

## **Treatment of terrorism following the Madrid bombings in 2004**

### Editor's Note

This issue goes to press in the immediate aftermath of the horrific bombings in Madrid, which have once again brought into stark relief the challenges that societies which believe in the rule of law face from terrorism. In a previous issue [August 2003.] we had carried a lengthy article by the then United Nations' Special Rapporteur on the Independence of Judges and Lawyers, Dato' Param Kumaraswamy, which argued, in effect, that, no matter how serious the provocation from the terrorists might be, democracies had a duty to ensure that the due process of law was never jettisoned. In this issue, we carry a piece by Francis Bennion, an English barrister of over 50 years' standing and a frequent contributor to this journal, which questions the soundness - or at least the practicability - of Mr Kumaraswamy's views. Bennion argues that, while we are all for concepts such as the rule of law and due process, extraordinary times require extraordinary responses, especially where public safety is gravely endangered. This debate is not exactly new - it is being conducted, with varying degrees of vigour, in the pages of countless newspapers and on innumerable radio and television channels throughout the world since September 11, 2001. We welcome further contributions on the subject.

[Continued on other topics.]

Dr Venkat Iyer

13 Com L 5 (April 2004) 5.