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(Opole)

# INTERVENTION, TORTURE, AND HYPOCRISY: NOAM CHOMSKY'S CRITIQUE OF THE UNITED STATES' HUMAN RIGHTS POLICY ABROAD

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## ABSTRACT

Since the 1960s Professor Noam Chomsky has been the leading critic of United States foreign policy and the egregious human rights abuses that often follow in its wake. The paper explores Chomsky's excoriating account of the United States' human rights policy abroad, first covering his critique of American intervention in Latin America, focusing on the countries of Nicaragua, El Salvador, and Guatemala. Likewise, Chomsky charges that Washington subverts international law through refusal to support or enforce treaties and conventions that would enlarge the power of the United Nations and the scope of the Universal Declaration on Human Rights of 1948 (UD). In his writings, he has devoted much attention to how the US government has consistently undermined the UN Charter and UD. Chomsky indicates that the US is happy to use the precepts of the UD as a weapon against other nations, arguing for 'humanitarian intervention' in countries that have governments hostile to Washington, and contain vital economic interests. Most importantly for today's human rights environment, Chomsky has cataloged efforts by the US to shape the international definition of torture. The issue of torture – principally in light of the Abu Ghraib prisoner abuse scandal in Iraq and the creation of the Guantanamo Bay Detention Center on Cuba – has featured heavily in his attacks on the US's recent human rights record. Chomsky writes that torture has been endemic to US foreign policy since the nineteenth century, yet after the 1984 UN Convention on Torture the CIA developed a 'torture paradigm' that has sought to circumvent international treaties. The paradigm, based on mental rather than physical torture, was specifically crafted for effectiveness. The Abu Ghraib Scandal and Guantanamo Bay are a logical result and expansion of Washington's attitude to torture's necessity in conducting foreign policy. Since the Bush administration's 'War on Terror,' Chomsky notes that

the right of *habeas corpus* has been suspended with the illegal rendition and detention of numerous individuals suspected of terrorism or terrorist links, along with ‘enemy combatants,’ to Guantanamo Bay. He argues that such practices, apart from violating the US Constitution and the rights detailed within, have strengthened the sanctimonious concept of ‘American exceptionalism.’

**KEYWORDS:** Noam Chomsky, USA, human rights, torture, “War on Terror”, Abu Ghraib, Guantanamo Bay, *habeas corpus*, humanitarian intervention

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## Introduction

Since the 1960s Professor Noam Chomsky has been the leading critic of United States foreign policy and the egregious human rights abuses that often follow in its wake. Noted as “arguably the most important intellectual alive today,” the title belies his minimal impact on media discourse, and the marginalization his critique has garnered from mainstream political pundits.<sup>1</sup> Nonetheless, Chomsky’s vociferous opposition to Washington’s interventions has continued unabated from the Vietnam era to today’s military occupations of Iraq and Afghanistan. Now in his eighty-second year, Chomsky has developed an all-encompassing analysis of United States foreign policy that boldly attacks the hypocrisy and violence inherent in its machinations, demonstrating the harsh irony of how the US government’s preaching of democracy, freedom and human rights for all is sharply contradicted by support for murderous dictatorships, cynically determined for reasons of political economy. Additionally, he argues that the United States has effectively exempted itself from international law and ensures that force—rather than treaties or negotiation—determines global economic and political policy. The issue of human rights, naturally, acts as a foundation of Chomsky’s thought, and he has devoted much attention to how the US government has consistently undermined the United Nations’ Charter and Universal Declaration on Human Rights of 1948 (UD), while using their precepts as a weapon against other nations whose actions warrant ‘humanitarian intervention.’ This paper explores Chomsky’s excoriating account of the United States’ human rights policy abroad, and its stark implications for future generations of world citizens.

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1 S. Lendman, *Failed States: Comments On Noam Chomsky’s New Book*, Information Clearing House, March 30, 2006, <http://www.informationclearinghouse.info/article12889.htm>

## US Global Hegemony and Intervention

For Chomsky, the major challenge to worldwide human rights in contemporary times has been American geopolitical dominance following the destruction of the European powers during World War II. Basing his critique on declassified documents, he records that as the United States emerged from the conflict as the preeminent world power, policy planners in the State Department and Council on Foreign Relations devised a new international order dubbed the 'Grand Area,' which would be organized to fulfill the requirements of the American economy and guarantee unfettered corporate access to resources abroad. The Grand Area was to ideally include the entire globe, stretching from the Far East, across the Middle East, Europe, and Central and South America. Each region was assigned a role in buttressing America's domestic needs. Western Europe and Japan were to reconstitute themselves as industrial centers, using neighboring regions for resources, all of which were "incorporated within the global system dominated by the United States."<sup>2</sup> Central and South America, on the other hand, existed to supply raw material and agricultural exports, while the task of exporting oil fell to the Middle East. The institution of this policy, however, potentially contradicted the national aspirations of these countries, and often basic human rights. Writing in 1948, the influential State Department planner George Kennan observed in *Policy Planning Study*, 23: "We have about 50 percent of the world's wealth, but only 6.3 percent of its population... Our real task in the coming period is to devise a pattern of relationships which will permit us to maintain this position of disparity... To do so, we will have to dispense with all sentimentality and daydreaming; and our attention will have to be concentrated everywhere on our immediate national objectives... We should cease to talk about vague and... unreal objectives such as human rights, the raising of living standards, and democratization. The day is not far off when we will have to deal in straight power concepts. The less we are then hampered by idealistic slogans, the better."<sup>3</sup>

Such thinking would have implications far in the future, guiding foreign policy despite the US government's public rhetoric to the contrary.

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2 *The Chomsky Reader*, New York 1987. p. 371.

3 Quoted in: *What Uncle Sam Really Wants*, Tuscon 1997, p. 10.

Indeed, because populations had to be stifled to avoid interference with corporate resource exploitation, Kennan concurrently posited that, “The final answer might be an unpleasant one, but...we should not hesitate before police repression by the local government.”<sup>4</sup> Hence, Chomsky states: “The roots of [foreign] intervention lie in a fixed geopolitical conception that has remained invariant over long period and that is deeply rooted in US institutions.”<sup>5</sup> Respect for human rights, of course, eludes this conception.

No place better illustrates the vagaries of Washington’s foreign policy than the covert CIA interventions in Latin America during the 1970s and 1980s, though American political and military domination of the region goes back to the early part of last century. Chomsky often draws specific attention to events in Nicaragua, El Salvador, and Guatemala during the Reagan era, when popular movements for democracy and economic reform were violently subverted by US-funded and trained right-wing militias. The upheavals in these countries are worth detailing in order to indicate the extent to which the US fosters human rights abuses, and highlight a general and consistent pattern of intervention aimed at protecting corporate prerogatives. For example, after numerous invasions and occupations of Nicaragua by US Marines, in 1936 the United States installed a corrupt military dictatorship headed by Sacasa Somoza, whose family brutally ruled the country into the 1970s and left the majority of the population in grinding poverty. In 1979, the Sandinista revolution brought to power a junta determined to institute land reform and increase public welfare. Spending on education and health care was increased, and the infant mortality rate decreased at such a rapid pace that the World Health Organization formally recognized Nicaragua for its progress. The Reagan administration, incensed at the overthrow of the long-standing client government, accused the Sandinistas of spreading communism, along with instituting press censorship and a “virtual genocide” against the native Miskitos Indians.<sup>6</sup> Chomsky, however, insists that it was Nicaragua’s model of land reform and economic progress that incurred American wrath, as it threatened corporate exploitation of the region. In response, Reagan imposed a trade embargo

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4 *Ibidem*, p. 11.

5 *The Chomsky Reader...*, p. 316.

6 *Ibidem*, p. 354.

and through the CIA organized and funded the ‘Contras,’ a right-wing guerrilla army whose task was internal disruption, waging war against the peasant population in the hopes of bringing the Sandinista government to its knees and hindering economic and political advances. At the same time, Congress offered ‘humanitarian aid’ to the rebels, though it later outlawed funding the Contras.<sup>7</sup> When it did, Reagan quickly resorted to funding the right-wing militias illegally. In 1986, the World Court ruled that the United States’ intervention in Nicaragua amounted to “an unlawful use of force,” illegal under international law and in light of binding treaties.<sup>8</sup> The court ordered the US to cease its interference and pay reparations, but instead Washington rejected the judgment and subsequently vetoed two UN Security Council resolutions that called for the observation of international law.<sup>9</sup> The eventual outcome was the death of untold thousands and the downfall of the Sandinistas in 1990, when they were ousted from power in a general election due to threats of continuing US/ Contra warfare.

El Salvador experienced much of the same upheaval in the 1980s, though more directly through a US-sponsored military dictatorship determined to quash a left-wing insurgency composed of “guerillas, peasant organizations, unions, and church groups that stood in opposition to the government,” and were largely supported by the country’s rural population.<sup>10</sup> At the time, El Salvador’s government was considered the worst human rights violator in Latin America for its tacit support of right-wing ‘death squads’ that terrorized the countryside in order to root out opposition, and were responsible for approximately 10,000 deaths in 1980 alone. The US delegation to the United Nations denied Washington’s contribution to the massacres. However, the Reagan administration continued to offer aid, military training, and arms (as much as 343 tons in 1981), while simultaneously spreading stories of Soviet penetration of the El Salvadorian countryside for justification.<sup>11</sup> The situation in Guatemala mirrored that of El Salvador throughout the same period, when US-funded government repression of democratic elements reached its

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7 *Ibidem*, p. 353.

8 M. Rai, *Chomsky’s Politics*, London 1995, p. 77.

9 *Human Rights in the New Millennium*, Z Magazine, January 2010, [http://www.zcommunications.org/human-rights-in-the-new-millennium-by-noam\\_chomsky](http://www.zcommunications.org/human-rights-in-the-new-millennium-by-noam_chomsky).

10 *The Chomsky Reader...*, p. 339.

11 *Ibidem*, p. 339–346.

apex. Such involvement, however, stretched back to the 1950s, when President Jacobo Arbenz attempted a land reform program that threatened the interests of the American-owned United Fruit Company. In reply the CIA, under the direction of Eisenhower, staged a coup that paved the way for a continuous counter-insurgency campaign composed of militias, aimed at eliminating left-wing opposition and directed by the US military. Killing peaked in the early 1980s when such groups began to target resistance among the indigenous Indian populations, and academics critical of the government. During a two-year period 50,000 are estimated to have perished at the hands of US-armed paramilitary groups, all in the name of anti-communism, or more accurately, preventing threats to American domination of the region.<sup>12</sup> Unsurprisingly, military action against guerillas and their peasant support base was accomplished with American-supplied helicopters and napalm.<sup>13</sup>

The fact that Washington cultivates such strong ties to right-wing Latin American governments that indulge in extreme state violence to hold onto power leads Chomsky to argue that relationship of US foreign policy to human rights is such: “the more the human rights climate deteriorates, the more American aid increases.”<sup>14</sup> Pondering the meaning of the correlation, Chomsky offers that perhaps “the American leadership just likes to torture,” but ultimately concludes that Kennan’s attitude is the more accurate answer: “human rights are irrelevant.”<sup>15</sup> What is relevant is keeping the Grand Area “open to US economic penetration and political control,” the fear being that successful development in one country outside the American umbrella will inspire other countries to cast off their colonial heritage of poverty for all but a small class of wealthy collaborators and seek equitable economic growth.<sup>16</sup> This Chomsky labels “the threat of the good example,” which he designates the guiding principle of foreign policy, naturally trumping human rights.<sup>17</sup> Prior to the dissolution of the Soviet Union, Chomsky observes that “there was a reflexive justification for any act of violence: forceful intervention, subversion, sabotage, terror, and other *prima facie* violations of inter-

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<sup>12</sup> *Ibidem*, p. 363–365.

<sup>13</sup> *The Essential Noam Chomsky*, New York 2008. p. 133.

<sup>14</sup> *The Chomsky Reader...*, p. 331.

<sup>15</sup> *Ibidem*, p. 331.

<sup>16</sup> Quoted in: W.J. Sperlich, *Noam Chomsky*, London 2003, p. 92.

<sup>17</sup> *What Uncle Sam Really Wants...*, p. 22–23.

national law and human rights.”<sup>18</sup> That is, the quashing of nefarious, or supposed, Russian influence. After the fall of the Berlin wall, however, the justification evaporated and new pretexts for intervention had to be found. Ironically, these ploys were based on the protection of human rights, and dubbed ‘humanitarian intervention.’<sup>19</sup> Here Chomsky cites the example of the NATO attack on Serbia, ostensibly carried out to end Serbian atrocities against Kosovar Albanians. Instead, he argues that in fact the US-led NATO bombings constituted a greater human rights abuse, and were cynically engineered to envelop the economically-statist Serbia within the global capitalist order. As he explained in an interview for Serbian television: “It was because Serbia was not carrying out the required social and economic reforms, meaning it was the last corner of Europe which had not subordinated itself to the US-run neoliberal programs, so therefore it had to be eliminated.”<sup>20</sup> Thus, the reason for the bombing mirrored that of similar intrusions into Latin America. In addition, Chomsky highlights that the so-called ‘right’ of humanitarian intervention is devoid of legal basis in the United Nations Charter and international law, making its foundations all the more dubious.<sup>21</sup> Indeed, the UN and its Universal Declaration of Human Rights play an important role in Chomsky’s critique.

## Subverting the Universal Declaration of Human Rights

The UN Charter and the Universal Declaration of Human Rights are what Chomsky refers to as the “gold standard on human rights.”<sup>22</sup> However, the United States, a signatory of both documents, has conducted its foreign policy with little regard to their content. The most obvious example is that of Article 2 of the Charter, which among other things outlaws the international crime of aggression against other states.<sup>23</sup> The interventions in Latin America described above, not to mention the US

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<sup>18</sup> *Human Rights in the New Millennium...*

<sup>19</sup> *Power and Terror: Post-9/11 Talks and Interviews*, New York 2003, p. 123.

<sup>20</sup> D. Mandic, *On the NATO Bombing of Serbia*, 2006, <http://www.chomsky.info/interviews/20060425.htm>.

<sup>21</sup> *The Essential Noam Chomsky...*, p. 133.

<sup>22</sup> *Human Rights in the New Millennium...*

<sup>23</sup> *Ibidem*.

attacks in Southeast Asia during the 1960s and 1970s, glaringly fall under this category. Yet it is not merely through obvious force that the Washington subverts international law, but also through refusal to support or enforce treaties and conventions that would enlarge the scope of the UD. The most flagrant example cited by Chomsky is the United States' failure to ratify the Convention on the Rights of the Child, adopted as far back as 1989 and signed by all other member-states in the UN except war-torn Somalia.<sup>24</sup> Similarly, the US rejected the Declaration on the Right to Development (adopted in 1984), which attempted to buttress Article 25 of the UD. Article 25 reads: "Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of sickness, disability, widowhood, old age or lack of livelihood in circumstances beyond his control."<sup>25</sup>

Chomsky records that at the time US Ambassador to the UN Jeane Kirkpatrick dismissed the Declaration, dubbing it a "letter to Santa Claus," and adding that "Neither nature, experience, nor probability informs these lists of 'entitlements,' which are subject to no constraints except those of the mind and appetite of their authors."<sup>26</sup> The US Representative to the UN Commission on Human Rights, Morris Abraham, went further. He rejected the idea that development constituted a right, arguing the proposal was a "dangerous incitement" that could lead to unrealistic expectations among the world's poorer countries, sparking demands for debt forgiveness or development funds from international lending institutions.<sup>27</sup> Hence, the United States remained the only country in the UN to veto the Declaration, implicitly jettisoning Article 25 of the UD, as well.

Chomsky further argues that even when the US chooses to ratify such conventions, they are rendered toothless and ineffective with provisions that amount to *de facto* American exemption. The International Covenant on Civil and Political Rights (ICCPR) seeks to extend many of the

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<sup>24</sup> *The Umbrella of US Power: The Universal Declaration of Human Rights and the Contradictions of US Policy*, New York 1999, p. 50.

<sup>25</sup> *Ibidem*, p. 76.

<sup>26</sup> Quoted in: *Human Rights in the New Millennium...*

<sup>27</sup> *The Umbrella of US Power...*, p. 21–22.



rights in the US Constitution as a universal standard, such as the right to life, freedom of religion, freedom of speech, and freedom of assembly. Yet it was approved and signed by the US only following a considerable delay, and only after including provisions that precluded the ICCPR's invocation in US courts and declared the US already in full compliance. Nonetheless, Chomsky points out that according to a joint report by Human Rights Watch and the American Civil Liberties Union, the US remains in violation. In particular, the report elucidates Washington's objections to Article 7, which outlaws torture and degrading and cruel punishment—the reason being that conditions in most American prisons would violate the treaty's standards.<sup>28</sup> The issue of torture, however, takes on an international significance, especially since the Bush administration's invasion and occupation of Iraq.

## Torture and the Future

To Chomsky, the Iraq war serves as an excellent example of how the United States can wield human rights as a weapon, using violations of the UD among other pretexts for incursion. For example, the Bush administration's condemnations of Saddam Hussein's well-publicized torture chambers generated domestic support for military action, and cast the US in the role of enlightened protector of freedom and democracy—a situation that Chomsky sees as cynically ironic. He labels the attack on Iraq “a major crime,” entirely in line with the goals of the US within the Grand Area: “There is basically no significant change in the fundamental traditional conception that if we can control Middle East energy resources, then we can control the world.”<sup>29</sup> That aside, the issue of torture—principally in light of the Abu Ghraib prisoner abuse scandal in Iraq and the creation of the Guantanamo Bay Detention Center on Cuba—has featured heavily in Chomsky's attacks on the US's recent human rights record. He writes that torture has been endemic to US foreign policy since the nineteenth century, yet after the 1984 UN Convention on Tor-

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<sup>28</sup> *Ibidem*, p. 50–52.

<sup>29</sup> Quoted in: S. Ross, Chomsky: Iraq Invasion ‘Major Crime’ to Control Middle East Oil, *The Public Record*, November 3, 2009. <http://pubrecord.org/nation/5953/chomsky-invasion-major-crime/>.

ture the CIA developed a new ‘torture paradigm’ that has sought to circumvent international treaties. The paradigm, based on mental rather than physical torture, was specifically crafted for effectiveness. When the Convention on Torture was first drafted, the Reagan administration put forth numerous objections focused on the word ‘mental’ in order to interpret and re-define torture, allowing the infliction of multiple varieties of stress and sensory deprivation. Clinton continued in Reagan’s footsteps when he sent the Convention to Congress in 1994, including the same amendments, and “therefore exempt[ing] the core of the CIA torture paradigm from the US interpretation of the Torture Convention”<sup>30</sup> The Abu Ghraib Scandal and Guantanamo Bay, then, are a logical result and expansion of Washington’s attitude to torture’s necessity in conducting foreign policy.

During the Bush administration’s ‘War on Terror,’ Chomsky notes that the attacks of 9/11 were constantly invoked as a justification for ignoring provisions for human rights in international and even domestic law. The right of *habeas corpus* was suspended with the illegal rendition and detention of numerous individuals suspected of terrorism or terrorist links, along with ‘enemy combatants,’ at Guantanamo Bay. Such practices, apart from violating the US Constitution and the rights detailed within, have strengthened the sanctimonious concept of ‘American exceptionalism,’ and again changed the framework of US-sanctioned torture. Alluding to interventions in Latin America, Chomsky observes: “Bush–Cheney–Rumsfeld et al. did introduce important innovations. Ordinarily, torture is farmed out to subsidiaries, not carried out by Americans directly in their government-established torture chambers.”<sup>31</sup> When Obama was sworn in as President he was quick to implement a ‘Torture Ban,’ which has in theory eliminated this practice. But Chomsky argues that it has merely restored the pre-Bush II norm of using proxy armies under US tutelage and support. Similarly, Obama’s ban is merely rhetorical. Torture, after all, had not been formally legalized during Bush’s controversial tenure; the definition had merely been disputed. Finally, the Obama ban seems redundant in that face of the Geneva Conventions, which the US has flouted on numer-

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30 *The Torture Memos*, May 24, 2009, <http://www.chomsky.info/articles/20090521.htm>.

31 *Ibidem*.

ous occasions. Thus, despite Obama's executive order to close Guantanamo Bay, his administration has continued 'extraordinary rendition' and imprisonment without due process. Here he cites the case of Lakhdar Boumediene, a naturalized citizen of Bosnia and Herzegovina, who was sent to Guantanamo in 2002 and remained until 2008. He was accused of being a supporter of Al Qaeda, despite marginal evidence. After initiating a *habeas corpus* submission, in 2008 Supreme Court ruled in *Boumediene v. Bush* that the prisoners in Guantanamo were entitled to *habeas corpus*, and that the Bush administration's actions had been unconstitutional. The ruling, however, only applied to those detained in Guantanamo, leaving the US military free to detain suspects overseas without infringement. In response, Bagram Airbase in Afghanistan became Bush's new destination for enemy combatants, and Obama has continued the imprisonment of foreign citizens there with no recourse to rights or judicial process of any kind.<sup>32</sup> The place has changed, but the practice is the same.

For Chomsky, the implications of the Obama administration's decision to essentially continue the Bush policy are bleak indeed, because it will continue the cycle of violence and human rights violations between Islamic militants and Washington far into the future. Particularly, he gives evidence that US policy creates the terrorists it now claims to fight. Military interrogations have "discovered that foreign fighters came to Iraq in reaction to the abuses at Guantanamo and Abu Ghraib, and that they and their domestic allies turned to suicide bombing and other terrorist acts for the same reason."<sup>33</sup> Providing a concrete example, Abdallah al-Ajmi was sent to Guantanamo for participation in several exchanges with the US military in Afghanistan. After four years in the facility, during which time he suffered cruel treatment, he was deported to Kuwait. Chomsky notes that in March 2008 al-Ajmi "drove a bomb-laden truck into an Iraqi military compound, killing himself and 13 soldiers... the direct result of his abusive imprisonment, his Washington lawyer concludes."<sup>34</sup> Therefore unless a major policy change ensues, the war in Iraq will continue indefinitely—along with the human rights abuses it entails.

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<sup>32</sup> *Ibidem.*

<sup>33</sup> *Ibidem.*

<sup>34</sup> *Ibidem.*

## Conclusion

Despite such dire predictions, Chomsky insists that the course of international human rights abuses by the United States can be reversed. Though his stinging critique of Washington's foreign policy intervention across the globe, along with its determination to undermine the Universal Declaration on Human Rights, international law and even US domestic law, seem to offer little solace, he nonetheless writes in *Human Rights and the New Millennium*: "What then are the hopes for human rights in the new millennium? I think the answer is the one that reverberates through history, including recent years. It is not a law of nature that we have to subordinate ourselves to the violence and deceit of the 'principal architects' of policy and the doctrinal manipulation of the servants of power. As in the past, an aroused and organized public can carve out space for authentic concern for human rights... more easily than ever, because we can benefit from the legacy of past struggles and their achievements."<sup>35</sup> Despite this rather counter-intuitive conclusion, whether Chomsky is correct remains to be seen.

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### STRESZCZENIE

Ted Lewandowski

## INTERWENCJA, TORTURY I HIPOKRYZJA: KRYTYCZNE SPOJRZENIE NOAMA CHOMSKIEGO NA POLITYKĘ ZAGRANICZNĄ STANÓW ZJEDNOCZONYCH DOTYCZĄCĄ PRAW CZŁOWIEKA

Począwszy od lat sześćdziesiątych, profesor Noam Chomsky uznawany jest za czołowego krytyka polityki zagranicznej Stanów Zjednoczonych i skandalicznych nadużyć praw człowieka, które często podążają w ślad za nią. Choć został nazwany „prawdopodobnie najważniejszym żyjącym intelektualistą”, jego minimalny wpływ na dyskurs medialny i marginalizacja jego krytyki przez dominujących ekspertów politycznych zadaje kłam temu tytułowi. Niemniej jednak głośny sprzeciw Chomsky'ego wobec amerykańskich interwencji wojskowych nie słabnie od czasu wojny w Wietnamie, trwając po obecną okupację Iraku i Afganistanu. Osiemdziesięcio-

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35 *Human Rights in the New Millennium...*

dwuletni dziś Chomsky opracował wszechstronną analizę polityki zagranicznej Ameryki, za której pomocą odważnie atakuje hipokryzję i przemoc idące w parze z kolejnymi intrygami, demonstrując ostrą ironię wypływającą z głoszonych przez USA idei demokracji, wolności i praw człowieka dla wszystkich z jednej strony i cynicznego poparcia dla zbrodniczych dyktatorów motywowanego względami ekonomicznymi z drugiej. Co więcej, przekonuje on, że Stany Zjednoczone skutecznie uwolniły się od obowiązku przestrzegania prawa międzynarodowego i dowodzi, że to siła – a nie traktaty czy negocjacje – rozstrzyga zagadnienia globalnej ekonomii i strategii politycznej. Koncepcja praw człowieka pełni funkcję naturalnego fundamentu myśli Chomsky'ego.

Niniejszy artykuł poświęcony jest analizie bardzo krytycznego rozrachunku Chomsky'ego z polityką zagraniczną USA dotyczącą praw człowieka, rozpoczynając od amerykańskiej interwencji w Ameryce Łacińskiej i kładąc nacisk na Nikaraguę, Salvador i Gwatemalę. Chomsky stawia także Waszyngtonowi zarzut osłabiania prawa międzynarodowego poprzez odmowę udzielenia poparcia albo wprowadzenia w życie traktatów i konwencji, które wzmocniłyby pozycję Narodów Zjednoczonych i zakres Powszechnej Deklaracji Praw Człowieka z 1948 r. (PDPC). W swojej twórczości poświęca on wiele uwagi konsekwentnemu podważaniu przez rząd USA Karty Narodów Zjednoczonych i PDPC. Brak ratyfikacji Konwencji o prawach dziecka, przyjętej w 1989 i podpisanej przez wszystkie państwa członkowskie NZ oprócz zniszczonej wojną Somali, stanowi najbardziej oczywisty z przytoczonych przykładów. W podobny sposób USA odrzuciło także Deklarację o prawie do rozwoju (przyjętą w 1984 r.). Chomsky argumentuje ponadto, iż nawet w wypadkach, gdy Stany Zjednoczone decydują się na ratyfikację podobnych konwencji, czyni się je bezskutecznymi na mocy postanowień, które *de facto* sprowadzają się do wyłączenia Ameryki spod prawa. Ilustruje to przykład Międzynarodowego Paktu Praw Obywatelskich i Politycznych (MPPOP), który dążył do nadania wielu spośród amerykańskich praw konstytucyjnych – takich jak prawo do życia, wolność religii, wolność słowa czy prawo do gromadzenia się – statusu uniwersalnych standardów. Mimo to do zatwierdzenia i podpisania go doszło w Ameryce ze znaczną zwłoką, po włączeniu przepisów, które uniemożliwiły powoływanie się na MPPOP przed amerykańskimi sądami i zadeklarowaniu stanu pełnej harmonizacji z dokumentem. Jednakże Chomsky zwraca uwagę na raport sporządzony wspólnie przez Human Rights Watch i American Civil Liberties Union, zgodnie z którym USA narusza jego postanowienia. Raport ten zwłaszcza naświetla zastrzeżenia wniesione przez Waszyngton do art. 7 – zakazującego stosowania tortur i poniżającego lub okrutnego karanía – powodowane warunkami panującymi w większości amerykańskich więzień, które nie licują z normami traktatowymi. Chomsky wykazuje równocześnie, że Ameryka chętnie używa zasad zawartych w PDPC jako broni w walce z innymi państwami, orędując po stronie „interwencji humanitarnych” w krajach, których rządy nie sprzyjają Waszyngtonowi, a które posiadają cenne zasoby ekonomiczne.

Obecnie najistotniejszą kwestią dotyczącą praw człowieka są opisane przez Chomsky'ego starania w celu uzyskania wpływu na kształt międzynarodowej definicji tortur. Pojęcie tortur – zwłaszcza w świetle skandalu związanego z maltretowaniem więźniów w irackim Abu Ghraib i utworzenia obozu więziennego w Guantanamo Bay na Kubie – odgrywa ważną rolę w jego krytyce najnowszych amerykańskich dokonań w dziedzinie praw człowieka. Chomsky utrzymuje, że tortury występują powszechnie w polityce zagranicznej USA od XIX wieku, choć po Konwencji w sprawie stosowania tortur przyjętej przez NZ w 1984 r. CIA opracowało „paradygmat tortur”, którego zadaniem było obejście międzynarodowych traktatów. Paradygmat ten, oparty na torturach psychicznych, a nie fizycznych, stworzony został z myślą o skuteczności. Już w czasie powstawania Konwencji w sprawie stosowania tortur rząd Reagana wystąpił z licznymi zastrzeżeniami dotyczącymi wyrazu „psychiczny”, w celu dokonania interpretacji i zmiany definicji pojęcia tortur, tak aby dopuszczało ono wywieranie różnego rodzaju presji i deprywację sensoryczną. Clinton podążył śladami Reagana, wysyłając Konwencję do Kongresu razem ze wspomnianymi poprawkami, co przyczyniło się *de facto* do wyłączenia Stanów Zjednoczonych spod jej przepisów. Skandal w Abu Ghraib i Guantanamo Bay stanowią więc logiczny wynik i ekspansję waszyngtońskiej postawy w stosunku do nieodczowności tortur w prowadzeniu polityki zagranicznej.

Od czasu „wojny z terroryzmem”, podjętej przez rząd Busha, Chomsky obserwuje zawieszenie stosowania prawa zakazującego więzienia bez postawienia zarzutów (prawo *habeas corpus*), które objawia się nielegalnym zatrzymaniem i przetrzymywaniem dużej liczby osób oskarżonych o działania terrorystyczne lub powiązania z terroryzmem, a także tzw. „wrogich bojowników” (*enemy combatants*) w Guantanamo Bay. Argumentuje on, iż podobne praktyki oprócz tego, że naruszają amerykańską konstytucję i zawarte w niej prawa, umacniają też podszyty hipokryzją koncept „amerykańskiej wyjątkowości”. Niemniej jednak w 2008 r. w sprawie Boumediene przeciwko Bushowi Sąd Najwyższy uznał, że prawo *habeas corpus* przysługuje więźniom z Guantanamo Bay, a postępowanie administracji Busha było sprzeczne z konstytucją. W odpowiedzi Bush, a obecnie Obama, przerzucił więźniów z Guantanamo do bazy lotniczej Bagramu w Afganistanie, która nie podlega jurysdykcji amerykańskich sądów. Podobne sankcjonowanie nieograniczonego w czasie przetrzymywania i niekiedy także torturowania „wrogich bojowników” zdaniem Chomsky'ego prowadzi jedynie do eskalacji przemocy między Waszyngtonem i islamskimi bojownikami rozgrywającej się na irackiej scenie. Reasumując, stwierdzić można, iż jeżeli polityka USA nie ulegnie zmianie, wojna w Iraku trwać będzie wiecznie, a z nią trwać będą również naruszenia praw człowiek, które ze sobą niesie.

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**SŁOWA KLUCZOWE:** Noam Chomsky, Stany Zjednoczone Ameryki, prawa człowieka, tortury, „wojna z terroryzmem”, Abu Ghraib, Guantanamo Bay, *habeas corpus*, interwencja humanitarna