

analysis of these cases, examining the different conditions underlying the “grades” offered to each bank resolution attempt. In this sense, there is an expectation of the case studies speaking for themselves rather than having that material summarized or compared in a way that forcefully supports the conclusions reached. Like a lot of intelligent policy critiques, both the public statements of government officials and the details of regulatory policies themselves are taken as sincere yet naive positions, which are then thoroughly critiqued in light of the evidence and deeper analysis. In this book, that means criticizing the “no bailout” statements of politicians and such corresponding clauses in new regulations. One wonders, however, whether such moves by policymakers are themselves fully sincere and therefore foolish, or rather simply reflect strategic behavior vis-à-vis constant negotiation with the industry and the public at large.

Political scientists working in this area will find great value in the incredibly rich within-case analysis yet might find limiting the fact that events are portrayed as a succession of historical facts assembled as either intelligent decisions or policy blunders, with less emphasis on social processes representing instances of larger phenomena. Given the book’s “micro” perspective on individual banks and events, it departs significantly from recent work on the political economy of finance that situates events of the financial crisis and its aftermath within larger causal structures, for example, in transformations within capitalist development such as financialization, and only offers passing observation relevant on other structures such as revolving doors or elite networks. Yet this is a book focused on a prescriptive policy critique, and it is not ultimately aimed to intervene in other larger, related research programs. Nevertheless, the many power struggles between government agencies and large banks in these cases represent an important contribution to the broader research community working on these themes.

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The 9/11 Terror Cases: Constitutional Challenges in the War against Al Qaeda by Allan A. Ryan. Lawrence, University Press of Kansas, 2015. 240 pp. Paper, \$19.95.

In retrospect, it now seems obvious that the zealous counterterrorism policies pursued by the U.S. government in the aftermath of the September 11 terrorist attacks would provoke years of litigation—and, in some cases, sustained pushback from the federal courts. But as Allan A. Ryan explains in this usefully concise and succinct volume, that endgame was hardly obvious at the

beginning, as government lawyers pushed the envelope not only on substantive authorities ranging from military detention and interrogation to surveillance and immigration roundups but more fundamentally on the role of the courts as well, arguing for an almost nonexistent judicial role in supervising counterterrorism policy.

Ryan's volume recounts the story behind, and rulings in, four major U.S. Supreme Court rulings militating rather sharply in the other direction, including a pair of 2004 decisions involving the government's power to detain (and the courts' power to review the detention of) enemy combatants; a 2006 ruling striking down the first iteration of the Guantánamo military commissions; and a landmark 2008 precedent rejecting efforts by Congress to prevent the courts from hearing habeas petitions from noncitizens held without trial at Guantánamo. Ryan's book offers not just a fantastic and accessible exegesis of these complex rulings but a narrative of the stories *behind* these cases that illuminate their personal, political, and constitutional stakes.

More than just a descriptive account, the normative undercurrent of Ryan's monograph is that the fundamental legal questions raised after September 11 invariably sounded in the separation of powers—and that, in these four rulings, the justices took decisive steps toward protecting the role of the courts in supervising national security policies and, therefore, ensuring the separation of powers in such cases. For those looking for an introduction to the role of the Supreme Court in the war on terrorism, it is hard to imagine a more appropriate volume than Ryan's.

Of course, the role of the Supreme Court (and the federal courts, more generally) in supervising post-September 11 counterterrorism policies neither began nor ends with the four Supreme Court decisions at the heart of Ryan's study, all of which involve military detention and/or trial. As of this writing, the Supreme Court has handed down rulings in five *additional* major counterterrorism cases, and it has turned away invitations to review dozens of major lower-court rulings in suits challenging counterterrorism policies, creating a rich (and ever-burgeoning) jurisprudence of contemporary national security law.

Considered more holistically, that jurisprudence offers a somewhat more equivocal account of the role of courts in reviewing post-September 11 counterterrorism policies—and, more broadly, in protecting the separation of powers. Among other things, the courts have, with one exception, generally left the United States' controversial post-September 11 surveillance programs undisturbed; they have refused to reach the merits of any case in which a detainee claimed he was tortured by the U.S. government; and they have otherwise either sided with the government or dismissed on procedural grounds an array of challenges to other counterterrorism programs, including

the roundup of Middle Eastern immigrants in the weeks after September 11; the destruction of property as part of military counterterrorism operations; the alleged misuse of the material witness statute as a pretext to detain terrorism suspects; and so on. Simply put, Ryan's volume is a powerful and poetic testament to the Supreme Court's efforts to assert the institutional role of the federal courts in supervising counterterrorism policy—but perhaps only as an end unto itself.

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Learning from Disaster: Improving Nuclear Safety and Security after Fukushima by Edward D. Blandford and Scott D. Sagan. Stanford, CA, Stanford University Press, 2016. 232 pp. Paper, \$27.95.

I spent four years on a National Academy of Sciences panel on Lessons Learned from the Fukushima Nuclear Accident. I did not expect to learn much new from this collection of essays but was pleasantly surprised by its fresh perspectives.

Gregory Wines, a U.S. security expert, discusses the Maginot Line-type vulnerabilities created by requiring that safety and security be measured against “design-basis accidents” and “design-basis threats.” It was, of course, a beyond-design-basis tsunami that incapacitated the cooling systems of the Fukushima Daiichi Units 1–4. Another chapter by a Stanford group is therefore devoted to a preliminary comparison of the possibilities of beyond-design-basis floods—by storms as well as tsunamis—of Japanese, European, and U.S. coastal nuclear power plants. The results are interesting enough to merit further systematic independent investigation, including the possibility of flooding of power plants located on rivers, especially in cases in which an upriver dam might fail.

Kazuto Suzuki, a Japanese political scientist, notes that because of continuing legal challenges, Japan's regulatory system adopted a checklist approach to compliance with nuclear safety requirements. The different levels of Japan's government insisted to the public—and convinced themselves—that if all the items on the list were checked, the plant must be 100 percent safe, giving rise to the “myth of safety.”

Kaoru Naito, a Japanese security expert, points out the synergisms between safety and security protections. Japan's nuclear safety authorities, deeming their country not to be a major target of terrorist attacks, decided not to follow the post-September 11 U.S. requirement that on-site portable generators and