

Book Reviews

by Alex P. Schmid

Jeffrey F. Addicott. *Terrorism Law. Materials, Cases, Comments.* 5th edition. Tucson, Arizona: Lawyers & Judges Publishing Company, Inc., 2009. 622 pp. ISBN-13: 978-1-933264-64-6 (hc).

Terrorism is a form of violence without legal restraints. “The law”, on the other hand, tries to restrain terrorist crimes. Many who advocate a more muscular approach to terrorism prefer a military campaign to a law enforcement approach for dealing with terrorism. Yet the military too is subject to restraints when dealing with terrorism; bound by the laws of war, it cannot fight “fire with fire” without losing the moral high ground. The law punishes those who transgress it but terrorism is often not only an act of provocation but also a form of punishment, motivated by revenge. The relationship between terrorism and law is a complex one. One of the great merits of Prof. Addicott’s work is to make this complexity visible. The 5th (2009) edition of this seminal textbook maintains the same chapter structure as the 4th (2007) edition but is 65 pages longer, updating the broad ground covered already in previous editions. Dr. Addicott is Distinguished Professor of Law and Director of the Center for Terrorism Law at St. Mary’s University in San Antonio, Texas. Until 2000, Jeffrey Addicott was an active duty Army officer and senior legal advisor to the United States Army’s Special Forces. He is a strong advocate of preventing violations of humanitarian law in the War on Terror and his textbook devotes entire chapters to controversial issues like “Interrogation Techniques” (ch. 6) and “Contractors on the Battlefield” (ch. 7). In chapter 4 he also looks at the role of human rights law addressing. In chapter 9 he calls for “A New Paradigm for War and Terrorism Avoidance”. He pleads that “the world’s most precious commodities – the promotion of democratic values and human rights – must not become casualties in the War on Terror” (p. xviii).

Addicott’s volume is written primarily for students of law who will find this one of the best introductions into “terrorism law” in its evolving national (US) and international complexity. With such an audience in mind he discusses extensively case law (e.g. *Hamadan v. Rumfeld*, *Boumediene v. Bush* and *Padilla v. Hanft*). The book contains more than a dozen appendices reproducing key US and UN texts. Given the author’s background, the textbook provides us with insights into the legal thinking of both the Pentagon and the Supreme Court in matters of terrorism. Its outstanding features are its clarity and well-argued judgments. Where this reviewer finds it hard to follow the author, however, is in his assessment of perceptions of the Green Berets in the sub-chapter “The Role of Special Forces” (ch. 9.12). He claims that the US “Army Special Forces soldiers are universally recognized and respected as efficient, professional and humanitarian” (p.392). My reservations also extend to his discussion of the humiliation and torture of prisoners at Abu Ghraib (ch. 6.8) where he settles too easily for the few “bad apples”

theory (p. 278). However, this does little to detract from the overall value of the textbook.