

Teaching about Torture: A Few Key Dates

1215:

- Magna Charta – the great "charter of English liberties" guarantees *habeas corpus*: the right to challenge one's imprisonment.

1907:

- Fourth Hague Convention prohibits torture of captured combatants.

1947:

- CIA established; supports research on alternative/psychological means of interrogation.

1948:

- Birth of modern human rights movement with adoption of United Nations Universal Declaration of Human Rights:
"No one shall be subjected to torture or cruel, inhuman or degrading punishment."

1949:

- Geneva Conventions, article 3, prohibits:
 - violence to life and person
 - taking of hostages
 - outrages upon personal dignity, humiliating and degrading treatment

1944 - 1954:

- U.S. complicit in torture in Guatemala/Nicaragua.

1950:

- Nuremberg Trials establish principle that "individuals have international duties which transcend the national obligations of obedience imposed by the individual state."
Article 8: "The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."

1960's:

- CIAs *KUBARK Counter-intelligence Interrogation Manual* is written for use by US agents against communists subversion. CIA trains police officers in Asia; US Army's PROJECT X provides Interrogation training around world.

1976:

- President Ford signs order banning assassinations.

1980's:

- CIA complicit in torture by Commandos in El Salvador.

1984:

- UN Convention Against Torture; ratified by Congress in 1994; is currently ratified by 130 countries. Defines torture as any infliction of severe mental or physical pain for the purposes of punishment or of obtaining information or a confession.

1996:

- U.S. Statute 18 USC2340 – "War Crimes Act" – makes torture a felony.

1999:

- General Pinochet, Chilean dictator, charged with torture is denied immunity. This establishes the concept of "universal jurisdiction."

2000:

- President Bush describes an "Axis of Evil" in his Inaugural Address.

2001:

- Following protests, School of America is closed and opens 6 weeks later as Western Hemisphere Institute for Security Cooperation.

2002:

- President Bush declares that when it comes to Al Qaeda the Geneva Conventions are applicable only at his discretion. The Defense Department claims, "Any effort by Congress to regulate the interrogation of unlawful combatants would violate the Constitution which vests sole authority to the Commander-in-Chief."
- FBI - which is averse to torture - is stripped of its lead role in counter-intelligence and control over Al-Qaeda suspects is given to CIA.

2003:

- Commander for Iraq, General Ricardo, issues order for psychological torture combining sensory deprivation, self-inflicted pain, and cultural humiliation.

2004:

- Supreme Court in Hamdi v. Rumsfeld states that "enemy combatants" captured in hostilities can be held for duration of war (in Afghanistan).
- Supreme Court rules in Rasul v. Bush that Guantanamo detainees are on American territory and deserve access to U.S. courts.
- Red Cross after repeated visits to U.S. prisons concludes the system "cannot be considered other than an intentional system of cruel, unusual and degrading treatment and a form of torture."
- ABC News poll finds 35% of Americans believe torture is acceptable in some circumstances.

2006:

- UN Human Rights Commission releases report branding U.S. treatment of Guantanamo detainees "torture." UN Secretary-General Kofi Annan calls for U.S. to close Guantanamo.
- Military Commissions Act – The Bush Administration and Senate agree on legislation that sanctions secret CIA prisons and permits interrogation methods that violate the Geneva Conventions.
- Defense Authorization Act – Allows the President to declare a "Public Emergency" and station troops anywhere in the U.S. without consent of the governor or local authorities.

2007:

- Senator Arlen Specter introduces Habeas Corpus Restoration Act.