

## **Less Safe, Less Free: Why America Is Losing the War on Terror**

In a presentation sponsored by the American Constitution Society's Boston Lawyer Chapter, the New England School of Law Student Chapter of the American Constitution Society and the Georgetown University Law Center Alumni Club of Boston award-winning author of the new book "Less Safe, Less Free: Why America Is Losing the War on Terror," law professor and commentator David Cole will explore the Bush administration's "preventive paradigm" in the "war on terror." Professor Cole will seek to answer the question of whether the post-9/11 turn to preventive coercion has not only sacrificed some of our most fundamental principles, but has actually made us *less secure* from threats of terrorism, and *less free* as Americans.

David Cole is a professor at Georgetown University Law Center, a volunteer staff attorney for the Center for Constitutional Rights, the legal affairs correspondent for The Nation, a regular contributor to the New York Review of Books, and a commentator on National Public Radio's All Things Considered. He is the author of two award-winning books, *Enemy Aliens*, which received the American Book Award in 2004, and *No Equal Justice: Race and Class in the American Criminal Justice System*, which was named Best Non-Fiction Book of 1999 by the Boston Book Review, and best book on an issue of national policy in 1999 by the American Political Science Association.

Professor Cole has litigated many significant constitutional cases, including: *Texas v. Johnson* and *United States v. Eichman*, which extended First Amendment protection to flag burning; *National Endowment for the Arts v. Finley*, which challenged political content restriction on NEA

funding; and *Massachusetts v. Sullivan*, which challenged restrictions on what federally-funded family planning centers could tell women about abortion. Since 9/11, he has been involved in many of the nation's most important cases involving civil liberties and national security.

New York Times columnist Anthony Lewis has called Professor Cole "one of the country's great legal voices for civil liberties today," and Nat Hentoff has called him "a one-man Committee of Correspondence in the tradition of patriot Sam Adams." Former CIA Director James Woolsey called Mr. Cole's book, *Enemy Aliens*, "the essential book in the field," and the Washington Post noted that, in *Enemy Aliens*, Professor Cole "excoriates the USA PATRIOT Act and the rest of the Bush administration's post-9/11 anti-terrorism crusade as an unconstitutional attack on our cherished civil liberties."

Professor Cole has received numerous awards for his human rights work, including honors from the Society of American Law Teachers, the National Lawyers Guild, the ACLU of Southern California, the ABA Section on Individual Rights and Responsibilities, and the American-Arab Anti-Discrimination Committee.

### **Comment on David Cole's "*Less Safe, Less Free: Why America is Losing the War on Terror*" (New Press, September 2007):**

"This compelling, necessary volume demolishes the doctrine of preemptive self defense as a dangerous oxymoron, whose acceptance will surely render us less safe, less free, less American, and less able to lead globally through the rule of law."

-- *Harold Hongju Koh, Dean of the Yale Law School*

The **American Constitution Society for Law and Policy** ("ACS") is one of the nation's leading progressive legal organizations. Founded in 2001, ACS is comprised of law students, lawyers, scholars, judges, policymakers, activists and other concerned individuals who are working to ensure that the fundamental principles of individual rights and liberties, genuine equality, and access to justice are in their rightful place in American law. The American Constitution Society is a non-partisan, non-profit educational organization.

ACS's nationwide network of **Student Chapters** is fostering a new generation of progressive leaders. Through hundreds of programs each year featuring renowned advocates, scholars and judges addressing a wide range of legal and policy issues, the student chapters educate their members about the critical issues facing our country. Working with **ACS Lawyer Chapters** and the national office, they also provide students with meaningful opportunities for professional development and mentoring, participation in substantive projects, and membership in both a local community and a national network of progressive lawyers. Currently, there are over 155 ACS law school chapters.

ACS also has **Lawyer Chapters** in over 27 locations, including **Boston**. ACS lawyer chapters bring together an expanding grassroots network of lawyers and other professionals spanning from coast to coast. Lawyer chapters offer a local forum to share ideas and debate issues integral to a progressive legal and policy perspective, to develop important professional contacts, and to work together on substantive projects. The lawyer chapters also connect their members with national ACS initiatives, providing them with opportunities to help shape the national debate.

The **ACS Boston Lawyer Chapter** is composed of attorneys in private practice as well as the public sector. The Boston Lawyer Chapter has sponsored numerous events since its launch several years ago, including events on such topics as: de-politicizing the judicial selection process; the rights of Guantánamo detainees; the Roberts nomination and the reshaping of the Supreme Court; discrimination in Federal jury pool selection; the "radicalization" of the Federal judiciary; the Alito nomination and the future of reproductive rights; Representative Barney Frank on the future of progressive politics; new ideas on reforming election procedures; and the politics of deportation and the treatment of noncitizens.

For more information on the ACS Boston Lawyer Chapter - and to join us - please contact **Rob Whitney**, at [rawhitney@gmail.com](mailto:rawhitney@gmail.com).

**American Constitution Society  
for Law and Policy**

[www.acslaw.org](http://www.acslaw.org) – [boston@acslaw.org](mailto:boston@acslaw.org)



**The Boston Lawyer Chapter of the  
American Constitution Society, along with the New  
England School of Law Student Chapter of the  
American Constitution Society and the Georgetown  
University Law Center Alumni Club of Boston, present:**

## **LESS SAFE, LESS FREE: Why America Is Losing the War on Terror**

*Featuring:*

**David Cole**

Professor, Georgetown University Law Center,  
and Winner of the American Book Award

**Wednesday, September 26, 2007**

**6:00 pm – 7:30 pm**

**New England School of Law**

**154 Stuart Street**

**Boston, Massachusetts**