

The Object of Torture is Torture: Extraordinary Renditions to Jordan and Human Rights in the War on Terror

By Kat Mitchell

The object of persecution is persecution. The object of torture is torture. The object of power is power.
- George Orwell, 1984

Hassan Saleh bin Attash, a Yemeni national, was just seventeen at the time of his September 2002 arrest in Pakistan. The young man spent four days in a Karachi prison before being taken to a United States-run prison in Kabul, where he was held and allegedly tortured through the middle of September. He was then rendered to Jordan.

Hassan was detained in Jordan for at least twelve months, during which time he says he was repeatedly tortured, most frequently in an area known as “the courtyard,” believed to be within the General Intelligence Department (GID) detention center in Wadi Sir, Amman, Jordan. The prisoner told his lawyers he suffered from being threatened with electric shocks, being beaten on the soles of his feet, and being hung upside down. Additional reports exist that Hassan was hidden from the International Committee of the Red Cross (ICRC) during their visits to the prison.

From 2001 until 2004, the GID of Jordan functioned as a surrogate jailer for the Central Intelligence Agency (CIA) of the United States, accommodating detainees the CIA seemingly wanted kept undisclosed, and afterward passing a number of prisoners back to the CIA. The GID questioned these detainees with tactics more atrocious than those with which the CIA has been charged; it was doing more than just storing prisoners. The men were normally detained for a number of months by the GID. Superior officials in the GID have firmly denied that the institution held individuals rendered by the United States. They have also rejected the assertion that torture was carried out in GID imprisonment. Given the credence of facts confirming just the opposite, their refutations are unimpressive.

Despite the fact that the precise number of renditions has not been determined to date, it has been confirmed that over ten non-Jordanian detainees were transferred from American to Jordanian charge from 2001 to 2004, and the actual number could be a great deal higher. Although a small number of other countries have accepted men transferred by the United States in the past decade, no state is recognized to have held as many as Jordan.

The majority of the prisoners whom the United States rendered to Jordan were first arrested either in Pakistan or in Georgia, mainly from the Pakistani city of Karachi and the Pankisi Gorge valley region of Georgia. Flight records back these claims. Civilian planes, including Boeing 737s, and Gulfstream jets, linked to the CIA and known to have been employed for person transfer, made dozens of excursions to Jordan in the early 2000s.

U.S. rendition of terrorist suspects abroad—in other words, moving detainees to foreign charge outside the bounds of standard legal proceedings, predates the 9/11 attacks on the United States. After September 11, 2001, however, the rendition system of the CIA was altered. Instead of restoring individuals to their place of origin to be tried, the CIA started passing men over to third states, ostensibly to make extrajudicial interrogation easier.

The United States might have had numerous grounds for rendering suspected terrorists to Jordan for imprisonment and interrogation. The GID and CIA previously had a record of familiar dealings; CIA bureaucrats may have thought that the GID was exceptionally knowledgeable in counter-terrorism, or would be able to keep the details of incarceration confidential, and it seems that there was a lack of Arabic-speaking CIA employees at the time. Nevertheless, something that would have been recognized by U.S. administrators at the time of the relocations was that Jordanian intelligence was infamous for cruel and inhuman treatment of security prisoners. Some U.S. officials, including ex-CIA officer Michael Scheuer, have made statements suggesting that prisoners were intentionally transferred to a location where they would be mistreated. The facts imply that torture in such cases was not an unfortunate result of rendition; it may have been the objective.

Right after the 9/11 attacks, US President George W. Bush put his signature on a secret presidential instruction giving the CIA extended power to arrest, detain, interrogate, and render suspected terrorists captured abroad. Since then, the United States is alleged to have transferred terror suspects to the charge of Egypt, Libya, Morocco and Syria, as well as Jordan. But the obtainable evidence intimates that Jordan was the earliest state to receive rendered prisoners after 9/11, and that it held the highest number of individuals.

An explanation of the rendition process given by former Attorney General Alberto Gonzales in mid-2006 was quite enlightening. In a statement before the Senate Armed Services Committee, the Attorney General made clear that whenever an individual is transferred, the United States asks for promises that they will not be tortured. However, Gonzales confessed that government agents are not necessarily present in overseas prison cells where suspects are rendered. Michael Scheuer, who professes to have started the rendition program in the course of the Clinton administration, rejects these pledges as legal subtleties, intended to look fine on paper, but providing no genuine defenses of prisoner rights.

The violent interrogation practices of the GID are well known. Many former GID prisoners have claimed that they were subjected to cruel, inhuman, or degrading treatment or torture while detained by the GID. Specifically, numerous individuals have said that guards took them to the basement of the GID incarceration building in Wadi Sir and hit them on the soles of their feet. Others have stated that they were beaten, denied sleep, or forced to endure injections and take pills that brought on sensations of severe nervousness. These assertions are held up by the findings of UN representatives and international organizations. After a 2006 visit to Jordan, the UN Special Rapporteur on Torture released a report deducing that the practice of torture is prevalent, even standard procedure in Jordan, including in the GID.

Following 9/11, the CIA promptly began transferring terror suspects to Jordan for interrogation. The fact that a number of prisoners were shortly restored to CIA custody after spending time in Jordan further implies that the GID's objective in rendition was supporting the CIA rather than advancing Jordan's security goals. Detainees were not, in fact, given to the GID; instead, such people were merely loaned to the Jordanians for questioning.

The city of Karachi, Pakistan, was the source of no fewer than six detainees understood to have been transferred to Jordanian custody. Pakistani authorities have not been covert about the fact that since September 2001, they have given charge of a few hundred suspected terrorists to the United

States, bragging of the relocations as evidence of Pakistan's support of US counter-terrorism efforts. Several of these individuals ended up at Guantanamo; others were rendered to countries like Jordan.

The state of Georgia's Pankisi Gorge was another source of detainees. Bordering Russia's Chechnya region and home to thousands of Chechen refugees, the gorge has long served as an access point for mujahidin, or Muslim freedom fighters, looking to wage war in Chechnya. Under pressure from the United States a few months after 9/11, Georgia started arresting Arabs found in the area. A few of these individuals were transferred to stand-in CIA prisons in Afghanistan, and then moved to Guantanamo, but some were taken to other places. At least four of the detainees who were allegedly transferred to Jordan in 2002 were apparently picked up in Georgia: Abu Bakr Saddiqi, Khayr al-Din al-Jaza'eri, Abu Hassan al-Suri, and Abu Yousef al-Jaza'eri. The present location of all four individuals is unspecified, though it is probable that they were moved to their home countries for prolonged imprisonment.

The regular rendition of detainees to Jordan by the United States in the years following the 9/11 attacks desecrated numerous fundamental human rights guarantees. These include the bans on enforced disappearance, cruel, inhuman, or degrading treatment and torture, and arbitrary detention. The government of Jordan violated both national law and international human rights law by torturing and abusing transferred prisoners, holding them without charge or trial, and detaining them without contact or visits by family or legal counsel.

By transferring detainees to Jordan, the United States purposely violated its obligations under Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention Against Torture), which it ratified in 1994. Rendition torture is a clear violation of the prohibition against torture. The UN Committee against Torture, the international authoritative body responsible for monitoring state compliance with the Convention against Torture,—articulated concern over the US assertion that its obligation under the convention did not apply to individuals held outside of the United States. The committee held its position that rendition carried out by the US government was a violation of the Convention against Torture.

In order to correct the wrong of rendition, the government of Jordan should open a direct independent judicial inquiry into the GID's use of arbitrary detention, ill treatment, and torture. The Jordanian government should renounce its function as a proxy jailer in the CIA's rendition program and make known the current location, fate, and identities of all prisoners transferred to Jordan by the CIA since at least 2001. The government of the United States should release the current whereabouts, fate, and identities of all individuals seized or rendered to foreign custody by the CIA since 9/11, including prisoners who were transferred to Jordan; suitable compensation should be offered to all prisoners arbitrarily detained by the CIA or rendered to foreign charge. Finally, the US government should turn its back on the use of rendition to torture as an approach to counter-terrorism and permanently halt the CIA's rendition program.

Annotations

Amnesty International. 2005. "USA: Torture and Secret Detention: Testimony of the 'Disappeared' in the 'War on Terror.'" Available online:

<http://www.amnesty.org/en/library/asset/AMR51/108/2005/en/38cdf007-d4cc-11dd-8a23-d58a49c0d652/amr511082005en.html>.

Annotation: This Amnesty International report is about Yemeni detainees who claim to have been victims of the US policy of secret detentions around the globe. Although they are no longer in solitary confinement, both Salah Nasser Salim 'Ali and Muhammad Faraj Ahmed Bashmilah remain imprisoned in Yemen. Also being held in Yemen without charge or trial is Walid Muhammad Shahir Muhammad al-Qadasi. This document tells of the arrests of these men in Indonesia and Jordan and of their torture in Jordan. Amnesty International calls upon the American, Jordanian, and Yemeni authorities to make sure that all the men are released unless they are immediately charged with recognizably criminal offenses.

———. 2006. "Jordan: Amnesty International's Campaign to Stop Torture and Ill-Treatment in the 'War on Terror.'" Available online:
<http://www.amnesty.org/en/library/asset/MDE16/010/2006/en/76a4ba58-d3f8-11dd-8743-d305bea2b2c7/mde160102006en.html>.

Annotation: This report by Amnesty International explains how the absolute ban on torture and other cruel, inhuman, or degrading treatment—which protects one of the most universally accepted human rights—is being undermined in Jordan. The authors use generalizations of current events as well as ten specific cases of rendition cooperation with the United States to illustrate their points. Amnesty International provides the reader with strong facts as well as references to other works on the topic and ways to get involved with the organization's campaign to stop torture. The document is a solid, concise overview of the torture situation in Jordan.

———. 2006. "Jordan: 'Your Confessions Are Ready for You to Sign': Detention and Torture of Political Suspects." Available online:
<http://www.amnesty.org/en/library/asset/MDE16/005/2006/en/fca57a51-d42e-11dd-8743-d305bea2b2c7/mde160052006en.html>.

Annotation: This Amnesty International report focuses on the torture and other ill-treatment of political detainees in pre-trial detention by Jordan's General Intelligence Directorate (GID), a military security agency that detains and interrogates individuals suspected of political and security offenses. A lengthy document, it uses many examples of illegal detention and torture carried out by the GID. The examples are clearly selected for maximum emotional appeal and shock value. Amnesty International includes a long list of recommendations to the Jordanian authorities regarding issues such as: torture and ill-treatment; unfair trials; independence; impartiality of courts; prisons; renditions; and the Memorandum of Understanding (MOU) with the United Kingdom, which amounts to a public acknowledgment of torture in Jordan. Other works on the topic, including United Nations documents, commissions, and comments are

referenced extensively. Amnesty International's well-researched, well-written piece would make the document a trustworthy source for any researcher.

———. 2009. "Middle East and North Africa: Challenging Repression: Human Rights Defenders in the Middle East and North Africa." Available online: <http://www.amnesty.org/en/library/asset/MDE01/001/2009/en/3fe5c240-d77d-4e15-8957-5928387d1093/mde010012009eng.pdf>.

Annotation: This 2009 report by Amnesty International discusses how, in the Middle East and North Africa region, human rights advocates are all too often disparaged, victimized, and even criminalized for their nonviolent behavior. The document details numerous accounts of personal experiences of the activists, citing their victories as well as their impediments. Amnesty International demonstrates that the efforts of human rights defenders in the region are helping to bring much-needed transformation, but also that their great effort for rights is a long way from triumphing (?). Although the report is not Jordan-specific, it provides a valuable overview of the political climate human rights champions face in the Middle East and North Africa region.

Dooge, Lucien J. 2007. "The Political Question Doctrine and Corporate Complicity in Extraordinary Rendition." *Temple International & Comparative Law Journal* 311: 311-349.

Annotation: This article inspects the application of the political question doctrine to *Mohamed v. Jeppesen Dataplan, Inc.* The authors explain the extraordinary rendition program in a few words. The article examines the political question doctrine and its application to the grievance. The authors conclude that extraordinary rendition imparts a nonjusticiable political question and that the claimants' complaint is subject to dismissal. Consequently, according to the article, the plaintiffs are obliged to take their claims to other forums for resolution and definitive satisfaction. Although the article is primarily written for those familiar with national and international legal systems, it proves useful in understanding the breadth and depth of the process of extraordinary rendition.

Grey, Stephen. 2006. *Ghost Plane: The True Story of the C.I.A. Torture Program*. New York: St. Martin's Press.

Annotation: Stephen Grey shows in his commanding and pejorative book how horrific extraordinary renditions could become. The secret police of Middle Eastern countries unreservedly torture and their tools of the trade include razor blades applied to genitals, where small nicks leave no scars. Certainly, on the record, America "does not torture," as President Bush said, and publicly the United States asks other countries not to torture prisoners rendered into their custody by the United States. But renditions have been carried out with flashes and signals and legalistic sidesteps. According to the author, the curtain has been quite thin: the Bush administration indicated its real purpose from the beginning. Not a week after September 11,

2001, Vice President Cheney told Tim Russert of “Meet the Press” that America would be “spending time in the shadows” and working “sort of the dark side.” The ruthless details leaked out over time, to a certain extent thanks to innovative journalists such as Grey.

Human Rights First. “Human Rights Defenders in Jordan: Government Undoing a Decade of Reform.” Available online:
http://www.humanrightsfirst.org/middle_east/jordan/hrd_jordan.htm (accessed May 25, 2010).

Annotation: This concise description of the current state of human rights in Jordan discusses how the accession of King Abdullah II to the Jordanian throne in February 1999 has not accelerated the political liberalization changes King Hussein had cautiously embarked on before his death. Unfortunately, according to Human Rights First, Jordan’s government has reneged on the preceding decades’ reforms. The write-up discusses how the Israeli-Palestinian conflict has caused unrest inside Jordan to build. According to Human Rights First, ethnic Palestinians comprise sixty percent of the population of Jordan, and other Jordanians have tried to make their political voices heard through unity protests and community debates. Jordan’s partnership with the United States has been condemned. A lot of Jordanians, disapproving of United States regional policies, are critical of this alliance. Unfortunately, the piece declares, the government’s answer to this mounting dispute has been to stifle political action of all kinds.

Levit, Kenneth J. 2005. "C.I.A. And the Torture Controversy: Interrogation Authorities and Practices in the War on Terror." *Journal of National Security Law & Policy* 1: 341-356.

Annotation: This piece sheds some light on the way the intelligence community operates, describes how legal rules shape some of its most sensitive work, and offers a perspective on the way the Central Intelligence Agency (CIA) fits into the debate about interrogation and torture. The author maintains that the debate is not about, nor can it be about, whether the government should conduct torture. According to Levit, the answer to that question is and will always be, by law and moral standards, no. However, the author admits that there exists a complexity that cannot be avoided. That complexity, he says, lies in the on-the-ground circumstances that develop where interrogations are taking place. What can an interrogator do? When are physical contact, deception, punishment, discomfort, fatigue, fear, and similar tactics permissible? These are the questions the author, Special Counsel to the Director of the CIA from 1998 until 2000, answers in this article.

Mariner, Joanne. 2008. "Double Jeopardy: C.I.A. Renditions to Jordan." New York: Human Rights Watch.

Annotation: This Human Rights Watch report documents how Jordan’s General Intelligence Directorate (GID) served as a proxy jailer and interrogator for the CIA from 2001 until at least 2004. Although a handful of countries received persons rendered by the United States during this period, no other state is believed to have held as many people as Jordan. Mariner uses

specific cases of rendition as well as international legal language to illustrate the problem of rendered persons to Jordan from the United States and to support her argument of its illegality and immorality. Although Mariner does not refer to many other works on the topic, the report is easy to follow and easy to read. This report is a relevant research piece, as well as a reliable source of information for those interested in the topic of renditions.

Nasr, Hesham, Jill Crystal, and Nathan J. Brown. 2004. "Criminal Justice and Prosecution in the Arab World: A Study Prepared for the United Nations Development Program." In UNDP *Program on Governance in the Arab Region*. Available online: <http://www.pogar.org/publications/judiciary/criminaljustice-brown-e.pdf> (accessed April 28, 2010).

Annotation: In this report, the authors select five countries for special focus based on their regional influence and/or friendliness to reform proposals: Yemen, Morocco, Egypt, Jordan and Lebanon. The authors note that other Arab states not treated in depth in the report still generally share similar characteristics and that most of their recommendations could be applied to them as well. The state studies focus on both the police and public prosecution. They present the issues of the development of the police force and current issues involving policing, with a special focus on human rights concerns. For public prosecution, they focus on the structure and function of the system, with attention to issues of appointment and training. Additionally, the study examines recent steps taken in the area of international cooperation, with a special focus on terrorism and money laundering. The report concludes that Arab criminal justice systems bear a strong resemblance to one another. Significant differences do exist, but the basic structure of policing and prosecution is common throughout most of the Arab world.

Nowak, Manfred. 2007. "Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Mission to Jordan." Available online: http://www.univie.ac.at/bimtor/dateien/jordan_unsrt_2007_report.pdf (accessed April 28, 2010).

Annotation: "This report contains a study of the legal and factual aspects regarding the situation of torture or ill treatment in Jordan." On the basis of all the evidence gathered, and taking into account the deliberate attempts by officials to obstruct his work, the Special Rapporteur confirms that the practice of torture is routine in the General Intelligence Directorate (GID) and within the Criminal Investigations Department (CID). The Special Rapporteur concludes that the practice of torture persists in Jordan because of a lack of awareness of the problem, as well as institutionalized impunity. He recommends the government adopt a number of measures in order to comply with its commitment to prevent and suppress acts of torture and other forms of ill treatment. Although those without knowledge of legal vocabulary may have a difficult time understanding the report is an excellent source of information.

Paglen, Trevor, and A.C. Thompson. 2006. Torture Taxi: On the Trail of the C.I.A.'S Rendition Flights. Hoboken: Melville House Publishing.

Annotation: This book, the first written on this specific topic, details how the extraordinary rendition program is part of what has become the largest single American clandestine operation since the end of the Cold War. Award-winning investigative journalist A.C. Thompson and military geographer Trevor Paglen thoroughly investigated the CIA program for more than two years, learning a great deal about the particulars of its operations. In this book, the authors travel around the world inspecting the agency and interviewing released detainees. Paglen and Thompson show that the CIA's operations since September 11th, 2001 have been tainted by torture and an extensive sequence of intelligence failures.

Paust, Jordan J. 2007. "Above the Law: Unlawful, Executive Authorizations Regarding Detainee Treatment, Secret Renditions, Domestic Spying, and Claims to Unchecked Executive Power." *Utah Law Review*: 345-419.

Annotation: This article upholds a venerable principle of American democracy: that no one, not even the President, is above the law. The Bush administration's illegal behavior concerning detainee treatment, secret detention and renditions, and domestic spying is addressed, as well as its improper claims to power unimpeded by federal statutes or international law. Names and paper trails relating to the administration's ongoing criminality are documented, as well as the types of treaty-based and customary international laws that were violated. Many federal cases are covered that document judicial power to review presidential decisions, the fact that all persons within the executive branch are bound by the laws of war, and the fact that Congress has authority to place some limits on commander-in-chief powers during war.

———. 2007. Beyond the Law: The Bush Administration's Unlawful Responses in the War on Terror. New York: Cambridge University Press.

Annotation: Paust has produced a thorough and definitive account of US crimes against its detainees. The book states that government officials in most European countries, including the United Kingdom, are wrongfully complicit in violations of the rights of prisoners secretly detained in and/or transferred through their territories, despite the fact that these countries are obliged under international law not to overlook such violations. Paust argues that the illegal denial of combatant and prisoner of war status to members of insurgent armed forces provides a pretext for similar denials to United States and other soldiers. The author points to case law showing that the laws of war apply to heads of state and that presidential powers are subject to restraint by Congress. This book shows how President Bush illegally abused his commander-in-chief power and provides a detailed exposition of violations of international law.

Pyle, Christopher H. 2009. Getting Away with Torture: Secret Government, War Crimes, and the Rule of Law. Dulles: Potomac Books.

Annotation: Christopher Pyle argues that, although the idea of American forces torturing prisoners is disturbing, more shocking still is that the highest officials of the Bush-Cheney administration authorized, concealed, encouraged, and planned these war crimes. The author states that many Americans, including those who endorsed torture in extraordinary/exceptional circumstances, are now embarrassed by credible reports of CIA kidnappings for purposes of torture, secret prisons into which detainees have vanished without a trace, and prearranged tribunals to find al Qaeda insurgents guilty based on evidence obtained through torture. Pyle claims that the extensive acceptance of this unaccountable, clandestine government behavior now threatens to obliterate the very foundations of legitimate government. He argues that the ethical standing of the United States will not be renewed until a determined attempt is made to bring America's surreptitious government officials under the rule of law.

Sadat, Leila Nadya. 2007. "Extraordinary Rendition, Torture, and Other Nightmares from the War on Terror." *George Washington Law Review* 75: 1200-1248.

Annotation: This article examines the US practice of extraordinary rendition. The author concludes that rendition is not compliant with either the laws of war or international human rights norms. Sadat argues against the propositions of government lawyers and academics that Geneva law has become old-fashioned or out of date; instead, she argues, the US government has made what is, at best, a weak case that international human rights norms and Geneva law are obsolete. Sadat suggests that if America is sincere in its assertion that new international legal paradigms must be adopted in order to fruitfully combat the bane of international terror, the proper medium to do so would be new multilateral regimes that draw extensive international support, not inventive readings of the law that deliberately contradict prior US and international agreements.

Satterthwaite, Margaret L. 2007. "Rendered Meaningless: Extraordinary Rendition and the Rule of Law." *George Washington Law Review* 75: 1333-1420.

Annotation: This article examines the defense of rendition by US government officials and some scholars. The author suggests that it is not only wrong, but it also conceals a treacherous shift in policy: a practice supposedly developed to uphold the rule of law against terrorism—rendition to justice—has become an unregulated practice aimed at distorting the rule of law in relation to lawless terrorists—extraordinary rendition. Satterthwaite talks about the information that is publicly available concerning extraordinary rendition and gives a snapshot of the process and its fundamentals as reported by the media, human rights organizations, and European investigations.

The National Centre for Human Rights. 2009. "5th Annual Report: State of Human Rights in the Hashemite Kingdom of Jordan (2008)." Available online: <http://www.nchr.org.jo/> (under Status Report of Human Rights).

Annotation: The National Centre for Human Rights (NCHR), an independent Jordanian national institution that protects and provides consultation and legal assistance to those in need, produces annual status reports on the state of human rights in Jordan. The NCHR outlines torture complaints it received against various government departments and centers in 2008. The report also details how the NCHR randomly monitored some prisons and found evidence of cruel, inhuman, or degrading treatment. However, it is also admitted that from mid-April to August, the NCHR was barred from visiting prisons. As one of the few Jordanian institutions dedicated to human rights, the NCHR reports provide an invaluable resource to the researcher specifically concerned with human rights in Jordan.

US Department of State: Bureau of Democracy, Human Rights, and Labor. 2008. "2008 Human Rights Report: Jordan." Available online:
<http://www.state.gov/g/drl/rls/hrrpt/2008/nea/119118.htm>.

Annotation: This report, released annually by the US Department of State, consists of the department's analysis of the human rights practices in Jordan. The government concludes that the Jordanian regime respected human rights in a number of areas, but that its general record continues to reveal problems. For example, Jordan's government limited citizens' right to modify their government. The report cites domestic and international NGOs' reports of cases of torture, arbitrary arrest, extended detention, and the persistence of inhumane prison conditions. According to the document, impunity, refutation of due process of law, and imperfect judicial independence continue to be issues. This source is a solid introduction to persisting human rights challenges in Jordan.

———. 2009. "2009 Human Rights Report: Jordan." Available online:
<http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136071.htm>.

Annotation: Like the 2008 version, this report details how the Jordanian government restricts human rights in some areas, and that its general record continues to reflect problems. This document also cites international NGO reports of denial of due process, arbitrary deprivation of life, arbitrary arrest, torture, impunity, and poor prison conditions to support the bureau's assertion. Other sections covered include freedom of speech and press, Internet freedom, academic freedom, freedom of assembly, freedom of association, freedom of religion, and societal abuses and discrimination.

Weissbrodt, David, and Amy Bergquist. 2006. "Extraordinary Rendition: A Human Rights Analysis." *Harvard Human Rights Journal* 19: 123-160.

Annotation: This article describes extraordinary rendition, the practice of seizing terror suspects and transporting them to third party countries for detention and interrogation. The article examines the practice in light of several human rights instruments and demonstrates that extraordinary rendition violates international human rights and humanitarian law. The article

notes that extraordinary rendition has evolved from a process by which suspects were brought to the United States to stand trial into a means of detaining suspects while keeping them out of reach of the American legal system. The authors suggest that the government's arguments for extraordinary rendition—which claim to expose the limits of human rights law—instead highlight the importance of returning to principles when limits are in sight.

———. 2006. "Extraordinary Rendition and the Torture Convention." *Virginia Journal of International Law* 46: 585-650.

Annotation: This article describes the Convention Against Torture and its provisions, and then examines the scope of the prohibition on torture under United States law. The authors demonstrate that extraordinary rendition constitutes a criminal conspiracy to commit torture in violation of federal law and the Convention Against Torture. The article also addresses the policy justifications for extraordinary rendition and the use of diplomatic assurances to dodge criminal liability under the torture statute. Weissbrodt and Bergquist examine the domestic and international mechanisms available to challenge extraordinary rendition, chiefly focusing on the use of habeas corpus under American law. The authors conclude by describing the legal climate that led to justification for extraordinary rendition and the inadvertent consequences of the policy for United States officials and the international community.

Wilcke, Christoph. 2008. "Torture and Impunity in Jordan's Prisons: Reforms Fail to Tackle Widespread Abuse." New York: Human Rights Watch.

Annotation: Human Rights Watch, documents credible allegations of ill-treatment, often amounting to torture, from sixty-six out of 110 prisoners interviewed at random in 2007 and 2008 in seven of Jordan's ten prisons. Wilcke uses first-person accounts of torture, such as the beating with padlocks and hanging by the wrists of a prisoner named Ghaith for going to the toilet with the wrong clothes, to illustrate these allegations. Human Rights Watch presents a strong, detailed critique of Jordan's so-called prison reforms and uses details and facts that would be difficult to obtain without first-person interviews.