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## Introduction

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# Introduction

Justice Richard J. Goldstone

## **Abstract**

This special issue of the Fordham International Law Journal contains seven outstanding articles by jurists from seven countries on three continents. The articles have a common thread in highlighting the necessity for respect of human rights and the human dignity that they are designed to protect. They also demonstrate the significant advances made since the end of World War II of international human rights law. In an age of terrorism there is an inevitable tension between measures designed to protect the lives of innocent civilians and their fundamental civil liberties.

# INTRODUCTION

*Justice Richard J. Goldstone*

It is a particular pleasure to write an Introduction to this special issue of the *Fordham International Law Journal*. It contains seven outstanding articles by jurists from seven countries on three continents.

The articles have a common thread in highlighting the necessity for respect of human rights and the human dignity that they are designed to protect. They also demonstrate the significant advances made since the end of World War II of international human rights law.

In an age of terrorism there is an inevitable tension between measures designed to protect the lives of innocent civilians and their fundamental civil liberties. It is as well that Judge John Hedigan reminds us that the European Court of Human Rights has been struggling with this problem for some decades. In his words:

The message . . . is that not only can terrorism be fought within the law of human rights – it has been.<sup>1</sup>

I have spent 2004 teaching at New York University and Fordham Law Schools and have participated in some of the debates that have raged about the policies of the present administration that tend to justify substantial inroads into the privacy and human rights that have hitherto been regarded as fundamental to the nature of this democracy. The article by James Bacchus contains an important articulation of the bedrock principles of liberty upon which the U.S. Constitution rests.<sup>2</sup>

In times of self-imposed isolation by many in the United States, I congratulate the editors of this *Journal* in publishing these articles and so provide a wider perspective for the discussion of human rights in the United States.

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1. John Hedigan, *European Convention on Human Rights and Counterterrorism*, 28 FORDHAM INT'L L.J. 392 (2005).

2. See James Bacchus, *The Garden*, 28 FORDHAM INT'L L.J. 308 (2005).