The Terror Presidency: Law and Judgment Inside the Bush Administration

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A central player's account of the clash between the rule of law and the necessity of defending America.

Jack Goldsmith's duty as head of the Office of Legal Counsel was to advise President Bush what he could and could not do...legally. Goldsmith took the job in October 2003 and began to review the work of his predecessors. Their opinions were the legal framework governing the conduct of the military and intelligence agencies in the war on terror, and he found many—especially those regulating the treatment and interrogation of prisoners—that were deeply flawed.

Goldsmith is a conservative lawyer who understands the imperative of averting another 9/11. But his unflinching insistence that we abide by the law put him on a collision course with powerful figures in the administration. Goldsmith's fascinating analysis of parallel legal crises in the Lincoln and Roosevelt administrations shows why Bush's apparent indifference to human rights has damaged his presidency and, perhaps, his standing in history.

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