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### Exploring The Effects Of State-Sanctioned Torture On Human Rights In America

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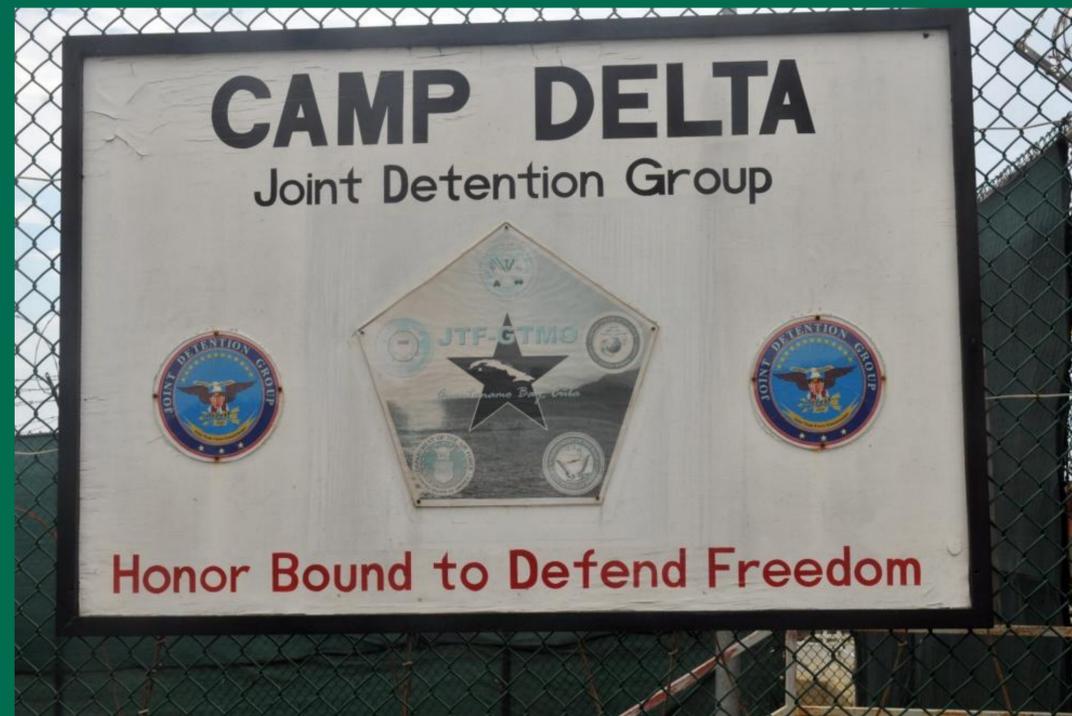
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# Exploring the Effects of State Sanctioned Torture on Human Rights in the United States

Freedom of Religion

Right to Privacy

Right to Liberty



Godette, Brian. "Outside entry point of Camp Delta Detention Facility which houses detainee library, detainee hospital and Behavioral Health Unit". Digital image. Defense Visual Information Distribution Service. April 10, 2013. Accessed April 18, 2021. <https://www.dvidshub.net/image/920425/camp-delta>

Right to a Fair Trial

Right to Protest

Right to Free Speech

**“Honor Bound To Defend Freedom”**  
By depriving Guantanamo Bay detainees of their freedom, is the U.S. simultaneously depriving its citizens of freedom?

## REFERENCES

Greenberg, Karen and Dratel, Joshua. "Guantánamo's Indelible Legacy." TomDispatch.com, January 19, 2020. <https://tomdispatch.com/greenberg-and-dratel-the-gitmo-era/>. Schmidt, Averell and Sikkink, Kathryn. "Partners in Crime: An Empirical Evaluation of the CIA Rendition, Detention, and Interrogation Program." Perspectives on Politics 16, no. 4 (December 2018): 1014-1033. <https://doi.org/10.1017/S1537592717004224>. Andrew Guthrie Ferguson. "High-Tech Surveillance Amplifies Police Bias and Overreach." The Conversation, June 12, 2020. <https://theconversation.com/high-tech-surveillance-amplifies-police-bias-and-overreach-140225>. Bybee, Jay. "Memorandum for Alberto R. Gonzales" Office of the Assistant Attorney General, U.S. Department of Justice, August 1, 2002. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB127/02.01.09.pdf>

Torture Flights: North Carolina's Role in the CIA Rendition and Torture Program, North Carolina Commission of Inquiry on Torture, Web Publication. September 2018. <https://www.ncorturereport.org/>. Nolan, Tom. "Militarization Has Fostered a Policing Culture That Sets up Protesters as 'the Enemy.'" The Conversation, June 2, 2020. <https://theconversation.com/militarization-has-fostered-a-policing-culture-that-sets-up-protesters-as-the-enemy-139727>. Public Law 107-40, September 18, 2001. <https://www.congress.gov/107/plaws/publ40/PLAW-107publ40.pdf>. Yoo, John. "Memorandum for William J. Haynes II" Office of the Deputy Assistant Attorney General, U.S. Department of Justice, January 9, 2002. <https://nsarchive2.gwu.edu/NSAEBB/NSAEBB127/02.01.09.pdf>. Public Law 107-56, October 26, 2001. <https://www.congress.gov/107/plaws/publ56/PLAW-107publ56.pdf>.

## Anti-Accountability

- North Carolina officials refuse to accept responsibility for facilitating torture by cooperating with Aero Contractors Ltd. to enable renditions. (NCCIT 8)
  - "...state officials have monitored and impeded advocates..." (NCCIT 8)
- U.S. government has also been unresponsive to pleas for redress
  - 'State Secrets Privilege' has been used to prevent GTMO detainees from going to court after release (El-Masri v. Tenet)

## Manipulation of Law

- Legal language was heavily manipulated to allow for actions that were previously prohibited. (Greenberg, Dratel)
- Detainees were not classified as POWs specifically to avoid the Geneva Conventions. (Yoo 2)
- Definition of torture was manipulated to determine how acts that are considered "cruel and unusual" might not meet the level of extreme "pain or suffering" needed to be legally considered torture. (Bybee 1)

## Methodology

- Examined human rights reports, federal legislation and scholarly work concerning the Rendition, Detention and Interrogation (RDI) program and its impacts.

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## Where does 'national security' end?

- Powers granted after 9/11 like the Authorization for Use of Military Force don't have definitive end dates, allowing the government to retain these powers even after the need for them has passed.
- Patriot Act surveils Americans, encroaching on the right to privacy outlined in multiple constitutional amendments.
- Police are becoming increasingly militarized and hostile in recent years, and are learning to view protestors as "the 'enemy'". (Nolan)
- Use of intensive surveillance technology in police departments has "exacerbated rather than reduced bias, overreach and abuse in policing". (Ferguson)

## Outcomes

- Cannot definitively say if human rights abuses have increased in the U.S., but they have risen in autocratic countries who assisted the U.S. with the RDI program. (Schmidt, Sikkink 1027)
- The militarization of police and the federal manipulation of laws for less than legal reasons suggests that the U.S. has become more comfortable operating extralegally and using the military or military-like forces to handle domestic issues in the aftermath of the RDI program.

Emma Connolly