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Jack Donnelly
University of Denver

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Human Rights and the War on Terror

Introduction by Jack Donnelly

Andrew Mellon Professor

Graduate School of International Studies, University of Denver

War rarely is good for human rights. The decision of the United States to launch a “global war on terror” in response to the suicide airplane bombings in New York and Washington has had predictably negative human rights consequences. In combating a tiny network of violent political extremists, human rights have in various ways, both intentional and unintentional, been restricted, infringed, violated, ignored, and trampled in many countries, sometimes severely.

Civil liberties have been restricted in numerous countries. We document this in both Europe and the United States. For the U.S., we consider not only the USA Patriot Act but also the rights of detainees.

Forces of repression have been emboldened by this new global context. The language of anti-terrorism has been used to smear, and justify violating the rights of, ordinary political opponents. In addition, intensified efforts directed against real terrorists have, as in Chechnya, increased the suffering of innocent civilians. The problems have been exacerbated by the increased tolerance shown by Western states, particularly the United States, for repression by regimes that are “partners” in the war on terrorism. Pakistan and Uzbekistan are striking examples.

There have been some positive human rights consequences. Afghanistan has been freed from Taliban rule. The ongoing processes of conflict resolution in Sri Lanka has been strengthened. Pakistani support for Kashmiri terrorists has been constrained. Most often, however, and on balance, the global war on terror has harmed human rights.

Like the other HRHW Research Digests, this bibliography offers an introduction to a rapidly growing literature rather than a comprehensive assessment. Our goals are to guide those embarking on research and to offer a general sense of the principal issues considered in the available literature. Within each topic we have emphasized careful selection and annotation rather than completeness.

We have chosen cases that range across Asia, Africa, Europe, and the Americas. We cover most of the countries that have received the greatest attention in public and policy debates in the United States. But others might easily have been selected. For example, the Caucasus region is represented by Georgia and Central Asia by Uzbekistan. Indonesia, Syria, Saudi Arabia, and Peru are among the more obvious cases that might have been included in a more comprehensive effort.

The absence of a section on Iraq perhaps requires explicit explanation. Practically, this is a bibliography, and there simply isn’t yet enough non-journalistic literature to be reviewed. Furthermore, the situation is so fluid that we feared whatever was done would very soon be outdated. Substantively, there is no way to address the issue without getting into complex and highly controversial, even partisan, issues of American foreign policy and a war in Iraq that in its genesis had no connection at all with terrorism. This would have required human resources well beyond

those available for this project. It would also have resulted in a section that was wildly out of balance with the others.

The navigation bar to the left is generally self-explanatory. Three headings, however, merit comment.

Within “Europe,” we consider not only the general issue of civil liberties and the particular issues of religious liberty and xenophobia, but three countries that have long struggled with internal separatist terrorists, namely, Spain, Turkey, and the United Kingdom.

The U.S. foreign policy section includes separate subsections that address the role of oil and other narrow national interests, the choice of military and non-military means, and the doctrine of preventive war, in addition to the issues of rights-abusive allies and detainees already noted above.

Finally, we offer a Background section that covers the more general literature on terrorism, the national and international legal background, and reports of a general or comparative nature from both governments and non-governmental groups.

In literally dozens of countries, the war on terror has dramatically transformed the context of the struggle for human rights. This bibliography aims to improve understanding of the nature and consequences of these transformations.

Researchers

Simon Amajuru
 Susannah Compton
 Robin Davey
 Syd Dillard
 Amanda Donahoe
 Charles Hess
 Sydney Fisher
 Kelley Laird
 Victoria Lowdon
 Chris Maggard
 Alexandra Nichols
 Travis Ning
 Toni Panetta
 Greg Sanders
 James Smithwick
 Angela Woolliams

Instructors

Chris Saeger
 Jack Donnelly

Editors

Sarah Bania-Dobyns
 Eric Dibbern
 David Gillespie
 Toni Panetta
 Chris Saeger