my husband's] family in it because it has Arabic writing on it. Everything that was in Arabic they took (Wife of detainee).

The implication underscoring the targeting of a person's belongings is twofold; firstly, it communicates the notion that these belongings are dangerous by way of who their owners are or what the 'dangerous' individual could do with these objects, and secondly, it assumes that these belongings can potentially reveal information about the perceived dangerousness of their owner. Through the unwarranted and unannounced searching of one's rooms, cabinets, paperwork, etc., it strips the *home* of feelings of privacy, intimacy, safety, and sovereignty over the house. For example, the detainee's son discusses how state security agents can perform a raid without any notice and at any time, thereby revealing how the spaces occupied by securitized subjects are no longer conceived of as private spaces. Rather, by its occupants (who are perceived of as objects

of security), the home is similarly conceived and treated as though the state has ownership over it. Additionally, the clear targeting of objects that include ‘Arabic’ writing on it is emblematic of racial undertones guiding these ‘security’ measures. Particularly, the racist logic directing these raids (re CBSA’S specific targeting of objects with Arabic writing on them) is warranted under the imperative of national security (Granja, 2016).

A second example of carceral practices being deployed is that of regulating visits within the house. A detainee discusses how everybody who was visiting this space “*ha[d] to be approved by CSIS. And everybody [had] to [sign the] logbook, (...) like write what time in and what time out*”. In a similar fashion, the son of a detainee details how regulating entry into one’s house is emblematic of how visits are typically regulated within a prison:

No phones are allowed in the house. So, you can come now that you’re approved [but] you have to sign in and sign out and you can’t bring your cellphone into the house. (...) So, anybody, family, friends (...) before they were allowed to come to the house (...) I would ask, hey do you have your driver’s license and I would have to fax it over to CBSA. They would do their background checks and come back and say “this person is approved or this person is not approved”. And if you are not approved you can’t come and if you are approved, every time you come, we had a log sheet – they would have to sign their name and they would put the time they came, the time they left. (...) It is like a prison (Son of detainee).

Commissioning prison practices unto the detainee’s space successfully (re)prisonizes them within the confines of their own house. Practices such as visitors needing to sign in and leaving their items at the entrance of the house, dictating what time of the day persons can leave or enter the house, and/or controlling what the men and their families can or cannot do in the spaces of their own house, are all riddled with prison undertones. Moreover, introducing such intensive security conditions unto anyone who wants access to this space becomes a way for the state to isolate the men. Notably, this increases the likelihood that persons may not subject themselves to these lengthy and invasive security measures and avoid visiting the men or their families

altogether. Additionally, as it is security agencies that have the power to determine who is permitted to enter this space through conducting their security checks, this control becomes a way through which the state can reinforce its power over elements of the men's lives, such as their social connectedness and social value. In this way, the excerpts included above signify how detention within the house acts as a driver for the transformation of persons into security objects via the space that they occupy (Raco, 2003).

The house becomes governed as a carceral space, wherein each person, object, or activity within that space is funneled through a security logic. The control exercised within this space became so intense that the men were required to “*call CBSA every time [they] open[ed] [their] door or every time [they] close[ed] [their] door*”. Nor could they “*open [their] window cause [their] windows ha[ve] sensors on them*”. One of the detainees sums up how a security logic governs the activities rendered possible by the house.

They were telling me, “you can't be outside your house except for two hours every day. And whoever is gonna come to you, you have to alert somebody, if somebody wants to visit, you have to get permission from our security guards. You can't use any phone except the home line. The home line going to be intercepted. You can't touch the computer. The computer for the kids has to be in a locked room. And you can't enter this room”. There were a lot of conditions, oh my god (Former detainee).

The detainee's quote is demonstrative of how his ability to participate and uphold relationships was highly restricted and regulated. Security officials governed who the detainee could speak with, when the detainee would be allowed to communicate, and where these interactions could occur. Controlling who, when, where and under what conditions the detainee could engage with his relationships severely destabilizes his connection to his family and the community, a central component of social death. Social death emerges out of one's feelings of low connectivity to society, it is a condition of being in existence, however, at the same time not

being fully integrated into the community. While the men are still permitted, albeit liminal, to maintain communication with pre-approved persons, this form of control, as described by the detainee, becomes a way to alienate them from their communities. Below I explore how these disciplinary processes exercised within one's house undeniably impacted one's feelings toward their home.

4.3.3 The 'House' as a Carceral Space: Collateral Consequence – The 'Home'

The targeting of one's physical space inevitably influences their sense of belonging in that space. This section unpacks how the reconfiguration of the *house*, accompanied with normative prison practices deployed within that physical space, negotiate one's feelings of belonging towards their *home*. A detainee's son describes how even after the men were released that the “*conditions that [they] were living under were so terrible.*” These conditions clearly undermined one's attachment to their home. He describes:

To me it felt like it was punishment. (...) It was meant to make life difficult and isolate you, and it did (Son of detainee,).

Similarly, a detainee details how he expressed to his lawyer that the conditions imposed unto his home detention made him want to return to jail:

I want to go back to jail. (...). Sometimes I stay 3-4 days in my house and I have no bread, I have nothing and I can't just call somebody and say come and take me out, I want to get milk (...). I don't ask people to do anything for me. So, I want to go back to jail. (...). By Monday, I am going to get out of my house, break my conditions and go to the CBSA office and tell them arrest me and take me back to jail (Former detainee).

A detainee also adds that if it were not for his family, he would have never returned to his house:

When they ask me if I want to be out under strict conditions, I want to be honest with you, at that time I said I don't care. Any condition you want to put on me, go ahead. But, I want to be close with my kids. (...) If I don't have kids I want to be honest with you, or have family and they said “okay you want to be out under strict conditions” I would say no. (Former detainee)

Along the same lines, a wife of a detainee describes how her home has become a site of fear for her. Certain triggers within her home impacted her feelings of security within this space:

I went to see a therapist. (...). She said “I don’t think you need therapy however, there are few things that trigger [you]”. [She said] “the sound of a car door that closes. The doorbell. Umm a phone call in the middle of the night”, because CBSA would check on the GPS and the alarm would go off. (...) [So] me, I’m thinking, in the middle of the night, [my husband] is going to get picked up. That’s because on several occasions they’ve tried to pick him up. So, there’s sounds that still trigger stress for me so I had to get used to that (Wife of detainee).

One’s home is often imagined to be a sanctuary, an asylum from outside dangers, a literal and figurative symbol of protection, and a place that fosters intimacy and privacy. However, under the security certificate regime, the home is stripped of these sentiments and transformed into a space whereby it is a site of state surveillance, intrusion, and undue harassment. These excerpts illustrate how the targeting of space negotiates one’s feelings of belonging in their home. Given that the home signifies more than just a physical space, rather, it is a harbourer of memories, relationships, and a core component of one’s identity, targeting this space effectively eliminates this source of security for the men and their families. For example, the detainee’s wife describes how her home no longer provides the same sense of safety for her when particular sounds are triggered, the detainee’s son now associates his home as a place of punishment, and a detainee describes how he considered jail to be a more comforting place than his home. In effect, these quotes are indicative of how the reconfiguration of the *house*, undermines one’s feelings towards their *home* and (re)asserts the pains of securitization. In other words, the transformation of the home to embody a penal structure makes the house a battleground, whereby it becomes a site of friction where the men and their families struggle to “define and defend their social and physical integrity against the denigrating penal practices” (Comfort, 2003:80). The final section explores how this carceral control unto the home is widened to regulate access to public spaces.

4.3.4 Restricted Access to Public Space

In the instance that space cannot be effectively secured through security measures, then its use may be barred, access to it restricted or exclusively permitted under the direct surveillance of state agents. Given that the alleged (in)security is ascribed to the men's bodies and not any particular crime, the state can not only legitimately reorganise the physical structure of one's house but can exert control even outside the parameters of the house in public areas. A detainee details below:

I am only allowed to go out three times a week (...). I am only allowed 3 hours when I go and before I go out I have to call immigration and I have to tell them I am going on this route to this route to this route, and I'm not allowed to speak Arabic when I am with anybody (Former detainee).

A detainee's wife draws on two separate instances to illustrate how access to public spaces was subjected to security measures. She first describes how her husband needed to be regularly escorted during public outings:

One time they assumed that [my husband] was meeting someone from the network at a Rideau public bathroom. And at the time I couldn't go into the bathroom with him, it's a men's bathroom. So, I let him go. I said I'll stand right at the door with my foot in so I can see you in the stall. The CBSA officers ran into the bathroom. The week later we get a note saying [he] breached his conditions, he was left by himself in a public bathroom where there was an opportunity to meet from somebody from a terrorist network at this specific time at this specific location at the Rideau Centre. I couldn't leave him alone even to go to a public washroom. We had to fight that so that he could go to a washroom and I could stand outside and I would go to the washroom and [he] would stand outside the door. We were forced to go together (Wife of detainee,).

She also recalls an instance where CBSA followed her into the grocery store and to her grandmother's funeral. Importantly, this form of governance can be conceived as a means to disrupt the everyday practice of shopping or the emotional experience of going to a funeral.

They dressed up in uniforms, bulletproof vests and carr[ied] weapons. Sometimes they could be at the end of the aisle or at the end of another aisle. There would be 4 of them. They took notes of everything. Everybody I spoke to. One time I was in Shoppers Drug

Mart and I was going on my trip to London and I bought maxi pads and stuff like that, and I heard somebody in an aisle say “Why the hell is the police taking down notes and prices of maxi pads? (...) And they followed me to my grandma’s funeral. (...) I was mad. Really really upset. And you’re trying to kind of like ignore that they’re there. Like sometimes I’ll say to my mom let’s just ignore that they’re there. But you can’t. You get anxious when they’re there (Wife of detainee).

Along the same lines, a detainee’s son also highlights how his father’s outings were subjected to security practices:

When we would go out (...) [my dad] would have to actually submit a request form to CBSA because they were responsible for like ensuring that he complied with his conditions and they would monitor the security cameras outside our house and the ankle bracelet. So, whenever we would have to go out, we had standardized forms [and] we had to write where we are going, what time we would have to leave home, what time we would come home and then the route we would take. Like when I say route it would be like I am going to take Collins North to Shepard and make a left on Shepard and a right on Morningside (...) and you couldn’t deviate from that. We had to go to court because when we wanted to stop for gas or stop to pick up milk from the store we couldn’t because it wasn’t part of our itinerary, although it is on our way (...). There is no way that they can justify not letting us pull over to fill up gas. [My dad] doesn’t even need to get out of the car. He’s in the car, I’m with him. If you can trust me with him at home why can’t you trust me with him in the gas station (Son of detainee).

Creating a context wherein persons are required by the law to seek approval for things such as stopping for gas or picking up milk serves as a compelling reminder that they are purely understood as an object of security, where every movement or activity must be assessed, observed, and regulated by the state. Moreover, it is not only their access to these public spaces that is regulated, but the types of activities that take place within these spaces become subjected to a security logic. For example, instructing the detainee not to speak Arabic, or taking notes of wife’s purchases is revelatory of the ways their activities become funnelled through a security lens, where things like purchasing women’s hygiene items, speaking Arabic, or stopping for gas, could all be potential indicators of ‘terrorism.’ It not only becomes a way through which the state communicates to the men, their families and members of the public that these men are

security threats but also becomes a means to exercise control over one's body, their activity, and their agency (re deprivation of autonomy, mobility, etc.). This demonstrates how structuring a case against the men exclusively on the basis of a 'potential to commit a terrorist offence', makes it so that the men and their families can be legitimately subjected to complete control. The notion of 'potentiality' makes it so that every activity, behaviour, and relationship is to be encompassed under policies aimed at protecting national security.

Given that release from prison presents opportunities for one to reclaim their humanity by virtue of being reunified with their personal space, belongings, memories, families, etc. – things that are symbolic of their personhood – the redefinition of the space is invoked to prevent this rehumanization process. It is this process then, where carceral control moves beyond prison walls, and is enacted in the privacy of one's house, and into the public sphere, that effectively maintains the subjugation of the accused and their families into objects of security. As such, this becomes a circular process whereby the home and all other spaces are targeted because of the people occupying it, and all persons - subjects of the security certificate and other supporters alike - become targeted for occupying that space. This targeting of family and friends often strains relationships, thereby impacting the men's source of human connectedness.

4.4 Severing of Social Bonds

This section explores the ways in which securitization is experienced through the men's relationships. The state not redefines but interferes with detainee's relationships, making it so that the detainees are excluded from the social bonds that they rely upon to dignify their belonging to a country, a family or a community; this isolation is a central component of social death. While the earlier section illustrated the impact of civil death, this section unpacks how securitization practices undermine feelings of connectivity with one's family, friends, and the community at large, thereby leading to the loss of social networks (Kralova, 2015). The severing

of social bonds manifests in two ways, namely, through the instrumentalization of relationships and the eviction from one's community. Relationships can be instrumentalized through agents of control, where family members end up living simultaneously as "prisoners and de facto prison officers" (George, 2006: 79) and can also occur through subjecting the men and their families to techniques of harassment, whereby the state wields relationships as a means to inflict harm unto the men. Next, the destruction of relationships also transpires through targeting one's ties to their community¹⁶, through the use of agents of information, stigma from members of the public, and exclusion from the national space.

4.4.1. Agents of Control – Isolation from Family and Friends

I argue that the prison context bleeds into family interactions, whereby family members are not only responsible for sharing in the control over the men but are similarly subjected to imprisonment themselves. To keep the men from returning to incarceration, family members are required to exercise power, surveillance, and punishment over their loved ones, thereby making them agents of control, while also being akin to secondary prisonization¹⁷ themselves (Comfort, 2003; George, 2006).

A son of a detainee describes:

Somebody had to supervise [my dad] 24 hours in the day. (...) So, when I would go to university [my mom] would have to leave work to come stay home with him till I went to my classes and came back home (...). We're the only immediate people in the household, so I couldn't do anything except when my mom came. So, I would be running late for my class and I would be like on the phone with my mom asking, when you gonna be home, I need to go. (...) And similarly, when she needs to go to work, I have to be home. The way I look at it is this, when he was in jail, they hired people to be his guards, when he was home, we became ... so basically our homes turned into a prison and we became the guards. (...) He had to always remain with me or with my mom. It's like literally as if,

¹⁶ I use the term community to refer to religious communities, national community, and/or neighborhoods. Specifically, my use of the term 'community' is intended to encapsulate a range of different environments of belonging.

¹⁷ Secondary prisonization refers to the restricted rights, diminished resources, social marginalization, and other consequences of penal confinement, that family members of inmates suffer, even though they are legally innocent and reside outside the prison's boundaries (Comfort, 2003)

like I said we were the prison guards (...). Which is not – like we come from a culture [where] we hold our parents to such a high degree, so imagine you being home and you have to be the one to be like look dad you can't do this, you can't do that (Son of detainee).

Along the same lines, a detainee describes the inherent tensions in having his son act as his 'prison guard':

My supervisor was my own son (...). For me, of course it's hard. And for him too, it's hard too. He's going to be the son and he's going to guide the father, watch the father, and be the supervisor for his father. It was a different relationship. But I try to be more humble. Of course, when I left the kids they were away from me for 7 years, they have their own lives. When I came out, they were looking like strange person to me (Former detainee).

The detainee's thoughts reveal how surveillance completely disrupted his relationship with his son. He describes his difficulties in adjusting to having his son as his 'supervisor,' somebody who is responsible for regulating his behaviours, movements, etc. Moreover, the detainee describes that securitization not only damaged his relationship with his son by compelling him to be his enforcer of control, but his incarceration separated him from his children for such an extensive period of time that he felt that the administration of control was coming from someone that was a complete stranger to him, further impeding his relationship with his son. The narratives illustrate the internalization of surveillance by the men and their families and how this leads to an increase in the polarization of relationships, implying the detainee's isolation. Moreover, because of the power dynamics involved, with the male figure being subject to scrutiny by the younger or female members of his family, and considering that these families are usually coming from more "traditional cultures" and therefore are more influenced by patriarchal values, it further disrupts the family's dynamic. Similarly, a detainee details how his family was responsible for performing a control function:

I had two principles, my father, my mother, and my brother-in-law who were writing reports about me. So, 5 reports, during 2005 to 2009, 4 years they wrote reports about me (Former detainee).

While the examples above describe how families are compelled to perform the role of prison guards, another detainee's situation was unique as he did not have any family to fulfil this role. However, he discusses how any relationships that he did have, irrespective of being direct family or not, were required to fulfill the role of an agent of control:

From 2004 and onwards CSIS had information that at least could have been used to get me out on bail. I stayed 3 more years in jail alone when everyone else had gone because I had no family to house me, I have no family to be my jailor, so I was still in jail. They hired 24 guards to watch me (...) the taxpayers are paying 2.6 million dollars to keep one guy in whole jail alone. (...) [When I did get someone to fulfill this role] I had to wait for somebody (...) to take me out for grocery (...). These people they are fucking insane. They have no time to just do this. I have no family and you can't just go buy grocery. Somebody have to come and take you out (Former detainee).

By requiring family members to do the work of prison staff, unpaid, it “mitigate[s], catalyze[s], and or/or enhance[s] tensions, (...) leading to family disruption” and solidifying the roles that ‘imprison’ the family members (Granja, 2016: 275). The men’s relatives are in especially difficult positions as what connects them to the security regime is not based on their profession or legal commitments; rather, their engagement with the legal system emerges from their loved one’s detention (Granja, 2016). In this vein, family members are confronted with a moral dilemma where they feel responsible for protecting the men from the surveillance and violence deployed by the state; however, doing so goes against their moral measuring sticks as they are forced to act as an extension of the state. In other words, family members face a predicament whereby they are an embodiment of the exact force they attempt to resist, thereby (re)producing the securitization of the men. This imposes a strain on familial relationships, as family members are required to assume the role of an agent of control where they must uphold and impose severe restrictions on the detainee’s mobility, actions, and communication, fostering

unsettling feelings within the men against their families. For example, the detainee highlights how he struggled to accept his son as a figure of authority and had to “*humble*” himself to adapt to their new relationship. Moreover, this form of social isolation, coupled with the restructuring of the home, became a means to physically and emotionally separate the men from their families.

While the men’s family and friends were required to perform a ‘control role,’ they were similarly subjected to these control strategies, further impeding their relationships. A detainee’s wife describes how her mother had to abide by the security regulations when she lived with them.

We were forced to live with my mom’s old partner because the judge wouldn’t grant us permission to move to this house. So, my mom started sleeping at her [new] partner’s house, but she hadn’t moved any of her stuff. They claimed she moved out but legally she had not moved out, her mail was still coming there, everything was there but she was not sleeping there at night. (...) So they said that [my husband] violated conditions because my mom was not sleeping there anymore, but they didn’t take into consideration the split and the stress that were still living with the ex-boyfriend (Wife of detainee).

Moreover, she also describes her own experiences to this form of control:

I was this close to exploding several times. Several times (...) I would get home and I would scream. I got so angry. Like I would try to blame [my husband] but I know it wasn’t his fault. And many times, he said “I’ll go back, I’ll go back” (...). And then I would eventually calm down. So, I just did my thing. (...). I feel that not just [him] that got put in, everyone got put in. Especially me. (...). I was also in my house for 3 ½ years on house arrest. I served time. House arrest for 3 ½ years. I didn’t get paid for my job, I didn’t get paid to watch him (Wife of detainee).

Widening the carceral net to include the family members both implicitly and explicitly, ascribes (in)securities on their bodies, behaviors, practices, choices, and activities (Granja, 2016). Several of the interviewees discussed how family members experienced the pains of securitization; namely, how family members suffered the deprivation of autonomy and liberty, apparent through the ways in which they were subjected to the same elaborate surveillance

technologies and punitive restrictions as the men. For example, the detainee's wife's quote is emblematic of how the terrain of punishment extended beyond her husband to also capture his family. Moreover, if any of the family members breach these security conditions, it not only subjects them to severe consequences, but it also leads to severe implications for the men. This not only imposes a great deal of pressure on the family members but also creates a climate of fear, anger, and hostility within the home. For example, the wife's thoughts are revelatory of how family members often felt as though they were serving time and subjected to house arrest. These experiences of securitization reveal how family members developed feelings of anger towards the men, and contrastingly, the men harboured feelings of resentment against their families.

Subjecting family members to this security logic also had significant impacts on their health. A detainee discusses below:

I still carry damage from the hunger strikes in (...) my stomach. I have [diaperclotiotis] and I went to the doctor, they want to do an operation. (...) They give me the treatment medication and I still have the problem, and this is from the hunger strike that I for 3 months (Former detainee).

A wife of a detainee also describes:

I was diabetic, and [my husband] got arrested and my diabetes got really bad, cause my stress levels of my sugar went up and down (...). I also had a miscarriage (...). After the miscarriage, I had to get surgery, (...) [because the baby] wasn't coming out so I had to get surgery to get it removed. So, I had surgery on my uterus and they damaged my uterus from that surgery. So, one reason why [my husband] and I don't have kids is because of this situation. (...) First of all, we decided to put it on hold because we were on house arrest for so long and then when we finally decided to, it was too late. (...) [My husband] was turning 50 soon. So, we blame the government for all of this. (...) It took that away from us. My mom always says this has cost her grandkids. [He] is meant to be dad (Wife of detainee).

Along the same lines, a detainee discusses the impacts this had on his wife:

My wife, she lost the baby in the first travel, when they arrest us, she was really scared (Former detainee).

The intrusive levels of control permitted under the security certificate program have led to severe health-related consequences for the men and their family members. The detainee argues that his health was jeopardized due to his ongoing involvement in hunger strikes and the wife of a detainee asserts that living under the security certificate program severely affected her ability to have children and her overall health well-being. Similarly, a detainee describes how his wife lost their baby and attributed this loss to his arrest. In this regard, their discussions demonstrate not only how securitization is experienced through severely implicating one's health but more importantly, both a detainee and a wife's attribution of the loss of their child to securitization, signifies just how much the men and their families feel that living under a security regime has destroyed their families. This is also made apparent through the financial implications that family members face.

I was in my 20's and I had a good job, I had my own place, I was doing well financially and then this happened. My whole world got turned upside down. My financial situation, (...) no income at all because my leave was without pay. I stayed with my mother. (...) I didn't ask for nobody's help. (...) Cause the first year and a half I worked, so my entire salary would go to legal fees. (...). Yeah, plus on top of that we have to rely on unions, supporters for money. I mean it's like begging, begging for cash (Wife of detainee).

This quote showcases how family members are required to expend financial resources to cope with their realities of living under a security regime (Woodward, 2003). For example, the detainee's wife details how she experienced financial hardships as she was forced to move back in with her mother, allocate her entire salary to legal fees, and was required to fundraise for her social justice campaigning. The fact that the men and their families still experience financial and health implications demonstrates how the effects of securitization not only continue to impact in one's life despite the quashing of the certificate but is also illustrative of how family members bear the consequences of the security certificate program. Through exposing family and friends

to such intrusive levels of state power (re compelling them to perform the role of a security actor while also subjecting them to control from security actors), and burdening their overall health and financial stability, this state practice goes beyond just impairing the quality of these relationships, it in fact. destabilizes its very foundation, untying the knot that holds these relationships together (George, 2006). For example, a detainee's son describes how another detainee's ¹⁸ family could not withstand the pressures of being agents of control.

If I look at (...) [the other detainee's family] for example, his family shattered. His kid's lives are shattered. His wife – their relationship shattered – and that's the impact it has. (...) There was a point in time when [he] actually chose, he went to court and said take me back to prison because his family just couldn't take it anymore. It was just too much. So, he went back to prison and stayed a whole year in prison all alone (Son of detainee).

Securitization reinforces the cycle of dependence, institutionalization, and control within families, as mothers, fathers, sons, and friends are charged with enforcing the role of prison guards while also bearing the brunt of imprisonment within their homes. Through this securitization practice, state officials not only actively damage the quality but also considerably strain the men's relationships, thereby facilitating their social death.

4.4.2 Co-opting Relationships through Harassment

One of the ways in which securitization excludes the men from their social bonds is through harassment targeted at their family and friends. This section discusses the variety of ways that state security actors subject the men's friends and family to provocation, threats, physical and emotional abuse, etc., techniques identified by the men as a means for the state to attack their relationships and weaken them. In other words, relationships become wielded by the state as a vehicle to inflict harm upon the men and their loved ones such that it leads to the very

¹⁸ Asim was one of the five security certificate detainees that my project was concerned with. He was unable to be interviewed for this research project.

destruction of these relationships. A detainee details how his employees were targeted. He argues that this was a means for the state to “isolate” him:

[CSIS] start doing harassment (...) in a way to isolate me. I have a friend, he would go to see him, and if he's too young, they would go to his father or mother (...). After 9/11 they become more aggressive. 9/11 give them wings. I was working in a very small restaurant and (...) I had employees. So, [CSIS] went to see them very early in the morning. They scared them. (...) All the employees left. (...) Like I had 7 guys doing deliveries but they went to see them and scared them and because many of them were working under the table, it was easy for [CSIS] to scare them. (...). Another time, they put um, a placard on the small window of the cell and they asked my wife to go. I was screaming, I see her going with man and it was just scaring me (Former detainee).

A detainee also offers an unsettling account describing how state officials harassed his family:

Somebody called my mom back home and told her I killed myself in jail and hung up the phone. I said who's evil enough and can do that. Somebody called my mom and said “your son killed himself”. She said “what...why would my son kill himself” and then my brother called my lawyer and in his broken English he said “why did [he] kill himself?” my lawyer said “what you mean he killed himself? WHEN?” she said. He said “that's what we got a few days ago”. She said “I just talked to him yesterday, what you mean he killed himself?” (Former detainee).

Similarly, a detainee's son describes how his and his family's immigration proceedings were implicated:

From 96 to 99, we were going through our immigration process, like our refugee hearings. We were denied refugee in 99, we were given a month to appeal and then before that month went up, that's when my dad was picked up under the first security certificate (...). Later on, we came to understand that one of the reasons we were denied the immigration or the refugee process was because CSIS interfered in that process and gave information that they got from back home and passed it on. (...) So the first process took 7 months and we actually won the case and my dad came out. Then we appealed our immigration hearing or refugee hearing and then we were supposed to go through that process all over again. So yeah in August 2001 our immigration refugee hearings were supposed to begin at that time and I believe two days before the hearing was supposed to start, that's when they came around again and picked up my dad under a second security certificate (Son of detainee).

Along the same lines, a detainee describes how he blames his son's deportation on his status of living under a security certificate program.

[For my] middle son, it was too late. Because when I came out of jail he was almost 18 and he continued to get in some troubles outside and he got arrested. And he got deported because he didn't finish getting the Canadian citizenship. (...) It looks like more retaliation against me. Like, "okay this kid is his son - send him away" (...). My younger kids, they get scared. Sometimes they can't go outside, they say "okay father (...) we are happy to be here, in the house". But they tried to sacrifice their own joy because whenever they see the security outside (Former detainee).

Relationships act as sites where the state can exercise power over and securitize the men. For example, degrading practices such as telling the detainee's family that he passed away, or visiting a detainee's family and friends, or physically grabbing his wife in front of him are all ways to not only inflict emotional anxiety unto the men, but present to them that their relationships can be legitimately targeted, thereby revealing their powerlessness against the state. Resultantly, this process destabilizes the men's social bonds as it impacts the family and friends' desire to maintain ties with the men, as they fear for their personal safety and security. Conversely, it also undermines the men's desire to preserve their relationships out of fear that these relationships will be co-opted by the state, compelling the men to give up on meaningful social connections. In this way, the interviewees describe what they feel is the state's attempt at deploying harassment against their friends and family in the efforts that these relationships will be effectively shattered, thereby leaving the men devoid of any bonds, a central ingredient to social death.

Moreover, a point worth noting is that while these practices of harassment are enacted to disrupt the men's social bonds, the emotional pains experienced in this process by family members are often overlooked. Harassment towards the family and friends of the men can be seen as a way of penalizing those supportive of the men, and by extension, unsupportive of the state. Their desire to maintain their ties to the men frames them as suspicious, inevitably positioning them as not deserving of or not truly members of the nation-state. In this regard, the

men's family and friends can be conceptualized as collateral consequences against the more pressing concern of national security, whereby despite their innocent status, they not only become securitized but merely treated as a means to an end. For example, the detainees highlight how, in the intent of completely isolating them, their families were threatened, deceived, and subjected to harassment. While this section explores how personal relationships become targeted through securitization, in the next section, I examine how the men are excluded from their communities.

4.4.3 Agents of Information: Exclusion from Intimate Community

I explore how 'agents of information' foster an environment of mistrust within communities, making it so that the men not only isolate themselves but are rejected from their most intimate communities. An agent of information can be conceptualized in two ways, it can either be understood as state actors or persons co-opted by the state (re informants) to extract, fabricate, and manipulate information. Alternatively, this role can also be fulfilled by the men under the security certificate, as they are often coerced by the state to act as informants by way of intimidating them with citizenship. Put differently, I argue that agents of information, both in the capacity of state actors and the men who are coerced into adopting this role, lead to the breakdown of trust in social relationships, resulting in the men isolating themselves from their intimate community, and reciprocally, the community excluding them. I use the term intimate community to refer to members of their neighborhood, religious groups, social groups, generally, any groups where the foundation of the relationship is embedded in trust. In the quote below, a detainee recalls how a translator that he was introduced to upon his arrival to Canada, someone that he built a trusting relationship with, was an informant for the state. Problematically, this translator was intended to 'assist' the detainee with his refugee application. He details below:

I met an interpreter which I believe is one of the CSIS informants in my case. I don't believe, I know for a fact he is but I have no proof. (...) He translated my history to the refugee board and I told him I went to Afghanistan and all my history and he said "do you have proof you went to Afghanistan?" I said no but that's my history. Then he said, "they are not going to believe you. (...) say the main reason you are seeking refuge is because you cannot go back [to your country] because you have political affiliations". I said, okay yes I'll say that, you know better. (...) And he always keeps calling me like "hey I have a friend; can you help them get a passport?" (...) I'll tell you one of my mistakes, I keep telling him yes because I don't want to lose him at that time (...). So, I keep telling him yeah okay, when your friend comes I will help them. I start noticing he is asking the same question a lot. "Can you get somebody a driver license". (...) Later on, I felt maybe he is recording. Again, what was in my head at that time was that even if he is recording, I don't care because my understanding is that under the law you can't be charged unless you do something (...). So, one day he comes and picks me up for coffee. I don't know why but something in my head keep telling me that he just wants to get me outside my house. He took two phone calls while we were having coffee. He knows my English at that time was bad, so I didn't understand his conversations, that's why I needed his help because he translated for me and the lawyers. So, I said you know what let's go back home. So, he made phone call and he dropped me and then I noticed something wrong in my house (Former detainee).

The detainee's relationship with this individual was grounded in trust. At the time of their relationship, the detainee did not speak English very well and therefore depended on this individual to be the translator in his immigration proceedings. However, the detainee contends that this 'translator' worked as an informant for the state, planted to extract information. Given that the foundation of his relationship with the agent of information was founded on principles of trust, the breach of such principles cultivated an environment of mistrust between the detainee and members of his community. He describes another instance where he believed an informant was introduced to him in prison:

I'm not allowed to receive visitors and somebody all of a sudden is coming to visit me saying "oh did you see what they did to Palestine" I said who? They said "the Jews" I said I don't care. (...) Like why are you telling me that? Like am I stupid. Or they sent someone that was telling me "hey my mom in Los Angeles do you know if something is going to happen in Los Angeles (making bomb gestures). I said yeah (...) I said get the fuck out of here, don't come and visit me (Former detainee).

The men's experiences with these individuals' mares their trust in their intimate communities. Informants are members of the community that are planted by the state to deploy ostensibly innocuous techniques and survey, extract, or fabricate information pertaining to the men (re instruct them to lie on immigration applications). For example, in the detainee's quote above we see how this individual enabled the raid of his home by taking the detainee out for coffee while security actors searched his home. In other instances, we see how the state planted an agent of information during the detainee's detention. The detainee describes how although he was not allowed to receive visitors, there was an instance where a 'guest' was permitted to visit him. During this interaction, the 'guest' deployed narratives around bombing; demonstrating how these individuals attempt to ruse the men by drawing upon symbols or scenarios that are often perceived as 'cues for terrorism.' For example, this 'informant' draws on rhetoric concerning Palestine and the United States of America and relies on bombing gestures to evoke a reaction from the detainee. Notably, this reveals government backing of stereotypes concerning Muslim communities (re state security personnel deploying bomb gestures to evoke a reaction). The use of these informants hinders the men' ability to trust others and by extension, desire to maintain or formulate relationships. Agents of information can also be understood as state actors who manipulate the men and their families trust when they add meaning to otherwise neutral situations. The wife of a detainee recalls an instance of this below.

One time I pointed at something. Somebody asked me "where are you parked?" I said right over there. CBSA's car was parked before and after us. CBSA says I jeopardized their security because I pointed at something and told them where they were parked. I said I didn't tell them where they were parked, I said where we were. I got two hours of interrogation. (...) And then the last thing was when we were in the Shoppers Drug Mart and there was a burglary there (...) and I had to get [my husband] back home (...) because we have a time limit of 4 hours and the GPS had to be back in the machine by a certain time. So, there's a burglary and we're in a lockdown (...). So, I go up to the police and say listen can we leave (...). And we're just about to leave and CBSA comes in the building (...) and they say, "you know, it's okay we'll just take note of it. It's an

exceptional circumstance”. I said exceptional circumstance? You know how many times it’s been an exceptional circumstance. We’ve needed to get out of several situations, CBSA’s always involved and next thing you know it’s in a report and we’re in court and you’re trying to put him back in because he breached some kind of condition. I said so if you don’t fucking mind, I will get my husband out myself, make sure he makes his outing on time, so get the fuck out of my face. [My husband] is like “hey oh my god that’s going to be in the report, I’m going to be in trouble,” I couldn’t take it anymore, I said fuck (...) I was like I don’t give a fuck about you and your fucking report, you bunch of fuckers, take your fucking notes and your fucking exceptional circumstance (Wife of detainee).

In this particular instance, security agents constructed the detainee’s wife as a threat to their safety simply because she pointed to her car. Agents of information deliberately manipulate, fabricate, and or facilitate erroneous information to demarcate the men and their families as potential threats. She also draws on another instance where state agents fabricated information:

[My husband] started having access to the internet so they said [he] had been on sites that sell firearms, bullets. Yeah Canadian Tire sells hunting guns and bullets, [He] is often on the Canadian tire website. One time we were looking for a camping BBQ and work boots and that was where they sold firearms. Yeah, so that’s how far they take it and they analyze things. Most of the time, I’m sitting right beside him. (...) we go to Walmart regularly, Walmart has guns (Wife of detainee).

These examples illustrate how agents of information, in the form of state security officials, redefine the men and their families’ activities to exacerbate their perceived threat. While these agents are deployed to survey the men’s activities, families still trust that they will not falsify information. However, the detainee’s wife describes how she eventually began doing things per her expectations as there had been several instances where CBSA fabricated information. It is precisely these instances that further impeded the men and their families’ trust in security officials.

Next, I discuss how the men themselves can also occupy the role of an agent of information. The men described instances in which the state would pressure them to adopt the role of an agent of information within their personal relationships. The state relied on the use of threats and manipulation to coerce the men into accepting the role of an informant to avoid severe consequences. A detainee describes how this took place in his meeting with CSIS:

The last meeting [CSIS] threatened me (...) “if you don’t cooperate with us (...) and if you deny, we have another way, we are going to arrest you and we are going to send you to your country”. (...) He told me you have 20 days, “if [we] don’t hear anything from you, expect anytime you are going to get arrested. And when you get arrested, it will be easy to deport you to your country and that’s it”. [But] I refused to give him information here about people in the community (Former detainee).

Echoing this experience, another detainee describes how he was subjected to a similar practice:

They told me “you want to become Canadian, so we want to know a few things, about your loyalty to the Queen, to Canada. Can you come work for Canada – for the safety of Canada. You are university graduate, you finished your bachelor. You are doing a master’s degree. Can you for example, translate for Canada, can you do something, can you work on bad guys?” If you said no, it’s like you are not loyal. (...) I will talk to you about the two last meetings I had with CSIS. I told them if I deserve to be Canadian, I will be Canadian, I am not going to snitch on my own community, I’m not going to do anything (...). Yeah, that’s what they wanted me to do, to be a snitch. (...) I said no, so they start doing harassment, like they are doing now, but in a way to isolate me. You know everything to isolate me (Former detainee).

These quotes bring to light the state’s use of coercive tactics, such as deploying threats of immigration consequences to leverage the men to inform on their intimate communities (Kamali, 2017; Stabile, 2014). Given that the men are recent immigrants to Canada, both their and their families immigration status is still precarious. The state uses this as a means to harass the men to submit to their requests for information. Thus, the incentive is created, either under the pressure of deportation or of not having a family member allowed to enter the country, for the men to act as informants and find ‘terrorists’ (Kamali, 2017). Consequently, “when individuals are

pressured into becoming informants by the threat of deportation, [it] may remove them from their family and all sources of support” (Stabile, 2014:239), thereby eroding their social ties to their community and family. Compelling the men to adopt the role of an agent of information not only changes their role within their communities, as they are made to feel as though they are not a part of this community and instead, are against it, but it also leads to members of the community distancing themselves from the men. The loss of social connectedness amongst one’s community robs the men of meaningful human interactions by leading to their withdrawal and rejection from their intimate community, facilitating their social death (Kravola, 2015).

Moreover, framing their willingness to act as informants along the lines of loyalty to the nation effectively (re)produces the polarized discourse of the good immigrant, one who is willing to work and support his country, and a ‘bad’ immigrant, who will not share his skills with his country’s civilizing mission to curb terrorism and protect national security. This framing is a double-edged sword wherein the men are either compelled to stand in opposition to their moral code to receive citizenship or work against the state and risk deportation for themselves and their families. Lingering the promise of citizenship or the threat of deportation further undermines one’s trust in members of their intimate community and positions the nation-state against the racialized ‘other.’ The condition of social death manifests when the men and their families feel compelled to uproot themselves from their social connections; then reciprocally, other family, friends, and members of their community disengage themselves from them.

4.4.4 Exclusion from Extended Community

The stigma attached to the certificate excludes the men and their families from their extended community. I refer to an extended community to describe members from the broader public, those who would not necessarily have intimate relationships with the men but, contribute

to their overall sense of belonging within the community. The negative media portrayals coupled with discriminatory rhetoric, policy and practices foster an environment that legitimizes hostility from members of the public against the men and their families (Poynting & Perry, 2007).

Problematically, security certificates label those designated under them as terrorists and their families as ‘supporters of terrorists,’ evidently damaging their sense of belonging in Canadian society. Given that the current post 9-11 socio-political climate grants the public the “permission to hate,” anti-Muslim vilification and victimization are not only internalized but are also reproduced by members of the community (Poynting & Perry, 2007). A detainee’s wife describes:

There’s a mother who talks to me regularly and the other day she says “oh this guy in the car he drove by he had a big beard I think he was Muslim, he almost hit my daughter” and I said first of all how do you know he was Muslim? He could be Jewish, he could be Sikh, it’s fashion now. Do you know how many men wear beards? Frig your husband has a beard, he has a goatee. So, I said first of all, stop judging people. I said stop saying they’re all Muslims. She said “oh I forget you’re married to a Muslim”. (...) She says “my daughter is dating this guy he’s from the Middle East I think he’s in ISIS guy. (...) I’m not sure, but he has a profile picture that looks like he’s an ISIS member” Uh stupid!! Stupid uneducated people I’m so fed up with that (Wife of detainee).

Since the events of 9/11, Western states have been immersed within a climate that harbours images of the dangerous Muslim man as detached from accepting rules and norms in society. Notably, terrorism has been persistently qualified with Islam, whereby the terrorist figure is portrayed as a religiously and ideologically motivated actor opposed to Western values of liberalism and democracy (Thobani, 2007; Razack, 2008; Nagra, 2017). Canada’s security discourses concerning Muslims, particularly Muslim men, have produced a mental model in which Muslims and all those who visibly appear to be Muslim are treated as though they have a propensity for terrorist violence (Razack, 2008). As a result, these discourses naturalize the idea that suspicion should be cast over the ordinary behaviour of Muslims, not only by the state’s

agents but by the public itself. Members of the public internalize these security discourses, which ultimately leads to hindering the inclusivity of Muslims within this national space. For example, the wife's discussion demonstrates the tenacity of racialized assumptions which are naturalized in the coverage of the 'war on terror,' and have become "paramount in shaping the common-sense understanding [white] nationals have come to acquire about" Muslims (Thobani, 2007:224). Her experience illustrates how the stigma attached to the certificate punctuates experiences with members of her community who (re)assert anti-Muslim fervor. It is precisely this environment, which permits for ostracism and racial profiling, that isolate the men and their families from their extended community.

The detainee's son describes that while his father had "*won the second security certificate and he's cleared the process twice, that stigma will always be there.*" Despite the certificate being quashed, stigma lasts and materializes through one's interactions with the public. This stigma has created and legitimized a climate of hostility, ignorance, and insularity amongst the community towards the men and their families. Moreover, these excerpts demonstrate how white Canadians are in a position to jeopardize the sense of belonging for these men and their families. Ostracism from the community can be seen as an act of social burial, whereby as a result of the stigma from the certificate, the men and their families are framed as unworthy of social participation and rendered dead while alive (Brannelly, 2011). This process also manifests on a much larger scale, namely, through exclusion through the national community. As Edward Said (1981) argues, the historical images constructing Muslims as incompatible continue to prevail in contemporary Western society, whereby Muslims are often likened as one and the same as the Islamic fundamentalists. The result of this persistent

conflation is the creation of a group of people who are not only socially positioned as the outsiders within but are also excluded from their extended communities.

4.4.5 Exclusion from National Community

The interviewees identified that one of the most profound impacts of living under the security certificate program was their rejection from the Canadian national space. While the men and their families already existed outside of this space by way of their citizenship status (or lack thereof), their status as security objects further pushed them to the margins of Canadian society. The detainee's son describes the contradictions inherent in the narratives of Canada as "morally incarnate" by highlighting his feelings of disappointment with the Canadian community (Harting & Kamboureli, 2009: 559). A detainee's son explains:

We as a country are supposed to be known as the peacekeeping nation, high standards for human rights, and then you hear stuff like this and it's like wait a second we actually dubbed the Kingston Immigration Centre – Guantanamo North. What is the difference? You're held without charge and have indefinite detention. Same there. Inhumane treatment. Same thing. But you know all of a sudden Canada has a higher ranking in the world and we have this image that we protect but we're such hypocrites (Son of detainee).

In a similar vein, a detainee adds:

When I came to Canada, I thought we were in a freedom country. I thought whatever we used to have it in our country, I don't think it's going to be here in Canada (...). When I came here I said it's going to be a safe country, nice country, no trouble, no prosecution from any person but unfortunately, I found they came and arrested me (...). You can't take the people like that, put them in the jail, and then try to find out if they are good or bad. This is the same in my country that they are doing. When something happens in the streets, they take everybody and put them in the jail and after a few years, few months or whatever, they find they don't have any relation to the crime. Where is my rights? And I thought this isn't going to be here in Canada, this is a freedom country, this is a nice country, and they respect humans like humans, but what they did toward me (...), I don't believe anybody in this country. They don't respect the justice here (Former detainee).

Both the detainee and a detainee's son describe how the exclusionary efforts of the security certificate program pit them against their earlier conception of Canada as a 'freedom country'. Rather, their experiences unveiled how the Canadian nation-state not only failed to

protect them but was a key actor in performing human rights abuses against them. In this way, while the touchstone of Canadian national identity has been constituted by the nation's desire for accommodation and tolerance, the excerpts above make it abundantly clear that this accommodation is not equally afforded to all groups. Instead, their status as securitized objects position them as threats to Canada's national security and therefore legitimizes their eviction from the civic space.

The men and their families' perception of the Canadian state had profound implications on their sense of belonging. The interviewees described how they either questioned their belonging or retracted from identifying with the Canadian national identity. The detainee's son describes how he questions his national belonging:

Although I have grown up here (...) I feel like I am Canadian but at the same time I am reserved in the way I feel as a Canadian (...). I am struggling with my Canadian identity because of what I have gone through (Son of detainee).

In particular, he draws on an example which he feels symbolizes Canada's exclusionary efforts against him:

On my way back from [my trip], at the airport, when I was going to check in, the airline was like "the Canadian government sent us your picture, we've been waiting for you". They're like "yeah we have to wait, there is a whole list of questions they sent us that we have to ask you, and we have to send the answers back to them" (...). They're asking me "where do I live, what do I do for a living, how many siblings do you have, your parent's names"? (...) And after all these you know two and a half hours then he comes back and goes, "okay now you can go and get you're boarding pass" (...). For me at least, I'm like okay whatever, I know I didn't do anything, I'm a Canadian citizen at the end of the day I'm still going to go home (Son of detainee).

The son's experience can be understood as a way for the Canadian nation-state to remind him of his precarious belonging in this space. Notably, while he is a citizen and has not been alleged of any crimes himself, having to respond to a series of questions about his personal life, his travels, his background, profession, etc. serves to remind him that he cannot freely move in

and out of this national space; rather, before re-entering Canada, he must submit to a series of security checks, as required by Canadian security officials.

In a similar vein, a detainee's wife describes how she has withdrawn from identifying with Canada as a space of belonging:

I don't care about being Canadian right now. I went to La Machine just for the thing but I don't celebrate Canada day anymore. (...) I don't associate with the 150 Canadian celebration because people have been boycotting events because of the cultural thing and the First Nations thing around it. I said the day [my husband] is granted his papers, then we can go to a Canada Day (...). The sight of a Canadian flag makes me sick. (...) Like I do most of my events on Parliament Hill, I'm stuck to do an event where there is a bunch of Canadian flags. Some places I'll ask that the flag be removed completely. I feel my country has betrayed me, my family, and my husband completely. And the more you go through this process and then the more you start hearing about other stories you know – like stories about first nations. Like how can you be proud of your country for that. How sick is that? That people don't have drinking water - In Canada! (Wife of detainee).

The men and their families' experiences under a security regime debunked their earlier perceptions of the nation “exclusively as a peacekeeper” and as an “engineer and custodian of global civility” (Harting & Kamboureli, 2009: 660). Rather, they now understand that membership within a nation state is organized around an interplay of identifying forces (re race, nationality, citizenship status). The excerpts included above are particularly interesting in that both speakers, albeit Canadian citizens, unpack how they feel alienated from Canadian society. In the instance where the son is stopped while travelling, he highlights how “holding formal Canadian citizenship does not necessarily mean one belongs to the imagined community of Canadians” (Nagra, 2017: 45). Rather, his racial Muslim identity conflicts with his Canadian citizenship status, whereby his racial identity is heavily embedded in the notion that “he” is not like “us” (Razack, 2007). Though both the son and the wife experience adverse sentiments regarding their sense of belonging to Canada, there is a notable difference in their experiences of belonging within the national space. While the son struggles to negotiate his belonging within

the Canadian national identity, the wife is able to explicitly stand against it. In other words, there is a distinction to be made to between simply holding citizenship status and actually belonging to the Canadian space; specifically, by virtue of her non-racialized status, the wife does not have to worry about her belonging in this space whereas the son does. Although the son's citizenship status as a Canadian citizen grants him political rights within the national space, it does not necessarily afford him national belonging (Hage, 2002). Specifically, by way of being a naturalized citizen, the son exists within a precarious position, where his citizenship status, hence his 'ticket' into this national space, can be can be revoked from him, illustrating that the formal acquisition of rights through citizenship status does not automatically entail inclusion to the national community. However, for the wife of the detainee, a non-racialized born citizen, she automatically belongs to the national space and feels secure enough to stand against it.

My analysis of this section reveals how the experience of social death exists on a continuum. The men and their families' experiences of not being fully accepted by communities, of not being fully able to participate in their relationships, or of not being able to fully belong in Canadian society drastically shifted throughout living under a security regime. Specifically, based on arbitrary and undefined conditions, including, the men's compliance to security conditions, security officials' discretion, legal appeals, etc., the men and their families would be allowed or stripped of opportunities to participate in their intimate, national and extended communities. Contrasting Cacho's analysis of social death where she argues that there are certain groups who, simply by virtue of who they are, are ineligible for personhood, I argue that these men and their families do not ever experience a full social death. In Cacho's rendition of social death, she argues that certain racialized groups inherently have less social value assigned to their lives than their non-racialized counterparts. This social value is key for Cacho, as it not only

defines who does not matter but it makes mattering meaningful. In this way, she frames her analysis of social death by arguing that the humanity of certain groups is represented as something that one becomes or achieves, that one must earn because it cannot just be. While I draw quite significantly on Cacho's framing of social death, particularly when she discusses the deprivation of social connectedness, my conceptualization differs where she talks about social value. Cacho's conceptualization of social death states that certain groups simply do not have assigned social value by way of who they are and that they must earn the right to participate in relationships or society. However, unlike Cacho's suggestion that certain groups must earn the right to matter, I argue the experience of social death exists on a continuum, where the right to participate or belong in relationships, communities, and society frequently shifts. Put simply, it is not that these men and their families are simply ineligible for personhood and by extension, ineligible to participate in relationships, it is that their right to experience the condition of belonging is restricted and regulated by the state. Relationships are a key way through which people understand themselves, construct their identity, and feel a sense of belonging to their families or their community. By deliberately interfering with, mobilizing for the purposes of, and taking advantage of one's relationships, the state not only makes it particularly challenging for the men to preserve these relationships but drives them to dissolve their ties with their friends and family, thereby facilitating their social death.

Despite their experiences of social death existing on a continuum, given that these men and by association, their families, have been securitized, they are no longer conceived of in terms of their humanity. Rather, the objectification process relegates them to threats that must be securitized against. The moment that a life is no longer visible as a full 'human life,' a process

that is onset by any condition of social death, then it is perceived as incompatible with the heteronormative community, thereby leading to its exclusion from the national space

4.5 Compliance to Securitization

This section explores how the men and their families yield to securitization practices. I argue that they do not comply to forces of securitization because they are accepting their status as security threats, rather, their acquiescing is driven by the fact that these security practices are entirely legal, thereby leaving the men and their families with no lawful avenue for contestation. My analysis of this section draws on the conceptualization of Jewish leaders' complicity during the Holocaust (Aharony, 2010; Muller, 1981; Kjaer, 2017). A detainee's son describes how he adopted his behaviour to yield to security conditions:

I'll put it to you this way, I have my passport and I'm a Canadian citizen but I've never stepped foot in the States and have no plans to do that. It's because I feel I will be hassled for no reason if I try to go there (...). My friends, they're like "lets go to Florida" I'm like I'm not even going to try. (...) I don't want that hassle; I just don't want to deal with it (...). So, I said I'm not even going to put myself in that position (Son of detainee).

A detainee also describes how he adapted his routine to meet the demands of the security regime.

Between the first certificate and the second, I didn't give them (CSIS) any chances to catch me for anything. I said okay maybe they have suspicion about going to the mosque or to go here or there, okay, I will try to avoid anything that is going to put me in doubt. (...) I don't want to give them (CSIS) any opportunity to think about anything. I cut my calling to a lot of people, to visit all these people, calling a lot of people outside Canada. Not because I have something, no, but because I want to be in the safe, I don't want to give them a reason to have suspicion against me anymore (...). After I get arrested, I forgot all these people, I said okay if these are the problems, I will try to be away from any trouble (Former detainee).

Along the same lines, a detainee details:

All this information is coming from CSIS and even the FBI. They told my wife he is a good guy but he may have had bad contact with mosques so don't go to mosques. (...) So we changed the mosques (Former detainee).

The excerpts above illustrate how the men and their families living under a security regime base their decision-making upon a security logic in order to comply to the security conditions enforced upon them (re not travelling to certain places, avoiding certain persons or activities). Muller (1981) and Kjaer (2017) argue that Jewish elites in the holocaust were compelled to make difficult decisions where they surrendered information about the Jewish masses to Nazi authorities. These authors describe the moral dilemma faced by the Jewish counsel, they contend that these leaders did not have any realistic alternatives and they acted out of fear of saving their own lives along with minimizing the evil done. Kjaer (2017) suggests that Jewish leaders lacked any genuine moral choice, their alternatives were between betraying, and thus murdering their friends, or sending their wife and children to death. Albeit in a different magnitude, the cooperation of the men and their families can be understood as a difficult decision between either enforcing and complying to security conditions or risking more severe consequences. For example, the families of the men not only submitted to the security conditions but adopted the role of an agent of control and further enforced these conditions upon the men. Their compliance and perpetuation of security conditions occurs because, like the Jewish counsel, families were left with no real alternative; they either abided by these conditions or the men would have to return to jail. Similarly, the security certificate detainees faced a moral dilemma in which they either accepted by the conditions imposed upon them or subject themselves and their families to harsher state surveillance or potentially, imprisonment. For example, the detainee's not travelling to the United States or the detainees adopting their communications, behaviors, and activities according to the cadences of the security certificate program are all examples of the men and their families submitting to security conditions purely because they are aware that the consequences of not complying would be potentially more detrimental.

Furthermore, given that the cases against these men are not grounded upon any actual terrorist activity that has been carried out and instead embedded in the *probability* that one might commit an act of terrorism, any activity or relationship fits under the scope of suspicion. The very amorphousness of the certificate issued against the men allows for security actors to construct a security case against persons based on arbitrary information. For example, security actors do not mention which people at the mosques are dangerous, rather, they simply suggest that the men were in contact with “dangerous people.” To this end, allegations are constructed on the basis of past or present activities, relationships, beliefs, etc. thereby rendering particular people, places, and practices as markers of risk, even if this thinking is not grounded in any valid reasoning. This process then allows for the state to lawfully target non-meaningful activities, institutions, and persons as security threats, thereby governing who, where, and what the men can do.

4.6 Mobilizing Resistance

While the men and their families complied to a range of security measures, in other instances, these security practices were boldly contested and often dismantled through resistance strategies. I present a series of quotes from the interviewees who discuss not only how they “*had to fight for everything*,” but also address some of their resistance techniques. I suggest that one’s resistance was based on identity politics, where ethnicity, religion, gender, nationality, etc. shaped their mobilization of resistance. Specifically, where some groups are afforded the ability to opt for more conflictive types of resistance, other groups were unable to mobilize such forms of defiance and instead, utilized their bodies as mechanisms of resistance. The only way that the men could resist without jeopardizing their legal case or threatening anyone else was through inflicting harm upon their bodies. A detainee describes an instance where he resisted the state by threatening to go back to jail. In this vein, he used his body as a means to oppose the state.

When [the judge] decided that this will be over and she said (...) that I am free, I asked to cut the bracelet. [CSIS] refused. (...) You know why they did this? Because when it was finished they went outside and said "the Canadian government still considers [me] very dangerous for national security" (...). I knew that one picture means more than 1000 words so I went outside so I said 1, 2, 3 everybody look – all the cameras were there - I cut the bracelet. I'm free. (...) They did everything not to let me cut the bracelet because they want to tell the media that I am still dangerous (...). So, I want to destroy this scare about me. On the newspaper, the next day, it was my picture with the bracelet (Former detainee).

One of the most prevalent techniques of resistance was hunger strikes. While the majority of the men participated in hunger strikes during their time in detention, one of the detainees spoke of his experiences of hunger strikes in great detail throughout our interview.

I am fighting for my life. I will do my best, even if I'm going to make you look evil outside. The system is evil. (...).". I am here all alone. I am cold. I have no shoes. I said I'm going on a hunger strike until they get me out (...) [and] give me sheets for my bed and pillows, and till they give me blankets and till they give me shoes for my feet and they turn on the heater. (...). So, we did several [hunger strikes] just to get some of the basic rights...human rights. (...) When I start losing 10 pounds a night, (...) they told the court "we settled the case, they are gonna get him out of segregation (Former detainee).

Hunger strikes were also used as a vehicle for the men to demand to be treated as federal inmates. A detainee describes:

We are under immigration. We are supposed to have more rights. More relaxed opportunities. (...) We started to make a hunger strike there to ask for our rights in Kingston. (...) The only way to get anything is to do hunger strikes - this is the only way we can ask them to give us something (Former detainee).

Likewise, a detainee adds:

I said it is enough time in a provincial jail, either take me to federal jail or give me federal rights. Give me my clothes, give me my radio, TV, let me eat what I want, give me what you are giving any criminal in federal jail. I am a federal inmate (...). We need canteen like in federal jail, they said "no canteen for you. we can't control your money. We are CBSA". If you are CBSA you should deal with us like immigration cases, not as (...) a jail. (...). We did 3 hunger strikes, the 4 of us. We did a hunger strike for about 70 days which we got canteen and we got certain things. (...). I was demanding to keep my cell open 24/7 and I don't have to lock my door at all. I never left my cell for 3 years (...) just to make a point. I didn't eat their food for the last 3 years. I did not touch their water

(...). They keep telling me “why you don’t eat our – “I said no I will touch nothing from you (...). So, we made certain challenges and we won that (Former detainee).

In contrast, the detainee’s wife’s position as a white citizen affords her the ability to use her voice and not her body to contest securitization. The wife describes an instance where CBSA stopped her while she was at the store and she was able to not only confront but defy their authority:

I couldn’t take it anymore, I said fuck. (...) I was like I don’t give a fuck about you and your fucking report, you bunch of fuckers. (...) Take your fucking notes and your fucking exceptional circumstance. (...) And I was yelling I’M A CANADIAN CITIZEN, leave me alone, you have no right to follow me (Wife of detainee).

The excerpts included above illustrate how resistance manifests in different ways, mediated by intersections of race, status, nationality. For example, the wife’s position as a non-racialized woman grants her the ability to engage by verbally contesting security agent’s efforts without fear of consequences. Contrastingly, by way of their status as racialized non-citizens, the men exist in precarious and powerless positions whereby they are required to silence their voices. Instead, the men and their families use their bodies as a form of contestation. For example, by challenging security officials and cutting his bracelet off in front of the media, one of the detainees uses his body to debunk state security’s efforts to demonize him publically. Further to this, this first set of excerpts by a detainee illustrates how hunger strikes became the primary tool to contest the deprivation of necessities during detention. Markers of belonging (race, status, nationality) designate degrees of power and privilege to individuals whereby the detainee’s wife is in a position in which she can express that she does not *want to belong – only* by virtue of belonging in the first place. In comparison, those who do not belong - by way of their status as racialized, non-status persons - are unable to resist these forces in the same way. While this section unpacked how the detainees and their families resisted state control, albeit in different

ways, descriptions all point to how state violence was incomplete. Despite control being exerted on their bodies, their spaces, and their relationships, the men and their family members not only continue to resist by living a life beyond the oppression they experienced by the certificate but also continue to rebuild their relationships and their identity.

Conclusion of Thesis

A review of the Canadian nation state's racially oppressive past and racially charged present has revealed the ways in which the nation-state has discursively constructed non-white persons as threats to human security (Thobani, 2007; Satzwich, Liouakis, 2010; Amin-Khan, 2012). The language of security has been deployed episodically, at different historical junctures within Canadian history, to shore up fears against racialized minorities and frame them as threats to the project of nation-building. While each of these moments is unique in its own way, there are certain commonalities amongst each that continue to shape one's membership and belonging within the national-space (Dhamoon & Abu-Laban, 2009). These racialized security discourses have led to state-enforced legislations which often justify "the expansion of state powers, often at the expense of civil liberties" (d'Appollonia, 2015:3). Critical race scholars argue that the law is not only birthed from racially driven rhetoric but also works to uphold and crystalize these narratives in its implementation. The law can therefore be understood as an instrument deployed to reinforce the 'white nation' fantasy through the engendering, suspending, or contorting of laws to uphold the exclusion of racialized minorities (Lopez, 2006; Razack, 2008).

While significant attention has been invested in exploring the racialized constructions of dangerous others throughout Canadian history, there is a gap in understanding the experiences of securitization. This thesis attempts to address this void by analyzing how securitization is experienced through practices that suspend legal rights and undermine social relations, resulting in the social and civil death for those subjected to it.

I began this thesis with a review of the racialized instances of securitization to situate my research project within the broader context of Canada's histories of settler colonialism and racial exclusion, paying particular attention to the current 'war against terrorism.' By virtue of its application against the five Muslim men from the 'Secret Trail 5' cases, Canada's security

certificate program is an example of a juridical provision used under the current ‘war on terror’ and can be perceived as a tool of racial exclusion (Roach & Code, 2007; Bell, 2006; Razack, 2008; Aitken, 2008; Oriola, 2009). Academics have argued that the “blindness or neutrality of the law is betrayed by the constitution of certain forms of criminal behaviour as terrorist that invites law enforcement agents to take who the person is and what they believe into account when laying a charge” (Bell, 2006: 76). Specifically, given that the security certificate program is tied not to actions, but to people’s beliefs, intentions, and/or propensity to commit acts of ‘terrorism,’ and that since the events of 9/11, the threat of terrorism has been conflated with ideologies (Islam), dress codes, practices (visiting mosques, support of certain beliefs/groups), physical appearances (facial hair, dark skin), etc., that are akin to Muslims, the provision is not racialized in its intention, but by default, is, in its enactment. Grounded in a pre-emptive logic, the security certificate provision is a tool that posits a state of exception to the rule of law for those demarcated as national security threats (Razack, 2008; Bell, 2006). To this end, my research shifts from exploring the discursive components of this legislation and seeks to examine the experiences of securitization.

In an attempt to address the lived realities of securitization, I interviewed some of the men who have been subjected to a security certificate and their families. Through exploring the lived experiences of those subjected to the provision, and drawing on the concepts of civil and social death, I found that the securitization is experienced through the loss of one’s legal capacity, through the invasion of space, and the severing of social bonds used to constitute one’s human connectedness. Mainly, the security certificate program makes the ineligibility of humanity a possibility by way of stripping subjects of their personhood and legal consciousness. This securitization process manifests through unmaking of the body as a site of rights, through

turning their house into a carceral space, and through the destruction of social bonds used to constitute one's human connectedness. In eliminating the very elements that bring one into being a human (re body, space, relationships), there is a radical effacement of the person, "so that there never was a human, there never was a life, and no [infringement on human rights] has, therefore, taken place" (Butler, 2004:147). Albeit non-citizens are under the jurisdiction of Canada, their status as non-citizens makes them not fully part of the nation, thereby making violence against them legitimate (Oriola, 2009). In this way, as Arendt (1966) argues, "respect for human rights depends on national or citizenship rights. Therefore, the loss of one means the loss of the other" (Oriola, 2009:266).

This thesis goes beyond describing how securitization is experienced, rather, it also shares the voices of those that have been wrongfully marginalized, excluded, and stripped of their status as human beings. While I am not proposing that I am in a position to share these voices as this would suggest a power hierarchy, instead, I argue that because there has been no endeavor in academia at bringing forth the voices of the men issued a security certificate and their families together in one space, my research shares five different powerful stories. This research project also pulls back the curtain on the hidden costs of securitization, illustrating how the family members of the accused and anyone willing to uphold relations with the security certificate subject or their family also become subjected to securitization.

Far too often, groups that already exist in precarious positions by way of being refugees, displaced, and alienated, are exposed to inhumane treatment as if their differences in terms of race, nationality, class, and origin mark them as a different order of humanity, or nonexistent in humanity for that matter. Given that their differences¹⁹ plague them as outside of our scope of

¹⁹ I argue differences in terms of race, class, nationality, and ethnic origin.

‘human,’ and by extension, morality, they are subjected to ongoing state violence. In this instance, the account of the phenomenon of violence is not the traditional sense of the term; rather, I use the term to capture the deprivation of liberty, privacy, autonomy, human rights, etc. Then, in this logic, violence is not perceived as ill-intentioned as it is not being exercised against another ‘group of people.’ Alternatively, violence is being deployed against a ‘non-human,’ making it *legitimate*. In the instance of my research, the interviewees described that by virtue of their status as non-citizens, they were automatically relegated to non-humans, signifying how the accordance of human rights becomes a choice when someone is marked as different. The designation of ‘non-human,’ often inscribed on racialized bodies, cannot be a choice for nation states to make, as humanity is not something that can be awarded, leased, or stripped; rather, it is inherent by virtue of existing as a human being.

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