

1. Record Nr.	UNINA9910964188603321
Autore	Ackerman Bruce A
Titolo	Before the next attack : preserving civil liberties in an age of terrorism / / Bruce Ackerman
Pubbl/distr/stampa	New Haven, : Yale University Press, c2006
ISBN	9786611740634 9781281740632 1281740632 9780300127034 0300127030
Edizione	[1st ed.]
Descrizione fisica	1 online resource (240 p.)
Disciplina	342.73/062
Soggetti	Terrorism - United States War and emergency legislation - United States Terrorism - Prevention - Law and legislation - United States
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Bibliographic Level Mode of Issuance: Monograph
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	This is not a war -- This is not a crime -- This is an emergency -- The political constitution -- The role of judges -- American exceptionalism -- If Washington blows up? -- The morning after.
Sommario/riassunto	Terrorist attacks regularly trigger the enactment of repressive laws, setting in motion a vicious cycle that threatens to devastate civil liberties over the twenty-first century. In this clear-sighted book, Bruce Ackerman peers into the future and presents an intuitive, practical alternative. He proposes an "emergency constitution" that enables government to take extraordinary actions to prevent a second strike in the short run while prohibiting permanent measures that destroy our freedom over the longer run.Ackerman's "emergency constitution" exposes the dangers lurking behind the popular notion that we are fighting a "war" on terror. He criticizes court opinions that have adopted the war framework, showing how they uncritically accept extreme presidential claims to sweeping powers. Instead of expanding the authority of the commander in chief, the courts should encourage new forms of checks and balances that allow for decisive, but carefully

controlled, presidential action during emergencies. In making his case, Ackerman explores emergency provisions in constitutions of nations ranging from France to South Africa, retaining aspects that work and adapting others. He shows that no country today is well equipped to both fend off terrorists and preserve fundamental liberties, drawing particular attention to recent British reactions to terrorist attacks. Written for thoughtful citizens throughout the world, this book is democracy's constitutional reply to political excess in the sinister era of terrorism.

---