

RELEASE IN PART B6

**From:** Sullivan, Jacob J <SullivanJJ@state.gov>  
**Sent:** Wednesday, August 10, 2011 2:52 PM  
**To:** H  
**Subject:** FW: letter on Starobin article re Harold Koh

**From:** Tom Malinowski [redacted]  
**Sent:** Wednesday, August 10, 2011 2:26 PM  
**To:** Sullivan, Jacob J  
**Subject:** FW: letter on Starobin article re Harold Koh

B6

Here is what I sent.

**From:** Tom Malinowski  
**Sent:** Wednesday, August 10, 2011 2:23 PM  
**To:** 'letters@nytimes.com'  
**Subject:** letter on Starobin article re Harold Koh

To the editor:

As a human rights advocate who over the years has both agreed and argued with State Department Legal Adviser Harold Koh, I felt that Paul Starobin's suggestion that Koh has betrayed his principles ("A Moral Flip-Flop, August 7) left an unfair impression. Koh's problem is that when he associates himself with an administration policy that troubles his friends, we know about it, since of course he is free to agree publicly with his president (and since the administration is likely to roll him out as a spokesman on precisely those occasions). When he pushes to change or strengthen a policy in ways that champions of human rights would cheer, we are less likely to find out, because he has to be discreet in such efforts to remain effective. But whatever one thinks of his arguments about the War Powers Act and Libya, Koh has remained a dogged champion of many causes to which he has dedicated his life – from urging the administration to stick to its guns on closing Guantanamo, to advocating civilian trials for terror suspects, to elevating the promotion of human rights and justice for war crimes in American foreign policy.

Tom Malinowski  
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[redacted]

Tom Malinowski