

THE TORTURE MEMOS:

"A DARK AND PAINFUL
CHAPTER IN OUR HISTORY"
BARACK OBAMA

RATIONALIZING THE UNTHINKABLE

EDITED AND WITH AN INTRODUCTORY COMMENTARY BY

DAVID COLE

FOREWORD BY

PHILIPPE SANDS



Torture Memos Rationalizing The Unthinkable

David Cole



Torture Memos Rationalizing The Unthinkable:

The Torture Memos David Cole, 2009-09-08 On April 16 2009 the Justice Department released never before seen secret memos describing in graphic detail the brutal interrogation techniques used by the CIA under the Bush administration's war on terror Now for the first time the key documents are compiled in one remarkable volume showing that the United States government's top attorneys were instrumental in rationalizing acts of torture and cruelty employing chillingly twisted logic and Orwellian reasoning to authorize what the law absolutely forbids This collection gives readers an unfiltered look at the tactics approved for use in the CIA's secret overseas prisons including forcing detainees to stay awake for eleven days straight slamming them against walls stripping them naked locking them in a small box with insects to manipulate their fears and of course waterboarding and at the incredible arguments advanced to give them a green light Originally issued in secret by the Office of Legal Counsel between 2002 and 2005 the documents collected here have been edited only to eliminate repetition They reflect in their own words the analysis that guided the legal architects of the Bush administration's interrogation policies Renowned legal scholar David Cole's introductory essay tells the story behind the memos and presents a compelling case that instead of demanding that the CIA conform its conduct to the law the nation's top lawyers contorted the law to conform to the CIA's abusive and patently illegal conduct He argues eloquently that official accountability for these legal wrongs is essential if the United States is to restore fidelity to the rule of law **Torture, Power, and Law**

David Luban, 2014-09-04 David Luban analyzes the torture debate in the struggle against terrorism from a sophisticated philosophical and legal perspective Current Legal Problems 2009 Colm O'Cinneide, 2010-02-04 This year's volume covers topics such as military detention English criminal law terrorism democracy human rights civil liberties the media and international law family law child welfare health feminism economic theory corporate law competition regulation contract law biotechnology biodiversity and more Mental Health and Human Rights Michael Dudley, Derrick Silove, Fran Gale, 2012-06-21 People with mental disorders often suffer the worst conditions of life This book is the first comprehensive survey of the mental health human rights relationship It examines the relationships and histories of mental health and human rights and their interconnections with law culture ethnicity class economics biology and stigma **The Academy of**

Fisticuffs Sophus A. Reinert, 2018-12-28 The terms capitalism and socialism continue to haunt our political and economic imaginations but we rarely consider their interconnected early history Even the eighteenth century had its socialists but unlike those of the nineteenth they paradoxically sought to make the world safe for capitalists The word socialists was first used in Northern Italy as a term of contempt for the political economists and legal reformers Pietro Verri and Cesare Beccaria author of the epochal *On Crimes and Punishments* Yet the views and concerns of these first socialists developed inside a pugnacious intellectual coterie dubbed the Academy of Fisticuffs differ dramatically from those of the socialists that followed Sophus Reinert turns to Milan in the late 1700s to recover the Academy's ideas and the policies they informed At

the core of their preoccupations lay the often lethal tension among states markets and human welfare in an era when the three were becoming increasingly intertwined What distinguished these thinkers was their articulation of a secular basis for social organization rooted in commerce and their insistence that political economy trumped theology as the underpinning for peace and prosperity within and among nations Reinert argues that the Italian Enlightenment no less than the Scottish was central to the emergence of political economy and the project of creating market societies By reconstructing ideas in their historical contexts he addresses motivations and contingencies at the very foundations of modernity

Economic Growth and the Origins of Modern Political Economy Philipp R. Rössner,2016-05-12 Economic Growth and the Origins of Modern Political Economy addresses the intellectual foundations of modern economic growth and European industrialization Through an examination both of the roots of European industrialization and of the history of economic ideas this book presents a uniquely broad examination of the origins of modern political economy This volume asks what can we learn from old theories in terms of our understanding of history our economic fate today and the prospects for the modern world s poorest countries Spanning across the past five hundred years this book brings together leading international contributors offering comparative perspectives with countries outside of Europe in order to place the evolution of modern economic knowledge into a broader reference framework It integrates economic discourse and the intellectual history of political economy with more empirical studies in economic history and the history of science In doing so this innovative volume presents a coherent and innovative new strategy towards a reconfiguration of the history of modern political economy This book is suitable for those who study history of economic thought economic history or European history

International Law and New Wars Christine Chinkin,Mary Kaldor,2017-04-27 Examines the difficulties in applying international law to recent armed conflicts known as new wars

Power Shift Richard Falk,2016-07-15 This book depicts the challenges associated with the emergence of a new global order in which patterns of conflict and the role of traditional military power are in the process of radical flux Our ideas about global order have yet to catch up with these new behavioral trends including the rise of non state transnational political actors in the context of neoliberal globalization In this historical setting the modern territorial sovereign state is confronted by multiple challenges ranging from climate change to mass migration to transnational political extremism The existing global order seems currently overwhelmed by these challenges resulting in widespread stress and chaos that is transforming global security in ways that endanger democratic governance The future will be determined by whether the peoples of the world make their weight felt in support of sustainable global justice and overcome the impact of oppressive and exploitative patterns of corporate and state behavior It is this problematic set of circumstances that *Power Shift* addresses

When Governments Break the Law Austin Sarat,Nasser Hussain,2010-10-20 Recent controversies surrounding the war on terror and American intervention in Iraq and Afghanistan have brought rule of law rhetoric to a fevered pitch While President Obama has repeatedly emphasized his Administration s commitment to

transparency and the rule of law nowhere has this resolve been so quickly and severely tested than with the issue of the possible prosecution of Bush Administration officials. While some worry that without legal consequences there will be no effective deterrence for the repetition of future transgressions of justice committed at the highest levels of government, others echo Obama's seemingly reluctant stance on launching an investigation into allegations of criminal wrongdoing by former President Bush, Vice President Cheney, Secretary Rumsfeld, and members of the Office of Legal Counsel. Indeed, even some of the Bush Administration's harshest critics suggest that we should avoid such confrontations that the price of political division is too high. Measured or partisan, scholarly or journalistic, clearly the debate about accountability for the alleged crimes of the Bush Administration will continue for some time. Using this debate as its jumping off point, *When Governments Break the Law* takes an interdisciplinary approach to the legal challenges posed by the criminal wrongdoing of governments. But this book is not an indictment of the Bush Administration; rather, the contributors take distinct positions for and against the proposition, offering revealing reasons and illuminating alternatives. The contributors do not ask the substantive question of whether any Bush Administration officials in fact violated the law, but rather the procedural, legal, political, and cultural questions of what it would mean either to pursue criminal prosecutions or to refuse to do so. By presuming that officials could be prosecuted, these essays address whether they should. *When Governments Break the Law* provides a valuable and timely commentary on what is likely to be an ongoing process of understanding the relationship between politics and the rule of law in times of crisis.

Contributors: Claire Finkelstein, Lisa Hajjar, Daniel Herwitz, Stephen Holmes, Paul Horwitz, Nasser Hussain, Austin Sarat, and Stephen I. Vladeck.

The Politics of the Globalization of Law Alison Brysk, 2013-05-02

How does the globalization of law, the emergence of multiple and shifting venues of legal accountability, enhance or evade the fulfillment of international human rights? Alison Brysk's edited volume aims to assess the institutional and political factors that determine the influence of the globalization of law on the realization of human rights. The globalization of law has the potential to move the international human rights regime from the generation of norms to the fulfillment of rights through direct enforcement, reshaping state policy, granting access to civil society, and global governance of transnational forces. In this volume, an international and interdisciplinary team of scholars explores the development of new norms, mechanisms, and practices of international legal accountability for human rights abuse and tests their power in a series of hard cases. The studies find that new norms and mechanisms have been surprisingly effective globally in terms of treaty adherence, international courts, regime change, and even the diffusion of citizenship rights, but this effect is conditioned by regional and domestic structures of influence and access. However, law has a more mixed impact on abuses in Mexico, Israel, Palestine, and India. Brysk concludes that the globalization of law is transforming sovereignty and fostering the shift from norms to fulfillment, but that peripheral states and domains often remain beyond the reach of this transformation. Theoretically framed but comprised of empirical case material, this edited volume will be useful for both graduate students and academics in law, political science,

human rights international relations global and international studies and law and society

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