

Title: The experience of Canadian Civil Society Organizations and Activists in Influencing and Shaping Counter-Terrorism Legislation and Policy

Author(s): Tufyal Choudhury, School of Law, Durham University, UK

Contact: t.a.choudhury@durham.ac.uk

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Research Question:

To what extent did the process of enacting Bill C-51 meet the standards of procedural fairness?

Importance:

There is growing evidence of the importance of adherence to procedural fairness norms in the policymaking process for supporting community partnerships and cooperation in counter-terrorism policing. Canada's counter-terrorism strategy recognizes the importance of state partnership with non-state actors. While fairness on the part of state officials in implementation of policies is important, their efforts can be undermined if the process by which a policy was designed and developed is seen to lack legitimacy by the very groups and communities whose cooperation is most needed. By examining the experience of Muslim civil-society organizations' engagement with the debate on C-51, it is possible to identify the extent to which standards of procedural fairness were met.

Research Findings:

The legislative process allowed a wide range of Muslim civil-society groups to have a voice in the policymaking process. Groups participated in the legislative process for a variety of reasons including shaping the wider public debate; providing legitimacy for their organization's continued criticism of policy; countering the narrative of other Muslim civil-society groups; informing and empowering Muslim communities; and motivating Muslims to participate in voting. While Muslim civil-society groups for whom policy advocacy was a core activity were strongly committed to engaging with the democratic legislative process, there was also worrying evidence that religious Muslim institutions and organizations delivering social services were reluctant to participate in the C-51 debate and actively disengaged from the democratic policy process

Implications:

This research underlines the importance for government, parliament and policymakers, in developing and implementing counter-terrorism legislation, to engage in open, respectful and deliberative dialogue with a wide range of Muslim civil society organizations and actors. Such engagement should take place during legislative scrutiny of new counter-terrorism legislation as this is a critical point for engagement with civil society. However, it is a limited and defined window of opportunity. This research points to the need for such dialogue and engagement to take place at all stages of the development and implementation of counter-terrorism legislation and policy.