Colleen Bell

The Freedom of Security
Governing Canada in the Age of Counter-Terrorism
The Law and Society Series explores law as a socially embedded phenomenon. It is premised on the understanding that the conventional division of law from society creates false dichotomies in thinking, scholarship, educational practice, and social life. Books in the series treat law and society as mutually constitutive and seek to bridge scholarship emerging from interdisciplinary engagement of law with disciplines such as politics, social theory, history, political economy, and gender studies.

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Preface

I began this work at York University. It had originally been my intention to study the politics of security and identity in the anti-globalization movement. The response of Western governments to the terrorist attacks of 11 September 2001 in the United States derailed that plan. Although I was interested in understanding how expressions of political resistance are disciplined internally by debates over “diversity of tactics” and externally by representations of protesters as violent and of state actors as merely responsive to that “violence,” the climate of fear that ensued after 9/11 proved to be profoundly effective in quashing much of that movement. The euphoria and momentum that came with the growing number of people from Seattle to Genoa to Quebec collectively demanding social change were suddenly deflated when large components of the political left (particularly organized labour) withdrew active support. A “new security environment” supposedly called for more restrained opposition.

This turn of events made apparent to me that asking questions about the politics of security was more important than ever. I wanted to know how ideas about security shaped political action – in this case leading some people to believe that it was suddenly inappropriate to confront political leaders and economic power holders over the state of global politics. Although the discipline of international relations has devoted remarkable resources to formulating paradigms of security, conceptualizing security in relation to political freedom has received less serious attention. Similarly, investigations of freedom in relation to security have rarely moved beyond a civil liberties paradigm. Yet, as debates over counter-terrorism have developed, it has become evident that opposing sides are working with different assumptions about the security-liberty power relation. With few exceptions, when people oppose a security
policy, they approach it as an infringement on liberty, while those who advocate that policy treat it as a means of protecting freedom. Whereas the latter take a position that reaffirms the overwhelming authority of the state and status quo, the former merely question a symptom of that power.

My objective in writing this book is to offer a perspective on security as a liberal strategy of rule. It is to demonstrate that the categories usually drawn on to frame the meaning of security practices for politics, or indeed to distinguish the realm of politics from that of security, are inadequate for coming to terms with the realities, as Foucault suggested, of living in a society of security. The title of this book, *The Freedom of Security*, is inspired by this very claim. It draws attention to how we live in a society in which freedom is defined in the most pervasive ways by logics and practices of security. It explores the serious limitations inherent in the claim that the central value of Western ways of life is the commitment to freedom. It prompts us to ask how our commitment to freedom is shaped, instead, by the relentless search for security. The times that we live in have not only shored up this reality but also offer us an opportunity to challenge its terms and conditions.

I was fortunate to be immersed in a number of vibrant intellectual communities during the formulation of this work. I am thankful to the Department of Political Science and Centre of International and Security Studies at York University; the Department of Politics at the University of Bristol; the Centre of Criminology at the University of Toronto; and the Department of Politics at Birkbeck, University of London.

A remarkable number of people made this research possible. I am grateful to Sandra Whitworth, David Mutimer, Anna M. Agathangelou, Mark Duffield, and Mariana Valverde, who were excellent sources of guidance and support. I also thank Simon Dalby, Shannon Bell and Wenona Giles, Peter Nyers, Mark Salter, Kyle Grayson, Tina Managhan, Sarah Whitaker, and Joan Broussard. I very much thank the manuscript reviewers; my editors, Emily Andrew and Megan Brand; and the people at UBC Press for their swift professionalism. I am grateful to David Dewitt, who offered much-needed support in my field research, and to many people in the Canadian government who took time out of their busy schedules to share the particulars of their work. Activists in the social justice community were invaluable in deepening my critical analysis. I especially thank Mohamed Harkat and Sophie Lamarche, Abdullah Almalki, Michael Bhrens, Paul Copeland, and Hyder Masum for bringing into sharp focus the devastating consequences of Canada’s security practices. I am also thankful to CKLN 88.1 FM and the crew of *Saturday
Morning Live for giving me a platform to ask hard questions about state repression and resistance. I will be eternally grateful to CUPE 3903, where the meaning and location of politics were always sources of lively debate.

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I am grateful to my friends and family for supporting my work. Jesika Joy Cameron, Gregory Bird, Alison Howell, Augustine Park, and Julian Manyoni were supportive and encouraging writing pals. I am also grateful to my mother, Juanita, who instilled in me, through simple gestures, indignation against injustice. It has carried me through waves of nihilism and compelled my most passionate if not overly dramatic writing. My furry housemates were always a needed source of amusement and friendship during the course of my writing. Most of all, I am deeply thankful to Jesse Payne, who provided immeasurable support and companionship in the formulation of this work.
## Abbreviations

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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ANDS</td>
<td>Afghanistan National Development Strategy</td>
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<td>ANSO</td>
<td>Afghan NGO Safety Office</td>
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<td>CAF</td>
<td>Canadian Arab Federation</td>
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<td>CAIR-CAN</td>
<td>Canadian Council on American-Islamic Relations</td>
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<td>CATSA</td>
<td>Canadian Air Transport Security Authority</td>
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<td>CBC</td>
<td>Canadian Broadcasting Corporation</td>
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<td>CBSA</td>
<td>Canadian Border Services Agency</td>
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<td>CCCE</td>
<td>Canadian Council of Chief Executives</td>
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<td>CCTV</td>
<td>Closed-Circuit Television</td>
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<td>CGSO</td>
<td>Canadian Governance Support Office</td>
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<td>CIDA</td>
<td>Canadian International Development Agency</td>
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<td>CLC</td>
<td>Canadian Labour Congress</td>
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<td>CMLA</td>
<td>Canadian Muslim Lawyers Association</td>
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<td>CSC</td>
<td>Correctional Service Canada</td>
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<tr>
<td>CSE</td>
<td>Communications Security Establishment</td>
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<td>CSIS</td>
<td>Canadian Security Intelligence Service</td>
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<tr>
<td>CUPE</td>
<td>Canadian Union of Public Employees</td>
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<td>CUPW</td>
<td>Canadian Union of Postal Workers</td>
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<tr>
<td>DFAIT</td>
<td>(Department of) Foreign Affairs and International Trade</td>
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<td>DND</td>
<td>Department of National Defence</td>
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<tr>
<td>FAST</td>
<td>Free and Secure Trade</td>
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<td>I-ANDS</td>
<td>Interim-Afghanistan National Development Strategy</td>
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<td>ICLMG</td>
<td>International Civil Liberties Monitoring Group</td>
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<td>Abbreviation</td>
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<tr>
<td>ICISS</td>
<td>International Commission on Intervention and State Sovereignty</td>
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<td>ICoS</td>
<td>International Council on Security and Development</td>
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<tr>
<td>IR</td>
<td>international relations (the discipline of)</td>
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<td>IRPA</td>
<td><em>Immigration and Refugee Protection Act</em></td>
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<td>ISAF</td>
<td>International Security Assistance Force</td>
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<td>KIHC</td>
<td>Kingston Immigration Holding Centre</td>
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<td>NACC</td>
<td>North American Competitiveness Council</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<td>NGOs</td>
<td>non-governmental organizations</td>
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<td>NPB</td>
<td>National Parole Board</td>
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<td>NTAC</td>
<td>National Threat Assessment Centre</td>
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<td>PCO</td>
<td>Privy Council Office</td>
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<td>PRC</td>
<td>permanent resident card</td>
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<td>PRTs</td>
<td>provincial reconstruction teams</td>
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<td>PSEPC</td>
<td>Public Safety and Emergency Preparedness Canada (renamed Public Safety Canada)</td>
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<td>RCMP</td>
<td>Royal Canadian Mounted Police</td>
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<td>SAT-A</td>
<td>Strategic Advisory Team – Afghanistan</td>
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<td>SPP</td>
<td>Security and Prosperity Partnership</td>
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<td>START</td>
<td>Stabilization and Reconstruction Task Force</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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A little over a week after the terrorist attacks in New York and Washington on 11 September 2001, President George W. Bush announced the commencement of the War on Terror. From that moment forward, a new era of security protocols was ushered in to defend the United States and its allies from future terrorist attacks. The term “War on Terror,” of course, is less than novel, and it would be inaccurate to claim that all of the practices with which it is associated were conjured up for the first time with its name. One of the early uses of the term in the latter part of the 1800s was by Russian, European, and American governments in programs to defeat widespread anarchist rebellions. It was also used by the British government in the 1940s in its efforts to end terrorist attacks by Jews seeking to bring down the British colonial mandate in Palestine (Rapoport 2002). Interestingly, these usages are consistent with contemporary and notably state-centric phrasing in articulating terrorism as a means of intimidating governments. Yet, we should also be reminded that the notorious brutality of the terror during the French Revolution articulated the opposite meaning, that of government through intimidation (Andress 2006). As today’s War on Terror marks our contemporary political juncture in extraordinary ways, the debate that surrounds its means of operation, including war, violence, and rights infractions, might cause us to consider which meaning is most appropriate.¹

To be sure, today’s Western-led War on Terrorism (also referred to as the Global War on Terror) is at the centre of controversy over what enhanced security powers mean for the human rights and civil liberties that liberal democratic states claim are uniquely central to their values at home and to their role in the world. Even in the post-George W. Bush era and shift toward more moderate policy rhetoric, the War on Terror persists in media and political commentary as a ubiquitous maxim for
a spate of measures that engenders new policing powers of search and seizure and curtails mobility and privacy rights in ever more sophisticated ways. The War on Terror signals the intensification of border and transport surveillance, the development of biometric technology, and the imposition of “no-fly” lists. In its wake are new anti-terrorism legal codes that authorize parallel legal frameworks for non-citizens, substandard trial proceedings, and nebulous justifications for charges of guilt by association. The War on Terror also appears to be unabated alongside references to the Taliban, to Al Qaeda, and to individuals, such as Osama Bin Laden and Ayman al-Zawahiri, who are accused of precipitating terrorist attacks from the so-called sheltered havens of failed states. In an effort to gain the upper hand in this war, soldiers are sent to combat, civilian locales in Afghanistan and Iraq are transformed into battle zones, and many people continue to lose their lives and livelihoods. Inquiries and controversies a decade old point mostly to a destructive legacy showing staggering human costs, persistent instability in the global borderlands where it has reared its militaristic face, and disquieting questions about the commitment of North Atlantic states to democracy and human rights. At the least, its dubious efficacy hinges on legal transgressions, a litany of “errors,” and questionable motives. Yet, amid all of this controversy, when Western leaders refer to a “new security environment,” the policies associated with the War on Terror are presented as its antidote.

The United States also figures as the central actor in the War on Terror. Pre-emptive war, an ominous term first deployed in the 2002 Bush Doctrine,\(^2\) not only denotes the US-led invasion and occupation of Iraq (and smaller-scale counter-terrorism operations in the Philippines, Somalia, and the Sahara region of Africa) but also remains a vital concept in strategic discussions over how nations seen as hostile to the United States or alleged to be “terrorist havens” ought to be dealt with. Even with the end of the Bush administration and the election of a new Democratic president, the United States continues to be connected to the controversial practice of and the subject of accusations of torture against suspected terrorists.\(^3\) Despite the planned closure of the Guantánamo Bay detention centre, it remains at the forefront of a high-profile yet poorly monitored patchwork of incarceration camps populated by “enemy combatants” and other individuals marked as security risks. Special legal codes associated most acutely with the Military Commissions Act continue to be connected to human rights infractions of individuals who languish in detention and are denied due process and public trials. Consequently, many have fairly argued not only that the War on Terror points to an
alarming retraction of civil liberties under the banner of security but also that the United States is its commander in chief.

Although both the prominent role of the United States and the reduction of human and civil rights are fundamentally important to any analysis of contemporary counter-terrorism, the purpose of this book is to move beyond these two ways of making sense of it. First, although Canada does not always figure in the central story of this war, the analysis presented here concerns how successive Canadian governments have enacted policies that significantly inform how security and terrorism are addressed in global politics. Some analysts have tried to explain Canada’s participation in the War on Terror as a consequence of various pressures, such as its shared border with the United States – a cornerstone of Canada’s economic exports – or the influence of Canada’s business class, whose interests lie in continued access to the privileged quarters of the G8 club (Andreas and Biersteker 2003; Barlow 2005). Although such explanations certainly have merit, some tend to be reductive in characterizing Canada as a participant of circumstance or overdetermining the influence of business elites at the expense of deeper points of political confluence. Other perspectives are notably celebratory of Canada’s shift to the right of the political spectrum in its national and international security policies. They note an ascending profile for the Canadian Forces and a swelling nationalism in which Canada seeks to strengthen its presence as a committed ally to the vision of international security offered up by the United States (Carmet, Osler, and Hillmer 2004; Sloan 2005; Welsh 2004). Although not sharing such political enthusiasm (quite the opposite!), this book begins from the perspective that important aspects of Canada’s security architecture demonstrate a weighty investment and sustained (rather than sporadic) engagement in this war. The lifespan of the War on Terror and contemporary counter-terrorism in general are dependent on more than elite influence or US hegemony. They are made possible by the active investments of many actors in global politics much beyond the United States and not least of all Canada.

Most importantly, however, this book departs from analyses of contemporary counter-terrorism as simply denoting a reduction of rights and freedoms. It is well documented that the surge of security measures in the past several years has impinged on civil liberties.4 Yet, the view that security measures have simply meant a reduction in freedom casts a limited image of liberty as simply the casualty of security or its “balancing” counterpart. Liberty is superficially posited in distinctively
negative terms; it is the absence of state intrusions and the right to be free from arbitrary treatment. To be sure, these are often the forms of freedom curtailed in moments of “crisis” when the security of a state is called into question. Yet, it is naive to assume that these forms of liberty are all that is at stake in increasing state power. Even while it might be possible to increase security against terrorism, diminishing liberty can also diminish the security of people against state power (Waldron 2003, 195). Security is thus not merely a counterweight to or denial of rights but can itself be claimed as a right. Moreover, to approach liberty as simply a negative counterweight to security measures cannot account for how the reduction of freedoms almost always affects people differently. Diminishing liberty is very much about reducing access to forms of protection that people, such as activists, migrant workers, and racialized communities, rely on in different ways and to varying degrees (Waldron 2003, 194). The common image of security and liberty as occupying discrete and counter-posing realms masks the pressing reality that certain communities might have the very rights that offer them security diminished for the security of the majority or even that some communities are denied access to those human rights that are purportedly guaranteed to everyone in the first place. Too often, arguments that approach the problem of security as simply an erosion of freedom skip over the differential, empirical realities of accessing and using liberty to begin with.

Even more profoundly troubling is that the reduction of security and liberty to a dyadic relation is derived from a much older, recurrent narrative in classical liberal thinking in which the establishment of and possibility for political community are claimed to be founded on a social “compact.” This compact has functioned according to what Roland Barthes (1957) referred to as a myth – a symbolic, though not entirely false, narrative that shapes our worldview in often subconscious ways. It was Thomas Hobbes (1651) who constructed the first and most influential account of the myth of a compact in *Leviathan*, in which the possibility of escaping the insecurity that characterized the “state of nature” was contingent on the willingness of people to cede certain freedoms to a centralized, sovereign authority. The extension of this logic is that in times of “crisis” it is the sovereign prerogative, indeed responsibility, to curb freedoms to preserve the security of the state as a whole. A testament to the pervasiveness of the myth of the social compact is the central image of the state in international relations (IR) as structuring order within and chaos without. Allegiance to this narrative stretches from realist to liberal internationalist perspectives that
hold the basic view (whatever their varying remedies) that beyond the sovereign relation lies a condition of anarchy that can only be mediated on the basis of a statist account of political life (Bull 1977; Waltz 1959). Here international space is conceptualized in terms of the classical liberal vision of the state of nature, leaving the only possibility for security contingent on the presence of the sovereign state, which, like Hobbes’s “rational individual,” does what it must for self-preservation. Yet, the idea of the international realm (outside) as a state of nature and the idea of sovereign authority (inside) as derived from the capacity to enact what John Locke (1689) referred to as prerogative power – to declare, in other words, a state of exception – are more than parallel claims. They are two facets of the same process (Agamben 1998; Bartelson 2001). The possibility of moving beyond either state (of crisis) – that is, the possibility of political order – requires the submission of freedom. Neither is simply a stage in the attainment of security but conditions what freedom can mean in relation to the venerable quest for security that has come to shape our worldviews, our fears, and even our aspirations.

The centrality of security to the myth of the compact should not, however, be taken as denoting a lack of genuine concern for the importance of freedom within early liberal and later conventional thinking in politics and international relations. The virility of the compact narrative, rather, is derived from the seemingly intractable authority, pervasiveness, and centrality that security is afforded in the Western political imagination. It points, in other words, to the persistent fluidity of security within Western strains of dominant political thought. Indeed, the connection between security and liberty has long formed a central question in the governance of society. For Adam Smith, security formed the foundation for the motivation of economic liberty among industrial workers, whereas, for Jeremy Bentham, liberty was first and foremost an aspect of security (Dean 2007, 25; also see Neocleous 2008). By contrast, security “was the legal assurance of freedom,” according to Alexander von Humboldt (Neocleous 2000, 8-9). As the development of liberal political thought attests, security has never been a one-dimensional form of engagement. Today its conceptual elasticity is apparent in how basic sensibilities are constructed within its framework. Gone are the days when it made sense to speak only of state security. Today we speak of community and neighbourhood security, food security, social security, transport security, communications security, environmental and ecological security, human security, and so on.

One way to think about the discursive economy of security is to consider the difference, as Michel Foucault outlines in *Security, Territory,
Introduction

Population (2007), between sûreté and sécurité, which have generally been undifferentiated in English translation to “security.” Hobbes saw security primarily as sûreté, meaning that citizens gain security through the strength of the state. The security of the people is correlated, in other words, with a strong state. For Locke (1689), however, the security of citizens could not simply be collapsed into the security of the state. Citizen security, or sécurité, could be threatened by the powers of the state, its powers of sûreté.

Thus, housed within the developmental strains of liberal rationality, we find two distinct ideals of security – one connected to the sovereign legitimacy of the state and another meant to limit that power. Despite apparently conflicting tendencies, however, the two ideas have been accommodated within liberal political thought. Indeed, though much of Locke’s Second Treatise is devoted to the question of how state power ought to be limited, his critique was not meant to question the fundamental logic of sûreté. At issue was not the worthiness of sûreté, as his extended comments on the legitimacy of prerogative power attest. Nor did Locke question whether citizens do in fact gain a level of security from the state that they could not otherwise attain. Sûreté was, in fact, implicit in his vision of political order. What concerned him were its moments of excess, its scope, and its reach, not the legitimacy of its fundamental role in the liberal political order. The basic issue, therefore, is that the liberal conception of the political presupposes sovereignty such that social and political order cannot be disentangled from the security of the nation and its claim on a people.

The question of the appropriate scope and reach of sûreté is not an antiquated point but persists today in framing central aspects of the debate over the legitimacy of security and counter-terrorism measures. The main controversy at hand is whether the state’s powers of security protect or unwarrantedly encroach on the freedom of its citizens. In precisely Locke’s terms, it is not sûreté at issue but sécurité. For civil liberty and human rights advocates, taking up security policy on precisely these terms has an obvious practical necessity, not least because developments in security policy and practice often precede or circumvent legal regulations. Yet that which is to be subject to regulation is also much more than a straightforward question of rights. Controversy over sécurité casts our attention away from how the reduction of civil liberties is justified by proponents of the War on Terror not simply as necessary sacrifices for the sake of security but also on the ground that it will protect free “ways of life” (Johnson 2002). Rather than being counterpoised to freedom, security, Prime Minister Stephen Harper (2008) tells us, “ultimately
depends upon a respect for freedom, democracy, human rights and the rule of law. Where these values are imperiled, the safety and prosperity of all nations are imperiled.” The central justification for the War on Terror, indeed the “great story of our time,” is claimed to be “the advance of freedom.” As the logic goes, it is not the actions of Western governments and their multilayered security agencies that threaten freedom but those shadowy “enemies of freedom” (Bush 2006). Such rationales, and there are countless other similar articulations, illustrate that the justifications used for security measures sidestep the problem of retracting freedoms. Meanwhile, challenges on the basis of the negative freedoms of sécurité are mounted on the misguided understanding that the main problem with security is that it simply opposes and threatens civil liberties. Missed is the fact that the imperative of sûreté ensures that no such counter-posing equality between security and liberty actually exists. Hence, the title of this book – The Freedom of Security – is a response to the tendency to frame the problem at hand in terms of the “security of freedom” (Daniels, Macklem, and Roach 2001). Although sharing a similar critical spirit, this book takes a different view. The main problem explored is how logics and practices of security are embedded within and harness politics of freedom.

The Liberal Problematic of Security
This book begins from the premise that a clear inverse relationship between liberty and security makes sense only if one treats them as having no productive, positive value. Rather than being concepts that merely designate limits on action, security and liberty are generatively entangled with each other. As Isaiah Berlin (1969) argued, in his rather frustrated attempt to distinguish between “positive” and “negative” freedom, liberty is not simply a matter of leaving people alone to do what they wish but also concerns the ways in which people are expected to “realize” their freedom. In the name of justice, reason, or human betterment, positive liberty compels or coerces people “to become wiser, healthier, and more virtuous than they are” (Rose 1999, 67). Authorities of various kinds, in short, have been entrusted with the task of “making people free.” This point, though seemingly lost on many who wish to counter the Western security measures of our age, underpins much of what is said and done in the name of security. Since security measures are justified, not simply as detractors to freedom but also on the ground of protecting “free society,” to fully consider the significance of these measures requires that we think through the forms of freedom that they harness and advance. While not losing sight of the freedoms that are
curtailed by security practices – indeed, coercive powers are deeply connected to liberal practices of freedom as elaborated in the pages that follow – this study tries to push political analysis to examine those forms of freedom that are mobilized by these practices. The problem of the security-liberty relation can best be investigated critically by exposing those practices of security that are often rendered invisible when we assume that security functions simply as a Leviathanian imposition on freedom. It also requires moving beyond the framework of civil liberties to challenge security. In reconceptualizing the liberty-security power relation, there is a need to think more carefully about the possibility of non-collaboration with the contractual framework of liberal rule that generates it in the first place.

With this goal in view, the chapters that follow contextualize security measures not simply as infractions but also as broader mechanisms of governance in Canada. The concern here is that the relationship between freedom and security is not reducible to a legal question of rights but is a question of practices of governance. To analyze security practices from the perspective of governance is to consider those practices that shape, mobilize, and work through the choices, desires, and interests of individuals and groups. This idea recalls Foucault’s unique formulation of government as the “conduct of conduct” (2000a, 211). Rather than simply limiting freedom, government attempts to shape it. Governing takes place through freedom and therefore to some extent presupposes that the subjects to be governed are free, living, and thinking beings endowed with capacities that can be guided and developed. The question of government, therefore, is one that considers how the freedom of the governed is conceived of as “a technical means of securing the ends of government” (Dean 1999, 15). In doing so, the capacities of the governed are channelled into a field of potential actions.

This understanding of the relationship between security and freedom is tied intimately to a specific analysis of liberal modes of government. Rather than being simply a doctrine, liberalism denotes a particular ethos of governing. As Nikolas Rose argues, liberalism “seeks to avoid the twin dangers of governing too much and distorting or destroying the operation of the natural laws of those zones upon which good government depends – families, markets, society, personal autonomy and responsibility – and governing too little, and thus failing to establish the conditions of civility, order, productivity and national well-being which make limited government possible” (1999, 70).

Although liberalism, as above, is typically presented as a form of limited government, achieving this calibration of social governance has meant
that liberal states today demonstrate a historically unparalleled expansion of state power (Dean 2007, 100). Thus, contrary to popular assumptions, governing liberally is not so much about defending liberty against encroachment but involves rationalizing the proper and improper uses of liberty (Burchell 1996, 24). As an ethos of government, liberalism is tied to the promotion of “appropriate” expressions of freedom by attaching itself to desirable forms of social behaviour and social order. Yet, in doing so, the concern with freedom and, indeed, the commitment to freedom in the liberal problematic of government are conditional. Liberalism does not, in short, negate the use of coercion and oppression when exercises of liberty are regarded as improper.

There is, therefore, an integral role for the exercise of sovereign and coercive powers in the production and regulation of freedom. Much commentary on sovereign power in accounts of the War on Terror has been tied to a perspective on “the political” informed by the German political theorist and jurist Carl Schmitt and more contemporarily the Italian philosopher Giorgio Agamben, whose ideas on sovereignty and modern politics are deeply informed by those of Schmitt. Agamben’s philosophy, though notably progressive (unlike most of Schmitt’s ideas) and resonant with our times, offers a perspective on the political that at times is rather deterministic and terminal. References to sovereign exceptionalism inspired by Agamben are often seen as a stringent euphemism for political closure. Foucault, however, provides a nuanced account of the political that is purposefully attentive to resistance, strategy, and shifting relations of power. Although there are ways in which the political can be understood to be determined by the antagonism of the friend-enemy relation, as Schmitt proposes, the ways in which this antagonism is managed, modified, and susceptible to challenge are of interest in this study. Definitions of the political as radical antithesis, as Mitchell Dean argues, “need to be corrected by a framework that can discuss its government” (2007, 12).

Hence, the main theoretical framework of the manuscript is broadly oriented toward a Foucauldian understanding of liberal governance. This framework is useful for exploring how, contrary to popular understandings, liberalism is not simply a political theory that promotes certain values but also a modality of power that in essence can be “value free.” That is, liberalism is oriented more toward securing productive control over the energies of life than toward the tumultuous tendencies of fostering political liberty for its own sake. This may be somewhat of a departure from some Foucault-inspired analyses of governmentality that have been identified as normatively tied to liberalism (Dean 2007).
Indeed, though liberalism might be shaped powerfully by the ideas of peace and democracy, this should not obscure the extent to which liberal states have evinced a steady increase in military capabilities by which to wage war and have uniformly engaged in unprecedented levels of surveillance over their own populations as an integral feature of contemporary liberal government. Although Foucault’s work makes visible the dual character of liberal governance, it is the thoughts of Agamben (and Schmitt) that provide tools by which to analyze aspects of this apparent paradox at its extremes. In this respect, shifting mentalities of governing freedom in Canada must be placed up against the contingency of exercising sovereign and biopolitical powers in both their pacific and their violent manifestations.

What needs to be stressed, therefore, is that, though often mistakenly construed as antithetical to authoritarianism, coercion, and violence, liberal practice in fact has a long tradition of investing in forms of authoritarian rule. As Barry Hindess notes, practices of “unfreedom” have played an integral role “in the government of states committed to the maintenance and defense of individual liberty” (2001, 1). Oppressive and coercive measures enacted by liberal states – such as the policing of immigrant and racialized communities, the poor, the mentally ill, activists, and suspected criminals – are not so much evidence of “liberal hypocrisy” but are compatible with liberalism’s outward commitment to the promotion of liberty. Indeed, it was the work of John Stuart Mill (1862, 1869), and other liberal thinkers who rested their defence of liberty on an anthropological and developmental view of subjectivity (Mehta 1999), that held that only once the reign of human passions is overcome and subordinated to the “rational” faculties is an individual or group ready for freedom. Such a view posits the conditions for the independence of the individual from the state in terms of an “ethical despotism” that works as a means of dividing those who are seen to possess the individual character for rational action and responsibility from those who are seen to lack such competence or to have forfeited their right to liberty by misusing it (Valverde 1996). Thus, it is the belief in a capacity for autonomous action, rather than the existence of such characteristics or a belief that they must be defended at all costs, that uniquely defines the meaning of freedom according to liberal reason. Importantly, then, the goal of liberal modalities of unfreedom is freedom itself.

If exercises of unfreedom are carried out in the name of the greater good of freedom, then particular understandings of freedom can be and are put to work on behalf of the very national security objectives currently at the forefront of debates over the repression of civil liberties and
human rights within and by liberal states. This is the central concern of this book, which begins from the premise that liberal strategies of governance do not simply aim to guarantee liberty but also work to constitute it. The security measures that have been taken up in the current era of anti-terrorism are not, as some suggest, simply about removing freedoms. Rather, governing liberally requires the production of particular liberties (e.g., freedom of expression, mobility, freedom of the market, the right to own property, and so on) (Aradau 2005). But in requiring and producing it, liberty is managed, classified, and organized under the imperative of security. In contrast to the adoption of a normatively liberal perspective that treats security measures primarily as moments of illiberal compromise, I am interested in how liberal rationally are deeply complicit with practices of security. It is therefore precisely the liberal commitment to freedom that not only elides simplistic critiques of security measures by Western states as merely resulting in the retraction of freedom but also reveals how these retractions occur within a political framework that simultaneously claims and indeed justifies such measures under the pretense that their enactment will ultimately preserve free ways of life. According to this logic, liberal political order is at once preserved by the imperative of security and holds a self-aggrandizing claim to freedom. That liberty is generatively entangled with prevailing accounts of liberal political order, therefore, means that getting to the heart of what is at stake for freedom requires that we account not only for how freedoms are lost but also for how they are reframed by practices of counter-terrorism. It is precisely the obscene displays of power that mark the War on Terror that beckon us to interrogate how the shape and character of liberal freedom are informed by security not simply as a limit but also as a condition of possibility for what is, in the twenty-first century, superciliously asserted by its very architects to be the most advanced and liberated form of political organization known to humanity.

To counter this inaccurate and misleading assumption about liberal forms of political organization, new political strategies of opposition are needed. Required is some effort to escape and refuse the continuous recoding of politics within a contractual relation of rights that emerges from and is conditioned by the institutions of government. Even though it might always be necessary to insist on the legal regulation of security measures, more attention must be paid to the possibility of subverting the conditions in which conflicts between security and freedom are played out. Otherwise, we run the risk of misunderstanding the central function of national programs of security: not simply to suppress undesirable
behaviour but also to absorb unruly potentialities and transform them into conciliatory wills.

**Discourse and Method**

The concept of security has been stretched and reconfigured at the critical margins of the subdiscipline of security studies. Yet, with few exceptions (notably Campbell 1992; Dillon 1996), the authority of security has been assumed and reproduced much more than it has been genuinely interrogated. The central purpose of this book is to highlight some of the ways in which security has been intrinsically tied to governing through freedom. This orientation complicates the claim in security studies that, once an issue is accepted as a matter of security, security measures are primarily exercises of liberal detraction and necessity (Buzan, Wæver, and de Wilde 1998). It is skeptical of the view popularized by proponents of human security that the solution to social, political, and economic oppression can be found through the achievement of a proper balance between the interests of people and those of their states (Axworthy 1997, 2002). Additionally, it is unconvinced by the idea that national security and statist political authority can be overcome by reconceptualizing security as emancipation (Akler 2005; Booth 1991; Wyn Jones 1999, 2005). The perspective advanced here is that security is already discursively partnered with claims about human emancipation and empowerment. Although specific forms of freedom might be curtailed, governmental practices of security also promote certain forms of “suitable” freedom. They do not simply deny agency to groups and individuals but also attempt to structure that agency. Security strategies as one form of governmental rule, in short, harness a politic of freedom.

My intention is not to recuperate security as an objectively definable and valuable concept that warrants not simply analytical but also political investment. Although much has been made of the need to expand the definition of security, orienting it toward human-focused problems, security is not rendered the goal of politics but, by these accounts, marks its absence. Where security is redefined by human security proponents in terms of complex crisis, it is often designated to be a “prepolitical” humanitarian endeavour. Where security is formulated in terms of emancipation, it becomes a universal enterprise to raise societies “above” the struggle over political power. And where security is conceived of simply as a process of securitization, it becomes a space of exception “beyond” politics and is thus overdetermined as an objectively separate realm of activity from other areas of political life.
Taken together, the respective investments of these approaches are part and parcel of what Jacques Derrida described as Western metaphysical preoccupation with grasping the “transcendental signified,” involving a perpetual “series of substitutions of centre for centre” (1978, 297). Whether seeking to expand or retract the domain of what counts as security, their main achievement is the territorialization of theory by exchanging one authoritative claim for another (Der Derian 1995). This is not to suggest that critiques of knowledge are necessarily more valuable than the production of positive knowledge. Rather, it is an empirical claim that intellectual practices that seek to reformulate security as an identifiable or singular “thing” – especially as an “end” to be attained or as a condition that one moves issues in and out of – require a degree of instrumentalist deliberation, usually among people who are not themselves enmeshed within the security issue in question. Part of the problem with ongoing academic and policy debates about what should be seen as a security threat and what should be seen as a mere problem is that such endeavours risk becoming starkly technical, with remarkably little to do with the actual struggles in which people are engaged (Krause and Williams 1997, 35).

The intellectual enterprise of sorting through issues in the hope of determining which ought to be elevated to the level of security, or speculating about which issues might be tenable security claims and systematically charting their formation into security issues, rehearses the familiar positivist vantage in which “threats” and “vulnerabilities” are regarded as objectively definable social facts. And in ascribing to them the status of social fact, responses through some form of defensive if not also offensive action become justifiable. Threats, as the logic goes, simply “exist somewhere ‘out there’ and are dangerous by their very nature” (Grayson 2003, 337). Yet, as David Campbell has aptly shown, the designation of danger is always an interpretive act; it “bears no essential, necessary, or unproblematic relation to the action or event from which it is said to derive” (1992, 2). Consequently, participating in the designation of threats and vulnerabilities, from the perspective of theory, abstracts security by presenting it as an apolitical and technical matter that simply requires successful identification and technical response.

The method of analysis that I adopt does not take security for granted. Rather, it strives to de-authorize security by viewing it as a practice, a technique for asserting authority, rather than as an end or a condition to be achieved. Admittedly, it is difficult to avoid reifying any concept under analysis to some extent, but focusing on security as a practice, on
Introduction

the means and the techniques used to further it, is a considerable move away from abstraction. In the chapters that follow, I investigate claims and practices carried out in the name of security to question how they are used to mobilize certain actions while precluding others. I do this with a view to the logic of legitimation that security practices harness, attendant to the effects that these practices produce in the world. Current security practices are contextualized as knowledges that animate processes of nation building, colonialism, racism, and xenophobia while harnessing often earnest institutional arrangements and long-established narratives that enunciate the values of protection, prosperity, and freedom. In the place of viewing these values and practices as opposing, the book is attentive to how they are co-constitutive in time and space.

The book thus moves away from authorizing security in three specific ways. First, though recognizing the pervasiveness of security practices – indeed investigating this pervasiveness – I do not call for the widening or broadening of the concept of security as proposed by much human security literature. Second, my purpose is not to advocate for the reformulation of security as the solution to the problem of oppression and inequality. Third, I argue against the exceptional status typically afforded to security practices.

Highlighting these issues involves making other, somewhat parallel, assumptions to those outlined above to think through how security mobilizes forms of freedom. The first assumption is that, rather than viewing security as the solution to the problem of insecurity, I treat security as intimately linked to the production and image of insecurity. Security is a powerfully contradictory idea. This contradiction, what we might call security’s aporia (Bubandt 2005), is a consequence of how security is never only about identifying sources of threat but also about continually manufacturing threat. Security maintains meaning and currency, not because it identifies and responds to objectively definable threats, but because it shapes sensibilities. Security tells us, with a high degree of authority, what reasonable and appropriate courses of action are. In doing so, it also “inserts constant doubt into the very project of making life ‘secure’ by making oblique and constant reference to the idea of insecurity” (Bubandt 2005, 280). The paradox here is that, for security to retain meaning and currency, the production of the image of insecurity is required. Security functions, in other words, as a tautology of onto-political crisis, gaining currency from ongoing images of emergency and disorder that must be met with continual attention and intervention. As Didier Bigo (2002) has argued, security’s circular logic can be seen in the way in which security professionals are never simply
solvers of or responders to objectively present security problems but “managers of unease”; the legitimacy and sustainability of their craft depend on identifying problems as security problems.

The second assumption is that, rather than being “above politics,” security is a deeply political practice. Specifically, I analyze it as a technique of governance. Rather than marking the end, or the suspension, of politics, security is viewed here as a particular way of doing politics involving powerful claims about order, time, and importance. Security arguments rest on appeals to urgency and precedence designed to trump other claims and interests. Therefore, though security politics are often thought about as depoliticizing problems precisely by harnessing claims about primacy and exigency, they work more accurately as political strategies for governing populations. Claims about security set up a terrain of possibility that, to put it in Foucauldian terms, conducts conduct, shaping how people both understand and exercise their agency. This contention is connected to a deeper interest in exploring how the relationship between security and freedom structures accounts of “the political.” Security is thus a spatial practice that attempts to construct non-political spheres of activity from spaces in which political disagreement and oversight are valued. Though security is surely not above politics, as much conventional IR theory holds, claims about security often work to avoid or delegitimize political accountability. Claims about security are often accompanied by assertions that security issues cannot be subject to disclosure or open political debate.

The third and most central assumption, which feeds into the above two, is that security is already discursively aligned with human emancipation and freedom. That is, claims about human freedom are themselves the purported objectives of domestic and foreign policy specialists and many interstate organizations that work under the auspices of national and international security. Practices of security are not simply deployed for the purposes of protecting states but also are said to protect the freedom of everyone. Security, it is alleged, safeguards the freedom of people at “home,” while also “advancing” the emancipation of distant peoples abroad. Rather than viewing contemporary security practices as simply illiberal measures, or as measures whose real intentions are simply cloaked by rhetorical ruse, I argue that they can be most usefully understood as aspects of liberal practice. The alignment of security with the protection and advancement of freedom is not, therefore, a contradiction so much as it is a comment on the development of liberal forms of freedom. Rather than needing to widen or deepen security to account for the well-being of human populations and humanity in general, there
are substantive ways in which security has already been widened and deepened precisely because it is tied, intimately, to the governance of freedom.

These assumptions rest on a conception of security as a productive rather than merely a constraining idea. And, instead of treating security as an end to be achieved, I view it here as a practical form of power. Although research on the threats to freedom posed by new security arrangements has been overwhelmingly focused on finding a proper “balance” between security and freedom, this book details some of the ways in which Canada’s security practices seek to harness freedom while targeting marginalized and racialized groups. In this respect, this study is a contribution to a growing literature in international and security studies that connects the politics of security to liberal practices of governance (Bigo and Tsoukala 2008; Dillon and Reid 2009; Grayson 2008; Neal 2009; Neocleous 2008; Reid 2006). The chapters that follow problematize Canadian security practices and highlight how these practices are deeply invested in the politics of liberal freedom – politics that are not simply altruistically or universally “good” but also implicated in particular interests and asymmetrical power relations that need to be called into question.

In contributing to critical perspectives on the politics of security, this book asks how Canadian security practices are made possible by departing from the usual framing of security problematics that seek to identify threats and propose “appropriate” ways to respond to those threats. Such problematics are oriented on the one hand toward explaining causes of security problems and are oriented on the other toward problem solving (Cox 1986). Explanatory and problem-solving approaches regard the world in positivist terms as an objective reality that exists “out there” and simply requires more careful explanation to make it run more smoothly. They take for granted, in effect, the very problems that this book interrogates. In departing from a positivist methodology, I follow David Campbell’s proposition for an “ethos of political criticism,” which attempts to intervene in established modes of thought by questioning how they get constructed and put into place, what they foreclose, and what their effects may be. An ethos of political criticism seeks to “untie what appears to be sewn up, and render as produced that which claims to be naturally emergent” (1998, 4).

I exercise this ethos by broadly viewing Canadian security practices as truth claims. For instance, I consider how claims about threats to Canada are mobilized through reference to Canadian “values.” These “values” are drawn on to structure responses to insecurity and to obscure
the violence and marginalization on which counter-terrorism policies rely. Yet, rather than attempting to formulate a general set of principles, this book is oriented toward producing a form of criticism that calls into question what is taken for granted and highlights what falls outside the radar of common perceptibility by traditional, positivist analytics.

This commitment to political criticism also involves formulating questions not only in terms of “why” but also and specifically in terms of “how.” With this framing, I consider why certain security practices occur and how they occur: that is, what their conditions of possibility are. In examining how security practices are effected, I focus on the role of discourse. As a “system of statements in which each individual statement makes sense,” a discourse, argues Roxanne Doty, “produces interpretive possibilities by making it virtually impossible to think outside of it” (1993, 302; also see Milliken 1999). Discourse analysis is not simply concerned with “studying words” or rhetoric (though this may be involved) but also examines representations of the world and how these representations became possible. It asks which sensibilities, under-interrogated beliefs, or claims to history are necessarily invoked to create particular discursive representations.

In *The Archaeology of Knowledge and the Discourse on Language*, Foucault distinguishes between language and discursive analysis, showing how the questions that they lead us to ask are different. Although analysis of language tends to focus on the rules on which various statements of similar form could be made, analysis of discourse asks “how is it that one particular statement appeared rather than another?” (1972, 27). The point here is that, in offering up particular representations, discourses have effects because other possible representations that might lead to different actions or to a questioning of taken-for-granted sensibilities are precluded. Discourses thereby function not only to represent the real but also to constitute it:

[D]iscursive relations are at the limit of discourse: they offer it objects of which it can speak, or rather they determine the group of relations that discourse must establish in order to speak of this or that object, in order to deal with them, name them, analyse them, classify them, et cetera. These relations characterise not the language used by discourse, nor the circumstances in which it is deployed, but discourse itself is a practice. (46)

Just as discourse is a practice, so too is discourse analysis. It is a form of political analysis that offers up the possibility of thinking differently, or...
at least more deeply, about chosen courses of action. In highlighting, exposing, and questioning those (representational) practices that are treated as obvious, natural, or non-political, discourse analysis encourages sites of agency for change. It is one means by which relations of power and the “concrete and significant material effects” (Weldes et al. 1999, 16-17) that they engender are exposed and called to account.

Yet, the concern with discourses is also connected to the analysis of “apparatuses” that is important to this book’s focus on the manifest institutional and discursive practices of national security in Canada. In this context, apparatuses of security refer to an overlapping network of regulatory, legal, administrative, and institutional measures, including their expressed scientific, moral, and philosophical rationales, that purport to respond to a crisis situation (yet are also inescapably woven into mundane life) (Agamben 2009; Foucault 1980, 196). I use the term “apparatus” to signify both the material formation of specific institutional forms and the elements that create a particular rationality or coordinate knowledge in a particular direction – in this case, knowledge about the existence of, prevention of, and response to terrorism and other “catastrophic” dangers. To think in terms of apparatuses is something of a departure from discourse analysis yet remains tied to analyzing forms of signification. From the creation and augmentation of policies and directives for the governance of borders and mobility, the incrimination of suspects, and the waging of war, the book examines apparatuses of security in their overlapping institutional and discursive manifestations.

**Beginning Points: Governing Freedom through Security**

As states such as Canada produce policies and devise strategies to address terrorism and global insecurity, it is more incumbent on us than ever before to hold them to account, to critically interrogate the ways in which these measures have been justified, and to query how the problems to which they claim to respond have been framed. On which specific strategies, identity constructions, and historical narratives do security measures rely? How do they not simply oppose freedom but also harness it? Which political implications does Canada’s security regime hold for the character and location of political freedom? These questions are important because, though security measures have been met with forceful challenges in the courts, on the streets, and in scholarship, analyses of the subject remain committed to a limited interpretation of what is at stake for freedom and democracy in Canada’s War on Terror. The prevailing criticism of Canada’s participation in this era of indeterminate
war has tended to present security measures as simply denoting a retraction of freedoms, as a departure from liberal governance. I take the contrary view that security practices are integral to liberal strategies of governance. These practices are especially integral to liberal strategies of governing through freedom.

To demonstrate this argument, I analyze in the chapters that follow a series of policy moments in Canada by drawing on a multidisciplinary set of intellectual resources. I combine empirical data with interpretive approaches of social and political theory. The range of sources I consult is considerable and interdisciplinary: government policy documents, speeches, public communiqués, and interviews with policy specialists. I also draw on the reports of activist and civil liberty organizations and the stories of people who have been directly affected by Canadian security practices. I engage with academic literature in IR and security studies as well as with philosophy and social and political theory. Although this book is focused on government practice, it is meant not to privilege the voices of state leaders and security specialists, as has often been the case in security studies scholarship, but to critically investigate these knowledges. Institutional discourses are regarded not as rhetorical devices but as integral components of the workings of government. The emphasis is less on institutions as stable “things” and more on shifting meanings of and rationales for the practice of governing. Although Canada is a central feature in this book, I encounter it not from the standpoint of the juridical edifice of sovereignty but from the fractured and petty sovereignties that give rise to material operations of power.

Chapter 1 begins an analysis of apparatuses of security in Canada in the post-9/11 period. Recently designed security practices, I suggest, are mobilized through discourses and institutional forms that draw on the principle of precautionary risk management. I argue that Canada’s security practices, rather than functioning only to deny civil liberties in light of national security, enlist community and civilian agency in the management of threats in concrete ways. Although the efforts to constrain the mobility rights of many people and subject the population to unprecedented screening, surveillance, and identity management are remarkable, I analyze them in relation to how national security practices also promote these infractions as correlative to rational action, entrepreneurial agency, and community cohesion.

Chapter 2 moves the investigation to the “internal enemy” ensnared in Canada’s Immigration and Refugee Protection Act’s security certificate program. The chapter explores the politics of detainment and subjection of foreign nationals who are suspected terrorists or aides of terrorism.
to special juridical procedures. I argue that, though a discursive immigration-terrorism nexus motivates a politics of exception, the security certificate program cannot be straightforwardly captured by theories of the “state of exception.” Rather, Canada’s security certificate program exists within a terrain of contestation over legal rights in which criticism, resistance, and challenge on “normal” legal grounds take place. The Supreme Court of Canada’s quashing of the program, which gave the government time to rewrite the legislation, though appearing at first glance to be a victory for civil liberties, actually affixes and legitimates special legal rules for non-citizens suspected of terrorism-related offences on the very ground of constitutional, indeed liberal, freedom. In other words, a politics of exception is mobilized within rather than without the framework of liberal government. The revised security certificate legislation is a testament to this outcome.

Taking the analysis of Canada’s security program to the international level, Chapter 3 considers Canada’s participation in the military intervention, governance, and reconstruction of Afghanistan under the NATO International Security Assistance Force and the US mission Operation Enduring Freedom. I consider how the operation is duly tied to presenting Afghanistan as a space of humanitarian crisis and strategic danger. The first representation is rooted in a long history of humanitarian aspiration, which encounters Afghanistan as a space of underdeveloped “lack,” requiring Western guidance, values, and aid. In regarding Afghanistan as a strategic source of danger to the West, the second representation mobilizes military force in the name of protecting Western freedom. Rather than treating these two aspects of the mission as competing objectives, as many aid and humanitarian agencies would hold, I suggest that, on both fronts, the mission governs the transformation of Afghanistan as a whole through the merger of security and development. It renders the freedom of Afghans contingent on social transformation. The merger of security and development, I argue, is an effort to produce subjects who can be “entrusted” with liberal freedom.

Chapter 4 explores how sovereign power not only works through a security imperative but also monopolizes the meaning and location of political freedom. I examine the role of Canada’s security agencies in the case of Abdullah Almalki, a Canadian citizen who was detained, interrogated, and tortured in Syria’s Far Falestin detention centre for almost two years. Throughout his ordeal, his rights were, on the one hand, effectively ignored and revoked by proxy yet, on the other, strangely upheld and asserted by Canadian security officials. This ambiguous relationship
of Canada to his rights serves as a powerful alibi for Canadian culpability, leaving the issue of responsibility at the level of particular officials rather than calling into question the role of sovereign violence in liberal technologies of security. His experience brings into sharp focus how the mutually affirmative relationship between security and freedom is such that sovereign violence cannot be exposed and unseated through channels that attempt to use liberal freedoms to hold the state accountable. It is the very complicity of the state apparatus with violent dehumanization that calls on us to eschew, rather than objectify, the model of Leviathan in the analysis of security as a form of power. Adopting an orientation to politics that refuses the terms on which sovereignty rests is needed if we are to move toward relations of freedom that are not encoded with the security imperatives of sovereign power.

This book demonstrates specific ways in which distinctions between the internal and the external – that is, between internal and external sources of threat and spaces of action – have collapsed in the Western imaginary. But the analysis advanced cannot be read as a theory of the Canadian state, not least because, while the text conducts a critical investigation of the security architecture of Canada, it does not encounter the state as a unitary, predefined entity. The analysis, rather, is carried out at the level of the material operations of power, the instances of subjection, and the techniques of control in specific locales. Although all the talk of security these days focuses on situations of coercive and totalitarian control, I am more interested in exploring how alongside these very contexts – behind the bars of immigration detention, in the clutches of discretionary sovereignties at the Canada-US border, on the battlefield in Afghanistan, and in the torture chambers of Syria – we find that there are also power relations that operate within the context of and through freedom. It is worth asking, in other words, how security is not separate from the administrative mechanisms that govern populations as formally free subjects but very much a part of what makes governing “at a distance” an option at all.

The purpose of engaging security as practices of governance carries a political desire to forge an analysis of how individual and group conduct intersects with national policy and power. Canada’s security practices are not simply imposed but also authorized and positively affirmed by how people enact their freedom. Rather than regarding security as the expression of a centralized administration, I understand the state as a governmentalized entity comprising multiple actors, agencies, and tensions. Security practices, in short, function as ongoing problematizations
of how best to govern Canada in the War on Terror. They are not simply expressions of *raison d'état* but also terrains of contestation and negotiation that generate a broader politics of “life,” including counter-demands around that life.
1
Opting In: Precautionary Engagement as National Security Strategy

Canada can choose to ignore terrorism, but terrorism will not ignore Canada ... Our new government is prepared to act, and the measures announced today will better secure Canada and help protect the Canadian way of life.

– Prime Minister Stephen Harper, 16 June 2006

From the government’s perspective, it is through risk management that you solve the riddle of security and efficiency. Risk management can ensure the highest degree of both ... [S]ecurity and the economy are not competing objectives; they are and need to be mutually reinforcing objectives, and the elixir is risk management.

– senior government official, 18 August 2005

In May 2006, marking the eleventh annual Emergency Preparedness Week, the Canadian government, in partnership with the Canadian Red Cross, St. John Ambulance, and the Salvation Army, initiated a public education campaign entitled “72 Hours ... Is Your Family Prepared?” Each year since then, the annual campaign is launched as an effort to improve “individual preparedness” by showing Canadians how to prepare for and respond to an emergency for a minimum of seventy-two hours under the motto that “emergency preparedness begins at home.” The campaign advises people to prepare and store emergency food, first aid amenities, clothing, tools, and other supplies and to devise their own family action plan for emergency management. Citizens are counselled to know the risks in order to respond appropriately.
to particular emergencies, including natural disasters such as floods, wildfire, and hurricanes, and other “hazards” such as pandemics, industrial accidents, bomb threats, suspicious packages, nuclear emergencies, and so on. In the event of a bomb, for example, citizens are told to “stay calm” and note important information that might identify the assailant, such as “unique features about the voice” such as a “distinctive accent” or if the voice seems to be disguised, muffled, or “strange-sounding.” In the case of suspicious packages, citizens are asked to “look for things that are out of the ordinary, such as unexpected mail from a foreign country,” protruding wires, a strange smell, “excessive” postage, misspelled words, or poor typing or handwriting.²

Accompanying the campaign, then Minister of Public Safety Canada Stockwell Day tabled the Emergency Management Act in Parliament, which came into effect a year later (Public Safety Canada 2007b). The purpose of the new act, he explained, is to “strengthen the readiness posture of the Government of Canada to prepare for, mitigate the impact of, and respond to all hazards in Canada ... recogniz[ing] that emergency management in an evolving risk environment requires a collective and concerted approach.” The new act is uniquely designed to bring into the fold of emergency management all levels of government, the private sector, and non-governmental organizations (NGOs), reflecting a “comprehensive approach” that recognizes that emergency preparedness is a “shared responsibility” in which “everyone has an important role to play” (Public Safety Canada 2006a). As Day made clear, the spectrum of emergency preparedness extends from coordination and collaboration across government jurisdictions to the active involvement of each citizen.

At first glance, these emergency preparedness initiatives appear to be rather unremarkable, simply a way to let citizens know that the government cares for their safety and that they too have a responsibility to take precautionary measures. Certainly, collaboration among levels of government alongside the promotion of individual responsibility was part of the “civil defence” campaigns of the Cold War days, when warning advertisements and public education campaigns, now comically referred to as “duck and cover,”³ alerted the public and counselled responses to nuclear detonation. Yet, while the emergency concerns of the Cold War era revolved largely around one type of threat, the scope of emergency management today is much more extensive. It seeks to prepare the Canadian population for a multiplicity of dangers, many of which are cursorily identifiable yet said to require an especially deep and robust level of precautionary action.
In fact, precautionary action to minimize risks and respond to emergencies today signifies much more than one slogan, campaign, or piece of legislation. It is the principle around which Canada’s national security strategy has been reformulated in the wake of the 9/11 attacks on New York and Washington. Although fear of terrorism is the unparalleled focus of this strategy, it is also tied to a much broader concern with a range of possible threats, an “all hazards approach” (Anonymous 2005, 15 November) in which security is linked in unprecedented ways to the social infrastructure, and indeed interaction, which support and organize daily life. Precautionary action signifies the central stake of “life” in politics, involving what Michel Foucault (1990) described as the process of subjectivization, which distinguishes the modern West from its ancient form, involving the individual’s own objectification of herself as an individual agent, wedded to a power of external authority.

This chapter examines Canada’s national security architecture as a biopolitical strategization of power. Biopolitics is a form of power principally concerned with the management of biological life. Biopolitics concerns matters of life and death, illness and health, which consequently means that social, cultural, economic, and environmental factors, including housing, the family, and living and working conditions, are all potentially biopolitical concerns. As Mitchell Dean puts it with remarkable clarity, biopolitics is “concerned with the biosphere in which humans dwell” (1999, 99).

The emergence of biopolitics as it concerns state practices toward the optimization of life has meant that the problem of how best to govern has been posed not only as effecting ultimate dominion over a sovereign territory but increasingly as yielding productive services from the citizenry. According to Foucault, “reason of state” is no longer confined to the will of the prince but is “government in accordance with the state’s strength,” which includes the “ends-means” instrumental rationality associated with state survival in a competitive international system, conjoined with the observance of what is governed and how government might improve or enhance the qualities of a population (Gordon 1991, 9-10). Following from Foucault’s analysis of Western modernity in terms of biopolitics, my focus on security is concerned less with examining the Canadian state’s capacity for military action and territorial defence and more with highlighting how the politics of security are organized around the management of the population and the promotion of suitable forms of life to the exclusion of other forms.

My focus is on how Canada’s national security practices are mobilized through discourses and institutional practices that take elusive risks to
the freedom, health, and safety of the population as an opportunity for precautionary action and are made possible by converging the actions of state and health professionals, commercial industry, border control, and intelligence collection and management with the capacities (and deficiencies) of citizens. This chapter details not only how the national security strategy constrains the mobility rights of many people and subjects the population of Canada to unprecedented screening, surveillance, and identity management but also how its success in doing so depends on promoting these infractions as correlative to rational action, individual agency, and community cohesion. Protecting the well-being of the population, I suggest, is about more than state action; it is about cultivating a sense of responsibility and positive engagement in the management of threats. Thus, though it is important to be attentive to the way in which Canada’s security architecture intensifies policing and casts immigrants and racialized communities as objects of suspicion, equally at stake is a depoliticization of these exclusionary practices through the promotion of specialized and often hierarchical forms of inclusion, tied to risk-managing threats.

In analyzing Canada’s security strategy as a dual process of imposition on and promotion of freedom, I begin by framing the discussion around theories of risk management and Foucault’s ideas on biopolitics, showing how Canada manages its population under the principle of precaution. As shown in section three, the biopolitics of risk management involves specific exercises in knowledge collection and identity management that subject the population to forms of surveillance while effectively criminalizing migration and foreignness. Yet, simultaneous to these processes of exclusion and rights infractions is another process of inclusion and rights promotion. These dual processes are the subject of sections four and five. I consider how “Canadian values” figure in the national security strategy both as a disciplinary technique and as an invitation to marginalized populations to partake in the management of threats – threats that purportedly reside within their own communities. Finally, I examine the relationship between security and prosperity as a particular way of managing the border, one that mobilizes various “opt-in” surveillance programs that produce, alongside the “high-risk” interdicted traveller, the “trusted” traveller who has become the benefactor of expedient, hassle-free transit. Although the border represents a locus of anxiety and internment for many, it is seamlessly conditioned by free activity and movement for what are deemed to be legitimate forms of economic enterprise and affluent travel.
Risk Management

The emergency preparedness initiatives outlined at the beginning of this chapter grew out of a set of institutional developments that began at the close of 2003. The passing of the Anti-Terrorism Act in 2001 set the political foreground for what have proven to be dramatic, yet poorly understood, restructuring and expansion of Canada’s security architecture. Institutionally, focused measures tied to counter-terrorism, but also encompassing broader emergencies, began with the creation of Public Safety Canada (originally named the Department of Public Safety and Emergency Preparedness) and the introduction of Canada’s first-ever national security policy. The idea was to develop a national policy on matters of national security broadly conceived alongside an institutional framework that would oversee the work of a range of security and intelligence bodies that formerly worked more independently.

Public Safety Canada is responsible for emergency management and the coordination of emergency response across levels of government, first responders, community organizations, elements of the private sector, and, at times, other nations. It exercises significant authority over border control, crime management, intelligence, and federal policing and is responsible for a whole gamut of agencies: Canadian Border Services Agency (CBSA), also created in late 2003, as well as Canadian Security Intelligence Service (CSIS), Correctional Service Canada (CSC), National Parole Board (NPB), and Royal Canadian Mounted Police (RCMP). Public Safety Canada’s mandate “to keep Canadians safe from a range of risks such as natural disasters, crime and terrorism” is purposefully vast (Public Safety Canada 2007, 10 July). It represents a rethinking of national security in Canada as a problem that should not be restricted to the Cold War preoccupation with threats posed by other states but must account for a range of non-state threats, both natural and human created. It evinces a concern that national security is not simply a military dilemma confined to questions of state power but a socio-political matter concerning society and population.

This new thinking was expressed most coherently with the release of Canada’s first national security policy, Securing an Open Society (PCO 2004), and the subsequent Securing an Open Society: One Year Later (PCO 2005) progress report. The breadth of the strategy set out in the national security policy responds to an “increasingly complex and dangerous threat environment” (PCO 2004, viii). It proposes to address apparent “security gaps,” but on more careful inspection it is clear that not really gaps as much as private, national, and international spheres are posited
as interconnected security zones. The strategy outlines a framework for action to address three central national security interests: “Protecting Canada and Canadians at home and abroad”; “[e]nsuring Canada is not a base for threats to Canada’s allies”; and “[c]ontributing to international security” (PCO 2004, vii). In its restrained moments, the strategy asserts Canada as an agent of the War on Terror, highlighting a purported need for North Atlantic powers to tighten control of their borders and to formulate a collaborative line of prevention of and response to possible threats. In its more totalizing moments, it conveys a sense that the threats to be overcome are colossal, potentially catastrophic, and imminent.

In an important respect, these goals recall Ulrich Beck’s (1999) thesis on “world risk society” to explicate how modern societies have entered an era in which there are uncontrollable and unpredictable threats that cannot be insured against. For Beck, recent attention to the heightened danger of terrorism confirmed his view that terrorism presents another sign that risks today are “beyond rational calculation” (2002, 43). Following from Beck, risk analysis has become a powerful strategy for re-thinking security in the subdiscipline of security studies (Griner 2002; Heng 2002; Rasmussen 2001, 2004). Additionally, the concept of “securitization” has been usefully augmented by risk analysis to account for the repertoire of practices used by security professionals in the production and management of unease (Bigo 2002).

Most recently, however, Beck’s theory has been criticized for its emphasis on describing risk society as denoting dangers beyond rational calculation. The mobilization of security practices in terms of risk management, argue Aradau and van Munster, is indebted to “an insatiable quest for knowledge” that includes forms of intelligence and surveillance, population profiling, and emergency plans for prevention and response (2007, 91). Foucault’s idea of dispositif or “apparatus” – an ensemble of relations between “discourses, institutions, architectural forms, regulatory decisions, laws, administrative measures, scientific statements, and philosophic, moral and philanthropic propositions – in short the said as much as the unsaid,” with the principal function being to respond to an “urgent need” [1980, 194-95] – becomes especially relevant here. Apparatus highlights how institutional programs both justify and mask various other practices – often mundane practices endemic to their operation – through the principle of precaution. Mobilized is a diverse “assemblage of discursive and material elements” to take precautions against catastrophic risks, including but also surpassing anti-terrorism activities (Aradau and van Munster 2007, 91). Indeed, at work here are not simply recognizable emergency practices but also broad and routine
efforts to “know” the population in general. Risk as apparatus can thus account for the governance of wide-ranging social problems managed in terms of their catastrophic potential, involving the search for and collection of knowledge for prevention: for instance, preventative arrests and detentions, as analyzed in Chapter 2 and as the focus here, are precautionary actions through efforts to know the population and engage it in the management of its risk potential.

**Biopolitics and Population**

For some time now, risk management has come to unequivocally serve as the approach to national security in Canada (Anonymous 2005, 18 August; CBSA 2007, 20 August; Public Safety Canada 2007, 10 July). Hence, the central concerns of both the national security policy and the mandate of Public Safety Canada are articulated in terms of knowing the risks to the health and safety of the Canadian population. This framing sits in contrast to the traditional association of security with the state, involving little tangible reference to the security of its inhabitants. Today, these inhabitants have become the central focus of Canada’s domestic security agenda. It is founded on posing security in terms of public safety, including reliance on discourses of public health and critical infrastructure designed to protect life (Bell 2006b). Treating the population as the primary object of national security points to a particular rendering of security, articulated most succinctly in the declaration that the Canadian government recognizes no higher obligation than to ensure the well-being of its citizens and that the criteria for what constitutes a security concern encompass “events and circumstances that generally require a national response” (PCO 2004, vii). Public Safety Canada equally charts this linguistic ambiguity in its mandate to “keep Canadians safe from a range of risks such as natural disasters, crime and terrorism” (2007, 10 July).

This orientation to security is also evident in how occurrences unlikely to directly compromise the territorial or legal status of the state, such as pandemics, unexpected natural disasters, and critical infrastructure breakdowns, are nevertheless regarded as explicit *security* risks. Other identified threats – such as terrorism, bombs, or foreign espionage, which resemble more traditional threats to sovereignty – are framed as threats to the well-being and prosperity of the population. Thus, though national security has overwhelmingly been associated with the survival of the state in the face of threats from other states in a supposedly anarchical world composed purely of states (Campbell 1998, 53-60; Krause and Williams 1996, 230-33), Canada’s approach to security signals an
important shift from a narrow concern with national sovereignty and territory to thinking about security in terms of “population.” This is not to suggest that sovereignty and traditional raison d’état practices are irrelevant; rather, it points to how they are entwined with a population-focused, indeed biological, concern in the very arena in which classical sovereign authority and raison d’état historically reigned. Below I turn to Foucault’s work on biopolitics to frame how state power is directed toward, and articulated in terms of, the health and safety of populations.

According to Foucault, since the seventeenth century, Western societies have been shaped by “biopower.” In contrast to the classical theory of sovereignty, which saw the state’s involvement in human affairs limited to non-intervention in life or putting to death, biopower saw the “acquisition of power over man insofar as man is a living being,” signifying the emergence of state control over biological life (2003, 239-40). Biopower is distinct from classical sovereignty in emphasizing life rather than the ability to invoke death. Biopower problematizes life in relation to political obligation, representing a reversal of the classical sovereign maxim, from the power to “let live” and “make die” to the power to “make live” and “let die” (2003, 241). We might think of this transformation in sovereign power as a transition from an economy of death to an economy of life. Rather than being focused on the capacity to kill, the modern project of sovereignty is organized around the regulation of life. According to Foucault, this moment of reversal (from letting live and taking life to making live and letting die) signals the threshold of the modern era, when a society’s political strategies are wagered on the bodies and lives of a species (1990, 143). Natural life has become central to the mechanisms and calculations of state power, signalling a passage from the “territorial” state to the state of “population,” notes Giorgio Agamben, whereby the bare life of the nation becomes a problem of sovereign power, eventually transforming into a “government of men” (1998, 3).

The development of political life in liberal, capitalist societies has involved the increasing mobilization of political authority in terms of risks to the vitality of the population. Meeting such an objective, to borrow from Nikolas Rose, requires a “nationally organized and politically directed programme to improve the quality of the national stock and eliminate taints or weaknesses that might threaten it,” such that the care and protection of life become tied to the purging of those seen to constitute a threat to the whole (2001, 2). Such rationality posits the health of individuals in terms of the fitness of national populations, drawing them into competitive interstate projects. The development of