Record Nr. UNINA9910255449303321 Autore Prabhat Devyani Titolo Unleashing the Force of Law: Legal Mobilization, National Security, and Basic Freedoms / / by Devyani Prabhat London:,: Palgrave Macmillan UK:,: Imprint: Palgrave Macmillan,, Pubbl/distr/stampa 2016 **ISBN** 9781137455741 1137455748 Edizione [1st ed. 2016.] Descrizione fisica 1 online resource (238 pages) Collana Palgrave Socio-Legal Studies, , 2947-9282 Disciplina 342.085 Soggetti Humanitarian law International Humanitarian Law, Law of Armed Conflict Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Nota di bibliografia Includes bibliographical references and index. Nota di contenuto Acknowledgements -- Preface -- 1. Introduction -- PART I: POLITICAL CONTEXT OF NATIONAL SECURITY AND THE JURIDICAL FIELD 2. Counter-terror Measures and Challenges in Law -- 3. Security, Exceptionalism, and the Rule of Law -- PART II: NATURE AND EXTENT OF LEGAL MOBILIZATION 4. The Guantánamo Bay Juridical Field -- 5. Legal Mobilization and Motivations -- 6. The 80s Northern Irish Juridical Field -- 7. The Post-9/11 English and Northern Irish Juridical Fields -- PART III: STRATEGIES AND OUTCOMES OF LEGAL MOBILIZATION 8. Legal Formalism and the Right to Liberty -- 9. Process and Substance in Outcomes -- PART IV: CONCLUSION 10. The Force of Law Unleashed?. Sommario/riassunto Basic freedoms cannot be abandoned in times of conflict, or can they? Are basic freedoms routinely forsaken during times when there are national security concerns? These questions present different conundrums for the legal profession, which generally values basic freedoms but is also part of the architecture of emergency legal frameworks. Unleashing the Force of Law uses multi-jurisdiction empirical data and draws on cause lawyering, political lawyering and Bourdieusian juridical field literature to analyze the invocation of legal

norms aimed at the protection of basic freedoms in times of national security tensions. It asks three main questions about the protection of

basic freedoms. First, when do lawyers mobilize for the protection of basic freedoms? Second, in what kind of mobilization do they engage? Third, how do the strategies they adopt relate to the outcomes they achieve? Covering the last five decades, the book focusses on the 1980s and the Noughties through an analysis of legal work for two groups of independence seekers in the 1980s, namely, Republican (mostly Catholic) separatists in Northern Ireland and Puerto Rican separatists in the US, and on post-9/11 issues concerning basic freedoms in both countries.