

## THE LOGIC OF YOO

### 7

Of course, there were the “torture memos,”  
which could signal, if they were metaphoric, the little notes  
his wife had left him taped above the kitchen sink  
reminding him what he hadn’t done, how his shaking in bed  
had become intolerable, his dreams  
in which he woke himself with muted howls  
more than the treaty of their marriage had demanded.  
But Yoo was a literalist. Bound, gagged, shoved  
& pinned in a dark box where lay the soft-green tarantula  
the torturers had named *A. Gonzalez*, Yoo could  
argue his way out & the spider would think itself wrong.  
What was evil to him? He wrote of Remarque’s  
*untrammelled sovereignty of chance*.<sup>2</sup> Said the peacenik  
was wrong. Said intent meant *no one would be blamed*.

<sup>2</sup> John C. Yoo and Robert Delahunty, “Peace Through Law? The Failure of a Nobel Experiment,” *Michigan Law Review* 106 (2008): 924.

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*OED*

definition of “severe”:

grievous  
—Bybee<sup>3</sup>

“knowledge alone  
that a particular result  
is certain to occur  
does not  
constitute  
specific intent.”<sup>4</sup>

<sup>3</sup> Jay S. Bybee, memorandum for Alberto Gonzalez, Counsel to the President, “Re: Standards of Conduct for Interrogation . . . ,” 1 August 2002, 5. As Assistant Attorney General Bybee’s deputy in the Department of Justice Office of Legal Counsel, Yoo references this “torture memo” in his letter to Gonzalez issued the same day insofar as “it more fully explain[s] our reasoning.”

<sup>4</sup> Memorandum, 4.