
Reviewed by Alex P. Schmid

Since 9/11 counter-terrorism basically developed along two major lines: one based on a military paradigm (as in the American ‘Global War on Terror’), the other based on a law enforcement paradigm, emphasizing criminal prosecution relying on the police and the courts. The focus of this volume is on this law enforcement paradigm when it comes to countering ‘terrorism’ - a term that has escaped an international law definition so far, although there is widespread agreement as to its core, namely ‘the instrumental political killing of civilians in peacetime’ (Ben Saul, p.37).

In a landscape where monographs on terrorism are published every couple of hours, many law enforcement professionals and researchers welcome handbooks that look at the field of terrorism studies from a broader perspective. Routledge has published handbooks of Terrorism Research (2011, edited by A.P. Schmid), the History of Terrorism (2015, edited by R.D. Law), of Critical Terrorism Studies (2016, edited by R. Jackson), with one more on Terrorism and Counter-Terrorism (2017, edited by A. Silke, et al) forthcoming.

The wide-ranging volume reviewed here, the Routledge Handbook of Law and Terrorism, has been edited by Genevieve Lennon (University of Strathclyde) and Clive Walker (University of Leeds). It focuses mainly on UK counter terrorism laws but also covers, to varying extents, US, Australian, Canadian, Israeli as well as EU and UN legislation.

In partial analogy to the British government’s counter-terrorism strategy (CONTEST) of ‘Pursue, Prevent, Protect and Prepare’, the book is divided into four parts: (i) The boundaries and strategies of national counter-terrorism laws [seven chapters]; (ii) The pursuit of terrorists through national criminal justice process and executive measures; [twelve chapters]; (iii) protective security [four chapters], and (iv) preventive measures [five chapters].

The forty contributors include well-known authorities like Ben Saul (who authors the chapter ‘Terrorism as a Legal Concept’), Amos Guiora (who co-authors the ‘Homeland Security’ chapter) and, of course, the co-editor Clive Walker himself, Britain’s leading authority in the field. He co-authors no fewer than eight of the 30 chapters of the volume, including its introduction and conclusion.

The volume’s chapters address as diverse issues as ‘The interaction of terrorism laws with human rights’ (by Federico Fabbrini), ‘Detention and interrogation in law and war’ (by Stephen I. Vladeck and Clive Walker), ‘Precursor crimes of terrorism’ (by Manuel Cancio Melia and Anneke Petzsche) and ‘The victims of terrorism’ (by Illaria Bottigliero, Lyal S. Sunga, and Clive Walker).

The editors of this interdisciplinary handbook note since 9/11 a proliferation of anti-terrorism laws, a drift they term ‘Total Counter-terrorism’ (p.463). While this is worrisome, the alternative escalation of military counter-terrorist operations has proven to be even more problematical as witnessed by the American intervention disasters in Afghanistan and Iraq. As long as the escalation of non-military counter-terrorist measures occurs within the rule of law and the confines of constitutional democracy, there is some guarantee that human security will not be sacrificed to national security—an approach clearly favoured by the editors (Lennon & Walker, p.467). The Routledge Handbook of Law and Terrorism makes clear that the law is far from powerless when it comes to countering terrorism.

This is a solid reference work that should be on the bookshelf of every law school library.

About the Reviewer: Alex P. Schmid is Editor-in-Chief of Perspectives on Terrorism.