

## Sophocles Volume 1



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RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 44 pages. Original publisher: Washington, D. C. : U. S. Dept. of Justice, 2006. OCLC Number: (OCoLC)63148461 Subject: Electronic surveillance -- Government policy -- United States. Excerpt: . . . B. W E S A I E ARRANTLESS ELECTRONIC URVEILLANCE IMED AT NTERCEPTING NEMY C H L B R F OMMUNICATIONS AS ONG EEN ECOGNIZED AS A UNDAMENTAL I U M F NCIDENT OF THE SE OF ILITARY ORCE The history of warfare - including the consistent practice of Presidents since the earliest days of the Republic - demonstrates that warrantless intelligence surveillance against the enemy is a fundamental incident of the use of military force, and this history confirms the statutory authority provided by the AUMF. Electronic surveillance is a fundamental tool of war that must be included in any natural reading of the AUMFs authorization to use all necessary and appropriate force. As one author has explained: It is essential in warfare for a belligerent to be as fully informed as possible about the enemy - his strength, his weaknesses, measures taken by him and measures contemplated by him. This applies not only to military matters, but. . . anything which bears on and is material to his ability to wage the war in which he is engaged. The laws of war recognize and sanction this aspect of warfare. Morris Greenspan, The Modern Law of Land Warfare 325 ( 1959 ) ( emphases added ); see also Memorandum for Members of the House Permanent Select Comm. on Intel. , from Jeffrey H. Smith, Re: Legal Authorities Regarding Warrantless Surveillance of U. S. Persons 6 ( Jan. 3, 2006 ) ( Certainly, the collection of intelligence is understood to be necessary to the execution of the war....



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