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978-1-107-05361-8 - Critical Debates on Counter-Terrorism Judicial Review

Edited by Fergal F. Davis and Fiona De Londras

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CRITICAL DEBATES ON COUNTER-TERRORISM JUDICIAL REVIEW

Is judicial review an effective and appropriate way to regulate counter-terrorism measures? Some argue that the judiciary is ill-equipped to examine such measures, for instance because they lack the expertise of the institutions which bring them about under exigent conditions. Others claim that subjecting counter-terrorism measures to judicial review is crucial for maintaining a jurisdiction's principles of constitutionalism. This volume brings together voices from all sides of the debate from a broad range of jurisdictions, from North America, Europe and Australasia. It does not attempt to 'resolve' the argument but rather to explore it in all its dimensions. The debates are essentially concerned with fundamental questions of organising and making accountable the exercise of power in a particularly challenging environment. The book is necessary reading for all those concerned with counter-terrorism, but also with broader public law, constitutional law and administrative law principles.

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Fergal F. Davis and Fiona de Londras