

Notice pdf - Plausible legality

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Résumé ou extrait : Présentation de l'éditeur : "After 9/11, American officials authorized torture, extraordinary rendition, indefinite detention, military commissions, targeted killing, and mass surveillance. This book analyses the role of human rights and humanitarian legal norms in shaping these practices. By strategically manipulating legal rules, policymakers and their lawyers successfully normalized abuses and secured impunity for human rights violations."

La jaquette indique : "In many ways, the United States' post-9/11 engagement with legal rules is puzzling. Officials in both the Bush and Obama administrations authorized numerous contentious counterterrorism policies that sparked global outrage, yet they have repeatedly insisted that their actions were lawful and legitimate. In 'Plausible Legality', Rebecca Sanders examines how the US government interpreted, reinterpreted, and manipulated legal norms and what these justificatory practices imply about the capacity of law to constrain state violence. Through case studies on the use of torture, detention, targeted killing, and surveillance, Sanders provides a detailed analysis of how policymakers use law to achieve their

political objectives and situates these patterns within a broader theoretical understanding of how law operates in contemporary politics. She argues that legal culture--defined as collectively shared understandings of legal legitimacy and appropriate forms of legal practice in particular contexts--plays a significant role in shaping state practice. In the global war on terror, a national security culture of legal rationalization encouraged authorities to seek legal cover-to construct the plausible legality of human rights violations-in order to ensure impunity for wrongdoing. Looking forward, law remains vulnerable to evasion and revision. As Sanders shows, despite the efforts of human rights advocates to encourage deeper compliance, the normalization of post-9/11 policy has created space for future administrations to further erode legal norms."

Sujet - Nom commun : Terrorisme -- Droit -- États-Unis

État -- Responsabilité

Droits civils et politiques -- Politique publique -- États-Unis

Droits de l'homme -- États-Unis

Primauté du droit

Droit international pénal

Sécurité nationale -- Droit -- États-Unis

Guerre contre le terrorisme (2001-2009)