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January 30, 2009

President Barack Obama
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear President Obama:

We are writing to you on behalf of the Society of American Law Teachers (SALT), an organization of progressive legal educators who have worked for more than 35 years to diversify the legal academy and the profession, advance social justice within the law school curriculum, and extend the power of law to under-served communities.

We applaud the decisions so early in your administration to suspend the military commissions at Guantánamo Bay Prison, to confine interrogation techniques to those outlined in the United States Army Field Manual, and to order Guantánamo Bay Prison closed within a year. These decisive actions are a first step towards reinvigorating America's commitment to the rule of law, human rights, and international law, and returning America to its role as a beacon of democracy. We cannot rightfully be a world leader without respect for individual rights, accorded by the Constitution, Bill of Rights, and international treaties.

However, Mr. President, this is only a first step.

Throughout the Bush administration's "war on terror," SALT was critical of the concentration of power within the Executive Branch; abandonment of the use of federal agency protocols for analyzing, evaluating, and devising foreign, military, and intelligence policies; and abrogation of this country's commitment to the rule of law and the consequential diminution of America's moral authority as a world leader.

SALT opposed the nomination of both Alberto Gonzales and Michael Mukasey for the posts of Attorney General, due in large part to their positions on both the consolidation of federal power in the executive branch and their willingness to authorize and continue widespread warrantless surveillance, torture, and cruel, inhuman and degrading treatment of suspects in the "war on terror," (much of which amounted to torture). Over the last several years, as evidence of how the Office of Legal Counsel and Office of the Vice President ignored protocols for decision-making and justified pervasive human rights violations was revealed, SALT issued statements requesting investigation and prosecution, if appropriate, of those government officials responsible for authorizing the torture of suspects in Guantánamo Bay Prison, Iraq, and in the various secret prisons around the world.

As law professors, we believe in the rule of law, and in the values underlying American democracy. We also believe that investigations without accountability, or with immunity from prosecution, will not remove the corruption caused by these abuses, which will continue to undermine the credibility of the United States and the safety of our military personnel, if left unexamined. The country and the world deserve a full investigation of the role of government officials, the processes, and underlying rationales used in the "war on terror." We need full accountability for abuses. "Congressional hearings with immunity" and/or "a truth and reconciliation process" may serve important functions, but neither is sufficient to assure the people of the United States and the world that this country will recommit itself to respect for human rights and the rule of law, especially in times of uncertainty and danger, real or exaggerated. Criminal prosecutions of those who have violated the law must be pursued. We urge you to appoint an independent prosecutor to move forward in this investigation.

We thank you once again for beginning your administration with a clear message that America is changing course and returning to its ideals of human dignity. We applaud your dedication to the values you have so clearly expressed and wish you every success in pursuing them.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'MMB', followed by a long, sweeping horizontal line that extends to the right.

Margaret Martin Barry
Co-President

A handwritten signature in black ink that reads 'Deborah W. Post' in a cursive style.

Deborah Waire Post
Co-President