

SECRECY TODAY

Two FPA Research Excellence Chair Events



Image: *Parlour* (1947) by Julio Pomar; photo by Pedro Ribeiro Simões.

public lecture

THURSDAY 9th MARCH, 2023

At the Limit of Politics: Third Party Rule, Five Eyes and Oversight of the Secret Services

Didier Bigo

Sciences Po / Kings College London

5.00 – 6.30 pm

2220-2224 Richcraft Hall, Carleton University

Reception to follow

All are welcome

symposium

FRIDAY 10th MARCH, 2023

Secrecy, Invisibility, Ignorance

1.30 – 6.00 pm

2017 Dunton Tower, Carleton University

All are welcome

Recent scholarship in the social sciences is now moving beyond questions of knowing in order to examine different ways by which we consciously and strategically avoid or limit knowing. Treating unknowing and nonknowing not as a mere absence of knowledge but in terms of strategic acts, silences, invisibilities and absences, this work

complicates what we understand by secrecy, ignorance and absence. This one-day symposium will advance this research by promoting conversation amongst scholars working on topics of ignorance, invisibility, truth-telling and secrecy within the fields of politics and law.

programme

- 1.30 – 2.00 pm **Welcoming Remarks and Introduction**
- 2.00 – 3.30 pm **Panel I: Practices and Operations of Secrecy**
- Didier Bigo (Sciences Po, Paris / Kings College London) – *Overseeing secret services, a chiaroscuro landscape*
- Elsbeth Van Veeren (University of Bristol) – *The Hunt as security logic: US special operators and a critical rereading of the history of US manhunting* (via zoom)
- William Walters (Carleton University) – *Declassification and the genealogy of state secrecy*
- 3.30 – 4.00 pm **Coffee/Tea Break**
- 4.00 – 6.00 pm **Panel II: Discourses of Secrecy, Nondisclosure and Denial**
- Elsbeth Guild (Queen Mary University of London / Radboud University) - *Of Spotlights and Shadows: The Feinstein Report on CIA Extraordinary Rendition and Construction of Doubt*
- Stéphane Lefebvre (independent scholar) - *Keeping State Secrets Under Wrap: Social Control, Practices and Discourses of Legitimization*
- Pedro Rony Ribeiros (Universidade de São Paulo) – *The judicial hearing summary: an intriguing document amidst the deep play of justice secrets in Brazil*
- Christiane Wilke, Helyeh Doutaghi and Hijaab Yahya (Carleton University) - *Unforeseen: Airstrikes and Epistemologies of Ignorance*
- 7.30 – 10.30pm **Dinner for Presenters**

abstracts

Overseeing secret services, a chiaroscuro landscape

Didier Bigo (Sciences Po / Kings College London)

The study of the existence of a transnational field of secret services' coalitions between different grouping of democratic states destabilise the discourse of intelligence studies, especially around the notions of national interest and intelligence community. The practices at work show how different guilds of professionals of coercive violence and large scale surveillance, based on specific crafts have emerged from the routinisation of exceptional logics in democracies. They challenge the national sphere of professional of politics, and reframe what politics, war and foreign affairs mean. It impacts how rule of law and democracy are functioning. But this certainly not done in secret. The no-comment is turned into a series of moves justifying secret knowledge and its oversight mechanisms simultaneously. Strategic communication, courses for diplomats, teaching at universities, calls for more transparency and "trust", creation of specialised oversight, are part of the current game and it exists now an official narrative of secrecy as well as a more hidden transcript inside the secret services themselves. Do we have a

compensation of greater powers by greater transparency and scrutiny as it is commonly argued ? This is not sure. The dynamic of the field has modified what is at stake. The multiplication of scrutinies of specific cases with reports, whistleblowers, scandals, apologies may act as forms of crude artificial lights but the shadow casts by these lights allow to escape an Over-view at the scale of their operations and questions about the overall legitimacy of these practices and their frequent impunity.

Of Spotlights and Shadows: The Feinstein Report on CIA Extraordinary Rendition and Construction of Doubt

Elspeth Guild (Queen Mary University of London / Radboud University)

Revelations by state authorities of the unlawful activities of other state bodies does not necessary end the cycle of disbelief and suspicion. While the state's own revelations of its misdeeds attracts much attention and is usually the subject of media frenzy, what it does is attract attention to one aspect of an issue and may cast shadows on other aspects. Taking the example of the CIA's extraordinary rendition programme, the publication of the executive summary of the US Senate's Feinstein Report 2014, constituted an enormous moment in the assumption of state responsibility for the destructions of the lives of hundreds of civilians unconnected to the war on terror but suspected without sufficient evidence of a connection. The content of the executive summary supported numerous official reports which had already been published (cf the Council of Europe's Marty Report, the European Parliament's Fava Report among them) and postdates a number of judgments from the European Court of Human Rights condemning European states for complicity in the programme. But the full Senate report has never been published. The symbol of the programme, the detention programme at the US base in Guantanamo Bay has still not been closed. Every year, new and related revelations come out in various forms, for instance in films like the Mauritanian, revealing ever more horrific elements of the programme. In this presentation, I will examine how the process of revelation may also create the conditions of possibility for greater to secrecy, in the case study the ultimate secrecy, the grant of impunity to the perpetrators of the acts.

Keeping State Secrets Under Wrap: Social Control, Practices and Discourses of Legitimization

Stéphane Lefebvre (Independent Scholar)

This talk summarizes my recently completed doctoral thesis in which I examine why the discourse of secret keepers on the non-disclosure of state secrets is dominant in society today. Specifically, I explore the rhetorical devices that secret keepers in Canada, the United Kingdom and the United States use to justify the non-disclosure of state secrets and the manner in which judges in these three countries write and speak about state secrets. By embracing the rhetorical devices used by secret keepers and materializing them in reported decisions, judges add legitimacy to the discourse of secret keepers and directly assist in its reproduction and distribution. Taken together, the discourse of the state and the discourse of law on state secrecy sets up the dominant interpretive frames with which any public engagement, whether supportive or critical, must engage. While the persuasive social effect and perceived legitimacy of this combined discourse may ebb and flow, it appears enduring and difficult to challenge despite the existence of counter-discourses and concessions such as the adoption of access to information legislation.

The judicial hearing summary: an intriguing document amidst the deep play of justice secrets in Brazil

Pedro Rony Ribeiros (Universidade de São Paulo)

Studies of secrecy have brought to light several aspects of secrecy that go far beyond a binary operation of revealing and hiding. Secrecy separates groups, differentiates people, creates hierarchies, includes insiders, and excludes outsiders. Sharing secrets can generate trust and moral solidarity, while secrecy can also be used as a strategy to manage risk situations. Based on this theoretical basis and on ethnographic research carried out in the Brazilian federal criminal justice system, I have tried to demonstrate that secrecy is a fruitful category for understanding how federal crimes are judged in Brazil, at the same time that I defend that the justice system it is a very favorable place to verify how social actors control and reveal information and how much disclosure is appropriate or inappropriate. In this conversation, I will focus on a specific document, which is part of the routine of one of the courts in Fortaleza-Brazil, called the judicial hearing summary. A few days before the hearing, the secretary makes a brief summary of the case, indicating the pages of the most important documents (or the digital

identifiers of electronic files). Sometimes, the secretary also exposes some impression he had from the initial reading of the file. From the narratives brought by the two judges and by the hearing secretaries of this court, of situations that occurred in the management of this document, I intend to explore how the network of trust created by a confidential document can be much more analytically interesting than the secret content itself.

The Hunt as security logic: US special operators and a critical rereading of the history of US manhunting

Elspeth Van Veeren, University of Bristol

Existing work on the second decade of the Global War on Terror (GWOt) has focused predominantly on the politics of the drone. As this article contends, however, the United States' targeted killing programme is better understood as fitting within a hunting security logic. Building on existing work, but with greater attention to longer standing and wider cultural histories and set of practices of 'hunting' in US security discourses (from Indian and witch hunting to slave and communist hunting), this paper makes two interconnected arguments: First, that hunting is built on a number of intertexts that are gendered, raced, and sexed that continue to govern its subject positions, landscapes, practices, and narrative structure. Second, hunting relies on and reproduces secrecy as it draws on these intertexts. Recent scholarship within critical international relations and security studies has invited a reconsideration of the power of secrecy as knowledge (un)making. Hunting helps to make this power of secrecy more evident. Drawing these two points together and using Juliet Singh's (2018) postcolonial reading of the concept of 'mastery', this article therefore argues that hunting is a neocolonial security logic that rests on mastery of the domain of the unknown. Analysing key texts associated with US manhunts in the GWOt – including memoirs, official documents, speeches, and media reports – and with reference to historical studies of hunting as a US cultural practice, this article therefore lays out hunting as a security logic of greater significance than currently recognised within security studies.

Declassification and the genealogy of state secrecy

William Walters, Carleton University

While official secrecy has been the focus of extensive critical research, declassification and declassified knowledge have rarely been considered subjects meriting scholarly attention in their own right. This paper offers a series of reflections on how we might approach the study of declassification. It sets out a research framework that examines concepts, methods, chronologies and cases. Drawing on the US experience of declassification, the paper argues that declassification cannot be understood in terms of simple binaries like secret/public, nor can it be understood without considering the materiality of classified knowledge. Declassification is not the simple other of secrecy so much as a site where we can research secrecy in the making. As the paper will explain, this is nowhere more evident than with the practice of redaction which regulates the ways many declassified documents can appear and circulate in public. But what is the history of redaction? How has the redacted text become one of the most privileged signifiers of what I have elsewhere called the covert imaginary?

Unforeseen: Airstrikes and Epistemologies of Ignorance

Christiane Wilke, Helyeh Doutaghi and Hijaab Yahya (all Carleton University)

When US or Coalition airstrikes in Syria, Iraq, or Afghanistan have resulted in civilian deaths, military investigations have frequently asserted that harm to civilians was unforeseen. For example, a May 2017 airstrike on two ISIS snipers on top of a building led to a "secondary explosion" of bomb-making material stored at the site and killed more than 100 civilians who had sheltered there. The report understands the secondary explosion as "unforeseen" and blames the casualties on ISIS. The file detailing this assessment is one of 1,300 recently released US military investigations into civilian casualty allegations arising from airstrikes. The vast majority of the allegations have been designated "not credible."

This paper develops conceptual tools for analyzing the disavowals of responsibility for civilian harm that can be seen in the files. While sometimes the presence of civilians appeared "unforeseen," in other cases the allegations were allegedly "unspecific" or not based on credible sources.

Drawing on the literatures on epistemic injustices and epistemologies of ignorance, I argue that these military investigations practice “imperial ignorance”: they claim that local lives and effects of imperial violence are not reliably knowable. This ignorance does not denote a lack of knowledge, but “unknowledges” and forms of obliviousness that sustain racial and colonial oppression (Tuana & Sullivan). In the investigation files, the claims to not know about the presence of civilians or the effects of “secondary explosions” sustain the appearance of legality of the violence under investigation.

biographies

Didier Bigo. <https://didierbigo.com>

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Co-editor of Political Anthropological Research on International Social

Sciences (PARISS):<https://brill.com/view/journals/pari/pari-overview.xml?lang=en>

Latest publications

1. Bigo, Didier. 2022. 'Violence Performed in Secret by State Agents: For an Alternative Problematisation of Intelligence Studies' in Ben Jaffel, Larsson (ed) *Problematising Intelligence Studies Towards A New Research Agenda, Routledge New Intelligence Studies*. London.
2. Bigo, Didier, Thomas Diez, Evangelos Fanoulis, Ben Rosamond, et Yannis A. Stivachtis. (2020). *The Routledge Handbook of Critical European Studies*. Routledge.
3. Bigo, Didier. 2020. 'Adjusting a Bourdieusian Approach to the Study of Transnational Fields' in *Charting Transnational Fields: Methodology for a Political Sociology of Knowledge*. (ed) Schmidt-Wellenburg, Christian, and Stefan Bernhard. Routledge.
4. Bigo, Didier, Engin Isin, Evelyn Ruppert. *Data Politics* Routledge - Open access

Helyeh Doutaghi is a contract instructor and a doctoral candidate in Law and Legal Studies at Carleton University. Prior to her doctoral studies, she completed her LLM in Transnational Law at King's College London. Helyeh's research explores the intersections of economic coercive measures, imperialism, and critical approaches to international law. She is the co-chair of International People's Tribunal on US Imperialism, and policy associate at Legal Centre for Palestine. Her work has appeared in *Leiden Journal of International Law*, *The Conversation*, rabble.ca, Black Agenda Report, and others.

Elsbeth Guild is Jean Monnet Professor ad personam at Queen Mary University of London as well as at the Radboud University Nijmegen, Netherlands. She is also a partner at the London law firm, Kingsley Napley She is also a visiting Professor at the College of Europe, Bruges. Her interests and expertise lies primarily in the area of EU law, in particular EU Justice and Home Affairs (including immigration, asylum, border controls, criminal law and police and judicial cooperation in criminal matters). She also researches EU privacy and data protection law and the nexus with human rights. She is also co-editor of the *European Journal of Migration and Law*. She is co-editor of the book series Immigration and Asylum Law and Policy in Europe published by Martinus Nijhoff. Professor Guild provides regular advice to the European Parliament, the European Commission, the Council of Europe and other European and international organizations (such as the UNHCR) on free movement of persons, migration and asylum. Professor Guild is co-chair of the European Sub Committee, Immigration Law Practitioners Association, the UK legal profession's voice on immigration and asylum matters.

Stéphane Lefebvre is an independent scholar who has recently completed his doctorate in Law and Legal Studies at Carleton University. Over a 30 year-career as a federal public servant, he served in four of Canada's intelligence organizations, gaining experience and expertise in military intelligence, security intelligence, transport intelligence and science & technology intelligence. During that period, he also published dozens of book chapters and journal articles in a variety of academic fields and subfields, including intelligence, strategic, Slavic and legal studies. His most recent article, "Academic-Intelligence Relationships: Opportunities, Strengths, Weaknesses and Threats," has appeared in the *Journal of Policing, Intelligence and Counter Terrorism* in 2021. He is a member of the editorial board of the *International Journal of Intelligence and Counterintelligence*.

Pedro Ribeiro is a PhD candidate in Social Anthropology at the University of São Paulo, doing visiting research at the Department of Political Science at Carleton University. He holds a bachelor's degree in Law and a master's degree in Anthropology, both from the Federal University of Ceará. He also has a decade of experience working in criminal cases at the Brazilian Criminal Prosecution Service. His research interests include the connection between secrecy and the criminal justice system, with the narrative and analysis of several cases that demonstrate how theoretical concepts operate in practical situations, based on ethnography.

Elsbeth Van Veenen. I am an Associate Professor in Global Politics in the School of Sociology, Politics and International Studies (SPAIS) at the University of Bristol and the coordinator of SPIN, the Secrecy, Power and Ignorance research Network. My work is focused on US security cultures and policies, particularly with relation to the US Global War on Terror and its legacies. First, through a detailed study and theorisation of visual and material power associated with detention and interrogation practices at Joint Task Force Guantanamo, and more recently, through a focus on secrecy and the US security doctrine of 'shadow wars' and 'manhunting' practices. In particular, this work examines personal and everyday secret keeping, taking gender and race, for example, as central to secrecy and as key to understanding power on national and transnational scales. My published work has appeared in a range of edited volumes and peer-reviewed academic journals including *New Political Science*, *International Political Sociology*, *Review of International Studies*, and the *Journal of War and Culture Studies*.

William Walters is Professor of political sociology at Carleton University, Canada. His main research interests are secrecy and security, borders and migration, and mobility and politics. Recent publications include *State Secrecy and Security: Refiguring the Covert Imaginary* (Routledge 2021); *Viapolitics: Borders, Migration and the Power of Locomotion* (Duke UP 2022) (co-edited with Charles Heller and Lorenzo Pezzani) and the forthcoming *Handbook on Governmentality* (co-edited with Martina Tazzioli) (Edward Elgar 2023). From 2017-22 he directed The Air Deportation Project, a multi-country inquiry (funded by the Social Sciences and Humanities Research Council of Canada) into the aerial geographies of forced removal and expulsion in and from Europe. From 2019-2022 he held the FPA Research Excellence Chair at Carleton University.

Christiane Wilke is an Associate Professor in the Department of Law and Legal Studies at Carleton University. She received her MA and PhD in Politics from the New School for Social Research in New York City. Her research on state violence, international law, memory, visibility, and political trials has been published in the *Journal of Human Rights*, *Socio-Legal Studies*, and elsewhere. She is the co-editor of *Sensing Law* (2017) and Volume 4 (*Political Justice*) of the collected works of Otto Kirchheimer (2019). Her SSHRC-funded research project examines how the US military counts and accounts for civilian casualties from airstrikes.

Hijaab Yahya is an MA candidate at the Department of Law and Legal Studies at Carleton University. Their research synthesizes inquiries from sociolegal, anti-colonial, and queer migration scholarship, composing projects that attempt to unsettle colonial-capitalistic narratives on belonging, nation-building, and statal imaginaries. Hijaab is currently completing their MA thesis, which explores the intersections of forced migration and displacement, global rights regimes, and access to health. Their thesis collates questions that critique political modernity, nationhood, and liberal rights regimes, exploring their interactions with the right to health through the experiences of undocumented refugees from Afghanistan in tribal Pakistan.

organization and funding

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