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**Blog: Justice Requires Enforcement, Especially for the Gravest Acts of Torture
Conducted by the United States in the Aftermath of 9/11**

JUSTICE REQUIRES ENFORCEMENT, ESPECIALLY FOR THE GRAVEST ACTS OF TORTURE CONDUCTED BY THE UNITED STATES IN THE AFTERMATH OF 9/11

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The attacks of September 11, 2001 changed the United States of America in an immeasurable way. It was a time of fear for Americans unlike any other, as the events of that day became the largest attack on U.S. soil.¹ The United States has since vowed to bring justice and took precautions that would change the fabric of the country forever. Some of those precautions included the formation of the Department of Homeland Security and the Patriot Act.² Americans wanted to feel safe, and Congress authorized the passage of the Patriot Act which allowed the government to invade U.S. citizens privacy.³

As controversial as the Patriot Act has become, it is nothing compared to the Counter Intelligence Agency's (CIA) authorization of torture tactics that it implemented for eight years since 2001. This authorization by the CIA has been in violation of U.S. criminal laws, international laws, and treaties that the U.S. is a party to.⁴ The depth of the CIA's interrogation was brought to light in a Senate Select Committee on Intelligence of the CIA's Detention and Interrogation Program.⁵ When President Obama entered into office, he was determined to end these methods that were used in the Bush Administration.⁶ Although President Obama had an arguably disastrous way to deal with foreign threats abroad for the sake of national security during his presidency, it is

noteworthy to state that transparency of the torture tactics used during the Bush Administration were due to the actions of President Obama. When President Obama assumed office, former Attorney General Eric Holder investigated the issue. Section 2340 prohibits all forms of torture, including mental and physical abuse.⁷ The torture tactics implemented by the CIA violated law.

The investigation of the torture tactics that were conducted under the Bush Administration ended with no avail.⁸ People in power, such as the CIA Director at the time George Tenet, Attorney General John Ashcroft, National Security Advisor Condoleezza Rice, Vice President Dick Cheney, President George W. Bush—among others—were well aware of the torture tactics, but were not brought to justice.⁹ Individuals who were held at CIA black sites and Guantanamo Bay were subject to war crimes where they were water boarded, starved, beaten, sexually abused, and endured sleep deprivation all at the hands of government officials.¹⁰ The United States is supposed to be a beacon of hope for people who endure oppressive, authoritarian governments that govern outside the rule of human rights law. With the actions taken by the U.S. during the Bush Administration, the light the country once had was diminished and the democracy of the free world was weakened. Corruption runs rampant in countries that do not enforce

the rule of law, and America needs to protect itself from becoming a nation that lets those in power free of accountability.

America is constantly promoting international human rights and democracy abroad, but it cannot even control its actions domestically, evident by so little reform in torture tactics. As a country encompassed around the Constitution and obliged to abide by the rule of law, there has been a lack of enforcement of the conduct by the Government when issues pertaining to national security arise. Americans exchanged their liberties for their safety, and the Government has used its power to become unanswerable to *the people*.¹¹ With the lack of enforcement pertaining to the perpetrators of the torture tactics, a solution begins with holding the individuals involved accountable for their illegal actions. Eric Holder's investigation of the torture was a start, but the next step should be accountability. In order for the United States to justifiably speak before international organizations and invade countries in pursuit of democratic reform, it needs to acknowledge the mistakes of its past and ensure that those who violate international law are held accountable, regardless of the country they represent.

¹ See Ashby Jones, *Orlando Shooting Ranks Among Deadliest Attacks in U.S.*, WALL ST. J. (June 12, 2016), <http://www.wsj.com/articles/orlando-shooting-ranks-among-deadliest-attacks-in-u-s-1465746043>.

² See Jason Villedomez, *9/11 to Now: Ways We Have Changed*, PBS (Sept. 14, 2011), <http://www.pbs.org/newshour/rundown/911-to-now-ways-we-have-changed/>.

³ See *A Call to Reconsider the Patriot Act*, AM. CIVIL LIBERTIES UNION (2009), https://www.aclu.org/files/pdfs/safefree/patriot_report_20090310.pdf.

⁴ Senate Select Committee on Intelligence, *Committee Study of the Central Intelligence Agency's Detention and Interrogation Program*, AMNESTY USA (Dec. 3, 2014),

<https://www.amnestyusa.org/pdfs/sscistudy1.pdf>

⁵ See *id.* (stating that the CIA interrogation was used on about 119 individuals).

⁶ See *No More Excuses: A Roadmap to Justice for CIA Torture*, HUMAN RIGHTS WATCH (December 1, 2015),

<https://www.hrw.org/report/2015/12/01/no-more-excuses/roadmap-justice-cia-torture#page>.

⁷ See 18 U.S.C. § 2340 (2012).

⁸ See Carrie Johnson, *Holder Hires Prosecutor to Look into Alleged CIA Interrogation Abuses*, WASH. POST (Aug. 25, 2009),

<http://www.washingtonpost.com/wp-dyn/content/article/2009/08/24/AR2009082401743.html>.

⁹ See *No More Excuses: A Roadmap to Justice for CIA Torture*, *supra* note 6.

¹⁰ See *id.*

¹¹ See *A Call to Reconsider the Patriot Act*, AM. CIVIL LIBERTIES UNION (2009),

https://www.aclu.org/files/pdfs/safefree/patriot_report_20090310.pdf.