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# THE EFFECTS OF INVASIVE BORDER SECURITY POLICIES ON VULNERABLE COMMUNITIES TODAY

Salena Halbouni

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THE EFFECTS OF INVASIVE BORDER SECURITY POLICIES ON VULNERABLE  
COMMUNITIES TODAY

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## INTRODUCTION

The collapse of the twin towers on 9/11 was a shared loss by those in the United States and in the Middle East. While the world grieved over the loss of innocent lives, those in the Middle East immediately became suspects and targets of both Islamophobia and terrorism. The catastrophic event is known to have been the beginning of a revolutionized ideological battle formally known as the war on terror. This was a time in history when society was experiencing an intense political climate, and an immense amount of grief and fear. Such acts were perpetrated by the terrorist organization Al-Qaeda on September 11, 2001. This date is recognized to mark the beginning of the new socio-political climate that still characterizes both domestic and international politics. This event will be recorded as having revolutionized policies, norms, and practices related to combatting the war on terror.

Such heinous acts are remembered today to have instilled fear within individuals both domestically in North America, and abroad in the Middle East. In turn, this fear has been manipulated by the Bush administration to further propagate the political agenda during its tenure. The effects continue to disseminate through residual practices, and policies initiated by the Bush administration. During times of unstable and intense political climates, those in office have the ability to justify invasive policies and practices in the name of defending, and protecting the American homeland. Furthermore, it is crucial to recognize that such policies and practices are victimizing the vulnerable and innocent. Consequently, there should be safeguards implemented towards protecting individuals

most susceptible to scrutiny by unfair, and often discriminatory practices. Within legal practice, safeguards are restraints utilized to protect and defend vulnerable populations.

The fall of the twin towers has created a demand for the government to push tougher laws, policies, and regulations when it comes to border security, as well as everyday life. This can be seen in some of the most controversial policies introduced by both Canadian and American governments:

- No Fly List (Canadian)
- Bill C-51 (Canadian)
- Anti-Terrorism Act (Canadian)
- The Patriot Act (American)
- PRISM (NSA surveillance program)

The practices listed above are few of the many ways the government administration describes their attempt to protect civilians through prevention methods. Understanding the role counterterrorism policies have upon society is important to analyze, and better understand, its effects on individuals both nationally and internationally. In this literature view, the objective is to investigate the role and effect that policies can have upon communities, as well as the consequences of subjecting an individual against their rights, and freedoms through the invasive security practices. I will explore scholarship from theory, security and surveillance, border security, to the war on terror. Furthermore, the literature review will also discuss the ways in which policies can further victimize and marginalize vulnerable sectors of the population. This will be extrapolated to describe the

effects of such positions on both the local population and those internationally in targeted countries.

The increasingly pervasive surveillance, and security practices should be revised to ensure that such practices are aligned with the governmental organizations objective to ensure its effectiveness. The aim should be to mitigate unlawful acts against innocent persons. In this regard, the vulnerable Arab/Muslim community is under invasive scrutiny, and the significance of safeguards must be re-explored to avoid violation of basic human rights.

Since September 11, 2001 anti-Muslim sentiment has been increasing in frequency and notoriety in the West commonly attributed to media portrayal of Muslims and the framing of such events.<sup>1</sup> The religious and cultural generalizations in concordance with ignorance, and false news are equal contributors to the proliferation of such propaganda. Following the terrorist attack on 9/11, the definition of terrorism acquired a new name, religion, culture, heritage, ethnicity, language, personality, and appearance. Through the use of media framing, terrorism has been viewed as a far greater threat than it is in reality.<sup>2</sup> In fact, 56 million people died in 2017 and just over 26,000 deaths (approximately 0.05%) were attributed to terrorist attacks.<sup>3</sup> To put this into perspective internationally, car accidents and roadway deaths contribute to approximately 1.35 million deaths per year.<sup>4</sup>

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<sup>1</sup> Derek Silva, "The Othering of Muslims: Discourses of Radicalization in the *New York Times*. 1969-2014" *Sociological Forum* 32. (2016):138-162. doi:10.31235/osf.io/xd3g9

<sup>2</sup> Ritchie, H., Hasell, J., Appel, Roser, M. Terroris, "Terrorism," Our World in Data, (2013, July 28). <https://ourworldindata.org/terrorism>

<sup>3</sup> Global Terrorism Database, <https://start.umd.edu/data-tools/global-terrorism-database-gtd>

<sup>4</sup> World Health Organization (WHO). Global Status Report on Road Safety 2018. December 2018. [cited 2019 April 8]. Available from URL:

[https://www.who.int/violence\\_injury\\_prevention/road\\_safety\\_status/2018/en/](https://www.who.int/violence_injury_prevention/road_safety_status/2018/en/)

This prominent bias can be attributed to a psychological concept regarded as the availability heuristic: the tendency to make judgements or ascribe significant status to something that can be easily recalled. For example, individuals are biased towards the significance of 9/11 because of how quickly it can be recalled; this makes it difficult to contextualize the true impacts of terrorism. This, of course, will be discussed in greater length in the annotated bibliography segment of this literature review. It is imperative that one realizes the invasive practices are not only limited to Arab/Muslim individuals but rather anyone who may fit the appearance or stereotype. The main point of this discussion is to illuminate the power of stereotypes within society that have been socially and politically constructed and compartmentalized through media portrayal.

#### *Topic*

The following literature review is grounded in a case of a Syrian/Canadian man of the name Maher Arar who was wrongly convicted of having associations with the terrorist group Al-Qaeda.<sup>5</sup> The purpose of the case is to highlight flaws within counterterrorism policies and strategies. Despite the government's attempts at protecting innocent civilians, it has also created many challenges for those in office with respect to protecting civil and human rights. As previously mentioned, in an attempt to overcome such challenges it is essential to implement safeguards within practices, and policies to ensure the protection of the most vulnerable.

The literature review will use the following case to demonstrate how border security policies should be revised to ensure that such incidents do not occur again.

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<sup>5</sup> Legal Team, "The case of Maher Arar," Amnesty International, March 2017, <https://www.amnesty.ca/legal-brief/case-maher-arar>

Congressman should listen and implement recommendations to better protect citizens. The counterterrorism strategies currently implemented are counterproductive. The specific aim of such goals are not abided, nor met as witnessed through the case of Maher Arar, and the many other individuals who faced similar consequences but are not highlighted in this text. To proceed, the remainder of this segment will focus on a thorough timeline of events that occurred in the case to ensure the reader has sufficient background knowledge on this specific case.

Maher Arar, an educated Canadian citizen and Engineer, had been suspected of having association with the terrorist organization Al-Qaeda.<sup>6</sup> The initial investigation of Arar occurred when the Royal Canadian Mounted Police (RCMP) initiated an investigation through Project A-O Canada to obtain a series of data and personal information.<sup>7</sup> Project A-O Canada was a counterterrorism strategy implemented post 9/11.<sup>8</sup> Their main objective was initiated to prevent further acts of terror domestically by monitoring suspicious behaviours of its citizens.<sup>9</sup> Unfortunately, the definition of suspicious is open to interpretation and left to the discretion of its officers with generally little repercussions.

Moreover, this is essentially how information sharing occurred through the RCMP to the security officials at the John F. Kennedy (JFK) border where he was ultimately detained.<sup>10</sup> However, it was reported in a document that the content of the information

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<sup>6</sup> Public Safety of Canada, "Report of the events Relating to Maher Arar: Analysis and Recommendations" (Public Works, and Government Services Canada, Ottawa, 2006), p.10

<sup>7</sup> Ibid., 16.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid., 13.

obtained regarding Arar was inaccurate, and did not portray Arar in a fair light.<sup>11</sup> This is problematic for several reasons; such serious allegations of being suspected of having association with a terrorist organization should require a comprehensive investigative approach. Despite this fact, even the justification for suspicion was not deemed adequate enough to label him as a potential suspect. Arar had been under probe due to having an association with a colleague - Abdullah Almalki.<sup>12</sup> This same individual had also been wrongly convicted of a similar crime.<sup>13</sup>

Policies and practices within the RCMP mandates were ignored. The requirement of providing a written caveat to American security officials was not processed during the time of information sharing.<sup>14</sup> To add, the content of the information shared with American officials regarded Arar as an “Islamic Extremist individual suspected of being linked to the Al Qaeda terrorist movement”.<sup>15</sup> This is problematic because it should not have been accepted, nor approved. Such a description of Arar in light of recent heinous acts of terror created a detrimental situation. The intense political climate created more fear and doubt towards individuals of foreign origin. Consequently, Arar had been a victim throughout this entire process.

Moving forward, the discussion will describe in detail the operation in which Arar had been considered suspicious based on his presumed affiliation with terrorists. Such facts that will be shared were not discovered until after his detention. Essentially, this information only became relevant and utilized following a flight from a family vacation in

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<sup>11</sup> Ibid.

<sup>12</sup> Ibid., 16.

<sup>13</sup> Ibid., 20.

<sup>14</sup> Ibid., 13

<sup>15</sup> Ibid.

Tunis during his layover in New York City where he stopped to board at John F. Kennedy (JFK) Airport.<sup>16</sup> It is important to acknowledge the time Arar was convicted, and hence the strategic time the RCMP decided to carry out its operation on American soil. Interestingly, this arrest took place approximately a year after 9/11 on September 26th, of 2002.<sup>17</sup> It was at the JFK Airport where Arar had been subjected to several interrogations over a two week period.<sup>18</sup> He was also denied the right to communicate with anyone, including his lawyer.<sup>19</sup> After several weeks, he was then covertly deported back to his native land - Syria.<sup>20</sup> This process is formally recognized and known to be an extraordinary rendition.

Arar's status as a Canadian citizen was simply overlooked in the process of his deportation. This was certainly an unlawful, and unethical, act on all levels. His status as a Canadian citizen was disregarded entirely as he was sent to a country known to have tortured their prisoners. A detailed report had described his torture in Syria of having consisted of being whipped by an electrical cable for hours at a time during each session, and additionally having been locked in a cell that is certainly in inhumane condition.<sup>21</sup> The cell had been infested by rats, with little space, and light.<sup>22</sup> Arar had also experienced psychological torture while in Syria.<sup>23</sup> These are few of the many ways Arar had been abused while being detained overseas.

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<sup>16</sup> Ibid., 14.

<sup>17</sup> Ibid.

<sup>18</sup> Colin Perkel, "Maher Arar Case", The Canadian Encyclopedia, December.16, 2016, <https://www.thecanadianencyclopedia.ca/en/article/maher-arar-case>

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

Following the ten months of being detained in Syria, Arar had been released to Canada on October 5, 2003.<sup>24</sup> However, this was not the end of the battle for Arar. It should be commonly understood that the case of Arar is a massive security failure on behalf of the Canadian government. As a result, following the return of Arar there had been documents with information that was supposedly “downplaying the mistreatment or torture to which Mr. Arar had been subjected”.<sup>25</sup> These reports had been revealed in order to protect the self-interest of the individuals, and government reputation at the time.<sup>26</sup> However, such information had a negative impact on Arar's new life back to his normal routine in Canada due to the media.

### *Method*

This literature review is grounded in the Maher Arar case. The research is presented thoroughly through an extensive list of academic articles that propose unique perspectives related upon the subject matter through the use of an annotated bibliography. This is useful to incorporate because it provides a basis, and the starting point for further discussion in this area of study.

The approach chosen for this literature review is conducted through a qualitative research method by examining various academic articles in different disciplines. The qualitative approach was chosen because it was most appropriate for the chosen topic given that secondary sources were an essential component of the study. This helped to identify themes, concepts, scholarship and debate between the research topics chosen. It

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<sup>24</sup> “Maher Arar: A timeline of Amnesty International campaigning”, Amnesty International, September 2015, <https://www.amnesty.ca/blog/maher-arar-a-timeline-of-amnesty-international%E2%80%99s-campaigning>

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

provided a greater understanding in opinion, critical reason, and analysis. The objective of the research is to leave the reader with a better understanding of the systemic limitations created amongst the Arab/Muslim community through border security practices. As well as to investigate one's own opinions, and biases through reviewing multiple authors' opinions in this area of study.

The sources utilized within the annotated bibliography are composed of both from primary, and secondary sources. The primary sources utilized reveal information recorded from governmental organization, and affiliations. The secondary sources were incorporated as the basis of critical analysis, and reason. Each author had proposed their own unique perspective and approach towards a certain topic. This is in aim to mitigate bias through a critical approach in examining each article. There are several segments part of this literature review that are categorized by theme, and topic to ensure the reader is able to follow a comprehensive report.

### *Significance of Text*

The following analysis of the themes are essential to incorporate because together they can address themes that may have otherwise not have been interpreted through the bigger picture. Each component of this literature review aids another section to provide greater detail, and an in-depth review of the challenges faced through border security. When examining security, and surveillance measures it is important to consider how it came about through the war on terror from both a sociological and political perspective. Prior to such events, there had not been such an intense political climate. Consequently, there are challenges that are currently being faced from the time of Maher Arar to today.

The field of study of the texts utilized are from various backgrounds and disciplines. Analyzing texts from border security, and understanding the biometric measures that are placed to review theoretical components of the war on terror are all pieces that are grounded in the Maher Arar case. Such texts are essential because it provides a greater scope of the barriers faced following the Maher Arar incident, and cases alike.

### *Main Arguments and Debates*

The main arguments and debates amongst the authors focus on analyzing and determining how policies, and regulations surrounding counterterrorism strategies can in fact detrimentally impact the lives of vulnerable communities. The texts also demonstrate how such methods can at times be found to be counterproductive. It is needless to say that such security procedures at borders are imperative for the safety of its citizens, but must be revised in a manner that is less discriminatory and invasive. However, this can be problematic when there is an amplified amount of power that can be used to subject an individual's rights, and freedoms. As well as analyzing how the technology that is thought to be good, has also caused damage to an individual's experience at the border. However, where does the State draw the line is a question that will be further investigated. Is there an approach that will allow the State to uphold the civil liberties and obligations to its citizens without compromising the safety - or vice versa? These are some of the questions that remain complex, and difficult to examine.

The texts also analyze the unfortunate reality of individuals who are not caucasian and their experience while being at the border. This is the central debate amongst authors

within the annotated bibliography component of the literature review. The Maher Arar case aids to illuminate this devastating reality of how an individual can be prosecuted due to fitting the socially constructed stereotype of how a terrorist may appear.

## THEMES

### *Security and Surveillance*

This selected theme consists of articles discussing the invasive surveillance, and security practices that have been implemented post 9/11. As previously discussed, the intense political climate had resulted in a justification of the infiltration of the lives of innocent citizens in the name of protecting and prevention against acts of terrorism. This has caused further victimization, and vulnerability within certain sectors of the marginalized community. With the influence of the media this problem has only prospered through a negative lens. This challenge has detrimentally impacted the Arab/Muslim community as there has been a significant rise in racial targeting and profiling in and outside of the border. Furthermore, this theme will cover how following 9/11, surveillance measures have increased not only at the border but within the country as well.

The realm of security and surveillance is pertinent to the Maher Arar case because it helps to highlight the major challenges faced today, and possibly in the future if matters are not resolved. More specifically, if safeguards are not put in place, or objectives of certain initiatives are not followed thoroughly or as clearly specified, then the challenge today will continue to manifest itself. Furthermore, the cohesiveness and multiculturalism of Canada will begin to regress as these vexatious practices begin to target other minority groups. The more discriminatory practices that are exposed as seen in the recent Black Lives Matter movement, then the more systemic and institutional racism practices that will be identified as seen through police authorities. In addition, this theme in particular helps to highlight how Maher Arar, through the RCMP initiatives through Project A-O, was

indicted with a serious offence - having association with Al-Qaeda.<sup>27</sup> Despite this having not been the case, this was not accomplished without the use of invasive security practices that had him monitored and surveilled for months.<sup>28</sup>

Through the continuation of the literature review this argument will be further discussed, and demonstrated to have grown significantly into a larger problem that is beyond Arar. As measures are not carefully considered similar incidents are able to occur again. Further, policies that were once justified must be continuously reevaluated to identify systemic discriminatory practices; initially the Burka (a religious clothing cover for women) was thought to be a barrier to security practices but however with the recent mandate of masks due to *Covid-19*, one can only wonder the true intention behind the policy. Indeed, in 2020 there have been significant societal changes both domestically with the discussion of racism, and internationally through the possibility of a new emerging form of terrorism through biological warfare.

### *Border Security*

This theme is contributable because it highlights how detrimental border security can be; security agents do not consider the reliability of the information they acquire when condemning an individual of a serious crime. The Maher Arar situation arose at the airport based on a single report; how can other individuals be protected from potential false or vexatious claims? It was at the border where Arar had experienced conflict because the information that was shared with American officials from the RCMP had portrayed Arar in an unfair, negative light. Furthermore, it is important to acknowledge the significance and

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<sup>27</sup> *Report of the events relating to Maher Arar: Analysis and Recommendations*, prepared by Commission of Inquiry (Ottawa, Ontario, 2006) p 10.

<sup>28</sup> *Ibid.*

power border security officials hold in determining where a suspected individual stands as a threat at the border. This decision based on the security officials' discretion can impact one's life negatively if facts are not appropriately recorded; conversely, their judgement or biases can also fail to detect genuine threats.

Border security is also examined in attempting to understand the future of border security and the challenges that society will face as a result. Subsequent border surveillance will include biometrics, privacy invasion, and face recognition in and outside the border facility. These are all interesting areas of debate in regards to ethics and rights that are further examined in the annotated bibliography.

### *Legal Perspective*

This theme is pertinent to the literature review because it provides a basis or foundation to the legalities of the relevant issues. A legal background provides the reader with a greater understanding of the certain challenges that are faced within the realm of surveillance studies. It is in fact because of such acts and bills that the state has attained a tremendous amount of ruling power that has consequently detrimentally affected the civil liberties of civilians today. In the case of Maher Arar, there were various acts and bills that essentially protected the work of security officials to pursue their investigation of him and many others.<sup>29</sup> Since the time of the Arar case, The Project A-O Canada was a startup as mentioned through the RCMP to investigate terrorist threats domestically.<sup>30</sup> It was through this very initiative that Arar had been considered suspicious.

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<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

Furthermore, the scope of this theme will be to objectively analyze the legalities surrounding security and surveillance procedures, as well as to question whether they uphold their true objective. Understanding whether such policies are mandated in the name of the people, or for the further abuse in power by the State will be under further examination.

### *War on Terror*

This topic is the main overarching theme of the literature review. Despite being a general topic, it is identified as a theme because the literature review will specifically go into different sections that contribute to a branch of the war on terror - security and surveillance studies. The war on terror is useful to incorporate because there might have been a possibility that Maher Arar would not have been so harshly scrutinized had those fears not existed. This theme will aid in the attempt to tie all themes together which will be reflected upon in the end of the literature review. The objective of this theme focuses on the post 9/11 structure of which society has transformed over the last few decades.

### *Theory*

This theme is essential to incorporate in the literature review because it provides an analytical reasoning towards understanding the phenomena that occurs through the process of subjection, and discrimination Maher Arar faced at the airport. A theoretical perspective will allow for a greater insight, and knowledge of understanding how race, culture, religion, stereotypes all influence and impact an individual's first-encounter and impression. For some, the initial encounter at any international border can dictate the future difficulty one may continuously experience in their lifetime when crossing. More

specifically, within this section there will be a focus on analyzing the influence of race and orientalism on the West. Understanding how the West views the East helps identify the significant challenges and barriers that have to be faced in order to have appropriate safeguards to protect the vulnerable from being further victimized.

## BIBLIOGRAPHY

*War On Terror*

Jamil, U. (2017). Can Muslims Fly? The No Fly List as a Tool of the “War on Terror”. *Islamophobia Studies Journal*, 4(1), 72. doi:10.13169/islastudj.4.1.0072

This article is interesting because it applies the counterterrorism strategy of the “no fly list” to Muslims in the US, and Canada. The author identifies and explains the purpose and the intent for the watchlist. The author makes a distinctive remark in the article that describes that in times of highly politicized moments, certain groups may face more discrimination than other minority groups. In this current political climate, due to the acts of terror on 9/11, Muslims have been scrutinized over their religion and have been deemed as extreme and violent. The author makes several references of other minority groups and demonstrates how certain ethnicities faced systemic racism due to politics.

The author also touches on orientalism and describes how Muslims are perceived as not belonging to the Western nation. This line of thinking is extremely problematic as it singles out Muslims to be the enemy. This article is important to incorporate because the author incorporates many elements of the various themes introduced within this literature review. The “no fly list”, and the application of orientalism bring a new perspective which would be interesting to further analyze as an argument in the literature review.

Gladwell, M. (2017, June 20). Connecting the Dots. Retrieved from <https://www.newyorker.com/magazine/2003/03/10/connecting-the-dots>

The article by Gladwell on Connecting the Dots discusses ways in which the heinous act of terror that occurred on September. 11, 2001 could have been prevented. The article thoroughly discusses that if the CIA and FBI shared their received messages of intelligence, that the terrorist

attack potentially could have been avoided. Gladwell explicitly identifies within the article the ways in which the investigative reports from 9/11 identify how the messages received from the Al-Qaeda terrorist group were misinterpreted, missed, and ignored in some circumstances. This article would be useful to use towards an academic literature review because it provides another perspective to a work of area that is highly controversial. He shares insight on how to critically analyze beyond the information that is presented to the public, particularly he distinguishes how information is often misconstrued and the risks that this may pose to the general public. The article would be utilized in applying the argument of creeping determinism to the occurrence of 9/11. Gladwell's article in comparison to other pieces of work could be argued to be more complex, and intensely detailed with terminology, as well as mention of both political, and historical significance. His work is unlike other news articles because he has a unique style in his writing that makes his work profound. He captivates his audience by summarizing profound findings together to illustrate his point. His thorough research delving into how noise affects the effectiveness of the intelligence agencies capabilities in the United States adds to an interesting argument as to how these agencies can properly manipulate a tool which if used appropriately, for their own benefit. It is also important to note that because this article is published by The New Yorker, it is not an actual academic piece and thus questioning its legitimacy and accuracy despite the strength of the argument may be warranted.

National Commission on Terrorist Attacks Upon the United States, "The System Was Blinking Red," in *The 9/11 Commission Report*, (2004), 254-277.

The objective of the 9/11 Commission Report outlined how the United States was targeted and affected by domestic and foreign terrorism. The article continues to discuss how America as a nation could better defend their borders from acts of terror. This document was

filed by President George W. Bush who was in office at the time of the incident. A segment of the 9/11 Commission Report focused specifically on the summer prior to the threat of terror attacks on 9/11. The report establishes how the threats are acquired, reported, and attended to in practice. It is important to keep in mind when using this report towards research purposes to acknowledge that the nature of the report had been written objectively as it is information conspired by and through the state. Despite this fact, the report would be a useful contribution in outlining how the state administration claims to be handling counterterrorism strategies. As well to distinguish if it is in fact an effective strategy in today's modern society. The article is useful because it allows for a better understanding as to how the intelligence community had failed to distinguish the threat from Al-Qaeda and how the government handled the threats. Further, it enables us to understand the evolution of foreign policy as it relates to counterterrorism over the last decade. This report would be utilized for a bibliography because it identifies necessary criteria when analyzing aspects of the war on terror, post 9/11 strategies and solutions to counterterrorism. This report is interesting because the world has yet to see such a highly publicized terrorist attack like 9/11 in the past. The report outlines the ways in which the president's political agenda become clearer in the name of protecting and defending America.

Marrin, S. (2011). The 9/11 Terrorist Attacks: A Failure of Policy Not Strategic Intelligence Analysis. *Intelligence and National Security*, 26(2-3), 182–202

The article demonstrates a critical analysis as to whether the attacks of 9/11 were as a result of an intelligence failure. This was questioned post 9/11 because despite taking the precautionary measures of security and surveillance, this situation had been unpredictable and unanticipated. The article discusses whether policy makers, and decision makers were aware of

the threat and if so their responsibility in accepting blame for the incident. In addition, it discusses those who would have been responsible in diverging such a threat on American soil. Throughout the article, the author highlights the influence policy makers and decisions makers had on 9/11. This is critical because understanding ways in which the material is conveyed to the public is dependent on the individuals positioned in those two significant roles. This work would be useful towards a research project because it discusses the ways in which the different role of policymakers, and decision makers have when it comes to influencing the intelligence community and how 9/11 had failed the state. Lastly, it would be viable to continue upon the arguments of this article and determine whether counterterrorism strategies should be increased to prevent future attacks of terror.

Ralph, J. (2013). *Americas war on terror the state of the 9/11 exception from Bush to Obama*. Oxford: Oxford University Press.

The article on America's War on Terror discusses how 9/11 created a sense of vulnerability and insecurity within the state. It described how the state thought of Al-Qaeda as an enemy rather than just an ordinary criminal group. The US President at the time of 9/11, George Bush and his administration had disregarded the Geneva Convention towards Al-Qaeda. The Bush administrations actions had justified this mission by claiming it to be against terrorism. The article is useful and beneficial to incorporate because it describes the logistics as to how Al-Qaeda was persecuted. The article also introduces how there was societal chaos in reaction to 9/11 considering the Bush Administration had not encountered a threat of this magnitude before. It is vital to analyze how this catastrophic event influenced and enforced such drastic changes in foreign policy and enactments in striving for rigorous counter terrorism approaches. In comparison to other books I have read, this one differs because there was detail about how the

Bush Administration specifically handled the Al-Qaeda group. Also, they discussed the rationale behind particular political strategies and their effectiveness as a result. However, in retrospect there are ways that presidential administrations can improve by analyzing the gaps in security that could have been prevented in the first place. The author simplified the implications of 9/11 because his facts and research were laid out in an organized fashion. Many of these facts can be difficult to comprehend because there are so many confounding factors to consider. He boldly claims how America's actions place them above the law, by justifying them as appropriate measures of actions in retaliation to a crisis. This claim would be interesting to critically investigate further upon in the literature review.

Reese, S. D., & Lewis, S. C. (n.d.). Framing the War on Terror. *The Ethics and Efficacy of the Global War on Terrorism*.

The authors of this article, Stephen Reese, and Seth Lewis are both critics from the journalism profession. Reese's expertise follows specifically within how the media influences public issues. Whereas, Lewis focuses on how digitalization impacts how stories within the news are interpreted. Both their areas of focus complement each other's well for their contribution towards the field and research of media influences post 9/11. Despite biases in the journalism industry, the authors did an exceptional job at creating their own primary data to demonstrate the influence of discourse and heavy focus on the war on terror. Their arguments differ from a typical news report as it was published in an academic journal, thus their insights are more critical on the information that had been published prior. This source was published in 2009, which means they had the ability to obtain a substantial amount of data post 9/11 to develop an accurate report of their findings. The intended audience for this article would be for individuals in the realm of academia because of the language, and context - the general public may not have

access to it through a regular database. This article covers a proportion of the research topic because of its specific focus on framing through rhetoric. The article on Framing the War on Terror specifies how the war has been created through discourse. The authors demonstrate how the Bush Administration had monopolized upon 9/11 to push their own political agenda. This will be useful to utilize because it demonstrates how the Iraq war had been involved in this matter following post 9/11 and the implications this has created. This article provides useful statistics and measurements in tracking the commentary about the war on terror through the news outlets of USA Today, and the Associated Press. This will further the argument as to how the war on terror has been heavily influenced by the contributions of the media.

Hoskins, A., & O'Loughlin, B. (2012). *War and media: the emergence of diffused war*. Cambridge: Polity Press.

The book on War and Media: The Emergence of Diffused War demonstrates and explains how such a war has transformed since the last decade. The book discusses the shift from the wars from the past until now. This would be critical to utilize for the reason being that the war on terror is unlike any war experienced. Explaining the historical context would be significant as it emphasizes how the world has gone through a social and political shift. The digitalized world today has impacted how war is experienced and viewed. The article discusses how mediatization has contributed to diffused war. This is important to recognize because it heavily influences the public's views and opinions of all parties at war. It would be interesting to analyze if certain situations were not framed in a certain way if they would be accepted today by the majority of the public. Critically applying this question to 9/11 and how the Bush administration had been able to monopolize upon the public's fear is important to acknowledge. The research is based upon secondary sources as it cites other publications as a form of their research contribution. The

article is useful as it makes contributable arguments as to how the war on terror has shifted through the era of digitalization.

Robin, C. (2006). *Fear: the history of a political idea*. New York: Oxford University Press.

The book written by Robin expressively discusses the ways in which fear permeates in our society. Fear has been described to be a leading factor that continues to be manipulated in order to gain political control or perpetuate propaganda. Understanding the ways in which political fear can adversely influence an individual's beliefs, and opinions on a subject matter is described to be significantly concerning. The author brilliantly discusses how an individual's fear displaces and limits an individual to control their very own emotions. Thus, has been manipulated in a political manner towards leaders controlling, and monopolizing the discourse of evil, hatred, and the enemy of the west – foreign terrorists. The 9/11 incident having erupted fear amongst many individuals have in turn acted as a tool that has conspired unity amongst the general public against the enemy – individuals who identify as terrorists. Furthermore, this book demonstrates a unique perspective on focusing on the political ways of how fear has evolved over the last decade.

Wark, McKenzie (2012). *Telesthesia : communication, culture, and class*. Polity Press, Cambridge, [England] ; Malden, Mass

This article interestingly adds towards the scope and depth of the literature review by explicitly demonstrating the issues of state security and lack thereof. The author proposes the idea of how insecurity may create vulnerability which can be advantageous towards accomplishing the state's political agenda. The differentiation between the military-entertainment complex and the military-industrial complex is explained in the article.

The shift is important to analyze because it proposes a societal shift that is currently experienced and witnessed today. This article will be utilized towards the literature review by focusing on the idea of the ways in which insecurity inhibits more security. It will continue the discussion of how this phenomenon is found to be counterproductive. It is essential to distinguish the ways in which insecurity infiltrates individuals in society. This enables a better understanding of the mechanism as to how insecurity has been created to control an individual's rationality.

Clausewitz, Carl Von. (2019) *On War*. S.l.: Repeater.

The book effectively highlights and distinguishes between the different elements that compose and officiate an actual war. This is important to investigate further upon for the literature review for the following reasons; it is a key component towards understanding the idealization towards the war on terror. This enables an increased understanding of the basic fundamental principles associated with the creation and construction of what constitutes as war. The book's interpretation of war could be monopolized towards determining the current societal issue to be addressed as to how the war on terror would fit framing of a conventional, traditional war. It would be useful to distinguish the differentiation between modern, and conventional warfare through the utilization of the book on war.

Frye, C. (1966). Carl Schmitt's Concept of the Political. *The Journal of Politics*, 28(4), 818-830.  
Retrieved from [www.jstor.org/stable/2127676](http://www.jstor.org/stable/2127676)

The book *Concept of the Political* highlight's key aspects of distinguishing between concepts such as the friend and enemy, as well as the differentiation between good and bad discourse. The article identifies the construction of characteristics that individuals in society may place upon the enemy. The author furthers this claim by emphasizing these distinctions are

politicized in its very own nature. This article would be useful to incorporate in the research project because it brings to light elements that individuals have socially constructed through the use of political discourse. Enabling a better understanding of the construction of a friend versus an enemy argument would be crucial as discourse today has developed in becoming highly politicized.

Hardt, M., & Negri, A. (2009). *Multitude: war and democracy in the Age of Empire*. New York: The Penguin Press.

This book does an exceptional job at identifying and explaining the shift within modern warfare today. Over the last decade, a powerful invasive factor of war had been explained in the article to be influenced heavily by rhetoric. Furthermore, the limitations and risks had also been identified in relation to the eruption of modern warfare. Rhetoric is a powerful, and invasive tool that if used strategically can manipulate and control the opinions of other individuals. The author in aim of enabling a better understanding of the tools modern warfare today has adopted their approach had been to also discuss the associated benefits, risks, and limitations. This book also discusses the legalities associated with warfare, and how countries have been involved throughout the process. This book will be utilized to further the research towards expanding upon the legal repercussions, and limitations that it has created upon modern warfare. This book extends off other articles mentioned as it goes into depth of how states justify their actions through discourse. However, this book goes more into depth solely focusing on the ways in which rhetoric is utilized for the states advantage. This would be an interesting analysis to recognize within the literature review as it contributes towards the realm of security and

surveillance studies in understanding how such invasive and tactical produces had been justified recently.

Winter, Y. (2011). The asymmetric war discourse and its moral economies: a critique. *International Theory*, 3(3), 488–514.

The objective of the academic article focused on the discourse surrounding asymmetric warfare. The authors approach in conducting the study had utilized the interpretive method. This essentially meant that in conducting the study the author critically observed the surrounding dialogue of asymmetric warfare. The author had effectively demonstrated a distinction between ‘symmetric’ and ‘asymmetric’ wars, a key concept to be recognized. The two concepts had been applied through a case method. This had provided plausible evidence to the arguments that had been posed throughout the article as it brought specific examples that the reader was able to infer upon. Understanding asymmetric warfare is essential to the research project because it allows further breadth of how states work inclusively together through ambiguous terms to achieve their own political agenda.

Negarestani, R. (2007). *Collapse: philosophical research and development* (Vol. 1). Oxford: Urbanomic.

The article elaborates upon an important concept in relation to the war on terror – the ways in which peace has now become militarized. This article focuses on the ways in which peace has been obstructed through military powers. Peace today was described to have been politicized and exploited because it has been used as a weapon against civil nations. The article discusses various religious extremists’ groups and the ways in which they have adopted this new ideal approach towards warfare – endo-militarization of peace. The article also discusses other academic perspectives. This adds breadth, and a significant amount of information contributing

to the topic which eliminates a possible biased perspective. This article would be useful to incorporate in the research project because it acknowledges the ways in which peace has become a political matter at stake within the realm of war.

Gregory, D. (2014). Drone Geographies . *Décadrages*, (26-27), 129–150.

This article's objective and focus is on the topic of drone warfare. The author captivates the reader's attention by introducing a concept application that would enable the general public to have access and to be informed when a drone strike is launched by the United States. This was particularly interesting because it allows civilians to be more informed about the increase in drone usage today. The article demonstrates an aim of exposing ways in which the state pursues military violence. There had also been a critical review of the ways in which individuals have become accustomed to killing while being able to maintain their daily routines. This would be an interesting article to add to the literature review as it demonstrates how technology has contributed to the dehumanization of individuals due to the extent the military have utilized surveillance means.

Herman, S. N. (2014). *Taking liberties: the war on terror and the erosion of American democracy*. Oxford: Oxford Univ. Press.

This book serves as a valuable addition towards the literature review because the author had introduced novel arguments regarding security not previously mentioned in prior articles. For instance, the author had introduced the eruption of the No Fly List which acted as a watchlist post 9/11 in aim of protecting the safety of the general public. The author displayed an effective job demonstrating the limitations that the watchlist poses to security, and safety. Despite the positive factors of ensuring safety for passenger flights, it is important to acknowledge the

repercussions associated with such a list. The problem of accuracy and ensuring that an individual is not mistaken for someone on the list is an important factor to consider. This article would be useful to utilize as it adds insight towards the technicalities, and the limitations that the No Fly List has posed towards the dimension of airport security.

Borum, R. (2011). Radicalization into Violent Extremism I: A Review of Social Science Theories. *Journal of Strategic Security*, 4(4), 7–36.

The academic article examines the ways in which radicalization have influenced individuals perspectives towards terrorism. This article demonstrates how the assumed correlation between terrorism and religious beliefs are not always connected. The article critically examines the ways in which the Islamic faith had been manipulated as a platform to promote the discourse of extremism in the West. In an attempt to understand where this line should be drawn requires an individual to understand the issue at stake and not falling to ignorance on the matter that constructs the East in a certain vision. A thorough investigation of defining radicalization and how it has been recognized in various places in the world contributes to the malleability of the term. Overall, this article highlights how construction of radicalization in itself has posed a greater problem. Assuming the role of a terrorist by associating the term with a faith, religion, and an individual becomes problematic. Furthermore, it is for these reasons that border security, and security measures such as the No Fly List have been further justified post 9/11.

Khalid, M. (2017). *Gender, orientalism, and the War on Terror: representation, discourse, and intervention in global politics*. London: Routledge/Taylor & Francis Group.

This book uniquely contributes towards the war on terror field by explaining how the ideological war is centered around gender, and orientalism. The authors arguments surround the

notion around gender studies and examines the ways 9/11 had attacked symbols of masculinity traits of the United States. The author explains the us versus them debate in relation to orientalism as well as the act of othering individuals. Another interesting argument the author poses is the discourse the Bush administration had chosen to utilize to captivate viewers attention. The notion of describing the nation as a “family” made the attack more personable and relatable to viewers worldwide against the enemy. The author continues this discussion by applying it to gender studies. Overall, this article would be interesting to utilize because it expressively argues how orientalism, and gender play a significant role within the war on terror. Both arguments that have not been mentioned previously will contribute a distinctive analysis towards the literature review.

### *Theory*

Chamayou, G., & Rendall, S. (2012). *The Dialectic of the Hunter and the Hunted. Manhunts.*

The book effectively discusses key proponents of the research topic of interest. For instance, the author delves into discussing ways in which individuals are affected by limited freedom, and liberation with a specific focus on slavery. This was further examined by explaining the ways in which slaves had been hunted and traced. The interpretation of being hunted and traced was an interesting approach to apply to the case because it elaborates ways in which humans have been dehumanized in the process. In the description of hunting, humans are conveyed as prey. This example would fit well within the research project by illustrating how individuals in society have been dehumanized. Similarly, this can be witnessed through technology that has been implemented within border security safety measures today.

Hirsch, G. (2003). The safety of the realm in retrospect and prospect. *The RUSI Journal*, 148(4), 60–63.

The journal approaches asymmetric conflict through a critical lens. The author had a unique approach by making a metaphorical comparison of military soldiers to dinosaurs, and hornets. The primary purpose of this comparison is to illustrate ways in which armies today can leave their linear pattern. This was a preventative measure to ensure that the enemy does not identify the army. This method of warfare is described to be advantageous if “the dinosaur transforms into a swarm of hornets”. Essentially, the military's ability to transfer their routine and patterns increases their chances of being unidentifiable. The journal would be useful towards the literature review because it identifies tactics that modern military forces adopt in order to remain unidentifiable to their enemy and the ways in which this could be useful towards combat. Similarly, this could be applied in the sense of how individuals could adopt methods that could protect their identity against state security.

Chamayou G., & Lloyd, J. (2015). *A theory of the drone*. New York: The New Press.

The book demonstrates the ways in which modern warfare has utilized the advancements of today's technology for their own advantage. The book compares and contrasts how surveillance measures have mitigated any past limitations that had been experienced by the military. The ways in which drone warfare has allowed the military to collect data on individuals infinitely without interruption was examined and brought to attention. The author also discusses ways in which increased use in surveillance has positively impacted the military. The article continues to discuss the negative repercussions it can create due to the invasive nature of the technology. This would be an interesting book to add to the literature review because it examines

the advancements of drones that will contribute towards the discussion on security and surveillance. Drones as identified in the book can create chaos, death, and immense destruction. It is a very distinct lethal surveillance weapon. Furthermore, this would add a unique element to the literature review going into depth of the ways in which drones have become more accessible, and often go unacknowledged in society today.

Chenoweth, E., & Moore, P. L. (2018). *The politics of terror*. New York, NY: Oxford University Press.

The article by Chenoweth and Moore, elaborate on a critical approach to theory, and terrorism studies. This would be useful because applying theoretical perspectives to a case such as terrorism can bring to light arguments that are much more critical of society. For instance, theories on cultural hegemony enables a deeper understanding of the roots of explaining the societal problem of allowing the top echelons of society to contain the most power. This article is unlike other articles because it incorporates a feminist theoretical lens which determines why men assume the majority of roles of terrorism. The article continues on to elaborate ways in which research in this area of study has its strengths, its flaws, and how this can be better critiqued in the future. This will be useful to utilize because of the articles unbiased opinion when analyzing such intense data towards the critical study of terrorism. In contrast to other academic articles this one differed because it brought to attention how critical a feminism lens can be in furthering a deeper understanding of the study of terrorism. Other articles in the realm of academia often ignore, or unknowledge the influences that the feminist theory can have to explain the social phenomena of men predominately occupying the role of terrorists.

Elliott, J., & Pais, J. (2006). Race, class, and Hurricane Katrina: Social differences in human responses to disaster. *Social Science Research*, 35(2), 295–321.  
<https://doi.org/10.1016/j.ssresearch.2006.02.003>

This article proposes a unique perspective in relation to responding to catastrophic events. The primary focus of this article is based upon Hurricane Katrina in New Orleans. Despite the fact this source is not directly related to security and surveillance it has a few matters in common that raises questions about the effectiveness of policies that are put in place to prevent, and protect civilians alike. Most importantly, this article analyzes catastrophic events in a way that can be applicable to the 9/11 conflict. This article enables a new, and different perspective towards demonstrating the way in which governments today fail to provide evidence based practices and rather opt for a strategy that appears to be useful. This superficial appearance is a form of positive imaging that can be promoted through the media.

The article primarily focuses on how in New Orleans, after Hurricane Katrina the city installed levees in an attempt to protect citizens from horrific events to occur once again. After investigation it is noticed that the levees do nothing to prevent the hurricane. Thus, it was a tool utilized to demonstrate publicly to people that the city is working to resolve the issue at stake - preventing the extensive damage from hurricanes. The same situation can be recognized through security and surveillance initiatives, and programs following September 11. It is a tool used as a justification to demonstrate to society that the government is in fact taking precaution. Although when referring to evidence to demonstrate effectiveness both fail to protect, and prevent catastrophic events. Furthermore, in relation to the Maher Arar case there was no evidence that such information sharing was deemed appropriate to deterring a supposed terrorist. Rather, it instilled more distrust within minority communities. This is one of the many arguments that could be furthered.

Said, E. (1980). *Orientalism* / Edward W. Said. (1st Vintage Books ed.). Vintage Books.

This book discusses the work of Edward Said surrounding Orientalism. The theory he developed highlights the ways in which the West discriminates against the East. He introduces the debate between the “us versus them”, and the “West versus the East” discourse. The theory of Orientalism holds two components - the orient and the occident. Said describes the Orient to be the Eastern region of the world. Those from the East are depicted and viewed as the inferior, and uncivilized culture from the Western perspective. Whereas the Occident represents the West. The study and discourse surrounding orientalism focuses on power relations.

This theory positively contributes to the literature review because it highlights a unique type of racism that can be witnessed today. Said brings to light the way in which cultural differences are oftentimes exaggerated when it comes to the orient. This theory can be applied to border security in the way that security personnel may impose their own bias, and opinions upon individuals from the East. Said describes this phenomenon between the clash of the two cultures. The stereotypes that are held against the orient can be prejudicial, and racist.

Thompson, D. (2008). Is race political? *Canadian Journal of Political Science*, 41(3), 525–547.  
<https://doi.org/10.1017/S0008423908080827>

The article provides a theoretical component by analyzing how race can be used as a political tool. This article can be used to apply how Maher Arar’s identity was utilized to subject him against his rights. It discusses how racialized society has become today. The article can be used to describe how race and ethnicity played a component in suspecting Arar through security initiatives. The acts that occurred on 9/11 has created a crisis through the way one's identity can be associated with being a terrorist due to stereotypes. Thus, if an individual fits that particular identity they will be deemed and thought as a threat to society. Furthermore, this study is a quantitative study conducted on race that is representative of a Canadian population. The author

goes in depth discussing how racial minorities are affected by this weapon that has become politicized.

### *Legal Perspective*

Forcese, C., & Roach, K. (2015). *False security: the radicalization of Canadian anti-terrorism*. Toronto, ON: Irwin Law.

This book is an interesting addition to the bibliography because it describes a completely Canadian approach to security and surveillance measures in the means of counterterrorism. This is useful because there are limited resources in an attempt to address Canadian approaches to such measures. This book shares insight about enacted bills that have not been acknowledged or truly understood by the general public. It would add value because it would be interesting to compare how Canada and the United States differ in their approach in tackling such a publicized moral fear - terrorism. The book on *False Security* discusses a Canadian national security law - Bill C-51, Bill C-44, and Bill C-59. This bill in particular to others is useful to investigate, understand, and analyze for the reason being that it allows deeper insight to the extent Canadian security measures are enforced. The Prime Minister at the time of this articles publication was Stephen Harper who was a member of the conservative government and his approach had been extremely radical towards protecting Canada through national security measures. The author delves into discussing both the implications and possible benefits of having a stronger national security. This book is relevant because it is important to question to what limit and to what extent Canadians should be willing to sacrifice for better counterterrorism approaches. This work will illuminate the bibliography because it primarily adds a Canadian political perspective when it comes to tackling terrorism.

Pitt, C. (2011). U.S. PATRIOT ACT AND RACIAL PROFILING: ARE THERE CONSEQUENCES OF DISCRIMINATION? *Michigan Sociological Review*, 25, 53–69, 136. <http://search.proquest.com/docview/1030966332/>

The article sheds light about the systemic racialization and prejudice the Patriot Act has created within America. The Act has created a sudden aggressive shift towards victimizing the American Muslim population. This article examines this phenomenon through the application of the *General Strain Theory* invented by Robert Agnew. Within the introduction of the article it makes a connection to another visible minority group who experienced similar racial profiling after a viral attack. The example was referred to the Japanese community following the Pearl Harbour incident. The author also highlights a more modern-day example of such abuses being directed towards African Americans, and Hispanics. The article furthers to argue and demonstrate points through applying law, and ethics to the Patriot Act. Once again, reinforcing the idea that the Act amplifies more power to the government through such practices. Overall, this article would be interesting to examine as it highlights a problem faced in America about racial profiling. A problem similar to what Arar had faced at the border. This article demonstrates how his race, and ethnicity was a key factor towards his accusation of being linked to a terrorist organization.

Gill, L. (2017, September 12). Understanding Bill C-51: The Anti-terrorism Act, 2015. Retrieved June 17, 2020, from <https://ccla.org/understanding-bill-c-51-the-anti-terrorism-act-2015/>

This article highlights a controversial bill that was introduced as a Canadian counterterrorism strategy. The act was formally passed in 2015 as Bill C-51. This has revolutionized Canadian practices and techniques towards combating terrorism domestically, and at the border. The Bill was described to have revolutionized “national security, anti-terrorism,

and privacy law”. The adjustments to the Bill are certainly vague, for the reason being that it gives more power to the security officials such as the Canadian Security Intelligence Service (CSIS) to evaluate threats to Canada based on an agent, or associates discretion. This article provides an in-depth account for how Bill C-51 poses a civil rights issue at stake. This article is useful to incorporate because it provides merit towards identifying the challenges Canada faces towards counterterrorism strategies. This article would allow for a deeper in-depth discussion about possible ways to better policies to ensure Canadians, and foreigners are not wrongly convicted, and innocently accused of an act of terror.

Alati, D. (2018). Canada and the United Kingdom’s domestic political culture. In *Domestic Counter-Terrorism in a Global World: Post-9/11 Institutional Structures and Cultures in Canada and the United Kingdom* (1st ed., pp. 155–177). Routledge.  
<https://doi.org/10.4324/9781315543772-6>

The article places an emphasis focusing on the legal perspective when it comes to counterterrorism strategies. More specifically, the counterterrorism strategies in reference to the UK, and Canada. The research did a cross-analysis examination between the two countries following their post 9/11 prevention strategies against domestic, and foreign terrorism. This article differs from others because it demonstrates an extensive amount of research of Canada’s history of 9/11 preventative measures. The Anti-Terrorism Act was also discussed in breadth. This is important to analyze because it is through this particular act that gives autonomy to security officials to arrest and detain an individual if there are “reasonable grounds”. However, where is the line drawn for the reasonable grounds is up to the discretion of the officer.

*Maher Arar*

Whitaker, R. (2012). The post-9/11 national security regime in Canada: strengthening security, diminishing accountability. *Review of Constitutional Studies*, 16(2).

This article discusses how the Canadian government failed to reform legislation and policies in regards to counterterrorism strategies following the Arar incident. To add, the invasive practices have been recognized to be similar to the USA, and the UK. This article is unique because it identifies the ways in which security practices have transformed following September, 11. This includes legislation, new national security policies and regulation. It is also interesting to note how the discourse surrounding terrorism, and race have increased. The authors of this article had taken a different approach than others by mentioning how strengthening security policies can be positive. This is important to consider in part of the literature review because it aids in eliminating bias, and provides another perspective to consider. This is because other articles focus on the negative ways of surveillance and security practices have upon society.

Sinnar, S. (2013). Protecting rights from within? Inspectors general and national security oversight.(III. Assessing IG Rights Oversight through Conclusion, with footnotes, p. 1055-1086). *Stanford Law Review*, 65(5), 1027–1086.

This article provides a perspective unlike other articles in this literature review. The authors have chosen to focus on the way in which policy, and practices in the name of national security are often justified regardless of their effectiveness. The author had chosen to focus on the internal powers of the government to demonstrate whether there is truly an emphasis on protecting and defending the rights of citizens. The article continues to draw examples from various intelligence agencies - Homeland Security, Central Intelligence Agency, Department of Justice. This information is useful to incorporate because it demonstrates how aggressive the war on terror has become today. The fact that policies and practices are simply justified in the name of protecting society against terrorism has started a revolution commencing on September 11.

The fear that has been incited within citizens due to the media and the Bush administration at the time has significantly grown. The article continues to discuss an in-depth review of the Maher Arar case. There are accounts of how his case was dealt with politically and legally. There are also themes of distrust in the justice system and unethical decision makers that should not have been trusted at the time of his unduly arrest.

U.S. Department of Homeland Security Inspector General Report OIG-08-18, “the removal of a Canadian Citizen to Syria” [electronic resource] : joint hearing before the Subcommittee on the Constitution, Civil Rights, and Civil Liberties of the Committee on the Judiciary and the Subcommittee on International Organizations, Human Rights, and Oversight of the Committee on Foreign Affairs, House of Representatives, One Hundred Tenth Congress, second session, June 5, 2008. (2008). U.S. G.P.O.

The document is important to incorporate into the literature review because it provides the US perspective upon the Maher Arar case. Most importantly, it is documented that the State Department was well aware that Arar had been transferred to a country known for torturing their prisoners. Thus, this act made by the State Department was demonstrated to be completely inappropriate, and an unethical procedural process chosen for Arar. Most importantly, it was acknowledged that Arar himself was in fact identified as a Canadian citizen. The document briefly examines Arar’s experiences by claiming that he was in fact tortured while overseas in Syria. Interestingly enough, the document describes how the Attorney General and the Secretary of State were given reassurance from Syria that Arar would not be tortured. This point would be an interesting topic to delve into for the research. Furthermore, the document continues to discuss how and why Arar had become a man of suspicion. It had been recorded in the report that it was the result of an affiliation with a colleague, Mr. Almaki. This same individual had been suspected of a similar crime to Arar. Overall, this report provides further explanation regarding the way in which Arar was negatively depicted through the data of information

recorded through RCMP officials. The article is also great to incorporate in the literature review because of the various topics it covers - a human rights perspective, statement, and an in-depth case review.

Lobel, J. (2008). Extraordinary Rendition and the Constitution: The Case of Maher Arar. *The Review of Litigation*, 28(2), 479–500. <http://search.proquest.com/docview/206841181/>

The objective of this article places a strong emphasis on the legalities surrounding extraordinary rendition, and the torture that may be associated with such aggressive actions. The author uses the constitution to demonstrate the consequences of extraordinary rendition that is acted upon inappropriately. The matter of the fact is that each case should be assessed differently, and that no two cases are alike. However, in the case of Arar he had been sent against his will to a country that is universally known to partake in extreme torture, and abuse towards detainees. The article reports a timeline of the events that occurred while being at the airport to his transfer to Syria. The author discusses how the Arar situation was unpreventable because he was denied the right to a telephone to contact a lawyer throughout the several interrogations he experienced in America while at the border. This article provides a deeper insight as to what occurred at the border. Whereas, other articles skimmed, or missed to include such details in part of their timeline reporting of the occurrences. The author continues to discuss the reason for sending Arar back to Syria, and the rights under the rule of law that should have protected Arar.

Report of the events relating to Maher Arar [electronic resource] / Dennis R. O'Connor, Commissioner, Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. (2006). Privy Council.

This document is an essential piece for the Maher Arar case because it is the Commission report that provides a justification for the security official who prosecuted Arar at the time of

detention. This article acts as a factual background providing all information case related. While reviewing this report, it is essential to keep in mind the biases that are associated with the document as it is written by and for the Canadian government. This document unveils an initiative launched in Canada called Project A-O. This was a counterterrorism strategy that was initiated through the Royal Canadian Mounted Police (RCMP). It was through this program that Arar became a target. The document reveals how the information that was recorded through this program was shared with security officials at the border which had ultimately led to his extraordinary rendition - essentially meaning that he was covertly deported to a foreign country. The article goes in depth from the process of arrest, to the attempt of the Harper government to compensate for the torture and suffering Arar experienced overseas in Syria where he was detained. Later having been found innocent of all acts he was accused of. This is inherently related to his career, religion, and culture. These are all factors that were noticed in the case.

Maher Arar Case. (n.d.). Retrieved June 19, 2020, from <https://www.thecanadianencyclopedia.ca/en/article/maher-arar-case>

This document provides a detailed account and timeline of Maher Arar and his lived experiences, both before his experience at the border, and the aftermath. The background information is a necessary component because understanding that Arar was a Syrian-born Canadian had influenced a significant role in part of his conviction at the border. His ethnicity unfortunately had created a stereotype for Arar with security officials. He was innocently accused through having had an association with Abdullah Almalki who supposedly had terrorist ties - this was later discovered to have been false. This was the beginning for how Arar had struck officials as a “person of interest”. It is also essential to recognize the point in time when

Arar was convicted at the JFK airport. It had been the following year after 9/11 occurred. This was during a time of increased security, and during a highly politicized time. Thus, the demand for safety and protection increased dramatically. This certainly had taken a toll towards the conviction of Arar as he had not been represented in a fair light through media outlets.

Journalists had been extremely critical and harsh in declaring that Arar is a terrorist associated with Al-Qaeda. The document further explores public inquiries, Arar's torture in Syria, and the fallout and apology Arar received following his innocent verdict. These points would be important to further analyze in part of the literature review.

### *Security and Surveillance*

Roach, K. (2012). Counter-terrorism in and outside Canada and in and outside the Anti-Terrorism Act. *Review of Constitutional Studies*, 16(2).

This article considers security and surveillance through a Canadian perspective. This would be useful to utilize because it allows for a deeper understanding of practices, and policies for the region in comparison to America. The article identifies cases aside from Arar of Muslim Canadian men who were also targeted as suspects of terrorism. However, it was later identified that such gentlemen were deemed innocent. The article furthers this argument through analyzing the lack of structure within placing accountability upon the Canadian government for such unethical accusations.

The main objective of this article is focused on Canada's Anti-terrorism Act. It goes into depth about the counterterrorism initiatives it portrays as well as how terrorism is defined in their rule book. The author identifies how Canada's heavily influenced from UK's Anti-Terrorism

Act. Furthermore, the article discusses in part of the act the ways in which the arrests work in terms of preventing terrorism, to intelligence sharing.

Agre, P. E. (1994). Surveillance and capture: Two models of privacy. *The Information Society*, 10 (2), 101–127.

This article compares and contrasts the two models of privacy – surveillance, and the capture model. The models identified aid in demonstrating relevant concepts that can be experienced and witnessed within today’s society. The concept of Big Brother, as well as the Panopticon was introduced. As well as a focus on the workplace had been critically analyzed through the capture model. A limitation of this article is that it was written in 1994. It is important to keep in mind while reviewing this article that technological advancements have significantly, and drastically evolved in terms of security measures. However, this does not dismiss the fact that this article contains relevant topics that could be of great use if used strategically. The article could be implemented within the literature review by acknowledging the shift that the world has seen evolved within the realm of security and surveillance studies.

Lyon, D. (2014, July 14). Surveillance, Snowden, and Big Data: Capacities, consequences, critique - David Lyon, 2014. Retrieved from <https://journals.sagepub.com/doi/full/10.1177/2053951714541861>.

The author leads as a director at Queens University for the surveillance studies program making him an exceptional expert within this area of study. The author David Lyon interestingly examines how the Snowden revelations have significantly added to our understanding of the state’s involvement in surveillance. The article effectively breaks down the Snowden revelations making it easier to comprehend the data. The article thoroughly examines how recently being aware of the states covert operations have now become a highly politicized, and ethical issue

today. Furthermore, in relation to the literature review this article will be utilized to further the critical analysis on the Snowden revelations and how it influences, and impacts border security. The Snowden revelations notably contributing to this area of study would be interesting to apply to the ways in which borders collect data on a mass scale as described in the article.

“New Report: ‘Mapping Muslims: NYPD Spying and Its Impact on American Muslims.’”  
AALDEF, March 11, 2013.  
<https://www.aaldef.org/press-release/new-report-launched-nypd-spyings-impact-on-american-muslims/>.

This article shares a unique perspective as it demonstrates how post 9/11, the New York Police Department (NYPD) had launched a covert investigation infiltrating the lives of Muslims within the city. The article describes both the short term and long term detrimental effects this has had on the community. The frontline investigation was unethical as there was no merit based on the outcome, or basis for this initiative to have been funded. The NYPD, after having conducted their investigations over several years, had not acquired a single lead, or suspect - this is extremely problematic and questions both the futility and intention of this initiative. Despite its ineffectiveness, the practice by the police department is justified as a preventative measure to protect the safety of innocent civilians. The article continues to describe the variability of such policing strategies. Such invasive measures have not been deemed effective at reducing domestic acts of terror. The investigation was described to have “no role to play in yielding leads to potential criminal activity”. The premise of the article sheds light on the situation of targeting Muslims within national borders. However, this ultimately affects security and surveillance measures at the borders and internationally alike.

Silva, D. (2017). The Othering of Muslims: Discourses of Radicalization in the New York Times, 1969–2014. *Sociological Forum*, 32(1), 138–161.  
<https://doi.org/10.1111/socf.12321>

This article focuses on how North American Muslims are targeted suspects for terrorism. The author emphasizes how perspectives surrounding Muslims have evolved over the last decade due to the acts of terror on 9/11. Moreover, Silva applies renowned theorist Edward Said work on Orientalism towards the depiction of Muslims living in the West. The authors line of work for the study consisted of analyzing “607 New York Times articles from 1969 to 2014”. This article provides extensive depth into radicalization has shifted our perspectives and beliefs surrounding the religion of Islam due to influences of the media. Understanding the social construction behind the “us versus them” debate is essential in identifying the challenge which is faced at the borders today. The external influences that are created through the media are factors to consider when it comes to how border security establishes their level of threat.

Aradau, C., & Van Munster, R. (2007). Governing Terrorism Through Risk: Taking Precautions, (un)Knowing the Future. *European Journal of International Relations*, 13(1), 89–115. <https://doi.org/10.1177/1354066107074290>

The highly politicized era of today has experienced a shift in risk governance. Despite attempts to control, and identify risks through various security initiatives and programs, there has been no evidence to support the practicality or efficacy of such methods. This article takes Ulrich Beck’s proposed analysis of how the world today has transformed into becoming a “global risk society”. The author elaborates on Beck’s bold claim with respect to terrorism; he argues that “September 11 drove home the lesson that we now live in a ‘risk society’, a society in which there are uncontrollable and unpredictable dangers against which insurance is impossible”. The article further argues various security practices, methods and the dangers that follow with these risk preventative measures. This would be interesting to further analyze because Arar was a

victim of living in a high risk society. The precautions that were taken were not moral, nor justifiable, however, it led to actions that were pursued, culminating in his extraordinary rendition.

Bauman, Z., Bigo, D., Esteves, P., Guild, E., Jabri, V., Lyon, D., & Walker, R. (2014). After Snowden: Rethinking the Impact of Surveillance. *International Political Sociology*, 8(2), 121–144. <https://doi.org/10.1111/ips.12048>

This article is co-written by several authors who together took a different perspective in analyzing post Snowden revelations. The input from the several academics has created more depth, and insight towards the field of surveillance because it allowed for a shared experience on the research through the application of different approaches. The controversy surrounding the Snowden revelations has created conflicted feelings, thus having an academic article to unravel such intense debates allows for a greater grasp at the pertinent security issues at stake. The article goes in depth debating whether surveillance should come before privacy, or whether privacy should be prioritized over surveillance. The article discusses how the National Security Agency (NSA) surveilled and collected data through their PRISM system. The article identifies that given the significant amount of content collected that it is extremely difficult to analyze all the data retrieved from the general public. The article continues to discuss how privacy plays a role in the rule of law, and human rights approaches.

James J. Wirtz (2013) Indications and Warning in an Age of Uncertainty, *International Journal of Intelligence and Counter Intelligence*, 26:3, 550-562

The journal by Wirtz demonstrates ways in which our modern society today has depended largely upon the Intelligence Community to predict and thus prevent heinous acts of terror. However, whether this is an effective means of preventing acts of terror is questionable; how effective is counter terrorism through indications and warning intelligence? Furthering this

argument, the article comments on the way the intelligence community has been influenced by policy makers, and analysts by their contributions in this field. The objective of the article focuses on the rituals behind identifying when to respond, warn, or act upon intel received. Also, the literature review identifies some challenges prohibiting one from being able to assess information accurately. Despite the negative implications of relying on intelligence, there are also benefits highlighting in being prepared for the unexpected. In comparison to other academic articles, this author strived to make the topic more relatable by applying the material to the case study of the Cold War. It created an element of interest because it enabled one to apply previous knowledge that is required for critical analysis of this topic. This work illuminates my bibliography because Wirtz offers a unique perspective as to how indications and warnings within this field is evolving and how its relevance has shifted with time. This is an important aspect because it offers one the ability to compare and contrast the benefits and risks of both past and present perspectives and data on this topic.

### *Border Security*

Terrorist Databases and the No Fly List: Procedural Due Process and Other Legal Issues (R43730). (n.d.).

This document is composed by members of Congress. The objective of the article is focused on the No Fly List which was initiated post-September 11. The watchlist is essentially composed of names of potential terrorists. The Transportation Security Administration (TSA) defined the watchlist as a method of “identifying individuals who pose a threat to aviation safety”. The consequences of being on such a list bans you from air travel. Such a list acts as a method to protect the safety of those boarding a flight by denying any person who has a name documented on the watchlist. Interestingly enough, the article addresses how this watchlist has

become problematic. There have been incidents where individuals have been mistakenly accused of being on the watchlist by having simply shared the same name as another individual. From a legal perspective, such issues had to be addressed with an understanding of the challenges faced. This article is useful to incorporate because it addresses the legal perspective of such a controversial watchlist. Furthermore, the article provides a thorough account of a background of the government watchlist on terrorists, databases, and screening.

Amoore, L. (2006, April 21). Biometric borders: Governing mobilities in the war on terror. Retrieved from <https://www.sciencedirect.com>

The article by Amoore introduces key concepts that have been inspired through the war on terror – biometrics. Essentially, the author describes the ways in which borders today have been transformed by utilizing biometric tools. The article continues to discuss the positives, as well as the risk and limitations attached to this technological advancement at our borders. This article is the epitome of the research project. Biometric borders will be further analyzed upon this article and provides great insight to the ways in which it has shifted over the past few years. Despite the limitations it poses, there is no denying the fact that the tools of such advancement in our technologies have aided towards the efficiency at the border. However, to what extent should civilians be willing to sacrifice their social contract for the greater good of society? This is related to the invasive nature of new and improved security and surveillance tools, measures, and approaches such as facial recognition, and fingerprinting as biometrics authenticates individuals.

Agre, P. (2003, September 10). Your face is not a Bar Code: Arguments Against Automatic Face Recognition in Public Places. Retrieved from <https://pages.gseis.ucla.edu/faculty/agre>

The article's objective discusses how face recognition should be limited due to the destructive nature it can create within society. For instance, one cannot evade such intrusive

security measures as it is within almost every social institution - shopping malls, schools, businesses, and various other public places. In recent years this has been brought as a serious concern because individuals are continuously tracked and monitored. Again, within this article social control is discussed as an approach taken to ensure citizens abide by the law. The author also acknowledges his concern for the expansion of such technologies to countries that do not promote civil liberties as a concern for the future. The article describes similarities of an individual's face, and a bar code claiming that the technology recognizes both in a comparable fashion. This article would contribute significantly towards the literature review because of the focus on biometric systems such as facial recognition. Applying this technological tool and applying it towards border security would be an interesting analysis that could be further investigated upon the literature review.

Jansma, S. (n.d.). The Privacy Paradox in a control society - Masters of Media. Retrieved September 24, 2010, from <https://mastersofmedia.hum.uva.nl/blog>

This article focuses on the paradoxical effects within the realm of surveillance and the control effects it poses upon society. The author compares and contrasts between a Foucauldian, and Deleuze analysis and understanding the ways in which control can influence, and affect individuals within society. This phenomenon occurs through the widespread digitalization in today's society. Networking through social media platforms allows for an individual's worldly experiences to be monitored and tracked contributing towards the world of metadata collection. The article would provide a meaningful contribution because it explains through an academic perspective the ways in which social media, or search engines on the internet track and save our

information. Furthermore, it would be interesting to analyze how this type of data affects an individual at border security

## CONCLUSION

The unfortunate reality of Maher Arar marks the beginning of a new problem society will begin to face with the extended amount of power afforded towards the realm of security and surveillance. A step forward to avoid such discrimination could potentially be to increase the representation of visible minorities within the realm of security investigations. This may have an effect towards mitigating racial profilings and stereotypical biases towards minority groups. If there is one key component advocated within this literature review it is to understand that the challenge Arar faced within the justice system is indicative of a massive failure by the system. His case should be utilized to ensure that similar incidents do not occur again. There should be a revision within policies to ensure that vulnerable communities are protected from a civil to a human rights approach. This is essential to be mindful of when it comes to ensuring the protection and safety of individuals. It is the duty of privileged individuals within society to ensure the protection of the most vulnerable within any community or population. This should not only be abided by as a standard, but should also be the norm. Arar's experience was by no means excusable nor justifiable - thus is the primary reason it is a failure by the Canadian government, and security force.

The intent of this literature review is to leave the reader with a greater critical understanding of the way the border security system works within both the Canadian and American borders. Both questioning the intent of certain initiatives, to revealing how discriminatory certain practices have become, represent just some of the many discussions addressed within this literature review. Furthermore, the grounding of the case of Maher Arar is

a unique approach that was done so in the aim of applying themes and creating new threads of discourse.

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