

# Obama and torture

Ed Hightower  
5 August 2013

Last month, US Attorney General Eric Holder sent a letter to his Russian counterpart asking that National Security Agency (NSA) whistleblower Edward Snowden be denied temporary asylum in Russia and be returned to the United States for trial. Holder promised that Snowden would not face the death penalty and would not be tortured.

“Torture is unlawful in the United States,” Holder declared.

The very fact that the United States government felt obliged to deny that it engages in torture testifies to the undermining of its democratic pretensions and the impact on world public opinion of its open recourse to criminal methods—including kidnapping, indefinite detention without trial, and torture—since it launched its so-called “war on terror.”

The American government has unalterably become associated with terms that evoke revulsion and horror, such as Abu Ghraib, waterboarding, extraordinary rendition and Guantanamo.

That such practices continue unabated as a matter of policy under Obama, notwithstanding Holder’s sanctimonious denials, was demonstrated by two rulings last month by the US District Court of Washington DC and the response of the administration to them.

Both rulings concern the treatment of inmates at Guantanamo. In the first, Judge Gladys Kessler took the extraordinary step of issuing a public appeal to President Obama to end the force-feeding of inmates at Guantanamo who are on a hunger strike.

Some two-thirds of Guantanamo detainees are on a hunger strike that began in February as a protest against searches of their Korans, an offensive act according to Islamic culture. Prisoners who participate in the hunger strike end up being force-fed.

Judge Kessler denied a petition from Guantanamo detainee Jihad Dhiab asking that she order Guantanamo

authorities to stop force-feeding him. She found that she had no jurisdiction to stop the practice, citing the Military Commissions Act of 2006, which limits judicial oversight of the detention facility at Guantanamo Bay. Even so, she condemned the force-feeding, calling it a “painful, humiliating and degrading process.”

The judge said that Dhiab’s petition demonstrated “what appears to be a consensus that force-feeding prisoners violates Article 7 of the International Covenant on Civil and Political Rights, which prohibits torture or cruel, inhumane, and degrading treatment.” She also noted that the American Medical Association condemns force-feeding as a violation of medical ethics.

Kessler, citing the powers granted to the president as commander in chief of the military by the US Constitution, declared that Obama could intervene to stop the abuse, and appealed to him to do so.

The response from the White House has been silence. Obama has not even acknowledged the judge’s appeal, and the force-feeding at Guantanamo continues.

Three days later, on July 11, the chief judge of the DC District Court, Royce C. Lamberth, issued a 35-page ruling ordering an end to another form of abuse of Guantanamo prisoners. The decision considered complaints by several inmates about new search and transportation procedures imposed on detainees who wish to have access to their attorneys.

Guards at Guantanamo Bay have instituted a method of searching detainees before and after meetings with attorneys that involve “frisking” the area around the genitals and anus. Inmates are also transported around the camp in vans that do not have enough headroom and force inmates into stress positions.

An attorney for one inmate told the court that inmates were searched twice before and twice after being transported for each meeting or phone call. Inmates had

begun refusing to meet with their attorneys as a protest against the new procedures.

Lamberth found that the frisks were calculated to dissuade the inmates from consulting with their attorneys, saying that “the choice between submitting to a search procedure that is religiously and culturally abhorrent or foregoing counsel effectively presents no choice for devout Muslims like petitioners.”

He described the government’s actions at Guantanamo in the following terms: “As petitioners’ counsel correctly noted during this Court’s hearing, ‘[t]he government is a recidivist when it comes to denying counsel access.’ The government, seemingly at every turn, has acted to deny or to restrict Guantanamo detainees’ access to counsel.”

Shortly after Lamberth’s ruling, officials at Guantanamo told attorneys for inmates that they would not comply with the judge’s order. The Department of Defense immediately requested an administrative stay of the order pending an appeal.

This could not have taken place without President Obama’s approval, not to mention that of Attorney General Holder.

Statements from Obama and other administration officials to the effect that they have banned torture by US authorities are, as is clearly shown by the above-cited cases, lies. Torture is alive and well under Obama, who has personally acted, or not acted, to ensure its continuation.



To contact the WSWWS and the  
Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**