

By Joel Mathis

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**John Yoo**, the Bush Administration lawyer [who wrote many of the so-called “Torture Memos”](#) that opened the door to post-9/11 waterboarding of terror suspects, [will speak Thursday at Drexel Law](#) — and the appearance is generating controversy.

The Philadelphia chapter of the National Lawyers Guild just sent out this press release condemning Yoo’s appearance:

National Lawyers Guild Deplores Drexel Law Appearance of “Torture Memos” Author John Yoo

Disgraced Department of Justice lawyer John Yoo, author of the “torture memos” that advised the CIA, Department of Defense, and President on how to “legally” use torture in the first few years following 9/11, will be speaking at Drexel Law on Thursday 27 March 2014. The Philadelphia Chapter of the National Lawyers Guild objects to this appearance. We urge Drexel Law students to skip the event, because Yoo’s discredited legal opinions, based on extremist ideologies, violated both the Constitution and international law, and have no place in legitimate legal scholarship.

To review some of the history that we imagine many of the students may not be completely aware of, since they must have been barely teens at the time:

When the memos were first released, then Secretary of State Colin Powell strongly opposed them because they rejected the Geneva Conventions.

The U.S. Navy's highest-ranking lawyer urged that the government not follow the memos because of their "catastrophically poor legal reasoning" based upon the author's extremist unitary executive views (which legal writer Dahlia Lithwick later characterized as "if the president authorizes it, it isn't illegal").

The Department of Justice called the memos "legally defective," "deeply flawed," and "sloppily reasoned," and withdrew them.

An expert testifying before Congress called them "an ethical trainwreck."

President Obama repudiated them within days of taking office.

The Department of Justice's Office of Professional Responsibility called Yoo's legal opinions so flawed and incomplete that they amounted to professional misconduct and suggested that he be disciplined by the state bar.

And who can forget this exchange, from a debate in 2005:

Q: If the President deems he's that he's got to torture somebody, including by crushing the testicles of the person's child, there is no law that can stop him?

Yoo: No treaty.

Q: Also no law by Congress. That is what you wrote in the August, 2002, memo.

Yoo: I think it depends on why the President thinks he needs to do that.

Is this what Drexel Law means by "experiential learning"? Or is this the level of legal scholarship Drexel Law hopes its students aspire to?

The National Lawyers Guild believes that the Drexel Law students who invited John Yoo to speak have made a deplorable choice. On their Facebook page, the event's organizers have characterized Yoo's work for the Bush Administration as a position where he "advised President Bush on matters of executive power and national security." Drexel Law students should understand that Yoo's advice encompassed a view of executive power that permitted extraordinary rendition and torture, resulting in negative repercussions in American foreign relations that we are still dealing with a dozen years later.

Let's be clear. John Yoo's theory is that under the Constitution, a President, so long as he can articulate a good reason, is legally permitted to authorize the torture of a human being, whether woman, man, or child. This theory is not taken seriously by any reasonable mainstream legal theorist or practitioner in America. And it would be unthinkable in the vast majority of countries around the world as a violation of the Universal Declaration of Human Rights and the United Nations Convention Against Torture. Torture is a proven ineffective way to gather intelligence; it is illegal; and it is immoral. Yet Drexel Law has welcomed its students' invitation for him to speak.

The students at Drexel Law deserve better.

Sincerely,

Michele Grant, Co-Chair, National Lawyers Guild, Philadelphia Chapter

Steve Gotzler, Co-Chair, National Lawyers Guild, Philadelphia Chapter

Erica Briant, Chair, National Lawyers Guild, Drexel Law Student Chapter

Yoo, of course, was last seen in these parts back when the *Philadelphia Inquirer* — then under the stewardship of Brian Tierney — gave Yoo, a native of the Philly area, a regular column in the newspaper,

[generating an outcry then, as wel](#)

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