THE INSTRUMENT OF TORTURE: HOW JUSTIFIED?

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ABSTRACT
Torture has been one of the ancient most methods for inflicting pain on an alleged criminal in an effort to make the person confess ones crime or to reveal information which could be used invalidate a future act of crime. This instrument of torture has been used both by states and non state actors for their respective purposes and goals. As old has been the act of torture so has been the debate regarding the justifications of the same and efficacy of the information so revealed. With the movement for Human Rights gathering momentum the challengers to the acts of torture have also made their voices louder against the phenomenon as violation of the rights of the people who are being tortured. Much domestic and international legislation including the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) has come up on the subject matter but the states are yet to renounce the torturous methods used by their agencies. Torture continues to be practiced with different sophisticated methods and new terminologies and the legislations continue to be dodged. The ‘War on Terror’ where thousands of people were picked up for interrogations and tortured for their alleged role in September 11, 2001 attacks in the US has again brought the issue under lime light. Detainees have spent more than a decade in captivities at remote areas, undergone rigorous tortures and when it comes to conviction, the rate is negligible. It is in this backdrop that the paper tries to look at the justification of torture and its implications.

KEY WORDS: Torture, States, UN Conventions, Human Rights, Trauma, Justification, Detainees, Information, Attacks.

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19 She is a Human Rights Activist and a Politician in Turkey.