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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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Frontmatter

[More information](#)

CONTENTS

List of contributors vii
Acknowledgements ix

**Introduction: Counter-terrorism judicial review:
beyond dichotomies** 1

FERGAL F. DAVIS AND FIONA DE LONDRAS

PART I Judging counter-terrorism judicial review 33

**1 Counter-terrorism judicial review as regulatory
constitutionalism** 35

FIONA DE LONDRAS

**2 Counter-terrorism judicial review by a traditionally
weak judiciary** 56

JENS ELO RYTTER

**3 When good cases go bad: unintended consequences of
rights-friendly judgments** 75

DAVID JENKINS

**4 The rhetoric and reality of judicial review of
counter-terrorism actions: the United States experience** 97

JULES LOBEL

**PART II Beyond counter-terrorism judicial
review** 119

5 Emergency law as administrative law 121

MARK TUSHNET

**6 The politics of counter-terrorism judicial review:
creating effective parliamentary scrutiny** 142

FERGAL F. DAVIS

Cambridge University Press

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

Edited by Fergal F. Davis and Fiona De Londras

Frontmatter

[More information](#)

vi

CONTENTS

- 7 **Independent reviewers as alternative: an empirical study from Australia and the United Kingdom** 161
JESSIE BLACKBOURN
- 8 **Public inquiries as an attempt to fill accountability gaps left by judicial and legislative review** 183
KENT ROACH
- PART III **Counter-terrorism judicial review in the political constitution** 207
- 9 **Rebalancing the unbalanced constitution: juridification and national security in the United Kingdom** 209
ROGER MASTERMAN
- 10 **Business as usual: deference in counter-terrorism judicial review** 228
CORA CHAN
- 11 **Deference and dialogue in the real-world counter-terrorism context** 251
GAVIN PHILLIPSON
- PART IV: **Internationalised counter-terrorism judicial review** 281
- 12 **Counter-terrorism law and judicial review: the challenge for the Court of Justice of the European Union** 283
CIAN C. MURPHY
- 13 **Post 9/11 UK counter-terrorism cases in the European Court of Human Rights: a ‘dialogic’ approach to rights protection or appeasement of national authorities?** 302
HELEN FENWICK
- 14 **Accountability for counter-terrorism: challenges and potential in the role of the courts** 324
HELEN DUFFY
- Index** 365

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Frontmatter

[More information](#)

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Frontmatter

[More information](#)

viii

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Fergal F. Davis and Fiona de Londras