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## Book Notes: The Law of Targeting, by William H. Boothby

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## Book Note

### THE LAW OF TARGETING, by William H. Boothby<sup>1</sup>

PAUL BURD

WHAT CAN LAWFULLY be targeted in warfare? In *The Law of Targeting*, William H. Boothby presents a text that can be used to answer that question by canvassing the international legal regime governing the bounds of who and what can be targeted in warfare. This book is the first attempt to bring together the disparate threads of targeting law into a comprehensive and authoritative text crafted for academics and military planners as a touchstone for navigating the “legal maze” that comprises this field.<sup>2</sup>

The text is divided into seven Parts. Part I sets targeting law into its context by tracing its historical evolution from a set of non-binding treaties and manuals to a binding set of Additional Protocols to the *Geneva Convention*.<sup>3</sup> Also outlined in this Part is how the Additional Protocols and other sources of targeting law apply to different points on the spectrum of conflict. Part II outlines the general principles underlying the law of targeting, with a focus on the chief principles of military necessity, humanity, and target distinction.<sup>4</sup>

Part III opens the text’s treatment of the content of targeting law by examining how the law provides particular protections to the environment, cultural property, and civilian and medical units.<sup>5</sup> Part IV examines how targeting law takes account of specific types of weaponry and technologies used to inform targeting decisions.<sup>6</sup> Boothby uses this Part to discuss how the law applies to several rapidly developing technologies such as drones and directed energy weapons. In Part V, Boothby shows how the law of targeting applies in the traditional air, land, and

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1. (Oxford: Oxford University Press, 2012) 656 pages.

2. *Ibid* at xi.

3. *Ibid* at 3.

4. *Ibid* at 57.

5. *Ibid* at 195.

6. *Ibid* at 255.

sea domains of war. He also provides an overview of the legal regime governing targeting in outer space and an analysis of how the established targeting law regime would apply to cyber warfare operations.<sup>7</sup> Part VI examines the applicability of targeting law to non-traditional combat situations such as insurgencies and internal security operations.<sup>8</sup>

Shifting to a more evaluative lens, Part VII examines the compliance of states with the legal regime on targeting. Boothby uses this Part to discuss a host of modern challenges to the applicability of targeting law, including the impact of mercenaries, espionage, and targeted killings in theatres of war.<sup>9</sup> Boothby concludes the book with a reflection on the adequacy and possible future of targeting law. He argues that regardless of the future form of targeting law, it will likely remain grounded in fundamental principles like distinction, discrimination, and proportionality.<sup>10</sup>

*The Law of Targeting* is a thorough outline of the state of the law in a field comprised of a confusing array of sources and subjected to considerable generalization by political and media commentary. In an attempt to clear the haze, Boothby has made this text accessible by framing each of its Parts and their constituent chapters as complete treatments of topics he covers. His goal in creating a useful guide on targeting law is to inform those who make targeting decisions and to ground the debate on those decisions in the law itself.

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7. *Ibid* at 301.

8. *Ibid* at 405.

9. *Ibid* at 475.

10. *Ibid* at 553.