



Enemy Combatant

**United States. Congress. Senate.
Committee on Armed Services**

Enemy Combatant:

Our Nation Unhinged Peter Jan Honigsberg, 2009-05-18 Jose Padilla short shackled and wearing blackened goggles and earmuffs to block out all light and sound on his way to the dentist Fifteen year old Omar Khadr crying out to an American soldier Kill me Hunger strikers at Guant namo being restrained and force fed through tubes up their nostrils John Walker Lindh lying naked and blindfolded in a metal container bound by his hands and feet in the freezing Afghan winter night This is the story of the Bush administration s response to the attacks of September 11 2001 and of how we have been led down a path of executive abuses human tragedies abandonment of the Constitution and the erosion of due process and liberty In this vitally important book Peter Jan Honigsberg chronicles the black hole of the American judicial system from 2001 to the present providing an incisive analysis of exactly what we have lost over the past seven years and where we are now headed

Scapegoats of September 11th Michael Welch, 2006 Argues that the war on terror is a political charade that delivers illusory comfort stokes fear and produces scapegoats used as emotional relief Drawing on topics such as the Abu Ghraib scandal Guantanamo Bay and the controversial Patriot Act this work looks at the significance of knowledge language and emotion in a post 9 11 world City on the Hill Or Prison on the Bay? United States. Congress. House. Committee on Foreign Affairs. Subcommittee on International Organizations, Human Rights, and Oversight, 2008 *Developing Moral Sensitivity* Deborah Mower, Wade L. Robison, Phyllis Vandenberg, 2015-05-15 Moral sensitivity affects whether and how we see others note moral concerns respond with delicacy and navigate complex social interactions Scholars from a variety of fields explore the concept of moral sensitivity and how it develops beginning with a natural moral capacity for sensitivity towards others that is shaped in a variety of ways through relationships forms of teaching and social institutions Each of these influences alters the capacity as well as one s responses in complex ways The concept of moral sensitivity deepens as progressive chapters demonstrate its increasing complexity through development within individuals over time as they mature and as their relationships and social contexts expand The chapters integrate research from philosophy psychology neuroscience literature education and media and technology studies with key chapters by Darcia Narv ez Nancy E Snow Michael S Pritchard and Stephen J Thoma and a Foreword by Owen Flanagan It is the only comprehensive presentation of interdisciplinary work on moral sensitivity that integrates a theoretical methodological and pedagogical analysis This highly interdisciplinary approach provides a new way of thinking about the relationship of individuals to society and moral sensitivity as a social phenomenon extending current research in ethics moral psychology and psychology toward situated embodied and contextual analyses *Presidential Power in Action* D. Wheeler, 2016-04-30 This book examines how Supreme Court detainee cases have been implemented with emphasis on the role of the president concluding that an active executive branch has the ability to shape the manner in which judicial decisions are implemented and exploring why presidents have more influence than Congress and the courts **Protecting Our National Security from Terrorist Attacks** United

States. Congress. Senate. Committee on the Judiciary, 2005 Branded Bodies, Rhetoric, and the Neoliberal Nation-State Jennifer Wingard, 2012-11-29 Branded Bodies Rhetoric and the Neoliberal Nation State by Dr Jennifer Wingard explores how neoliberal economics has affected the rhetoric of the media and politics and how in very direct material ways it harms the bodies of some of the United States most vulnerable occupants The book is written at a moment when the promise of the liberal nation state in which the government purports to care for its citizens through social welfare programs financed by state funds is eroding Currently state policies are defined by neoliberal governmentality a form which privileges privatization and individual personal responsibility Instead of the promise of citizenship and the protections that come with it or the American Dream to use a more common euphemism the state uses certain bodies that will never be accepted as citizens as an underclass in service of capital think Guest Worker Programs And those underclassed bodies are identified through branding In order to demonstrate just how damaging branding has become Wingard offers readings of key pieces of legislation on immigration and GLBT rights and their media reception from the past twenty years By showing how brands are assembled to create affective threats Branded Bodies Rhetoric and the Neoliberal Nation State articulates how dangerous the branding of bodies has become and offers rhetorical strategies that can repair the damage to bodies caused by political branding Branded Bodies then is an intervention into the rhetorical practices of the nation state It attempts to clarify how the nation state uses brands to forward its claims of equality and freedom all the while condemning those who do not fit in to particular categories valued by the neoliberal state Talking Conflict Anna M. Wittmann, 2016-12-05 In today s information era the use of specific words and language can serve as powerful tools that incite violence or sanitize and conceal the ugliness of war This book examines the complex twisted language of conflict Why is the term collateral damage used when military strikes kill civilians What is a catastrophic success What is the difference between a privileged and unprivileged enemy belligerent How does deterrence differ from detente What does hybrid warfare mean and how is it different from asymmetric warfare How is shell shock different from battle fatigue and PTSD These are only a few of the questions that Talking Conflict The Loaded Language of Genocide Political Violence Terrorism and Warfare answers in its exploration of euphemisms warspeak doublespeak and propagandistic terms This handbook of alphabetically listed entries is prefaced by an introductory overview that provides background information about how language is used to obfuscate or minimize descriptions of armed conflict or genocide and presents examples of the major rhetorical devices used in this subject matter The book focuses on the loaded language of conflict with many of the entries demonstrating the function of given terms as euphemisms propaganda or circumlocutions Each entry is accompanied by a list of cross references and Further Reading suggestions that point readers to pertinent sources for further research This book is ideal for students especially those studying political science international relations and genocide as well as general readers **U.S. National Security Law** H. L. Pohlman, 2018-07-12 The rise of international terrorism in today s globalized world has focused attention on the degree to

which international law should shape U S national security law and policy This unique textbook of readings explores how international law relates to U S constitutional and statutory law in terms of the right to wage war the law of armed conflict combatant status interrogation of detainees military commissions covert action targeted killing electronic surveillance and cyber war Each chapter is composed of a chronological set of core readings followed by a set of provocative questions with commentary linking one reading to the next Written in a lively and engaging manner U S National Security Law makes challenging subject matter accessible for undergraduate students outside of a law school classroom **America's**

Disappeared Rachel Meeropol, 2011-01-04 The confirmation proceedings for Alberto R Gonzales and Condeleeza Rice like the Abu Ghraib prison scandal triggered a national debate about the U S government's controversial treatment of detainees and its practice of torture At the heart of the debate is the question Is the United States undermining democracy freedom and human rights in its effort to protect its citizens from terrorism The authors of AMERICA'S DISAPPEARED answer yes AMERICA'S DISAPPEARED describes how the U S government in response to the events of 9 11 launched an unprecedented campaign of racial profiling detentions and deportations so grievous as to evoke the internment of Japanese Americans during World War II It brings together for the first time detainees own testimonies along with analysis by the leading constitutional attorneys and human rights advocates In addition to a detailed exploration of detention the forms currently in use and the conditions of each the book challenges the Bush administration's justifications for violating the Geneva Conventions and the most basic definitions of human rights

Constitutionalism Under Extreme Conditions Richard Albert, Yaniv Roznai, 2020-09-24 This book examines the problem of constitutional change in times of crisis Divided into five main parts it both explores and interrogates how public law manages change in periods of extraordinary pressure on the constitution In Part I Emergency Exception and Normalcy the contributors discuss the practices and methods that could be used to help legitimize the use of emergency powers without compromising the constitutional principles that were created during a period of normalcy In Part II Terrorism and Warfare the contributors assess how constitutions are interpreted during times of war focusing on the tension between individual rights and safety Part III Public Health Financial and Economic Crises considers how constitutions change in response to crises that are neither political in the conventional sense nor violent which also complicates how we evaluate constitutional resilience in times of stress Part IV Constitutionalism for Divided Societies then investigates the pressure on constitutions designed to govern diverse multi national populations and how constitutional structures can facilitate stability and balance in these states Part V titled Constitution Making and Constitutional Change highlights how constitutions are transformed or created anew during periods of tension The book concludes with a rich contextual discussion of the pressing challenges facing constitutions in moments of extreme pressure Chapter Public Health Emergencies and Constitutionalism Before COVID 19 Between the National and the International is available open access under a Creative Commons Attribution 4 0 International License via link [springer.com](https://www.springer.com) **The**

Handbook of International Humanitarian Law Dieter Fleck, 2021-02-25 The Handbook of International Humanitarian Law sets out a black letter text of international humanitarian law accompanied by case analysis and extensive explanatory commentary by a team of distinguished and internationally renowned experts This is the fourth edition of this influential and comprehensive handbook It has been extensively updated and revised taking into account recent legal developments such as the 2017 Nuclear Weapons Prohibition Treaty as well as the ongoing debate on many old and new issues Areas covered by the book include the notion of direct participation in hostilities air and missile warfare military operations in outer space military cyber operations belligerent occupation operational detention and the protection of the environment in relation to armed conflict The continuing need to consider borderline issues of the law of armed conflict as well as the interplay of international humanitarian law human rights law and other branches of international law is highlighted This Handbook provides an in depth understanding of the development and current problems of the law of armed conflicts It considers legal and policy issues both from the views of academics and military and diplomatic practitioners Finally and most importantly it offers a complete account of activities that should be taken to improve the implementation and enforcement of international humanitarian law

Reauthorization of the USA Patriot Act (continued) United States. Congress. House. Committee on the Judiciary, 2005

U.S. NAVY MANUALS COMBINED: OPERATIONS SECURITY (OPSEC) NTTP 3-54M; NAVY INFORMATION OPERATIONS NWP 3-13; AND THE COMMANDER'S HANDBOOK ON THE LAW OF NAVAL OPERATIONS NWP 1-14M (2007 & 2017 EDITIONS) , NTTP 3 54M MCWP 3 40 9 provides the commander with an operations security OPSEC overview OPSEC evolution and guidance for the most crucial aspect of OPSEC that of identifying critical information CI It explains the OPSEC process also known as the OPSEC five step process This publication addresses the areas of OPSEC and force protection public affairs officer PAO interaction the role of the Naval Criminal Investigative Service NCIS in coordination with OPSEC the OPSEC OMBUDSMAN KEY VOLUNTEER relationship and the conduct of OPSEC assessments This publication includes separate chapters on Web page registration Web risk assessment and Red team activity Appendices provide guidance to implement effective plans programs at the individual unit strike group and shore establishment levels NWP 3 13 FEB 2014 NAVY INFORMATION OPERATIONS provides information operations guidance to Navy commanders planners and operators to exploit and shape the information environment and apply information related capabilities to achieve military objectives This publication reinforces the integrating functionality of information operations to incorporate information related capabilities and engage in the information environment to provide a military advantage to the friendly Navy force It is effective upon receipt 1 NWP 1 14M MCTP 11 10B COMDTPUB P5800 7A AUG 2017 THE COMMANDER S HANDBOOK ON THE LAW OF NAVAL OPERATIONS is available in the Navy Warfare Library It is effective upon receipt and supersedes NWP 1 14M MCWP 5 12 1 COMDTPUB 5800 7A JUL 2007 The Commander s Handbook on the Law of Naval Operations 2 Summary This revision updates and expands upon various topics

regarding the law of the sea and law of war In particular it updates the history of U S Senate consideration of the UN Convention on the Law of the Sea to include its 2012 hearings emphasizes that islands rocks and low tide elevations are naturally formed and that engineering construction and land reclamation cannot convert their legal status provides more detail on U S sovereign immunity policy for Military Sealift Command chartered vessels and for responding to foreign requests for health inspections and medical information removes language indicating that all USN USCG vessels under command of a noncommissioned officer are auxiliary vessels emphasizes that only warships may exercise belligerent rights during international armed conflicts adds a description of U S Chinese bilateral and multilateral agreements promoting air and maritime safety updates the international law applicable to vessels seeking a place of refuge updates the description of vessels assimilated to vessels without nationality provides detailed descriptions of the five types of international straits states the U S position on the legal status of the Northwest Passage and Northern Sea Route updates the list of international duties in outer space updates the law regarding the right of safe harbor adds honor as a law of war principle adds information about weapons reviews in the Department of the Navy updates the law regarding unprivileged enemy belligerents includes information about the U S position on the use of landmines expands on the discussion of the International Criminal Court ICC and updates the law of targeting

Confirmation Hearing on the Nominations of William James Haynes II to be Circuit Judge for the Fourth Circuit and Frances Marie Tydingco-Gatewood to be District Judge for the District of Guam United States. Congress. Senate. Committee on the Judiciary, 2006

Due Process and International Terrorism Roza Pati, 2009 Acts of terror on a global scale are straining to the breaking point the due process guarantees of the legal systems of modern democracies In unequalled breadth and depth this book analyzes the rights of persons suspected of a crime in normal times and emergencies from the pre trial phase to the trial and the post trial period under all the universal and regional human rights treaty regimes pertinent customary international law general principles of law international humanitarian law as well as the hybrid procedures developed by international criminal tribunals The book then presents a detailed analysis of United States due process guarantees in peacetime and in war and the executive legislative and judicial responses to the attacks of September 11 2001 Professor Pati appraises the American actions in terms of international law s due process guarantees and proposes courses of action which can better defend a public order of human dignity

Military Commissions in Light of the Supreme Court Decision in Hamdan V. Rumsfeld United States. Congress. Senate. Committee on Armed Services, 2007

Routledge Handbook of Ethics and War Fritz Allhoff, Nicholas G. Evans, Adam Henschke, 2013-06-26 This new Handbook offers a comprehensive overview of contemporary extensions and alternatives to the just war tradition in the field of the ethics of war The modern history of just war has typically assumed the primacy of four particular elements jus ad bellum jus in bello the state actor and the soldier This book will put these four elements under close scrutiny and will explore how they fare given the following challenges What role do the traditional elements of jus ad bellum and jus in bello

and the constituent principles that follow from this distinction play in modern warfare Do they adequately account for a normative theory of war What is the role of the state in warfare Is it or should it be the primary actor in just war theory Can a just war be understood simply as a response to territorial aggression between state actors or should other actions be accommodated under legitimate recourse to armed conflict Is the idea of combatant qua state employed soldier a valid ethical characterization of actors in modern warfare What role does the technological backdrop of modern warfare play in understanding and realizing just war theories Over the course of three key sections the contributors examine these challenges to the just war tradition in a way that invigorates existing discussions and generates new debate on topical and prospective issues in just war theory This book will be of great interest to students of just war theory war and ethics peace and conflict studies philosophy and security studies Standards of Military Commissions and Tribunals United States. Congress. House. Committee on Armed Services,2008 **Power Without Constraint** Chris Edelson,2016-05-11 As a presidential candidate Barack Obama criticized the George W Bush administration for its unrestrained actions in matters of national security In secret Justice Department memos President Bush s officials had claimed for the executive branch total authority to use military force in response to threats of terrorism They set aside laws made by Congress even criminal laws prohibiting torture and warrantless surveillance Candidate Obama promised to restore the rule of law and make a clean break with the Bush approach President Obama has not done so Why In a thorough comparison of the Bush and Obama administrations national security policies Chris Edelson demonstrates that President Obama and his officials have used softer rhetoric and toned down legal arguments but in key areas military action surveillance and state secrets they have simply found new ways to assert power without meaningful constitutional or statutory constraints Edelson contends that this legacy of the two immediately post 9 11 presidencies raises crucial questions for future presidents Congress the courts and American citizens Where is the political will to restore a balance of powers among branches of government and adherence to the rule of law What are the limits of authority regarding presidential national security power Have national security concerns created a permanent shift to unconstrained presidential power

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