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Autore	Abicht, Johann Heinrich
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2. Record Nr.	UNINA9910778954003321
Titolo	Global anti-terrorism law and policy [[electronic resource] /] / Edited by Victor V. Ramraj, Michael Hor, Kent Roach, George Williams
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Altri autori (Persone)	RamrajVictor Vridar <1968-> HorMichael RoachKent WilliamsGeorge
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Nota di contenuto	<p>Cover; GLOBAL ANTI-TERRORISM LAW AND POLICY; Title; Copyright; Contents; CONTRIBUTORS; ACKNOWLEDGEMENTS; 1: Introduction; 1. Global anti-terrorism law and policy; 2. Transnational anti-terrorism law: the interplay between international and domestic regimes; 3. Defining terrorism; 4. Fairness, emergencies and the rule of law; 5. How effective is the anti-terrorism agenda?; 6. Convergence, divergence and context in anti-terrorism law and policy; PART I: Transnational perspectives; 2: The United Nations Security Council, terrorism and the rule of law; 1. Introduction; 2. Listing; A. Description B. Objections3. Legislation; A. Description; B. Legislative resolutions; C. Objections; 4. Prognosis: the Security Council and the rule of law; A. The process of listing reform; B. The march of the rule of law; C. Legislation under the rule of law; 3: The impossibility of global anti-terrorism law?; 1. Introduction; 2. Global anti-terrorism law; A. The emergence of global anti-terrorism law; B. Theorising global anti-terrorism law; C. Evaluating global anti-terrorism law; 3. Challenges to the grand narrative; A. The limits of formal legality; B. The assumptions of legal theory C. Emergency powers and constitutionalism4. The complexity of transnational legality; 5. Conclusion; 4: Transplantation; 1. Introduction; 2. Typology of transplantation; A. Substantive transplantation; B. Geographic transplantation; 3. Substantive transplantation: between criminal law and counter-terrorism; 4. Substantive transplantation: from nuclear to biological security; 5. Conclusion; PART II: Cross-cutting themes; 5: The criminal law and its less restrained alternatives; 1. Introduction; 2. The dangers of distorting the criminal law to respond to terrorism A. Security Council Resolution 1373 and the problematic focus on terrorism financingB. Domestic criminal law responses to 9/11; C. Over-broad definitions of terrorism and the focus on religious and political motives; D. The expansion of criminal liability: intelligence mindsets and the precautionary principle; E. The difficulties and dangers of the new terrorism trial; 3. Less restrained alternatives to the criminal law; A. Military courts and detention; B. Targeted killings; C. Administrative and immigration law detention and control orders; D. Summary 4. The role of an ideal criminal law in a broader anti-terrorism strategyA. An ideal criminal law to combat terrorism; B. The place of the criminal law in a comprehensive strategy; 5. Conclusion; 6: Anti-terrorism laws: balancing national security and a fair hearing; 1. Introduction; 2. The counter-terrorism imperative and the right to a fair hearing; A. Procedural fairness; B. From deference to proportionality; 3. Common law public interest immunity; A. Rules of public interest immunity; B. Problems identified in the operation of public interest immunity C. Does the principle strike the right balance?</p>
Sommario/riassunto	This international work provides information on and analysis of anti-

