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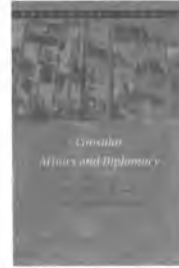
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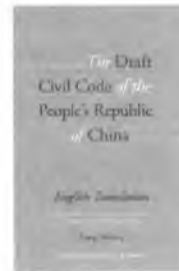
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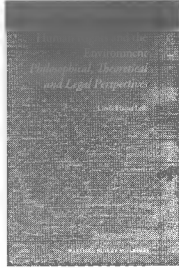
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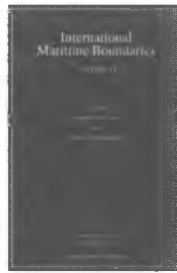
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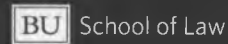


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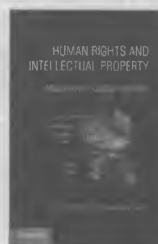
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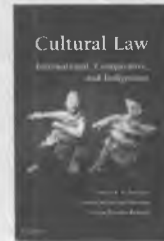
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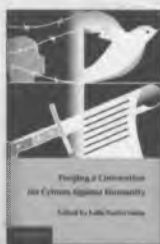
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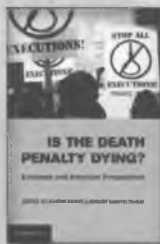
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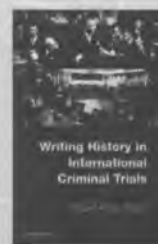
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# The Institutionalization of Torture by the Bush Administration

## Is Anyone Responsible?

M. Cherif Bassiouni



- September 2010
- ISBN 978-94-000-0005-6
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- paperback
- \$ 35 | € 45 | £ 42.75

President Obama apparently has stopped the torture of the Bush administration, but he has refused to investigate or prosecute those who ordered and authorized this official criminality. Cherif Bassiouni's superb presentation of these criminal policies and his critique of the impunity and rationalizations behind them should spur the Obama administration not only to abide by the law but also to apply it. Only by thus reestablishing the rule of law can he ensure that future administration treat torture not as a viable policy option but as an inexcusable crime.

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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. In addition, 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.

A 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 questions has 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 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.*

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Bassiouni's *The Institutionalization of Torture* exquisitely detailed the way in which American governmental institutions bypassed international law in order to allow the creation of a policy that allowed torture. Bassiouni paints a striking portrait of the abuses and violations of international law by Bush's Administration, the way these actions strike at the heart of the American tradition, and the actions that must be taken to save America's collective conscience.

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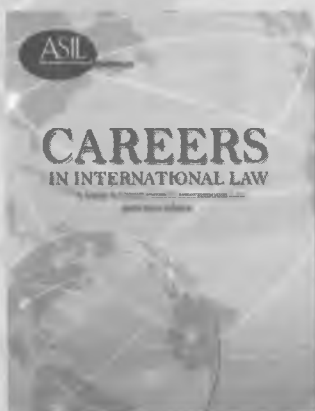




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U.S. POLICY TOWARD THE  
INTERNATIONAL CRIMINAL COURT:  
FURTHERING POSITIVE ENGAGEMENT



**Report of an Independent Task Force**

MARCH 2009

**Convened By:**  
The American Society of International Law

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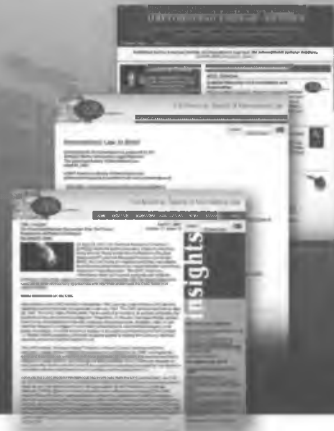


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