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Ian Ward
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Law, Text, Terror

The relationship between law and terrorism has re-emerged recently as a pressing issue in contemporary jurisprudence. Terrorism appears to take law to its limit, whilst the demands of counter-terrorism hold the cause of justice in contempt. At this point the case for engaging alternative intellectual approaches and resources is compelling. Ian Ward argues that through a closer appreciation of the ethical and aesthetical dimensions of terror, as well as the historical, political and cultural, we can better comprehend modern expressions and experiences of terrorism. For this reason, alongside juristic responses to modern expressions of terrorism, this book examines a variety of supplementary literary texts as well as alternative intellectual approaches; from the drama of Euripides and Shakespeare, to the rhetoric and poetry of Burke and Shelley, the literary feminisms of Lessing and Rame, and the narrative existentialism of Conrad, Coetzee, Dostoevsky and DeLillo.

Ian Ward is Professor of Law at Newcastle University. He has written extensively in the associated areas of public law, legal theory and international order, and has held visiting positions at universities in Canada, the US, France, Italy and Finland.

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Preface

Concerns come and go, just as interests wax and wane. And there is absolutely nothing new about terrorism and political violence; as we shall see time and again in the following chapters. But, for reasons which are only too tragically obvious, we are at present inordinately concerned about the presumed threat of terrorism. And few subjects can claim a greater interest, both in the wider public as well as the narrower legal academy. More and more law schools offer courses in terrorism and counter-terrorism law, more and more students study the subject, more and more legal academics claim it to be an ongoing research interest. Unsurprisingly, the number of scholarly books and articles on the subject has increased quite markedly in the years since September 2001. Most, though not all, tend to focus on the perceived merits, or more likely demerits, of contemporary state-based responses to terrorism. At the same time, beyond the closer concerns of the lawyer and legal academic, there is of course a similarly burgeoning scholarship on associated aspects of terrorism history and politics, aesthetics and culture. Occasionally these scholarships engage; but not that often. The purpose of this book is to strengthen this engagement, in the hope that both the student of law and the student of terrorism and counter-terrorism will gain from a closer mutual appreciation. The vitality of inter-disciplinary and contextual engagement is perhaps the defining feature in contemporary legal studies. Nowhere is the case for such an engagement more obviously vital than in the often elusive relation of terrorism, counter-terrorism and law.

The original impetus for the material that follows came in the form of an invitation to give a public lecture on the subject of law, literature and terrorism at Swansea University in spring 2005. I should thank Melanie Williams in particular for the invitation to do so. This lecture, much revised, appears as Chapter 5. It has also appeared in volume 4 of *Law, Culture and the Humanities*. My thanks are due to the editor and publishers for permission to reprint a slightly amended version here. A similar debt of appreciation is due to the editors and publishers of *Law and Humanities*, for permission to reproduce material, in Chapter 2, that appeared in volume 1 of their journal. Again, I owe a particular debt of gratitude to Paul Raffield for a number of helpful observations on this material, and for his kind invitation to give a plenary address on the subject of 'Macbeth and the Terrorists' at his 'Shakespeare and the Law'

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conference held at Warwick University in summer 2007. Various other draft chapters were presented in various states of disarray at various other workshops and conferences over the last few years. My thanks, in general form, go to the many who took the trouble to listen and to make comments.

Ian Ward
August 2008