

**Kent Roach. *The 9/11 Effect: Comparative Counter-Terrorism.***

**Cambridge: University Press, 2011. 477 pp. ISBN: 978-0-521-18505-9; US \$ 32.99 / £ 57.00**

**Reviewed by David C. Hofmann**

Kent Roach, a law professor at the University of Toronto, has written extensively in the fields of comparative anti-terrorism law, miscarriages of justice and the prosecution of terrorists. *The 9/11 Effect* continues along the same line of research through a critical comparison of state responses to the 9/11 terror attacks. *The 9/11 Effect* compares anti-terrorism legislation drafted by the United Nations (UN), five countries with robust pre-existing anti-terrorism legislation (Egypt, Syria, Israel, Singapore, Indonesia), and the United States, the United Kingdom, Australia and Canada. A final chapter examines common themes found among the examined case studies and identifies a number of future challenges facing those countering terrorism.

Using reports, bulletins and legal documents as the source of his data, he provides a legal analysis of each case in minute detail. He typically begins each analysis by tracing the evolution of anti-terrorism legislation through the pre-9/11 historical context, followed by the immediate reactions to 9/11, responses to major post-9/11 events (UN Security Council Resolutions, the London Bombings, etc.), and up until very recent developments in counter-terrorism law.

Roach's analysis of each case is extremely dense and detailed. However, each chapter in *The 9/11 Effect* can be summarized into broader themes surrounding each international/state entity's response to 9/11. In the case of the UN, the 9/11 terror attacks caused member states to adopt what Roach terms an unprecedented role "in leading global counter-terrorism efforts" (p. 21). He critically examines the shortcomings of the UN Security Council Resolution 1373 of 28 September 2001, which he describes as "panicked global legislation" (p. 31). The chapter devoted to the five countries (Egypt, Syria, Israel, Singapore, Indonesia) which did not immediately respond to UN Resolution 1373 examines in a comparative way each case in detail, focusing on previous experiences with terrorism, their pre-existing anti-terrorism legislation/policies, and any adjustments that came to pass in response to UN Resolution 1373 (2001).

Roach's analysis of the US response is characterized as "American exceptionalism", leading to "conduct that was extralegal or skirted very close to the edges of the law" (p. 236). Additionally, Roach identifies other pertinent factors within the American case study: ambivalence about international law (Miranda rights and Guantanamo Bay, etc.), the dominance of national security issues by the executive branch of government, and a shift away from criminal law as a means to get hold of terrorists. The United Kingdom's response to 9/11 is rooted in its experience in dealing with "The Troubles" in Northern Ireland. This has caused the UK to commit itself "to a legislative war on terrorism that is prepared to impose robust limits and derogations on rights normally enjoyed in the non-terrorist context" (p. 238). The Australian response is described by Roach as "hyper-legislation", influenced by the wider global counter-terrorism drama surrounding 9/11. Lastly, the Canadian response is concerned with border issues and American accusations of being a "terrorist safe haven", and relies heavily on immigration law to counter terrorism. As Roach explains, "the need for Canada to keep goods and people flowing over the

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border it shares with the United States remains a driving force in post 9/11 Canadian security policy” (p. 362).

In the final chapter, Roach critically examines three issues stemming from the global counter-terrorism responses to 9/11. He begins by identifying a number of post 9/11 mistakes made by the UN and individual state actors examined in the case studies. The second issue Roach identifies is the sheer complexity of combating terrorism in a post 9/11 world. He concludes the final chapter by broaching some counter-terrorism challenges going forward.

*The 9/11 Effect* is a meticulously crafted, extremely detailed and academically rigorous comparative study of the responses that followed the September 11<sup>th</sup> attacks. Roach’s experience as an academic lawyer shines in his in-depth analysis of the relevant legislation and the complex political and juridical interplay between nations. Roach’s observations in the conclusion about past failures and future challenges in counter-terrorism ring true in the light of his lengthy analysis. Roach’s minute attention to detail is, however, somewhat of a detriment, as the book sometimes delves into complexities that may confound those reader without a working background in law and politics. This may deter a general audience from gaining anything concrete from reading *The 9/11 Effect*. Policy makers, seasoned academics or those readers interested in complex legal or political analyses will find *The 9/11 Effect* an engaging and worthwhile read.

**About the Reviewer:** **David C. Hofmann** is a Ph.D. candidate in the department of Sociology and Legal Studies at the University of Waterloo, Canada. He is also a Research Assistant at the Terrorism Research Initiative.