

# The Right to Security: securing rights or securitizing rights?

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Rhetorical appeal to the 'right to security' has been growing over the last ten years internationally. Sparked by the Middle East crisis, fuelled by the war on terror, and harnessed by the 'human security' movement, this right has a variety of complex political uses and implications. Alongside this political growth, is a developing jurisprudence on the 'right to security' not only as a defensive right against State interference, but also as a positive right to State action vis a vis third parties. This jurisprudence has been well developed *inter alia* under the Canadian Charter, and is also being refined in the South African context. Again, the variety of meanings developed here are indicative of the problematic breadth of the right. This seminar examines the complex political and legal implications of the development of the 'right to security' internationally, and in relation to the United Kingdom in particular. It examines the risks inherent in the diverse meanings given to the right, as well as the arguments against the recognition of such a right. Ultimately, it argues that the danger of 'securitizing' rights necessitates a narrow and distinctive reading of the 'right to security', which should only be recognised in extreme social circumstances. If this is not achieved, the 'right to security' risks slipping into a meta-right which legitimates rights eroding action, and threatens to undermine the hard won foundations upon which human rights currently rest.

Dr Lazarus's primary research interests are in comparative human rights, security and human rights, comparative theory and comparative criminal justice. Born and raised in South Africa, she studied African Economic History at the University of Cape Town and Law at the London School of Economics and Political Science. From 1994-1995 she was a Fellow of the Max Planck Institute for Foreign and International Criminal Law, Freiburg, Germany, where she conducted research into criminal law reform and human rights in Africa and also into German prisoners' rights. She came to Oxford in 1995 to write her doctorate at Balliol College, after which she went on to become a law fellow at St Anne's College. She is the author of the book *Contrasting Prisoners' Rights* (OUP 2004), the themes of which she has more recently explored in her article 'Conceptions of Liberty Deprivation' (*Modern Law Review*, September 2006). Her other projects include a collection, co-edited with Benjamin Goold, entitled *Security and Human Rights* (Hart Publishing 2007) and which incorporates her own work on 'The Right to Security'. More recently she completed a report for the UK Ministry of Justice on use of proportionality in balancing between security and rights in Europe with Benjamin Goold and Gabriel Swiney (*Public Protection, Proportionality and the Search for Balance*, Ministry of Justice, 2007).

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