# Counterterrorism & Human Rights LW525 – Spring 2026 Module Outline

## Module Convenors

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## Class Dates

Friday 13th March 2-5pm (RK)

Friday 20th March 2-5pm (RK)

Friday 27th March 2-5pm (PB)

Friday 3rd April 2-5pm (PB)

## Module Description

This module introduces students to counterterrorism in a human rights context. It will explore the definition of terrorism, the relevant legal frameworks and international responses, and the application of human rights norms to particular phenomena arising in state responses to terrorism. Throughout the module, we will analyse and critique how human rights are reconciled with other considerations, such as national security.

## Learning Outcomes

On successful completion of the module, students should satisfy the below outcomes.

1. Be familiar with definitions of terrorism and challenges in developing an agreed-upon international definition.
2. Understand the sources of law governing counterterrorism actions and key institutions in selected jurisdictions.
3. Have knowledge of state responses to terrorism and be able to analyse the potential human rights implication of these responses.

## Assessment

Grades for this module will be based on the following components:

* 90% Essay
* 10% Class preparation & participation

Each student will submit a 3,000 word essay by the end of semester via Canvas. Guidelines on content and structure can be found below.

## Modality

For 2025, the module will run in-person with the first two seminars led by Dr Rory Kelly and the following two seminars led by Dr Paul Bradfield.

## Module Materials

Articles and primary sources will be assigned as preparatory reading. Reading lists will be uploaded two weeks before the corresponding seminar.

## Topics

This schedule of topics is indicative with fuller reading and topic guides to follow in advance of each seminar.

### Seminar 1: Terrorism Law in England and Wales

In this seminar we will appraise the response to terrorism law in our first domestic jurisdiction - England and Wales. We will reflect on terrorism offences, and sentencing terrorism. We will also begin to query what we mean by terrorism and to reflect on whether terrorism out to be dealt with within the criminal law or whether it requires an exceptional legal response.

Indicative seminar questions:

* Are terrorism offences justifiable? Why not just use “regular” criminal offences?
* Do theoretical accounts of the criminal law undervalue the risk posed by terrorism?
* Do terrorism offences pose a problem for proportionate sentencing? If so, how would you resolve it?
* Is it better to deal with terrorism outside of the criminal justice system or within it?

### Seminar 2: Offences against the State in Ireland

In seminar 2 we turn to our second domestic jurisdiction – Ireland. We will critically appraise the legal response to terrorism in light of an important and recent independent review into the Offences against the State Acts. Where appropriate we will draw comparison to the approach to terrorism law in England and Wales and ask what each jurisdiction may learn from the other.

Indicative seminar questions:

* What is a status offence? Can we justify membership offences?
* What is your view on the failure to provide information offences?
* What advantages are offered by juryless trials? Are they a response to an emergency and does that matter?
* What is so remarkable about belief evidence? What safeguards exist at present and are they sufficient?
* What is the best case that you can make for internment and what are its weaknesses?

### Seminar 3: International Law Definitions, Frameworks, and Infrastructure Related to Terrorism

Indicative seminar questions:

* How do we balance the human rights of the general population to safety and security against the human rights of alleged perpetrators of terrorism?
* Is a common definition of terrorism in international law desirable? What obstacles stand in the way of doing so?
* How have the events of 11 September 2001 shaped counterterrorism tactics and infrastructure?
* How do international legal regimes regulate counterterrorism activities and accommodate emergencies?

### Seminar 4: Human Rights Guarantees in Counterterrorism

Indicative seminar questions:

* What human rights guarantees have been particularly stressed by counterterrorism activities?
* How have arbitrary detention guarantees, the prohibition against torture, and fair trial rights been reconciled to counterterrorism efforts and domestic terrorism prosecutions?
* When and how can the use of lethal force be justified in counterterrorism?
* What human rights are held by victims of terrorism?
* How do race, gender, and citizenship intersect with counterterrorism activities?

## Essay guidelines

You will complete a 3,000 word essay for this module. Your proposal and essay will account for 90% of your grade. Given the short length of the essay, we suggest that you engage in an original analysis of a particular state counter-terrorism law or practice, critiquing it drawing on domestic law, comparative law and/or international & regional human rights law. Please provide background on the justification for and implementation of the domestic law/practice, an explanation of the relevant legal framework, your analysis of the law/practice, and conclude with any suggested reforms/recommendations. Suggested, though non-mandatory, main headings are: Introduction; Background; Analysis; & Conclusion.

All students should submit a short topic proposal containing a working title and one-paragraph description of their planned topic via Canvas by 4:00 p.m. on 28 March. Late or incomplete proposals will negatively impact the final essay grade.

*If you wish to propose an essay deviating from the template suggested above, you may do so. You will need to include a one-page outline of your proposed essay when you submit your title/topic proposal.* (If you follow the suggested format in the first paragraph, you *do not* need to include an outline with your title/topic proposal.)

Final essay submissions are due via canvas **–** date to be confirmed**.**

Please refer to the 2025-26 LLM Guidelines for general requirements, which include cover page, table of contents, bibliography, and penalties for late submissions. Double-space your essay and use a standard 12-point font. I expect you to cite authority using a consistent, recognized style such as The Blue Book or OSCOLA. While we prefer footnotes, in-text citations are allowed; please avoid using endnotes. Excluding cover page, table of contents, and bibliography, your final essay should total between 2,800 and 3,200 words (including footnotes). A penalty may be applied to essays that go above this range. Essays that fall below this range will likely struggle to satisfactorily meet the requirements of the assessment.

The rubric we use to grade your essay includes the following criteria:

* Topic selection, clarity of thesis, & engagement with relevant law)
* Organization & structure
* Demonstration of thorough research
* Use of authority to support propositions
* Strength of analysis
* Clear & persuasive writing style
* Grammar, formatting, & spelling (including citations)

If you have questions about style or format, please contact us at paul.bradfield@universityofgalway.ie / rory.kelly@universityofgalwy.ie.