

States of exception in the post-9/11 world

POLS 2940B: Introduction to International Politics

Chicago Style

INTRODUCTION

Torture, as a means of interrogation, for long has been a practice which has divided societies. Those in favour of the practice argue its effectiveness as a tool to extract useful information from suspects in order to compromise future criminal activity. Those against torture cite that the practice's gross disregard for human rights as the reason for their objection. These two contrasting views on torture have re-emerged in the 21st century. Following the September 11 attacks, the War on Terror has aimed to neutralize terrorist activity through a variety of means, including the imprisonment of suspected terrorists and other criminals at various institutions across the globe. The conditions in which these individuals are held and the treatment they are subject to at these institutions has created an intense debate, especially in the United States. One side argues detainees are treated within the bounds of the laws at states of exception - spaces where a sovereign power rules but is devoid of rights for those inside of them¹ – while the other side argues the treatment these individuals are subject to is nothing short of torture. Although post 9/11 states of exception may play a role in compromising terrorism and gathering other intelligence, they ultimately breach international law and state specific law. States of exception including black sites, Abu Ghraib, and Syrian and Israeli jails have violated international laws including the Geneva Conventions, treaties such as the United Nations' Convention against Torture, and state laws including the Israeli High Court of Justice's prohibition on torture. In this essay, I will present the cases of black sites, Abu Ghraib, Maher Arar, and finally Ghazi Walid-Falah in order to illustrate how international laws and treaties have been gravely breached. I will discuss how states of exception not only disregard the rights of detainees, but also western beliefs and values. States of exception not only change the lives of detainees, but also change us in the west as ideas such as liberty, equality, and justice – 3 ideals we in the west hold close to

¹. TugbaBasaran, "Security, Law, Borders: Spaces of Exclusion," *International Political Sociology* (2008): 339, accessed March 10, 2014, doi: 10.1111/j.1749-5687.2008.00055.x.

our hearts and seek to spread throughout the world – are suspended. The proceeding section will analyze the case of black sites and Abu Ghraib.

BLACK SITES

Black sites are defined as “secret prisons outside the United States [where terrorist suspects are] subjected to unusually harsh treatment.”² Persons imprisoned at these institutions are subject to simulated torture including waterboarding, isolation, and enclosure in tiny spaces³. The actions that occur at black sites are clear violations of the Geneva Conventions which bar cruel treatment, degradation, and torture⁴. The use of this type of torture finds its origins in the ticking time bomb scenario. The scenario posits a thought experiment where one must decide if they should or should not use torture on a suspected terrorist in their custody in order to prevent the detonation of a bomb in a large city⁵. Proponents of torture at black sites argue that the use of enhanced interrogation techniques on these individuals is justified as it is used to extract useful intelligence in order to stop terror plots and prevent them from occurring in the future⁶. This rationale is highly flawed as it does not take into consideration secondary elements. The scenario assumes the person in custody is certainly the one who has planted the bomb; however, making such an assumption in reality is difficult. The scenario also does not take into consideration the possibility of false confessions made under torture either as a way to mislead the authorities purposely or just as an attempt to stop the torture. This section will present the case of Khaled Sheikh Mohammed, a high ranking Al Qaeda member and how the treatment he was subject to violated the Geneva Conventions and disregarded western beliefs and values.

² Jane Meyer, “The Black Sites: A rare look inside the C.I.A’s secret interrogation program,” *New Yorker*, August 13, 2007, accessed January 15, 2014, http://www.newyorker.com/reporting/2007/08/13/070813fa_fact_mayer.

³ Ibid.

⁴ Ibid.

⁵ Veronique Pin-Fat, “How do we begin to think about the world,” in *Global Politics: An Introduction*, ed. Jenny Edkins and Maja Zehfuss (New York: Routledge, 2014), 23.

⁶ Forms of simulated torture such as waterboarding.

Mohammed, the principal architect of the September 11 attacks and confessed murderer of Daniel Pearl, was arrested in Rawalpindi, Pakistan in 2003 by the C.I.A.⁷. Following his capture, Mohammed was transported to a black site in Afghanistan where he was placed in solitary confinement and stripped naked⁸. Reports also allege Mohammed “was attached to a dog leash, and yanked in such a way that he was propelled into the walls of his cell.”⁹ Meyer also alleges Mohammed was suspended from the ceiling by his arms with his toes barely touching the ground¹⁰. Mohammed reports “he was kept alternately in suffocating heat and in a painfully cold room, where he was doused with ice water,” in reference to his imprisonment at the Dark Prison, a blacksite near Kabul, Afghanistan. The transportation of suspected terrorists to and from black sites, which Mohammed was subject to, also violates the Geneva Conventions. This process is described as a strategized routine, “during which a suspect [...] [is] hog-tied, stripped naked, photographed, hooded, sedated with anal suppositories, placed in diapers, and transported by plane to a secret location.”¹¹ Mohammed, now in detention at Guantanamo Bay, was clearly subject to treatment that violated the Geneva Conventions. This section will now analyze the Abu Ghraib torture and prison abuse scandal.

The Abu Ghraib torture and prison abuse scandal is arguably the most astonishing state of exception thus far uncovered in the post 9/11 world as the torture, cruel treatment, and degradation the detainees at Abu Ghraib, a prison near Baghdad, Iraq, were subject to was administered by United States Army personnel. The same personnel entrusted to bring the ideals of liberty, equality, and justice to the Iraqi people. Photographs leaked in the spring of 2004 revealed “grinning faces of Specialist Charles A. Graner and Pfc. Lynndie R. England flashing a thumbs up behind a pyramid of seven naked detainees, a kneeling inmate posing if he is

⁷. Ibid.

⁸. Ibid.

⁹. Ibid.

¹⁰. Ibid.

¹¹. Ibid.

performing oral sex on another hooded male detainee, a terrified male Iraqi inmate trying to ward off an attack dog being handled by American soldiers, and a US soldier grinning next to the body of a dead inmate packed in ice.”¹² The most iconic, yet horrific images present “a hooded man standing on a box, with his arms outstretched in Christ-like fashion, electric wires attached to his hands and penis.”¹³ The second presents “a smiling England holding a leash attached to a naked Iraqi man lying on the floor.”¹⁴ The Abu Ghraib torture and prison abuse was a clear, gross violation of the Geneva Conventions as the treatment the detainees were subject to constitutes torture, cruel treatment, and degradation. Major General Antonio Taguba, who wrote a report on the scandal, argues the incidents that occurred at the prison were not the actions of just ‘a few bad apples,’ however, ‘a huge leadership failure.’¹⁵ Taguba expands on the atrocities as he writes:

“Breaking chemical lights and pouring the phosphoric liquid on detainees; pouring cold water on naked detainees; beating detainees with a broom handle and a chair; threatening male detainees with rape; allowing a military police guard to stitch the wound of a detainee who was injured after being slammed against the wall in this cell; sodomizing a detainee with a chemical light and perhaps a broom stick, and sending military working dogs to frighten and intimidate detainees with threats of attack, and in one instance actually biting a detainee.”¹⁶

The experiences of Khalid Sheikh Mohammed and the Abu Ghraib scandal cannot be solely examined through a legal lens. The treatment Mohammed and the individuals at Abu Ghraib were subject to effectively change western society. It is very unfortunate the very men and women entrusted with the task of bringing democratic ideals to Afghanistan and Iraq, disregarded their duty by engaging in gross human rights violations. Individuals such as Mohammed and the inmates at Abu Ghraib had their liberty to be free from torture and other inhumane acts suspended when they were subject to acts such as leashing. They had their

¹². Henry A. Giroux, “Education after Abu Ghraib,” *Cultural Studies* (2004): 780, accessed January 30, 2014, doi: 10.1080/0950238042000306873.

¹³. Ibid.

¹⁴. Ibid.

¹⁵. Ibid., 781.

¹⁶. Ibid., 782.

equality ripped away when they were treated by their fellow human beings as animals. And finally individuals such as Mohammed and the victims of the Abu Ghraib scandal had their right to be treated in a just manner suspended when they were treated by officials using illegal means such as degradation. This changes western society. People living in coalition member states such as Canada and the United States believed their troops were in these countries to topple authoritarian regimes and usher in an era of democracy and peace. However, after learning individuals such as Mohammed and the inmates at Abu Ghraib were subject to injustices such as leashing it should make society re-think the west's involvement. Essentially, tyrannical regimes in Afghanistan and Iraq have been replaced by another tyrannical regime. Instead of fighting terror as a part of the "War on Terror," United States military personnel preserved it and inflicted it back on the very people they were supposed to be liberating. Critics may argue the individuals who were subject to this treatment were suspected terrorists and criminals such as Khalid Sheikh Mohammed. This is true, Mohammed was indeed a terrorist and many of the inmates at Abu Ghraib were suspected terrorists as well. However, this does not take away from the fact these individuals were subject to human rights violations. Human rights have been established for the protection of *all* humans against grave indignities such as torture. The actions of the United States in regards to black sites and Abu Ghraib are unjustifiable. Not only have the United States and its collaborators wronged those who were subject to their injustices, but also those individuals that elected them. These governments told their people they would enter Afghanistan and Iraq aiming to spread the ideals of equality, liberty, and justice; however, after looking at the case of black sites and Abu Ghraib it is extremely clear that they have failed in this endeavour. The proceeding section will analyze the case of Maher Arar.

THE CASE OF MAHER ARAR

For Canadians, perhaps the most touching of all cases arising from the post-9/11 states of exception is the case of Maher Arar. Arar, a Syrian-Canadian engineer subject to extraordinary rendition, was sent from John Fitzgerald Kennedy airport in New York, to a Syrian prison on suspicion of being an Al Qaeda operative in September of 2002¹⁷. Prior to being moved, Arar was detained uncharged in solitary confinement for nearly two weeks, interrogated, and denied access to a lawyer¹⁸. Arar made stops in Washington, D.C. and Amman, Jordan prior to arriving in Syria where he was held for ten months¹⁹. This section will look at how Syrian prison officials violated the Geneva Conventions and the United Nations' Convention against Torture by assaulting Arar on a daily basis and forcing him to make false confessions during his imprisonment. I will also look at how the United State breached state law and regulations by illegally moving Arar from the United States to Syria via extraordinary rendition.

Prior to arriving in Syria, Arar alleges he was blindfolded, handcuffed, and beat in Amman, Jordan while being transported²⁰. Once in Syria, Arar was placed in the Far Falestin prison under the authority of the Syrian Military Intelligence (SMI)²¹. A hungry, exhausted, and terrified Arar was interrogated continuously during his 10 month ordeal²². Early on in his detainment, Arar was subject to physical torture as he alleges he was assaulted with a shredded electrical cable during the interrogations²³. The pain from the lashes was so severe that Arar was forced to make a false confession and confess to training at Al Qaeda training camps in Afghanistan²⁴. Arar was also subject to the punches and kicks of the interrogators²⁵. However,

¹⁷. Government of Canada, *Reporting of the Events Relating to Maher Arar: Analysis and Recommendations* (Ottawa: Publishing and Depository Services Public Works and Government Services Canada, 2006), http://www.pch.gc.ca/cs-kc/arar/Arar_e.pdf, accessed January 15, 2014, 9.

¹⁸. Ibid., 140.

¹⁹. Ibid., 54.

²⁰. Ibid., 55.

²¹. Ibid.

²². Ibid.

²³. Ibid.

²⁴. Ibid., 56.

²⁵. Ibid.

the psychological torture Arar had to endure may have caused more injury than the physical. Throughout his detention Arar was constantly told by the interrogators he would be subject to the “chair” or the “tire” if he did not co-operate with them.²⁶ After each interrogation session, Arar was also told “tomorrow will be worse for you.”²⁷ This caused Arar tremendous psychological stress, allowing him only 2-3 hours of sleep every night during his 10 month long detention.²⁸ Apart from the treatment Arar was subject to the conditions in which he was kept were also abysmal. His rat-infested basement cell was six feet high and 3 feet wide and included two thin blankets and two bottles – one with water and one for urine.²⁹ The conditions and treatment Arar was subject to during his imprisonment in Syria clearly breached the Geneva Conventions, which Syria is a signatory of, prohibiting the cruel treatment, degradation, and torture of persons. Also breached was the United Nations Convention against Torture which bars “any act by which severe pain or suffering, whether physical or mental, [...] intentionally inflicted on a person.”³⁰ Arar’s experiences in Far Falestin where he was assaulted with shredded electric cables, punched and kicked, and also assaulted psychologically with the threat of further punishment clearly highlight this. Although many commentators focus on Arar’s experiences with torture in FalFalestin as the sole violation of international and state law in regards to his case, Arar’s extraordinary rendition from the United States to Syria must also be investigated through a legal lens. Although the practice of extraordinary rendition is not classified as legal or illegal, it is undoubtedly questionable. Seeing extraordinary rendition is defined as “the practice of sending a foreign criminal or terrorist suspect covertly to be interrogated in a country with less

²⁶. Ibid.

²⁷. Ibid.

²⁸. Ibid.

²⁹. Ibid.

³⁰. Pin-Fat, 22.

rigorous regulations for the humane treatment of prisoners,”³¹ it can be argued the United States used this practice to circumvent international and state laws regulating the movement of prisoners. Extraordinary rendition also breaks the equality of equal treatment of criminals and citizens of Canada’s and the United States’ liberal order.

However, Arar’s experiences cannot just be examined through a legal lens. It is important to understand how his case changes society in the west. Liberty, equality, and justice – three key ideas forming the foundation of liberal democracy – were unjustifiably suspended. Arar had his liberty to be free from torture suspended when he was subject to extreme physical and psychological torture. Equality was revoked from Arar when United States officials saw him as a brown male with a Muslim name rather than a decent, professional, young Canadian citizen who had no priors. Finally Maher Arar was subject to grave injustices as he was detained and interrogated without charges in the United States, sent to a country – as a Canadian citizen, he had no right being sent to, and enduring 10 months of trauma at Far Falestin. When ideas such as liberty, equality, and justice come into the picture, Arar’s case becomes more than just a matter of legal negligence. Liberal democracies such as the United States and Canada take pride in the aforementioned ideals. So much so that these countries, especially the United States, seek to promote them throughout the world as seen by the wars in Afghanistan and Iraq and more recently their support for the revolutions in the Arab world. Seeing this, it is paradoxical these very principles are suspended internally. Cases such as Maher Arar change society as liberal democracies show their people that the ideas of liberty, equality, and justice are not absolute and will be suspended if required. These ideas were given to society for the people by the people. Liberty, equality, and justice should apply to all of society. Liberal democracies cannot segregate societies into different sections and give certain segments the aforementioned rights whilst

³¹. “Rendition,” https://www.google.ca/search?q=define:+extraordinary+rendition&ie=utf-8&oe=utf-8&rls=org.mozilla:en-US:official&client=firefox-a&channel=sb&gws_rd=cr&ei=lp8U-7pGImi0gGZyIDQDQ.

revoking them from others such as Arar in the name of national security. Doing so will only push society backwards. Instead of progress, liberal democracies can regress to a similar time where blacks were ill-treated due to the colour of their skin, women maltreated because of their sex, and homosexuals subject to prejudice because of their lifestyles. Only in this case it will be people such as Maher Arar who are subject to such intolerance because of their identity in the post 9/11 world. The proceeding section will analyze the case of Ghazi Walid-Falah.

THE CASE OF GHAZI WALID-FALAH

Thus far this paper has investigated the use of states of exception in order to neutralize terrorism. However, the case of Ghazi Walid-Falah breaks from this investigation. Walid-Falah's experience offers readers a look into how countries have used states of exception in order to protect national interests and neutralize threats to national security not directly raised by terrorism. This section will look at how states of exception in Israel violated international law, namely the Geneva Conventions, and state specific laws prohibiting the use torture. Walid-Falah is a Palestinian geographer who was arrested and detained by Israeli security forces under the pretense of being a suspected spy in July of 2006, just days prior to the 2006 Lebanon War³². This section will highlight how the Israeli security forces' interrogation and detention of Walid-Falah breached international and state law as Walid-Falah was subject to at least three forms of physical torture prohibited by the Geneva Conventions and the Israeli High Court of Justice³³. Imprisoned for 23 days at Al Jalama, a jail near Haifa, Israel, Walid-Falah argues his incarceration was purely political, a form of punishment for the way he had completed his geography of Palestine and had written about the Israeli removal of Palestinians from the

³². Ghazi-WalidFalah, "Geography in Ominous Intersection with Interrogation and Torture: Reflections on Detention in Israel," *Third World Quarterly* (2008): 749, accessed January 15, 2014, doi: 10.1080/01436590802052706.

³³. Ibid.

disputed lands. As he writes, “It was centred on extracting imagined ‘usable’ information from [...] [me] about [...] [my] contacts, especially in the field of geography in the Middle East.”³⁴

At Al Jalama, Walid-Falah was subject to three forms of physical torture and degradation including chaining, sexual intimidation, and sleep deprivation. He reports when he was being transferred from his jail cell to the other buildings in Al Jalama his hands and legs were chained agonizingly tight³⁵. When he asked to have a cloth put between his heels and the iron chain in an effort to try to stop the pain, the officer simply replied: “No. It has to stay over your flesh.”³⁶ Walid-Falah also alleges he was subject to sexual intimidation. He reports to the Canadian government that he was sitting on a chair with his hands chained behind his back as an interrogator sat in front of him and shouted at him from a distance of half a centimetre³⁷. Walid-Falah alleges the interrogator’s spit fell on his face and that he could also feel the interrogator’s breath on his nose and lips as the interrogator pressed his chest and legs against him. After failing to escape this treatment, he told the interrogator that he was sexually harassing him. Noting this may be problematic, the interrogator stopped his interrogation; however, this same behaviour continued another 15 times in the same session³⁸. Walid-Falah alleges he was subject to sexual intimidation again in another session when two interrogators proceeded in the aforementioned manner. And finally, in regards to sleep deprivation, Walid-Falah was not allowed more than 2 or 3 hours of sleep a day during his detainment due to the constant interrogation sessions he was subject to³⁹. His longest bout with sleep deprivation lasted 60 hours from July 12th to July 15th where he underwent a 60 hour long interrogation session⁴⁰. Even during those 2 or 3 hours when Walid-Falah was allowed to sleep, he was often subject to a roll call where he would have to

³⁴. Ibid.

³⁵. Ibid., 759.

³⁶ Ibid.

³⁷. Ibid., 760.

³⁸. Ibid.,

³⁹. Ibid., 761.

⁴⁰. Ibid., 762.

stand up from his cot, approach the cell door and say his name to the officer when the officer opened the peephole and said ‘counting.’⁴¹ He alleges he was allowed to sleep the full night prior to making his appearances in front of the judge so as not to give the judge the impression he was being mistreated by the authorities at Al Jalama⁴². Of the aforementioned tortures Walid-Falah was subject, sleep deprivation may have been the most traumatizing as Walid-Falah alleges he suffers from post-traumatic stress disorder and is unable to sleep the full night due to the sleep deprivation he was subject to⁴³. Thus, these assaults to the body clearly violate the Geneva Conventions and the Israeli High Court’s prohibition on torture. The chaining Walid-Falah was subject to constitutes as torture as it resulted in the inflicting of severe pain on the body. Sexual intimidation counts as degradation as the interrogators violated Walid-Falah’s personal space in a situation where he was helpless and was sexual harassed by their obscene actions and advances. And finally, the sleep deprivation Walid-Falah was subject to constitutes both physical and psychological torture and cruel treatment as this practice was intended to systematically breakdown his physical and mental capacities.

Like black sites, Abu Ghraib and the Maher Arar case, Walid-Falah’s detention cannot solely be examined through a legal lens. While the treatment Walid-Falah was subject to in Israel by the Shin Bet broke both international and state law, it also violated much more. Israel, the largest western-style liberal democracy in a region consumed by authoritarian governments, ultimately violated the very the principles which separated the Israeli state from its neighbours through its treatment of Ghazi Walid-Falah. The ideas of liberty, equality, and justice – the foundation of liberal democracy, were breached through Walid-Falah’s chaining, sexual intimidation, and sleep deprivation. Walid-Falah’s liberty to be free from torture and other cruel

⁴¹. Ibid., 761.

⁴². Ibid., 762.

⁴³. Ibid., 761.

treatment was violated by the Israeli state. Also Walid-Falah's right to justice was also violated as he was treated in a manner not in accordance with the laws and denied access to his legal counsel. Walid-Falah's experiences not only affect his life; however, it also affects the lives of those living in Israel and the west. It is cases like this that should make westerners question their political systems and legal institutions. It is quite appalling to think ideas such as liberty, equality, and justice – ideas which many have laid their lives down for – can be suspended at a moment's notice. It is absurd for the west to engage in democratic projects that seek to bring the principles of liberal democracy to countries which lack liberty, equality, and justice when the west itself fails to uphold these ideas. Neo-utilitarians or those in favour of torture as a mechanism to stop criminal activity may argue it is acceptable to suspend the liberty, equality, and justice of a few in order to preserve those rights for the many. This argument is misguided. You cannot alienate one individual's rights in a system where these rights are universal. All people living in western-style liberal democracies must have access and recourse to their rights. This argument is also misguided because it essentially renders laws to be useless. Neo-utilitarians in favour of torture as a mechanism to stop criminal activity are essentially abandoning law and degenerating into a Hobbesian 'state of nature' where transgressions rather than law reigned supreme. Legal recourse, on the other hand, provides authorities with the means to tackle criminal activity such as terrorism in a just and judicial manner. Laws were written to deal with transgressions in a just and systematic manner. Torture and cruel treatment contradicts this principle. The proceeding section will conclude the paper.

CONCLUSION

This paper has explored states of exception in the post-9/11 world and highlighted how the actions committed inside these institutions violate international and state law. More importantly, this paper has also investigated how states of exception have changed those living in

western liberal democracies through their unjustifiable suspension of liberty, equality, and justice – three values that are at the foundation of liberal democracy. First this paper looked at black sites and Abu Ghraib and the experiences of Khaled Sheikh Mohammed and the inmates at Abu Ghraib. Mohammed and the inmates were subject to cruel treatment, degradation, and torture that constitutes a violation of the Geneva Conventions and the United Nations Declaration against Torture. Moreover, their treatment changes western society as it makes it clear that western liberal democracies do not uphold the ideas of liberty, equality, and justice universally as these principles were suspended for both Mohammed and the inmates.

Second this paper looked at Maher Arar and his detention at Far Falestin. This section highlighted how the physical psychological torture he was subject to violated the Geneva Conventions. The paper has also made clear how the United States' use of extraordinary rendition to move Arar to Syria was an extrajudicial process that had no legal justification as Arar was neither an American citizen nor a Syrian citizen. Like the experiences of Mohammed, this section also made clear how Arar's experiences change the west as once again western liberal democracies show the ideas of liberty, equality, and freedom – the principles western democracy is founded upon – are not accessible to everyone.

And finally, this paper looked at Ghazi Walid-Falah and his experiences at Al Jalama. Walid-Falah was subject to three assaults on the body including chaining, sexual intimidation, and sleep deprivation which amount to torture and are prohibited by the Geneva Conventions and the Israeli High Court of Justice. Walid-Falah's experiences are unfortunate due to actions committed by Israel – the leading western-style liberal democracy in a region consumed by authoritarianism and dictatorships. Walid-Falah's treatment at Al Jalama very much affects the west as it should spark critical thinking. Westerners must wrestle with the idea that if western liberal democracies such as Israeli cannot uphold the essential democratic principles of equality,

liberty, and justice internally, how possibly can they advance these ideas externally in states such as Afghanistan and Iraq. All of the cases explored are related to each other as they all involve middle-aged, Muslim men and the United States plays a key role in their experiences. The cases involve the breaching of democratic values of liberty, equality, and justice and the law in the same way as well as those involved have their liberty to be free from torture suspended and are forced to endure injustices as they are treated by means outside of the law.

I posit to the reader that states of exception do not play a role in compromising terror; however, accentuate it. Yes, states of exception may prevent detainees such as Khaled Sheikh Mohammed from committing terrorist activity again; however, western governments fail to look at the larger picture. By torturing operatives of terrorist outfits such as Khaled Sheikh Mohammed, western liberal democracies may be inciting retaliatory attacks and thereby increasing the threat of terrorism and other criminal activity in the west. Imprisoning innocent individuals such as Ghazi Walid-Falah and releasing them after they have been subject to life altering experiences may foster resentment of western liberal democracy with these individuals or those close to them using terrorism as a way to exact revenge. An example of this conundrum is the rise of Sikh militancy in the 1980s in Canada and India. Prior to becoming militants, these were decent men who earned their livelihood generally by labouring. However, after Sikh protests calling for the Indian government to recognize Sikhism as a distinct religion were met with an iron fist, these men turned to militancy to exact revenge on the government after they and those around them were subject to torture (e.g., lashings, physical assaults, and electrocution)⁴⁴. Seeing Canada as an ally of India, a group of Sikh militants hatched a plan to attack both countries. The bombing of Air India flight 182 on June 23, 1985 led to the death of

⁴⁴. ZuhairKashmeri and Brian McAndrew, *Soft Target: The real story behind the Air India disaster – Second Edition* (Lorimer :Lorimer, 2005), 146.

hundreds of Canadians⁴⁵. Society needs to rethink states of exception and the detention of terrorists and other suspected criminals. As this paper has reiterated, it is a matter that affects and changes us all.

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⁴⁵. Ibid., vi.

