The United States of America has historically been regarded as a moral leader opening the pathway for human rights. The country which has long struggled for the establishment of the rule of law – as well as to be a model for other nations in observing it – has, since 11 September 2001 committed abhorrent practices of torture against which it has fought when committed by others. What seems astonishing is that such practices took place in the U.S. within a climate of significant public indifference and even with some public support. The Bush administration assumed neither moral nor legal responsibility, and in the end, it is hard-put to show what positive results may have been obtained for so many transgressions. The proposition that torture prevents terrorism cannot be proven true. In addition, the Guantánamo Bay practices and the unlawful seizure of persons in different parts of the world by the CIA after which they are transferred to countries where they are tortured, have proven that reliable evidence is highly unlikely to be attained under torture. Guantánamo represents a failed policy that has done much damage to the moral authority of the United States.

Aberrant views of torture as necessary because “the ends justify the means” have not generated much negative reaction from the legal profession, despite the fact that the 1984 Convention against Torture, the Geneva Conventions, the U.S. Constitution, and the laws of the United States have clearly prohibited such practices. Are the events of September 11, 2001 enough to have us reopen the question of whether the medieval practice of torture should be allowed? The answer to this question ha to be a resounding and unqualified no. The U.S. must, therefore, take quick and confident action to make amends and to hold responsible those who promoted a policy of torture.

Cherif Bassiouni has authored the definitive story of the history of the U.S. misadventure into abyss of torture. He has somehow managed to write a very readable book on very dark a topic. He captures the history, law, politics, psychology, emotion, heroes and villains of a very unfortunate aspect of our response to 9/11. It’s is a tough subject, but an important read for anyone who wants to ensure the mistakes of the past are not repeated by this great nation.

John D. Hutson, Dean, University of New Hampshire School of Law, RADM, JAGC, USN, (ret.)
A careful and searing analysis of what went wrong when the Bush administration chose torture as an anti-terror tactic, and an eloquent and impassioned call for the accountability that the United States has thus far utterly failed to pursue.

David D. Cole, John Carroll Research Professor of Law, Georgetown University
Author of ‘The Torture Memos: Rationalizing the Unthinkable’.

The Institutionalization of Torture by the Bush Administration

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