

THE SECURITY OF FREEDOM



ESSAYS

ON CANADA'S

ANTI-TERRORISM

BILL

EDITED BY RONALD J. DANIELS,
PATRICK MACKLEM AND KENT ROACH

Security Of Freedom Essays On Canadas Anti Terrorism Bill

Victor V. Ramraj



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The Security of Freedom University of Toronto. Faculty of Law, 2001-01-01 Papers from a conference The Security of Freedom held at the Faculty of Law University of Toronto on Nov 9 10 2001 **Domestic Counter-Terrorism in a Global World** Daniel Alati, 2017-07-14 Although both Canada and the United Kingdom had experienced terrorism prior to the attacks of 9 11 and already had in place extensive provisions to deal with terrorism the events of that day led to the enactment of new and expansive counter terrorism legislation being enacted in both jurisdictions This book explores these changes to counter terrorism laws and policies in the UK and Canada in order to demonstrate that despite the force of international legal instruments including the heavily scrutinized UN Security Council Resolution 1373 the evolution of counter terrorism policies in different jurisdictions is best analyzed and understood as a product of local institutional structures and cultures The book compares legal and political structures and cultures within Canada and the United Kingdom It analyses variations in the evolution post 9 11 counter terrorism measures in the two jurisdictions and explores the domestic reasons for them While focus is primarily geared towards security certificates and bail with recognizance investigative hearings in Canada and detention without trial control orders and TPIMs in the UK the use of secret evidence in the wider national security context terrorist listing civil litigation criminal prosecutions etc is also discussed The book reveals how domestic structures and cultures including the legal system the relative stability of government local human rights culture and geopolitical relationships all influence how counter terrorism measures evolve In this sense the book utilizes a methodology that is both comparative and interdisciplinary by engaging in legal political historical and cultural analyses This book will be particularly useful for target audiences in the fields of comparative law and criminal justice counter terrorism law human rights law and international relations and politics **Global Anti-Terrorism Law and Policy** Victor V. Ramraj, 2012-01-12 This international work provides information on and analysis of anti terrorism law and policy by top experts in the field **Terrorism and Counterterrorism in Canada** Jez Littlewood, Lorne Dawson, Sara K. Thompson, 2020-01-29 Through close analysis of the Canadian context Terrorism and Counterterrorism in Canada provides an advanced introduction to the challenges and social consequences presented by terrorism today Featuring contributions from both established and emerging scholars it tackles key issues within this fraught area and does so from multiple disciplinary perspectives using historical quantitative and qualitative lenses of analyses to reach novel and much needed insights Throughout the volume the editors and contributors cover topics such as the foreign fighter problem far right extremism the role of the internet in fostering global violence and the media s role in framing the discourse on terrorism in Canada Also included are essays that look at the struggles to develop specific counter terrorism policies and practices in the face of these threats In addition to offering a detailed primer for scholars policymakers and concerned citizens Terrorism and Counterterrorism in Canada confronts the social and legal consequences of mounting securitization for marginalized

communities **National Security and Fundamental Freedoms** Hualing Fu, Carole J. Petersen, Simon N.M. Young, 2005-03-01

There has been intense interest in the proposals to implement Article 23 both in Hong Kong and abroad. This book will be valuable to anyone who has followed or participated in that debate or has an interest in the delicate balance between civil liberties and national security. The book will be particularly useful for legislators, policy makers, lawyers, journalists, historians, teachers and students, especially in the fields of law and the social sciences. The statutory Appendix will assist teachers and students to draw comparisons between existing law and the government's proposals. In 2003, more than 500,000 people marched in Hong Kong against the National Security Legislative Provisions Bill, which would have prohibited treason, sedition, secession and subversion against the national government of China and included new mechanisms for proscribing political organisations. This edited collection analyses that legislation, particularly the implications for civil liberties and the one country two systems model. Although the massive protest compelled the Hong Kong government to withdraw the Bill from the legislature in 2003, it will likely propose similar legislation in the future because Hong Kong has a constitutional obligation to implement Article 23 of the Basic Law. The book provides detailed and balanced commentary on the Bill, explains why certain proposals proved so controversial and offers concrete recommendations on how to improve the proposals before the next legislative exercise.

Fu Hualing is an Associate Professor and Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. His research interests include social legal studies, human rights and criminology. He has an LLB from Southwestern University of Law and Politics, China, an MA from the University of Toronto, Canada, and a doctoral degree from Osgoode Hall Law School, Canada. Carole J. Petersen is an Associate Professor and a former Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. She has been teaching law in Hong Kong since 1989, specializing in constitutional law, human rights and anti-discrimination law. She has a BA from the University of Chicago, a JD from Harvard Law School and a Postgraduate Diploma in the Law of the People's Republic of China from the University of Hong Kong. Simon N.M. Young is an Associate Professor and Deputy Director of the Centre for Comparative and Public Law, Faculty of Law of the University of Hong Kong. He teaches criminal law, evidence and legal aspects of white collar crime. Previously, he was Counsel in the Crown Law Office, Criminal Ministry of the Attorney General for Ontario in Toronto, Canada. He obtained his LLB from the University of Toronto and his LLM from Cambridge University. This collection of essays on the saga of Hong Kong's efforts to address the mandate of Article 23 in the Basic Law of the Hong Kong Special Administrative Region and related matters is likely to be an extremely useful resource for a number of audiences. These include those directly engaged with the issue of legislation and policymaking in Hong Kong, in both public institutions and in the community; those who have an interest in the development of Hong Kong's political and legal system and its relationship to the system of Mainland China; and those with an interest in national security and anti-terrorism legislation more generally from a comparative perspective. The overall quality and range of the contributions is

strong The topic itself is a current and important one and the collection is an important contribution to the field Andrew Byrnes Professor of Law Australian National University The debate on legislation to ensure the sovereignty and security of the PRC against threats from Hong Kong was a turning point in the Special Administrative Region s political history It showed that while some Hong Kong residents may have reservations about democracy human rights are cherished by almost all It also showed that people can influence policy even without formal institutions of democracy The authors of this book played a leading role in the debate clarifying the legal issues which was critical to an informed debate Yash Ghai Sir Y K Pao Professor of Public Law University of Hong Kong An Exceptional Law Dennis G. Molinaro, 2017-05-08 During periods of intense conflict either at home or abroad governments enact emergency powers in order to exercise greater control over the society that they govern The expectation though is that once the conflict is over these emergency powers will be lifted An Exceptional Law showcases how the emergency law used to repress labour activism during the First World War became normalized with the creation of Section 98 of the Criminal Code following the Winnipeg General Strike Dennis G Molinaro argues that the institutionalization of emergency law became intricately tied to constructing a national identity Following a mass deportation campaign in the 1930s Section 98 was repealed in 1936 and contributed to the formation of Canada s first civil rights movement Portions of it were used during the October Crisis and recently in the Anti Terrorism Act of 2015 Building on the theoretical framework of Agamben Molinaro advances our understanding of security as ideology and reveals the intricate and codependent relationship between state formation the construction of liberal society and exclusionary practices *The Constitution of the Environmental Emergency* Jocelyn Stacey, 2018-04-19 This book argues for a reframing of environmental law It starts from the premise that all environmental issues confront lawmakers as emergencies Environmental issues pose a fundamental challenge to law because it is impossible to reliably predict which issues contain the possibility of an emergency and what to do in response to such an unforeseen event These features undermine the conventional understanding of the rule of law This book argues that approaching environmental issues from the emergency perspective leads us to an understanding of the rule of law that requires public justification This requirement recentres the debates in environmental law around the question of why governance under the rule of law is something worth having in the environmental context It elaborates what the rule of law requires of decision makers in light of our ever present vulnerability to catastrophic environmental harm Controversial compelling and above all timely this book presents an important new perspective on environmental law **11-Sep** Kent Roach, 2003 The author examines the consequences of September 11 in Canada including an assessment of anti terrorism measures such as the Anti terrorism Act the Smart Border agreement Canadian participation in the war in Afghanistan changes to refugee policy the 2001 Security Budget and the proposed Public Safety Act He also looks at opposition the Anti terrorism Act warns that exceptions to legal principles made to fight terrorism may spread to attempts to combat other crimes and suggests that Canadian law may not provide adequate

protection against invasions of privacy or discriminatory profiling of people as potential terrorists Other topics covered include the challenge September 11 presents for Canadian sovereignty on key components of foreign military and immigration policy the possibility that Canadian Forces participated in violations of international law in Afghanistan the threat of nuclear and biological terrorism and aviation safety **September 11'** Kent Roach,2003 The author examines the consequences of September 11 in Canada including an assessment of anti terrorism measures such as the Anti terrorism Act the Smart Border agreement Canadian participation in the war in Afghanistan changes to refugee policy the 2001 Security Budget and the proposed Public Safety Act He also looks at opposition the Anti terrorism Act warns that exceptions to legal principles made to fight terrorism may spread to attempts to combat other crimes and suggests that Canadian law may not provide adequate protection against invasions of privacy or discriminatory profiling of people as potential terrorists Other topics covered include the challenge September 11 presents for Canadian sovereignty on key components of foreign military and immigration policy the possibility that Canadian Forces participated in violations of international law in Afghanistan the threat of nuclear and biological terrorism and aviation safety **Security and Human Rights** Benjamin J Goold,Liora Lazarus,2019-09-05 This is the second edition of the acclaimed Security and Human Rights first published in 2007 Reconciling issues of security with a respect for fundamental human rights has become one of the key challenges facing governments throughout the world The first edition broke the disciplinary confines in which security was often analysed before and after the events of 11 September 2001 The second edition continues in this tradition presenting a collection of essays from leading academics and practitioners in the fields of criminal justice public law privacy law international law and critical social theory The collection offers genuinely multidisciplinary perspectives on the relationship between security and human rights In addition to exploring how the demands of security might be reconciled with the protection of established rights Security and Human Rights provides fresh insight into the broader legal and political challenges that lie ahead as states attempt to control crime prevent terrorism and protect their citizens The volume features a set of new essays that engage with the most pressing questions facing security and human rights in the twenty first century and is essential reading for all those working in the area

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