

FASPE for Law Students, June 2010

General Reading:

Adelson, Alan and Robert Lapidés (Ed.). *Lodz Ghetto: Inside a Community Under Siege*. New York: Viking Press, 1989: 117-119, 155-156.

Agamben, Giorgio. *Means Without End: Notes on Politics (Theory Out of Bounds)*. Minneapolis: University of Minnesota Press, 2000: 37-45.

Agamben, Giorgio. "The State of Emergency." Extract from a lecture given at the Centre Roland Barthes-University of Paris VII, Denis-Diderot. Online: <http://www.makeworlds.org/node/162>.

Arad, Yitzhak, Israel Gutman, and Abraham Maralot (Ed.). *Documents on the Holocaust: Selected Sources on the Destruction of the Jews of Germany and Austria, Poland, and the Soviet Union*. Lincoln: University of Nebraska Press, 1999: 77-80, 81-86, 98-99, 115-116.

Arendt, Hannah. *Eichmann in Jerusalem: A Report on the Banality of Evil*. New York: The Viking Press, 1963: 99-134, 209-212, 232-256.

Arendt, Hannah. *Eichmann in Jerusalem: A Report on the Banality of Evil*. New York: Penguin Books, 1964: 280-298.

Arendt, Hannah. *The Origins of Totalitarianism*. New York: The World Publishing Co., 1958: 437-459, 460-479.

Arendt, Hannah. *Responsibility and Judgement*. New York: Schocken Books, 2003: 17-189, 277-285.

Borowski, Tadeusz. *This Way for Gas, Ladies and Gentlemen*. New York: Penguin Books, 1976.

Botsch, Gideon et al. *The Wannsee Conference and the Genocide of the European Jews*. Germany: House of the Wannsee Conference Memorial and Educational Site, 2009: 81-82.

Cover, Robert M. *Justice Accused: Antislavery and the Judicial Process*. New Haven: Yale University Press, 1975: 226-256 (and notes).

Critchley, Simon. "What is a Philosopher?" *New York Times* 16 May 2010.

Evans, Richard. *The Coming of the Third Reich*. New York: Penguin, 2005: 350-354.

Friedländer, Saul. *Nazi Germany and the Jews: Volume 1: The Years of Persecution, 1933-1939*. New York: Harper Perennial, 1998: 145-167.

Hilberg, Raul. *The Destruction of the European Jews*. New York: Holmes & Meier, 1985: 53-154.

Kertész, Imre. *Fatelessness*. New York: Vintage, 2004.

Lowenstein, Karl. "Law in the Third Reich," in *The Yale Law Journal*, Vol. 45, No. 5 (Mar, 1936): 779-815.

Markovits, Daniel. *A Modern Legal Ethics: Adversary Advocacy In a Democratic Age*. New Jersey: Princeton University Press, 2008: 25-78.

Müller, Ingo. *Hitler's Justice: The Courts of the Third Reich*. Cambridge, Mass.: Harvard University Press, 1991: 36-39, 46-49, 59-67, 68-81, 90-93, 96-111, 115-119, 120-128, 193-195, 178-181.

Pendas, Devin O. "Seeking Justice, Finding Law: Nazi Trials in Postwar Europe," in *The Journal of Modern History* 81 (June 2009): 347-368.

Reicher, Harry. Various Selections.

Remak, Joachim. *The Nazi Years: A Documentary History*. Englewood Cliffs: Prentice Hall, 1969: 52-53, 61-65.

Roseman, Mark. *The Wannsee Conference and the Final Solution: A Reconsideration*. New York: Metropolitan Books, 2002: 157- 172.

Scheindlin, Raymond P. *The Book of Job*. New York: W.W. Norton & Company, 1998.

Scheuerman, William E (Ed.). *The Rule of Law Under Siege: Selected Essays of Franz L. Neumann and Otto Kirchheimer*. Berkeley: University of California Press, 1996: 142-191.

Schmitt, Carl. *The Concept of the Political: Expanded Edition*. Chicago: The University of Chicago Press, 2007.

Stackelberg, Roderick and Sally Winkle (Ed.). *The Nazi Germany Sourcebook: An Anthology of Texts*. London: Routledge, 2002: 154-155, 172-173, 345-352.

Contemporary Workshop Specific Reading:

Torture Memos

Department of Justice OPR Final Report on Government Lawyers and the "Torture Memos":
http://judiciary.house.gov/issues/issues_OPRReport.html

"Doctors Who Aid Torture." *New York Times* 7 June 2010, Editorial.

"Experiments in Torture: Evidence of Human Subject Research and Experimentation in the 'Enhanced' Interrogation Program." Physicians for Human Rights, June 2010.

Lichtblau, Eric. "Report Faults 2 Authors of Bush Terror Memos." *New York Times* 19 February 2010, A1.

Rubenstein, Leonard S. and Stephen N. Xenaki. "Doctors Without Morals." *New York Times* 28 February 2010, A27.

Padilla v. Yoo

Padilla v. Yoo Amended Complaint

Padilla District Court Decision (*Padilla v. Yoo*, 633 F. Supp. 2d 1005 (N.D. Cal. 2009))

Yoo 9th Cir. Brief

Padilla 9th Cir. Brief

Yoo 9th Cir. Reply

Human Rights and Experimentation

Abdullahi et al. v. Pfizer, Inc.

Abdullahi v. Pfizer, Inc., No. 01 Civ. 8118 (WHP), 2005 WL 1870811 (S.D.N.Y. Aug. 9, 2005)

Adamu v. Pfizer, Inc., 399 F. Supp. 2d 495 (S.D.N.Y. Nov. 8, 2005)

Abdullahi v. Pfizer, Inc., 562 F.3d 163 (2d Cir. Jan. 30, 2009)

S.Ct. briefing: (1) petition for cert; (2) opposition to petition for cert; (3) reply to opposition for petition

for cert.; (4) supplemental brief of authority; (5) amicus briefs

Stephens, Joe. "Panel Faults Pfizer in '96 Clinical Trial In Nigeria," *Washington Post*, 7 May 2006.