

CIA torture: American democracy in shambles

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Two irrefutable conclusions flow from the release of the Senate Intelligence Committee report on CIA torture: 1) The United States, during the Bush administration, committed criminal acts of the most serious character, in violation of international and domestic law; and 2) None of those responsible for these crimes will be arrested, indicted or prosecuted for their actions.

While the existence of the CIA torture program was previously known, we now have a detailed account from an official institution of the state itself of crimes that shock the conscience of the world.

CIA agents, acting under the specific authority and direction of the president of the United States, engaged in acts that unambiguously fall under the category of torture. According to the report—itsself only a heavily redacted summary of a much longer, still classified document—prisoners were forced to stand chained to a wall for up to 17 days, sometimes on broken limbs; deprived of sleep for more than a week; threatened with death and “mock burials;” placed in “ice water baths” to the point of hypothermia and death; subjected to repeated near-drowning in a practice euphemistically called “waterboarding;” reduced through repeated beatings to cowering and submission; and on and on.

The actions assumed a particularly depraved, even perverted character, making clear that the torture practiced at Abu Ghraib was no aberration. Among the methods used were “rectal feeding” and “rectal rehydration”—the forcible insertion of liquid and food into the rectum, or, to use a more common term, sodomy. Majid Khan was one of those subjected, in the words of his legal counsel, to “forcible rape, aggravated sexual assault.” While under the supervision of the CIA, Khan repeatedly attempted to take his own life. He is currently imprisoned in Guantanamo Bay.

The law is unambiguous. According to the Federal Torture Act, anyone who “commits or attempts to commit

torture [defined as an ‘act intended to inflict severe physical or mental pain or suffering’] shall be fined... or imprisoned not more than 20 years,” and “if death results to any person”—as was the case for at least one of those tortured by the CIA—the guilty party “shall be punished by death or imprisoned for any term of years or for life.”

Under international law, torture is prohibited by the Geneva Conventions (where it is categorized as a war crime) and the Convention against Torture, which requires signatories (including the United States) to prosecute violations of the convention. Under the Convention against Torture, the ban on torture is absolute. There are no exceptions.

The UN special rapporteur on counter-terrorism and human rights, Ben Emmerson, noted in response to the Senate report: “The heaviest penalties should be reserved for those most seriously implicated in the planning and purported authorization of these crimes.”

Those so implicated include former President George W. Bush and former Vice President Dick Cheney, who oversaw the torture; former CIA Director George Tenet, who officially approved it; current CIA Director John Brennan, who was Tenet’s executive assistant; John Yoo and Jay Bybee, the Justice Department lawyers who authored the infamous torture memos; Bruce Jessen and James Mitchell, the psychologists and CIA advisers who devised the torture methods; Condoleezza Rice, the former national security advisor who authorized the waterboarding of Abu Zubaydah; and Jose Rodriguez, the CIA counter-terrorism chief who approved the destruction of videotapes documenting the crimes.

By any objective standard, all of these individuals and many others involved have to be arrested and prosecuted. The crimes documented in the Senate report make those for which Nixon faced impeachment, forcing him to resign, appear almost insignificant. Yet those who are implicated, far from fearing that they will be held

accountable, brazenly defend their actions.

The Obama administration has already ruled out any action in response to the Senate report. On Tuesday, Obama released a prepared written statement repeating the position of his administration that there will be no accountability for these crimes. “Rather than another reason to refight old arguments,” he wrote, “I hope that today’s report can help us leave these techniques where they belong—in the past.”

Doing his best to defend the actions described in the Senate report, Obama said that Bush administration officials “faced agonizing choices about how to pursue al Qaeda and prevent additional terrorist attacks against our country.” As for the CIA agents whose crimes were just revealed for the world to see, Obama declared them “dedicated men and women,” “patriots” whose “heroic service and sacrifices” the entire nation should praise.

The response of the Obama administration gives the lie to the president’s claim to have halted the illegal practices. To the extent that the specific CIA torture program no longer exists, it has been replaced by equally criminal policies—above all, drone assassinations, which have claimed the lives of thousands of people all over the world.

The criminals have been given free reign on newspaper pages and television programs to defend their actions. There is a concerted effort to quickly bury the Senate report altogether and focus the discussion on the efficacy of torture as an instrument of policy. Editorials in the major national press, as well as local newspapers, express a revolting solidarity with the torturers.

Whatever criticism can be found in official channels is of a thoroughly impotent character. Typical is Wednesday’s lead editorial in the *New York Times*, which speaks for sections of the Democratic Party. The editors describe the Senate report as a “portrait of depravity that is hard to comprehend and even harder to stomach.” They bemoan the “horrible decision” of the Obama administration “to close the books on this chapter of our history.”

The *Times*’ conclusion? “It is hard to believe that anything will be done now,” the newspaper writes. The editorial concludes with the feeble hope that “Maybe George Tenet, who ran the CIA during this ignoble period, could make a tiny amends by returning the Presidential Medal of Freedom that President Bush gave him upon his retirement.”

What a disgraceful declaration of cowardice!

As much as the torture program itself, the inability to

hold anyone accountable exposes the breakdown of constitutional forms of rule in the United States. Crimes have been committed, exposed openly before the entire world, and, within the framework of official political channels, absolutely nothing can or will be done about it.

Under these conditions, it is impossible any longer to speak of democracy. The United States is run by a gigantic military-intelligence apparatus that acts outside of any legal restraint. This apparatus works in close alliance with a financial aristocracy that is no less immune from accountability for its actions than the CIA torturers. The entire state is implicated in a criminal conspiracy against the social and democratic rights of the people, internationally and within the United States.

In his hypocritical comments on torture, Obama invariably declares that such brutal actions are “contrary to our values.” They are, he states, not “who we are.”

In fact, the sadistic actions of the CIA are *precisely what the ruling class is* .

These crimes are not only taking place overseas. The increasing violence against the US population, the impunity with which a militarized police force murders without consequences, is a manifestation of the same process—the transformation of the country into a garrison state. Under the pressure of unprecedented levels of social inequality, military aggression abroad is turning into dictatorship at home.

Urgent conclusions must be drawn. It is politically futile and dangerously delusional to believe that democratic rights can be secured through an appeal to any section of the state. By all its actions, the ruling class demonstrates again and again not only its indifference, but its hostility to democratic forms of rule.

This means the defense of democracy is a revolutionary question. The police state methods of the ruling class must be countered by the independent mobilization of the working class in opposition to the corporate and financial aristocracy and its state institutions.



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