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978-0-521-84444-4 - The Cost of Counterterrorism: Power, Politics, and Liberty

Laura K. Donohue

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The Cost of Counterterrorism

In the aftermath of a terrorist attack political stakes are high: legislators fear being seen as lenient or indifferent and often grant the executive broader authorities without thorough debate. The judiciary's role, too, is restricted: constitutional structure and cultural norms narrow the courts' ability to check the executive at all but the margins. The dominant "Security or Freedom" framework fails to capture this dangerous aspect of counterterrorism: rapidly expanding executive authority that shifts the balance of power between the branches of government. This book recalculates the cost of counterterrorist law to the United Kingdom and the United States, arguing that the damage caused is significantly greater than first appears. Donohue warns that the proliferation of biological and nuclear materials may drive each country to take increasingly extreme measures, with a resultant shift in the basic structure of both states.

Laura K. Donohue is a Fellow at the Constitutional Law Center at Stanford Law School and at Stanford University's Center for International Security and Cooperation. Currently a By-Fellow of Churchill College, University of Cambridge, she is the author of *Counter-Terrorist Law and Emergency Powers in the United Kingdom, 1922–2000* (2001).

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LAURA K. DONOHUE

Stanford University



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Dedicated to

Tansel

Jasmine and

Ayla Rose

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