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The State of Human Rights in the United States after 9/11 Attacks

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Master's Degree in Literature and Civilization**

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Dedication

To all difficult times I went through in my life, I dedicate this work.

To the one who taught me strength, determination, and commitment, to my absent soul , my Father, may ALLAH have mercy on him, I dedicate this work.

To the joy of my life, and the secret of my happiness, to my Mother, I dedicate this work.

To my soul mate and dearest sister, Nesrine, I dedicate this work.

To my five stars who believed in me, supported me , and helped me during this journey to Hamdi, Bilal, Ilyas, Okba, Ishak I dedicate this work.

HOUDA

To my father and mother, who never stopped believing in me I dedicate this work.

To my daughter Nada, the light of my life I dedicate this work.

To my friend Meriem, who believed in me when I didn't I dedicate this work.

To my support in life my brothers and sisters I dedicate this work.

To those who have helped and supported me along the way, and most importantly, to the ones who will make use of it for the benefit of mankind.

NADIA

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Abstract

The current study aims to investigate the state of human rights in America after 9/11 through the impact of post-9/11 counterterrorism policies and practices on human rights in the U.S, the study discusses three main questions ,the first question requires defining the framework of human rights and terrorism in US and how these concepts shapes its policy. The second question needs to address all the impacts of 9/11 on national security. The third question leads to study some human rights abuses as a case study to shed light on the extent to which the US respects human rights.

To answer this questions this study opts for qualitative approach and historical method. Correspondingly, the study reveals that post-9/11 policies in the U.S led to significant violations of civil liberties and human rights, including surveillance programs, targeted killings, torture, and rendition of suspects. Despite efforts from civil liberties organizations, Supreme Court cases, and public opinion, the overall impact of these policies on human rights is negative, indicating an erosion of human rights as national security took precedence over individual liberties.

Keywords: Counterterrorism, Human Rights, National Security, Post-9/11.

List of Abbreviations and Acronyms

| | |
|-------------|---|
| CEDW | <i>Child Elimination Discrimination against Women</i> |
| DHS | <i>Department of Homeland Security</i> |
| FBI | <i>Federal Bureau of Investigation</i> |
| FISA | <i>Foreign Intelligence Surveillance Act</i> |
| GAO | <i>Government Accountability Office</i> |
| HASC | <i>House Armed Services Committee</i> |
| MAD | <i>Mutually Assured Destruction</i> |
| NATO | <i>North Atlantic Treaty Organization</i> |
| NDAA | <i>National Defense Authorization Act</i> |
| NSA | <i>National Security Agency</i> |
| NSS | <i>National Security Strategy</i> |
| SASC | <i>Senate Armed Services Committee</i> |
| SU | <i>Soviet Union</i> |

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General Introduction

1. Background of the Study

The terrorist attacks that occurred on September 11, 2001, known as September 11, formed a basic and decisive moment in American history, which made a widespread controversy over the fact that it led to the formation of a new American foreign policy with different features. This attack formed the security policies and priorities of the nation. In the immediate aftermath of the attacks, the United States launched the war on terrorism which is characterized by unprecedented security and legislative measures. The urgent need to prevent future attacks led to the enactment of different laws and policies aimed at strengthening national security, including the USA Patriot act that gave expanded powerful control to law enforcement agencies.

However, the effects of implementing these counter-terrorism measures have raised concerns about their impact in civil freedoms and human rights. Critics have argued that some provisions of the USA Patriot act and other security measures on many points violate constitutional rights such as freedom of expression, privacy, and due process. In addition, the use of tactics such as warrantless searches without judicial warrants, indefinite detention of suspects, and enhanced interrogation techniques have sparked debates about the balance between security imperatives and individual liberties.

In the years that followed 9/11 the events of September 11, the United States has experienced a series of legal challenges, public controversies, and political debates regarding the state of human rights in the world. Civil liberties organizations and distressed groups examine the state of human rights in America after September 11 and it is necessary to consider the complex interplay between security concerns, constitutional principles, and individual freedoms.

2. Statement of the Problem

The September 11 terrorist attacks on the United States led to a major and clear shift in how the government dealt with human rights under the reason of national security and combating terrorism. For this, the Bush administration enacted policies that violated human rights principles, such as torture and indefinite detention without charge and extrajudicial killing and then justifying these actions under the rhetoric of the global war on terrorism, which extended beyond the original perpetrators. This dissertation will address how the security measures after the events of September 11 affected the protection of human rights in America, especially for Asylum seekers who faced great challenges in the Asylum process.

3. Research Questions

To cover this study, the following questions have been raised:

1. How does the USA `S define human rights and terrorism?
2. How do the U.S policies change post 9/11?
3. To what extent did the U.S War on Terror affect human rights in America?

4. Aims of the study

The goal of the dissertation is to:

- critically evaluate the evolution of human rights discourse in the context of national security measures that were implemented after the events of September 11 civil liberties, legal frameworks, and social norms regarding human rights in America.
- providing an insightful overview on national security measures and the situation of individual rights and liberties after 9\11.

5. Research Methodology

The current study is qualitative in nature. It opts for documentary method that studies existing data surrounding events recorded in books, reports ,academic journals and articles to analyze it as well as the historical method is used to understand and examine the various historical stages that happened in the past .So, This research depends on primary and secondary resources to better reach the objective of this study.

6. Research Significance

The importance of the research derives from the importance of the topic itself and the changes that happened in American politics, both internally and externally. Thus , it is worth to investigate on the issue of human rights and all the topics related to the humanity in general , and also it is great opportunity to investigate and study its details , especially when it comes on the adoption of human rights abuses in some countries , Hence ,this research is considered crucial in understanding how measures taken to protect citizens from terrorist attacks are often criticized for violating human rights ,as it sheds light on the global repercussions of the United States' response to the events of September 11 and evaluates its actions after those events.

7. Structure of the Research

Due to the vastness and complexity of the topic and for the sake of accuracy, it has been studied Purely from an American perspective. The research is divided into two chapters. The first is entitled Human Rights and Counter-Terrorism: Post-9/11 U.S. Policies and Their Global Impact, it is devoted to clarifying the concept of human rights and terrorism in the Unites States in particular and mentions the important relationship between them from the American point of view. Also, this chapter focuses on the events of 9/11 as an over view using a descriptive manner by going back to the history of terrorist attack in 2001 during the Bush administration and its national

security policy, while the second chapter attempts to highlight some human rights abuses that provoke public opinion, civil organizations and the Supreme Court, as well as showing all the challenges faced to protect all human rights even in the critical periods.

CHAPTER ONE

Human Rights and Counter-Terrorism: Post-9/11

U.S. Policies and their Global Impact

Chapter One: Human Rights and Counter-Terrorism: Post-9/11 U.S.

Policies and their Global Impact

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Introduction

The relationship between human rights and terrorism has always been a controversial matter in global security, particularly from an American perspective. The U.S., which believed in freedom and justice, constantly balanced the protection of civilian freedoms with the fight against national security. The chapter examined the nuanced complexity of this relationship extensively and focused on how the U.S. dealt with human rights in the fight against terrorism. Through the main legal framework, historical context and challenges faced, it became clear that the protection of human rights remained an absolute necessity in the war against terrorism also, this chapter aimed to explore the impact of the 9/11 attacks on American policies, particularly regarding human rights concerns.

1.1. Defining Key Concepts

It is necessary to define key concepts from the American perspective to comprehensively locate the impact of the American policies on Human rights.

1.1.1. Different Definitions of Human Rights from the American Perspective

Human rights are the main rights inherent in every individual by virtue of their humanity. They have been subject to various interpretations across different contexts and perspectives. In American discourse, the understanding of human rights has evolved, reflecting the nation's historical, legal, and social framework. This chapter will explore the diverse definitions of human rights from the American perspective, focusing on the main differences.

1.1.1.1. Natural Rights Perspective

In May 1948, the U.S. signed the first major international document on human rights, the American Declaration of the Rights (Robert, K., 2009). This declaration reflects the theory of natural law and emphasizes that a person's human rights do not arise solely from their citizenship but rather from the characteristics of their human personality. International protection of these rights should be taken principles in evolving American law and strengthened as conditions become appropriate. The document outlines civil, political, as well as economic and social principles.

In American political thought, Vile (2023) posits that the natural rights perspective emphasizes that human rights are inherent and universal, bestowed by nature or a higher authority. John Locke and Thomas Jefferson, Enlightenment philosophers, affirmed that people have a necessary right to life, liberty, and property. All human beings have their individual rights given by their Creator according to Jefferson's Declaration of Independence.

According to this viewpoint, Gewirth (1996) argues that human rights already exist and do not need to be recognized by the government. They form the foundation of the American spirit of freedom and individualism. Researchers like Alan Gewirth believe that natural rights provide a moral principle for legal and political systems, guiding the development of regulations and institutions to preserve human dignity and independence.

1.1.1.2. Legalistic Perspective

In the U.S., legal instruments and the Constitution are activated to protect human rights. The Bill of Rights, which includes the first ten amendments to the Constitution, serves as the basis for

protecting individual rights and guiding legal mechanisms to ensure protection and legal procedures for all citizens (Bill of Rights Institute, 1791).

The practical civil rights tradition also includes international human rights standards reflected in treaties ratified by the government. While the Constitution primarily addresses civil rights, laws such as the Civil Rights Act of 1964 and the Americans with Disabilities Act provide protections against discrimination, promote anti-discrimination measures, and advocate for equality before the law (United Nations, Human Rights, and The Core International Human Rights Treaties).

1.1.1.3. Social Justice Perspective

Social equity sees human rights as including not as it were gracious and political freedoms, but moreover financial, social, and social rights that are significant for human nobility and well-being. Advocates contend that disparities in riches, instruction, healthcare, and lodging abuse fundamental rights to balance and social security. People such as Martin Luther King Jr. and Eleanor Roosevelt emphasized the interconnectedness of rights and the necessity for collective action to combat systemic injustice.

Movements like Black Lives Matter and human rights initiatives, as a contemporary discourse, underscore the intersectional nature of human rights, question systemic discrimination, and request equitable policies. Scholars like Martha Nussbaum clarify the basic capabilities needed for human development and social justice (Nussbaum, 2000).

In conclusion, American views on human rights encompass interpretations reflecting philosophical, legal, and social dimensions. While the natural rights perspective emphasizes inherent freedoms and individual independence, the legal perspective emphasizes the role of

regulations and institutions in preserving rights. The social perspective expands the concept of human rights to address structural inequalities and collective well-being. Understanding these different perspectives enriches our discourse on human rights and strengthens efforts to promote dignity, equality, and justice for all individuals.

1.1.2. Human Rights Principles

The Widespread Affirmation of Human Rights is still imperative indeed in spite of the fact that it was embraced by the Joined together Countries Common Gathering (JCCG) in 1948. The affirmation drafters' vision and assurance brought about in an unusual report that passed on the balance of rights and opportunities of all human creatures.

The Declaration of Human Rights has been translated the most globally. Its universality is highlighted due to its availability in more than 360 languages. It serves as a standard by which we measure right and wrong and has provided people worldwide with a powerful tool in the struggle against oppression, impunity from punishment, and insults (Admin, 2015).

List of Rights:

A) In the Area of Civil and Political Rights

- Life, liberty, and security are rights that everyone has.
- All humans are born with freedom, equality, dignity, and rights.
- Humanity is something everyone has the right to be treated with.
- The law recognizes everyone.
- The freedom of thought, conscience, and religion is available to everyone.

- Retroactive criminal laws are prohibited.
- It is against the law to promote war and promote national, racial, and religious hatred.
- The right to marry and form a family is universal.
- Everyone has the right to participate in the conduct of public affairs, vote, be elected, and access public offices (Klaaren, 2001).

B) In the Area of Economic and Cultural Rights

- Everyone is entitled to work.
 - Social security is a right that everyone has.
 - All individuals have the right to be protected.
 - All individuals are entitled to a standard of living that is sufficient for their personal and family's health and well-being, including food, clothing, and medical care.
 - Education is a right that everyone has.
 - Participation in the cultural life of the community is a right that all individuals have.
- (Manfred Nowak et al., 2005)

C) In the Area of Collective Rights

Rights of people to:

- Self-determination
- Development
- Free use of their wealth and natural resources.

-A healthy environment (Klaaren, 2001.)

Other collective rights:

-Rights of national, ethnic, religious, and linguistic minorities.

-Rights of indigenous people. (Klaaren, 2001).

1.1.3. Definition of Terrorism

Defining the American concept of terrorism is of great importance and is one of the main elements in this research. How could it not be, given that the U.S. launched a war after the events of 9/11 to eliminate terrorism? Among the reasons and factors for understanding the reality of this war is knowing the concept adopted by the U.S., a concept that inevitably affected its perception of combating terrorism and the adoption of its strategy. This strategy is primarily based on this perception and on the concern to align with its own agenda for its strategic interests both inside and outside the U.S. to combat and eliminate terrorism.

According to Dewi (2019), the definition of terrorism from an American perspective includes different aspects as defined by various U.S. government agencies. Intentional violence or threats of violence by subnational groups to coerce a government through fear and violence against civilians targets is what terrorism is considered. Political, social, religious, or ideological goals can be achieved through the unlawful use of force and violence, as defined. Efforts in effectively addressing and combating this issue are hampered by the diversity in definition within the U.S.

1.1.3.1. Forms of Terrorism

The Federal Bureau of Investigation (FBI) classifies terrorism into two types: domestic terrorism and international terrorism.

Bąkowski (2023) asserts that domestic terrorism involves groups or individuals who carry out terrorist acts against specific government or civilian targets without any outside intervention. House hold arming erring was the result of Ted Kaczynski's mail bomb assaults on colleges within the title of the 'Unabomber'.

In truth, there is developing concern about the degree to which U.S. military and law authorization powers are both executing and being casualties of house hold psychological warfare. Walk 2021 is when the U.S. House hold radicals, especially those who embrace white supremacist or white patriot belief systems, postured critical dangers to the Office of Defense. In 2020, the FBI alarmed the Office of Defense that it had opened 143 criminal examinations including current or previous benefit individuals, about half of which (68) were connected to radicalism. It is clear that most of the investigations involve veterans, some of whom have unfavourable discharge records. The events of January 6, 2021, at the U.S. Capitol Building raised additional concerns, as one reservist, a member of the National Guard, and at least 31 veterans were charged with conspiracy or other charges (Jones et al., 2021).

Sinnar (2019) stated that this form covers threats of presumed international relevance, even when emanating from U.S. citizens or residents operating solely within the U.S. The law allows for broader surveillance, broader criminal charges, and more punitive treatment for crimes designated as international. Agencies consider American Muslims to be international threats even when their foreign ties are criminal. As a result, they monitor and punish them more severely than white nationalists and other domestic threats.

1.1.3.2. Terrorism and Security

Many consider the September 11th attacks in 2001 to be a pivotal and historic turning point in American security strategy for terrorism. While confronting communist influence was at the core of American security strategy during the Cold War and even afterward, the major events of September 11th transformed this focus into a global fight against terrorism. Farag (2018) highlights that these events shifted the American view of security threats, especially those originating from the Middle East and Arab countries. The U.S. realized its vulnerability to attacks or targeting from within, leading to a strategic change in American perception and its internal and foreign policy priorities. In fact, the American strategy to combat terrorism was based on two foundational pillars in the aftermath of the attacks: the first is the use of hard power, primarily derived from its military capabilities and economic strength, and the second is the use of soft power, which relies on its persuasive capabilities rooted in its culture and attractive political values.

1.2. U.S. Perspectives on Human Rights and Terrorism

Here it is the perspectives of the U.S on both human rights and terrorism

1.2.1. U. S's Positions on Human Rights Conventions

In fact, the U.S. shows a lot of commitment and reservation towards different Human Rights Conventions. It sometimes ratifies some treaties, such as the Optional Protocols to the Convention on the Rights of the Child, but refuses to ratify main conventions such as the Convention on the Rights of the Child and the Elimination of all types of Discrimination against Women (CEDAW). The U.S. has also been urged it to rely on these treaties in order to protect vulnerable populations from internal human rights obligations. The U.S. has faced much criticism for not fully embracing some international human rights obligations, which has affected its influence and credibility in

defending human rights around the world. It now has the opportunity to reaffirm its ratifying welfare treaties and aligning its actions with its stated ideals (Human Rights Watch, 2009).

As per Van Schaack (2014), the U.S.'s stance on human rights conventions has always been a subject of discussion and security. The failure to ratify certain international human rights treaties has caused questions and concerns about its commitment to human rights standards. Despite defending human rights globally, the U.S. has not adopted some international human rights conventions, leading to criticism. This reluctance has been highlighted in different contexts, including the extraterritorial application of human rights obligations and the American Convention on Human Rights. The U.S.S position has been seen as contradictory as it promotes human rights at the international level while being reluctant to ratify treaties. This has led to a loss of credibility in debates related to human rights.

1.2.2. Relation between Terrorism and Human Rights

The relationship between terrorism and human rights is complex and diverse. Terrorism often erodes government respect for fundamental human rights, leading to issues such as extrajudicial killings, political imprisonment, restrictions on freedom of thought and expression, threats to life, and torture, affecting not only individuals but also families of victims. States face the challenge of ensuring security in the face of terrorist threats while upholding human rights. Counterterrorism measures should be designed to respect human rights to avoid negative impacts on civil liberties and essential rights. The fight against terrorism must be conducted within legal frameworks that respect human rights, prohibiting acts such as torture and emphasizing long-term protection, community cohesion, and dialogue. International efforts underscore the importance of upholding human rights, international humanitarian law, and the rule of law in combating terrorism. Additionally, efforts to prevent terrorism from accessing financial resources and addressing the

links between terrorism and organized crime are crucial aspects of effective counterterrorism strategies (Dreher et al., 2010).

1.2.3. Terrorism and Human Rights Violations

Human rights law is founded on universal principles, asserting that every human being is entitled to these rights by virtue of their membership in the human race, irrespective of colour, nationality, sex, age, or other characteristics. In contrast, international humanitarian law has evolved to provide protection to specific groups who are not legitimate targets of lethal force during armed conflicts. Therefore, categorizing individuals as combatants, civilians, prisoners of war, or the wounded and sick is essential for the proper application of this law. Additionally, the nature of the armed conflict, whether international or non-international, influences the application of international humanitarian law.

During the Bush administration, the U.S. sought to exempt itself from obligations under human rights law by characterizing humanitarian law as the specialized discipline governing the situation during the war on terrorism. This denial effectively excluded suspected terrorists from all categories of persons protected under humanitarian law, leading them to be termed as being in a "legal black hole." Such a stance represents a distortion of international law. In outfitted struggle circumstances, deadly constrain can be utilized to target combatants (troopers), and the same holds genuine for civilians who are effectively included in threats. Since 9/11, there has been a conviction that the scale and nature of universal fear mongering legitimize a reassessment of respectful freedoms and security. This reassessment is often framed in terms of achieving a new balance between freedom and security (Scheinin & Vermeulen, 2010).

1.3. The Impact of 9/11

On September 11th, 2001, the attack on the United States' twin towers at the World Trade Center marked a significant turning point in recent history. This event not only had a direct impact but also a shift in global priorities, particularly for the U.S. Since then, the U.S. combat on terrorism had become the primary focus, portrayed as a matter of life and death. This shift had led countries to align with the U.S. in fighting terrorism or risk being seen as adversaries. Consequently, Human Rights had been profoundly affected. Both perpetrators and victims of terrorism were human, and the responses often target individuals. While many countries had responded positively by implementing measures to safeguard society, these actions could also pose risks to human rights, as they might be formalized and intentional, leading to instability and pursuit of private agendas.

1.3.1. Overview of 9/11

On September 11th, 2001, a pivotal moment has been unfolded in American history, four hijacked planes in Washington attacked four iconic landmarks unprecedentedly. These sites hold deep symbolic significance, representing the pinnacle of prestige and power in the United States. The World Trade Center's Twin Towers, synonymous with the nation's economic prowess, bore the brunt of the initial assaults. Subsequently, the Pentagon, epitomizing American military strength, became a target, followed by an attempted strike on the White House in Pennsylvania (Naval History and Heritage Command 2023).

The events of 9/11 broke out of a harrowing sequence of attacks and explosions. A Boeing 757, bound from Boston to Los Angeles, tragically collided with the World Trade Center, resulting in substantial casualties and infernos engulfing its upper floors, carrying 81 passengers and 11 crewmembers. Just eighteen minutes later, another Boeing 757, Flight No. 77 en route from

Washington to Los Angeles, crashed into and ignited within the World Trade Center, carrying 58 passengers and 6 crew members. Subsequent attacks targeted a section of the United States Department of Defense building, and Flight 93, a Chicago to New York-bound Boeing 747, ultimately met its tragic fate in Pennsylvania (Goldberg, 2007).

In the aftermath of the attacks, the American administration delivered two distinct speeches to frame the nature of these devastating events. Zhagdoud (2010) reported that the initial address, tailored for public consumption, conveyed a political message, portraying the United States as a victim of terrorism. Conversely, the second address, presented within a legal framework to the Security Council and the United Nations, unequivocally labeled the attacks as acts of terrorist aggression (Jaghloul Zaghdoud , 2010).

1.3.2. Considering the Attacks as Terrorism

Numerous events and pressures persisted on the American government, prompting George Bush to announce immediate responses and reactions, including various plans. The government utilized all means to classify the explosions as an armed attack and a terrorist operation. Even though the planes were civilian, not military, it made it difficult for international humanitarian law to define or classify the attack as purely armed aggression. However, this does not prevent it from being a targeted and planned operation, given the enormous material, human, and economic losses. This is what grants the American government the right to legitimate defense against these actions. Furthermore, international human rights law stipulates the legitimacy of self-defense for individuals or groups. Thus, every country that violates democratic, political, or economic rights has the right to take all necessary measures to ensure peace and security while maintaining all civil and political rights (9 11 Commission, 2013).

9/11 impacted on the American people and the world as a whole. The scene has been represented by the deaths of hundreds of people who threw themselves from the top of buildings to escape the fires. Following these events, the Secretary of State immediately declared war on international terrorism. This immediate response entails the National Security Strategy to interfere (NSS) on September 17th, 2001 where the national security had to defining the legal framework for the attacks. Bush's administration stated the following statement “The United States will strive to support of the international community. However, we will not hesitate to act alone, if necessary, to exercise our right of self-defense by acting preemptively against such terrorists, to prevent them from doing harm against our people and our country.” (Cakmak, 2003). From these statements, it became clear that the Bush administration was determined to use force if it was unable to secure sufficient international support.

1.4. Policy Changes and Counter-Terrorism Efforts

It is necessary to comprehend at first the meaning of National security to America.

1.4.1. The U.S. National Security

Gvosdev et al. (2018) defined U.S. National Security, as a concept, pivot upon safeguarding the entirety of the nation. It shields the nation and its citizens from external threats like terrorist activities and other forms of peril. This comprehensive approach involves the maintenance of military forces, the protection of classified information, and the assurance of the safety of the American homeland. National security considerations extend beyond mere defense to encompass geopolitical, economic, and various other interests that shape defense, foreign relations, and related policies. The primary objectives of U.S. National Security are to uphold the security of the American homeland, maintain a global power equilibrium that favors American security and interests, and secure the freedom of the seas crucial for both U.S. and global trade. Political

security, economic security, energy and natural resources security, homeland security, and cyber-security are all important for the country national security. Each plays a vital role in safeguarding the nation's interests and security.

1.4.2. National Security Policies before 9/11

Huntington (1996) stated that before 9/11 the concept of national security was limited, where the focus was on the traditional threats and cold war, thus the policies were around keeping a strong military defense, dealing with the Soviet Union's influence, and using the policy of deterrence and retaliation. However, the concept of the US national security after 9/11 witnessed a radical change led to a new era depends on new strategies relying on confronting terrorist attacks in new ways to enhancing and protecting the homeland security.

During the Cold War, Brincat et al. (2012) added that the U.S. national security strategies aimed to contain the expansion of communism and counter the Soviet Union (SU). George F. Kennan's doctrine of containment, shaped U.S. foreign policy. This approach formatted of military alliances like NATO and the positioning of troops in key global areas. Mutually Assured Destruction (MAD) illustrated The Policy of Deterrence. It averts nuclear conflict between the United States and the Soviet Union by ensuring that both sides would face catastrophic consequences if they initiated a nuclear attack.

Hager (2012) highlighted that transitioning from the dissolution of the SU (Soviet Union) in 1991 urged the United States to encounter a fresh array of security obstacles amidst a shifting global environment. The conclusion of the Cold War marked the onset of a period dominated by a single superpower, with the United States assuming this role. During the Clinton administration, a

policy of engagement and expansion was adopted, aiming to advance democratic principles, open markets, and human rights using diplomatic channels and international organizations.

1.4.3. National Security Policies after 9/11

Among the most important policies related to the national security of the United States of America is making great efforts to confront various types of threats and prevent weapons of mass destruction worldwide. Additionally, notable measures taken to enhance national security within the United States include the following: Firstly, joint assessment, where information is exchanged to conduct necessary assessments facilitating the decision-making process. Secondly, allocation of necessary resources, especially given that dealing with terrorism is crucial for any government. Thirdly, tightening public oversight of all security bodies and agencies responsible for national security to ensure their ability to operate effectively even in difficult and critical times or emergency situations (Bearn et al., 2005).

1.4.4. Counter-Terrorism Policies

The U.S implemented a range of policies to counter terrorism. These policies protect national security, enhance preparedness, and improve response to threats with significant effectiveness. As a result, the US asserted its commitment to engaging other countries to take a stand and reduce all types of terrorism

1.4.4.1. The Legislative Framework

Among the main counterterrorism policies, we mention the following measures.

1.4.4.1.1. The Patriot Act

The Patriot Act was issued on October 26th, 2001, precisely 45 days after the terrorist attacks, and it was signed into law to become a new statute. It grants broad powers to federal agents,

particularly concerning investigations and surveillance. This law was introduced as a fundamental tool during that critical period, with its primary objective being the combatting of terrorism. It was swiftly approved by Congress, directly and without hesitation, out of necessity for the public interest of the country, especially in essential areas related to oversight and intelligence. Vanzi (2004) included these areas:

Operations for searching records: Section 215 permitted the FBI to compel various institutions affiliated with other ministries, such as doctors, public offices, and Internet service providers, to hand over all documents and records of individuals to collect as much information as possible.

Secret inspections: Section 213 authorized searches of private property belonging to individuals and citizens without their knowledge.

Intelligence searches: Searches encompassed all categories and institutions on a large scale, particularly focusing on foreigners.

Search operations (trap and tracking): Section 214 conducted espionage and eavesdropping operations on all cases and suspicious individuals to collect important information serving the interests of the Patriot Act.

1.4.4.1.2. The National Defense Authorization Act (NDAA)

The NDAA authorizes substantial appropriations for the Department of Defense (DOD), the Department of Energy's nuclear weapons programs, and other defense-related activities. It also plays a critical role in setting defense policies, restrictions, and addressing administrative issues. Congressional Research Service (2024) stated the following Key aspects:

Defense-related Regulations: Unlike the appropriations bill, the NDAA does not provide budget authority for government activities but serves as a crucial indicator of Congress' positions on subsequent appropriations for specific programs.

Judiciary Committees: The House Armed Services Committee (HASC) and the Senate Armed Services Committee (SASC) are the primary committees responsible for overseeing bills, resolutions, and defense-related matters. Each of these committees has its own subcommittees with specific responsibilities.

In the Eighteenth Congress, the Senate Armed Services Committee (SASC) had seven subcommittees, including Cybersecurity and Information Technology and Innovation, while the House Armed Services Committee (HASC) had subcommittees such as Cybersecurity and Seapower (Congressional Research Service, 2024).

1.4.4.1.3. Homeland Security Act

The Homeland Security Act consolidated 22 diverse organizations to prevent terrorist attacks and enhance national security. It created the Department of Homeland Security (DHS). This legislation played a crucial role in recovery efforts following attacks by assigning numerous responsibilities to organizations and emphasizing the importance of information sharing among federal agencies, state, and local governments. The Government Accountability Office (GAO) was tasked with underscoring the significance of information sharing to fulfill the Department of Security's duties. Internal reviews focused on GAO's previous analyses and recommendations to improve the federal government's information-sharing efforts (Dacey, 2003).

1.4.1.2. Military Operations

The United States of America allocated substantial amounts of money towards military operations, particularly following the terrorist attacks, which triggered wars in multiple Eastern countries. Consequently, military engagements in Afghanistan and Iraq persisted for ten years, from 2001 to 2011. The budgetary allocations to the US Department of Defense resulted in the emergence of numerous economic challenges which impacted the political landscape and necessitating radical changes in defense policy. Furthermore, it became imperative for the United States to effectively allocate defense funds each fiscal year, manage new equipment such as armored vehicles, and establish clear financing regulations early on (Martin, 2011).

1.4.1.3. Intelligence and Surveillance

Despite the significant oversight related to the National Security Agency (NSA), the United States of America is obligated to protect the human right to privacy under Article 17 of the International Covenant on Civil and Political Rights. Clarity by the Human Rights Committee is crucial and holds authority over the decisions of the security agency. The role of the National Security Agency was paramount in terms of support and assistance, particularly concerning the collection of extensive data on American citizens and residents to prevent the recurrence of terrorist attacks in the future (Sinha, n.d).

1.4.1.4. Counterterrorism Financing

In response to the threat of terrorist financing, global efforts were mobilized following the attacks. As a result, more than 185 countries implemented anti-terrorism financing strategies. Among the most significant provisions of the United Nations Security Council resolutions were Resolution No. 1267, which targeted the Taliban, Bin Laden, and Al-Qaeda, and Resolution No. 1373, which mandates:

- States to prevent the financing of terrorism.
- Criminalization of the collection of funds.
- Freezing the assets of terrorists while preventing citizens from financing them.

The United Nations also issued special recommendations to combat terrorism, later transformed into recommendations aimed at detecting, preventing, and suppressing financing (Ryder, 2022).

1.5. The International Legitimacy of the War on Terrorism

The legitimacy of the war on terrorism in America has sparked significant controversy among countries and public opinion, shedding light on various fields: political, economic, and legal. The issue also raised questions and differing viewpoints, especially regarding the tools used to defend against terrorism. In this context, we will mention the main instruments adapted by the US to gain legitimacy in the war:

1.5.1. Authorization from the UN Security Council

The UN Security Council took a crucial stance in combating terrorism by implementing Resolution No. 1373 after the 2001 attacks, which established the Counter-Terrorism Committee to tighten supervision over member states in combating terrorism. Additionally, Resolution No. 1535 (2004) focused on the implementation of Resolution No. 1337. These measures demonstrate the UN Security Council's interest and commitment to combating terrorist operations, especially against America (Security Council Resolutions, 2024).

1.5.2 International Cooperation

The international legal framework played a major role in legitimizing the war on terrorism in America. International law emphasized the importance of cooperation to confront all types of

terrorist attacks. Various mechanisms were established through international cooperation, such as implementing internal security measures at the European Union level, legitimizing war for defense, and allowing military intervention. Human Rights Control also classified the 9/11 attacks as crimes against humanity, emphasizing the need for support from all countries for the United States of America (Human Rights Watch, 2001).

1.5.3. National Legislation

After the attacks, national legislation granted the right to use military force through the Authorization for the Use of Force law by the US Congress. This law allowed the use of armed forces against those responsible for the September events. Congress approved this authorization on September 14, 2001, and it was signed into law by President George Bush on September 18 of the same year (Public Law, 2001).

1.5.4. National Consensus

In general, there was a strict national consensus position on the 9/11 attacks, granting all necessary powers to combat terrorism. This consensus led to various political and military measures taken to confront terrorist operations. One notable measure was the initiation of military action against the ruling Taliban movement in Afghanistan due to its refusal to hand over Osama bin Laden, whom the US considered the mastermind of the attacks. This military action began exactly three weeks after the events (Ali Alragawi, 2023).

Conclusion

The conclusion drawn from this chapter is that human rights are a complex and elusive concept, with their status varying within and outside the U.S. Domestically, they are constitutionally framed, complicating discussions about their alignment with international

agreements. The U.S. remains cautious and often reluctant to join and ratify international human rights conventions. Despite this, the U.S. actively advocates for human rights globally, as evidenced by its annual human rights reports issued by the State Department, which assess conditions in other countries. 9/11 events reshaped the landscape of global security and urged The U.S. and the world to counterterrorism. As the twin towers collapsed, the U.S. Shifted its focus to combating terrorism. This shift compelled nations to either stand with the U.S. against terrorism or risk being labeled adversaries. However, this heightened vigilance came at a cost to human rights, as responses often targeted individuals, blurring the line between security and civil liberties. While many countries responded with measures to safeguard society, these actions also posed risks of formalized and intentional rights violations, potentially leading to instability and hidden agendas. Thus, the impact of the 9/11 attacks on American policies, especially regarding human rights, remains a critical area for exploration and evaluation in the ongoing fight against terrorism.

CHAPTER TWO

9/11 and the State of Human Rights between Balancing Security and Liberties

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Introduction

The aftermath of September 11, 2001, witnessed a profound transformation in the landscape of human rights, particularly in the U.S. The nation's response to the attacks, while aimed at enhancing national security, led to a series of policies that often encroached upon civil liberties. This chapter critically examines the impact of 9/11 on human rights, focusing on American policies and their compatibility with international standards. By analyzing Supreme Court cases, civil liberties advocacy, public opinion dynamics, and political responses, it highlights the complexities and contradictions inherent in the pursuit of security post-9/11. Ultimately, it argues for a balance between security imperatives and the protection of fundamental rights in contemporary society.

2.1. Legislative Changes and Executive Actions

The changes in legislations led to serious consequences both on Americans and worldwide concerning the situation of human rights.

2.1.1. Patriot Act Impact on Civil Liberties

The Patriot Act was passed immediately after the attack, exactly forty days later, with the aim of accelerating security policy. In fact, this law sparked great controversy among politicians inside and outside America because of its impact on civil liberties in a negative and inappropriate way, especially by expanding the powers of surveillance and spying on privacy (American Civil Liberties Union, 2024). Correspondingly, individuals are affected in an immoral manner. While many Americans emphasized the necessity of this law, as the most appropriate solution to protect U.S national security, its content completely contradicts freedom and right of people as the government turns innocent citizens into suspects.

On the other hand, this law gives secret inspection powers, or what is called "Infiltration and peeking," which allows all government agents to search and enter empty homes and apartments without the permission of their owners. Photographs are also taken, and items and possessions are searched and sometimes seized, especially if they contain electronic communications. All of these actions and procedures indicate a violation of personal privacy and freedoms, the individuality of citizens in a state that claims democracy and individual freedoms (American Civil Liberties Union, 2024).

Hence, respect for human rights, as a charter agreed upon between states to organize and arrange the international community and preserve human rights, has now become merely a document upon which all false justifications and arguments are attached to serve the special interests of some dominant states. Therefore, it has become necessary to reconsider respect for human rights and oblige countries to join new agreements that stipulate the reduction of humanitarian violations in some Arab countries, especially in Syria, Iraq, Afghanistan, and Palestine, and to compel the submission of all reports proving these violations. Thus, it has now become an imperative necessity to establish international courts to guarantee these rights, study all reports of human rights violations in all countries, and punish them if this matter has been bypassed.

2.1.2. Expansion of Government Surveillance Powers

The era of the events of 9/11 witnessed several reforms to expand government surveillance, especially on marginalized groups within America, such as Muslims and immigrants, who were subject to all strict controls, which led to the criminalization of this group. The scope of surveillance was wide by federal agencies, the police, and even companies, and among the results of these powers is Especially Article 702 of the Foreign Intelligence Surveillance Act (FISA),

which stipulates mass surveillance of individuals regardless of judicial approval, which led to the erosion of human rights, especially the right to privacy. These strict measures affected the minority groups who were deported and imprisoned, and they were unrelated individuals. They are classified as terrorists only because they crossed some borders without permission. Also, under Article 702, the lack of transparency in surveillance led to aggravation of the situation and its misuse. Therefore, this law was subjected to criticism by specialists and experts in the field of human rights (Brown University, 2023).

Thus, the expansion of government surveillance powers is considered the most important law that transcends individuals' privacy and freedom, especially since these powers do not relate to judicial matters. Therefore, some politicians protest these procedures as an invasion of personal privacy because they oppose all kinds of restrictions on citizens. Hence, the necessity of balancing civil liberties with the security measures taken has become an important issue.

2.1.3. Use of Indefinite Detention and Guantanamo Bay

Guantanamo Bay is a detention center located in Cuba, specifically in the southeast. It was used and administered by the U.S in 2002, precisely after the 9/11 attacks, as a response to terrorism. (American Civil Liberties Union 2024). However, the detainees do not have clear reasons indicating their involvement in terrorist operations.

This center has been the site of many violations, such as torture, arbitrary arrest, and indefinite detention. Detainees are held without fair trials or clear reasons, which constitutes a real violation of the American Constitution, as it breaches all international human rights laws. The arrest operations also targeted many Muslim men who were convicted unlawfully. These actions represent an affront to humanity, including injustice, torture, violation of sanctity, and humiliation,

indicating religious differences, discrimination, and racism aimed at insulting Muslims. All of these measures have been subject to significant criticism, especially since the prisoners have no direct relationship to terrorism (Turano, 2023).

According to what is stated, the Guantánamo prison is a disgrace to American sovereignty, committing acts of torture, injustice, slander, and insult against individuals who may be innocent and have no relation to terrorist operations. All the facts surrounding this prison indicate the violation of human rights, especially the right to a fair trial and respect for bodily integrity. Accused persons were assaulted in this prison without clear reasons. Therefore, the necessity of closing this prison has become imperative, as it symbolizes religious discrimination and racial bias and stands as the greatest evidence of human rights violations. Similarly, it is essential to ensure that accused individuals receive a fair trial if there is evidence proving their involvement in terrorist operations. The trial should be conducted in a manner that preserves all human rights and does not resort to inhumane methods. After considering all these facts, it can be concluded that these American measures are nothing but reflections of insulting Muslims in a racist manner and with significant discrimination in a country that claims equality and justice and advocates for respect for human rights, regardless of origin, race, religion, or color.

2.2. Impact of 9/11 Policies on Specific Groups

The aftermath 9/11 policies have addressed many changes on several levels. Also, it affected minorities and specific groups in America.

2.2.1. Muslims and Arab Americans: Discrimination and Profiling

Many Muslims and Arab Americans experienced discrimination and racism, particularly in the aftermath of the 9/11 attacks. This discrimination extended to various areas, including

employment, participation in civil rights activities, and obtaining administrative positions at work. Much of this harassment stemmed from differences in nationality and religion, particularly related to dress codes associated with Muslims and Arabs in general. In Dearborn, Michigan, Arab Americans expressed significant dissatisfaction because government job postings were not made public and were instead awarded to others. They also highlighted the extent of harassment they faced due to exercising their civil rights, such as the right to express or speak publicly about political issues. Stereotyping also affected highly educated immigrants and Arabs, who were often denied appropriate administrative positions. Furthermore, in terms of religious freedom, this group often lacks dedicated places of worship for their religions, unlike in other countries that respect all religions.

Among the forms of restrictions and stereotyping in America is the expulsion of many female employees and their rejection from American universities due to their Islamic dress, and for men because of their beards. These measures indicate the extent to which American authorities violate the civil and individual liberties of minority groups in America since this minority only advocates for equality and respect for their humanity, regardless of their religious or ethnic classification and profiling. Such actions violate their most basic rights (Siblani, 1999).

The 9/11 attacks had a negative impact on the minority group of Muslims and Arabs in America, particularly as the situation intensified during national security measures. Discrimination and profiling measures against Arabs and Muslims in various aspects ensued, affecting their psychology and stability, ultimately resulting in the loss of individual freedoms. Arabs and Muslims bore the brunt of these effects, especially as numerous accusations were directed against them solely due to their different nationalities and religions. Therefore, it is imperative to establish organizations that defend Muslims and Arabs against discrimination and racism while preserving

their human rights, irrespective of their differences, mirroring the approach of countries where all diversities are respected.

2.2.2. Immigrants: Increased Deportations and Detention

In the wake of 9/11, Bush's administration shifted its national security strategy, employing many strategies. One such measure concerning immigration was to investigate non-citizens, especially the Muslim and Arab minority, where the Ministry of Justice began to focus on this minority using detention and deportation. Nearly 760 men were detained for months without any charges being brought. Most of them were Muslims. Many of them were also deported due to inappropriate visas. All of these measures were taken in a random manner, leading to a violation of many basic rights. On the other hand, the Ministry of Justice implemented the policy of detaining many detainees to conduct all security investigations by the Federal Security Bureau for the purpose of exonerating them from all terrorist operations, as the treatment during detention and deportation was arbitrary. All of these procedures for criminal detention are legally prohibited in the absence of direct reasons indicating. However, this category of immigrants has an actual connection to terrorism. In the same context, human rights documented many cases of prolonged detention without charges, where the duration of detention reached 4 months. This indicates that the ways in which America dealt with immigrants are completely inconsistent with all International human rights (Rubin, 2011).

As a result of the American reactions to the 9/11 attacks, America committed many violations against the minority group of Muslims and immigrants without right and for no clear reasons, and this is clear and evident in the policy of detention without deadlines and deportation of detainees in America. All of these policies are completely inconsistent with human rights internationally agreed upon. Accordingly, there is a right for all members of society, even if they are immigrants

or detainees, to be represented by a legal advisor or lawyer, especially if the matter is related to violations or indefinite detention. Therefore, it is necessary to have a constitutional law that concerns all minority groups that is fair and gives everyone has the right, especially when it comes to insult or abuse.

2.2.3. Activists and Dissenters: Surveillance and Suppression of Protests

In many cases, the 9/11 attacks were used as a political ploy to serve certain interests and internal political affairs in America, aimed at suppressing and disrupting the demands of the American people, and often to suppress and silence social movements such as protests. This was achieved by directing all fields and various organizations to focus on the narrative of the "war on terrorism," diverting America's attention to this issue. Consequently, significant powers were granted to the government, security agencies, and police to tighten security oversight and monitor every aspect of society, down to the individual level. This resulted in significant restrictions on the American people's rights in terms of social movements, protests, opposition, and the right to freedom of expression.

Moreover, legislative, executive, and judicial authorities bestowed additional powers upon the police, military, and intelligence agencies to conduct extensive security investigations on individuals, particularly Muslims and Arabs, and to prosecute them. These powers have had a negative and inappropriate impact on American society, contradicting the right to freedom of expression and opinion (How the "War on Terror" has Metastasized to Silence U.S. Social Movements and Shrink Civic Space, 2023).

After the September attacks, it became evident that America responded harshly and extremely, contradicting what is agreed upon in human rights. Especially since there are many

international agreements in the United Nations Charter that stipulate the obligation to respect all human rights, even in critical situations such as wars and combating terrorism. However, America's extremist responses to the September attacks emphasized the absence of accountability and international prosecution. Therefore, we can say that all measures to suppress protests and social movements within civil society are nothing but an internal policy that serves the special interests of America under the guise or umbrella of "national security." In reality, they are real violations of human rights.

In short, the period after the attacks witnessed radical changes that raised the concern of many. These changes include protests, censorship, violations of privacy, suppression of opponents, detention, deportation, arrest, abuse of Muslims, insults, racism, and stereotyping. These measures with twisted intentions have now become clear to the public that they are real violations of human rights and must be presented as proven reports, discussed, and prosecuted internationally.

2.3. Human Rights Violations

Despite the theoretical and practical development witnessed by the policy of U.S towards human rights and its carrying the banner of protecting them from violations that may affect them, considering that all the legal and political barriers that stand in the way of this are in the form of nothingness, anyone who observes its policy on the ground is astonished by what he observes of the strange contradiction in the practical application of these principles in the foreign policy of the United States of America, and history is a witness to that. It usually used the seriousness of terrorism an excuse in order to take arbitrary measures, seeking to undermine basic human rights, such as the right to life, movement, thought, and belief, by imposing exceptional restrictions on their rights. In order to confront terrorism, the following are a number of violations.

2.3.1. The Scandal of Abu Ghraib

The recent reliable events related to Abu Ghraib prison are ongoing, but they shed new light on the so-called American war on terrorism. It is as if a window has been opened on a pattern of behavior that was not clear when the events of 9/11 occurred, and whose features, lessons, and consequences are still emerging.

Abu Ghraib is a notorious Iraqi prison located 20 miles west of Baghdad. U.S. abuses at Abu Ghraib initially came to light largely through a series of articles by Seymour M. Hersh, a well-known investigative journalist, the same man who exposed it years earlier also broke the story of My Lai. In the article titled "Torture in Abu Ghraib," Hersh documented the mistreatment of Iraqi prisoners at the hands of American soldiers, and raised the important question that has not yet been answered: To what extent does responsibility go? In fact, the unfortunate situation at Abu Ghraib was only partially known earlier. In January 2004, Joseph Darley, a military police reservist, warned his superiors about abuses at Abu Ghraib prison. Abu Ghraib survivor Talib al-Mnajli had to stay about the 16 months at the prison. He testified that "To this day I feel humiliation for what was done to me...The time I spent in Abu Ghraib- it ended my life. I'm only half a man now." (qtd in Rockmore, 2006). On January 16, 2004, the U.S. Central Command announced that an investigation "has been opened into incidents of mistreatment of detainees at a coalition detention facility".

As a result of that investigation, Brigadier General Janis Kapinski, who was in command of the prison, was suspended completely and was replaced by Major General Geoffrey Miller. According to the report written by Major General Antonio M. Taguba, to whom Hersh reported, from October to December 2003, as he put it, there were numerous cases of sadistic, blatant, and brutal criminal abuse at Abu Ghraib. Hersh's article appeared less than a week after CBS's 60

Minutes broadcast images showing naked civilian prisoners being forced to engage in simulated sexual acts. The network aired the images for two weeks (Rockmore, 2006).

In April 2003, U.S. forces were able to take control of Abu Ghraib prison after eliminating Saddam's leadership. The U.S. military runs the prison under the command of Brigadier General Janis Karpinski. Abu Ghraib has become a place that contains terrorism suspects and other prisoners who are arrested during military operations (Seymour, 2004).

The world was shocked and angry in April 2004 when the media leaked pictures of physical, psychological, and sexual violations, including torture, rape, and murder, against prisoners in Abu Ghraib prison in Iraq. The scandals came to light, known as the torture scandals in Abu Ghraib prison. These actions are carried out by members of the U.S. Army, in addition to other secret agencies, and Iraqi prisoners are exposed to human rights violations, abuse, psychological, physical, and sexual assaults, torture, and reports of rape, sodomy, and murder carried out by their captors in Abu Ghraib prison. The result of the investigation and the photos had a great impact on many low-ranking soldiers who were responsible for such actions (Elkatawnah, 2014).

2.3.2. Targeted killings

According to Tejera (2015), America used many targeted combat operations using drone strikes, as these strikes increased significantly regardless of the Security Assistance Force (ISAF) in Afghanistan. These strikes raised concerns among many due to the seriousness of the issue to the civilian population. Drones were also used in Afghanistan, Yemen, and Somalia, which resulted in constant fear and panic among the ordinary population. It led to the closure of many educational, social, and economic activities in these countries. These strikes aroused anger among many due to their randomness, which may lead to the unjust deaths of many civilians.

These operations must be subject to legal, ethical, and humanitarian considerations out of respect for human rights and away from all political and international conflicts. In short, the results of drone strikes can be limited to the following:

- Violation of national sovereignty in many countries without their permission.
- Killing of many people, including civilians unjustly, including women and children.
- The constant threat that created severe panic among citizens, forcing many of them to change their places and disrupting their daily lives.

In general, targeted drone strikes are considered a violation of human rights, and therefore, accountability and legal prosecution are necessary to ensure general stability, security, and peace in all countries.

2.3.3. Torture and Rendition

After the 9/11 attacks, the CIA began organizing plans for a top-secret program for the purpose of secret detention and extraordinary rendition of suspects. This program was far from legal considerations as its sole purpose interrogates suspects and consider it m a counter-terrorism policy and arrest them. Many of them were arrested, transported across national borders, interrogated, and detained by foreign governments and the CIA itself.

They were also tortured in secret “black sites”. The most prominent characteristics of the secret detention and extraordinary rendition program were torture, ill-treatment, isolation, and detention. Bush adopted this dark policy as a model for combating terrorism, and this program, in fact, indicates clear violations against humanity. Therefore, the Bush administration must bear all responsibility for allowing the unlawful killing of civilians, especially since the International Covenant on Civil and Political Rights and Freedoms stipulates that every individual has the right

to security and freedom. No person may be subjected to arbitrary arrest or deportation to another country without clear and confirmed justifications (Open Society Foundation, 2013).

Hence, it can be said that it is the responsibility of all countries participating in the policy of the secret plan taken by the United States of America, in which all human rights were violated, and that all participating countries bear responsibility for the harm inflicted on the victims, especially since human rights stipulate preventing the movement of individuals or civilians for the purpose of torture, ill-treatment, or luring without clear reasons.

2.4. Legal Challenges and Responses

Despite the efforts made by the US Supreme Court to preserve civil liberties and human rights in several areas such as health, security, and climate change, there are many cases in the world that are still pending, and their human rights are clearly violated, especially after the 9/11 attacks, which is considered a turning point in the world. After that, the policy of the United States of America changed from efforts to combat terrorism under the umbrella of national security to clear official violations at the global level.

2.4.1. Supreme Court Cases Addressing Human Rights Issues

The Supreme Court has a history of dealing with issues related to human rights, as it has addressed many critical issues. Among these cases, the United States was held accountable for the visa programs that allowed the trade in domestic workers by diplomats and foreigners, as well as deciding the issue of reproductive rights and abortion, and the issue of transparency in the use of lethal force abroad, such as drones, in October 2022. All of these examples highlight some violations and illustrate the role of the Supreme Court in addressing human rights (Court Cases, 2019).

All these issues from the Supreme Court are very essential. Nevertheless, many human rights abuses still remain pending, especially concerning killings, executions, and detentions outside the framework of judiciary. Additionally, recent events such as the mass murder, detention, and targeting of public facilities such as hospitals in Gaza in 2024 highlight the ongoing violations. Thus, we can consider that while the Supreme Court has addressed many issues, it has not provided final solutions to some humanitarian topics related to human rights. Therefore, it is necessary for the intervention of both the highest court and international forums to eliminate these violations officially, away from political conflicts, wars, and interests between countries.

2.4.2. Civil Liberties Organizations and their Advocacy Efforts

Many civil liberties and rights organizations have participated in demanding rights, playing an effective role in bringing about change at the level of both groups and individuals. They rely on social movements such as peaceful protests and play an important role in transferring cases to the courts to protect individuals from all forms of injustice. Their strategies aim to enhance the protection of individuals from discrimination and abuse and support the rights of minorities (Elizabeth. et al., p. 4).

2.4.3. Public Opinion and Political Responses to Human Rights Violations

Hertel (2009) asserts that public opinion has played a crucial role in many fields related to human rights, with varied responses depending on different rights, values, and the extent of harm. Moreover, politically active individuals have had more influence compared to others. In general, public opinion plays a vital role in achieving responses related to human rights abuses, targeting rights such as freedom of speech, the limitation of torture, and the right to a good standard of living. According to analysis conducted in the US in 2006, a wide range of American people believe in the framework of human rights in addition to economic rights.

All of these efforts are considered positive steps, but they are not enough to protect human rights worldwide. The facts show that a significant number of human rights abuses occur, especially in Arabic countries. This leads us to question the extent to which the amendments of human rights are applied in these countries

To sum up, it is clear from highlighting the events of 9/11 that the United States of America, through its policy to combat terrorism, violated many civil human rights stipulated in international law. Therefore, it can be concluded that there is a major incompatibility between the American policy to combat terrorism and the laws of the United Nations related to human rights. It can be concluded that the American war on terrorism after the September attacks was not an ordinary war but rather an extremist, violent global war. This, if anything, indicates that these American policies reflect a failure to comply with the provisions of international human rights law.

Conclusion

This chapter concluded that the state of human rights in America after 9/11 was challenged and compromised. The policies implemented by the U.S in response to the 9/11 attacks, particularly those aimed at combating terrorism, led to numerous violations of civil liberties and human rights. These violations included actions such as surveillance programs, targeted killings, torture, and rendition of suspects. Furthermore, the incompatibility between American counterterrorism policies and international human rights laws indicates a failure to uphold fundamental principles of human rights. Despite efforts made by civil liberties organizations, Supreme Court cases, and public opinion, the overall impact of these policies on human rights was negative. In essence, the aftermath of 9/11 saw an erosion of human rights in America as the government prioritized national security over individual liberties, leading to a situation where human rights were often sacrificed in the name of counterterrorism efforts.

General Conclusion

The study focused on knowing the repercussions of the global American war against terrorism which the United States alone defined and eliminated , dragging countries behind it in its campaign .But before discussing the important results that can be achieved ,we recall the most important things that come in this study so that to understand the findings in their clear context .

The events of 9\11 were an important and turning points in the history of international relations, in which the United States of America is considered one of its parties and its most important engine .Therefore, these events sparked widespread controversy about whether they led to the formation of a new American foreign policy with features different from those that existed before, or were they revealing ? For a pre-existing policy ,in other words , the American foreign policy that began to take shape as a result of those events was not in fact new, but rather its foundations were already in place , and all the events of 9\11 was expose the reality of that policy to the world .

This study aims to examine the extent to which the USA respects human rights while confronting terrorism through its national security policies, such as the Patriot Act, and issues of discrimination and violations. Moreover, the study aims to investigate the state of human rights itself in light of these violation operations adopted by the US and the measures of national security.

To conduct this study, historical and documentary methods are adopted. Our dissertation is divided into two chapters. The first chapter discusses some definitions from the American perspective, such as the definitions of human rights, terrorism, and the relationship between them. Then, it provides an overview of 9/11 and how the US changes its policy post-attack. The second chapter highlights some policies implemented by the US, with examples related to the most significant instances of human rights violations during national security operations.

This study asks three questions. The first question requires defining the framework of human rights and terrorism from the perspective of the US and how these concepts shapes its policy. The second question needs to address all the impacts of 9/11 on national security. The third question leads to study some human rights abuses as a case study to shed light on the extent to which the US respects human rights.

This study reveals the following findings. First, one idea that has not yet been defined is human rights, whose position has to be clarified both inside and outside of the United States. Their own constitutional framework makes it difficult to discuss how they feel about foreign agreements. The United States is hesitant and wary of ratifying international human rights treaties. Nonetheless, it actively promotes human rights internationally, as seen by the Ministry of Foreign Affairs' yearly report that describes the state of human rights in other nations. When it comes to terrorism, state-sponsored terrorism—which it both engages in and supports through other nations—is mostly ignored in favor of individual terrorism. This calls into doubt the U.S.'s continued battle with "fundamentalist terrorism," which it claims has caused it great harm.

Second, the events of 9/11 changes the face of international security and leads the United States and other countries to fight terrorism. The United States turns its attention to fighting terrorism after the fall of the TWIN TOWERS . This change forces countries to take a stance against terrorism alongside the United States or face being classified as enemies. The border between security and civil freedoms is blurred as a result of the increased vigilance, which come at the expense of human rights. While many nations respond by taking steps to protect society, there is chance that these steps may also violate people's rights on purpose and in a codified way, which can cause instability and serve ulterior motives.

Finally, following 9/11, there are threats and compromises with the condition of human rights in America. Numerous civil liberties and human rights breaches result from the U.S. response to the 9/11 attacks, especially from counterterrorism programs. These transgressions encompass practices like targeted executions, torture, rendition of suspects, and surveillance operations. Moreover, a disregard for basic human rights values is demonstrated by the contradictions between US counterterrorism strategies and international human rights legislation. Overall, these policies have a negative effect on human rights despite the efforts of civil liberties organizations, Supreme Court cases, and popular opinion. In summary, the government's decision to put national security ahead of individual rights on 9/11 resulted in a decline in American human rights.

This study is limited by its focus on secondary sources, which may not capture the full scope of human rights impacts post-9/11. Additionally, the analysis primarily considers federal policies, potentially overlooking significant variations at state and local levels. Also, the evolving nature of legislation and security measures means some findings may quickly become outdated. Further researchers can explore the long-term effects of post-9/11 policies on specific marginalized communities to provide a more understanding of the situation. Additionally, comparative studies between the U.S. and other countries that face similar threats can offer valuable insights into different approaches to balancing security and human rights.

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الملخص

تهدف الدراسة الحالية إلى التعرف على حالة حقوق الإنسان في أمريكا بعد 9/11 من خلال تأثير أحداث 9/11 على حقوق الإنسان في الولايات المتحدة. تفترض الدراسة أن تعريف الولايات المتحدة للإرهاب يشكل استراتيجياتها لمكافحة الإرهاب التي تؤدي إلى انتهاك الحريات الفردية والمبادئ الدستورية. لاختبار الفرضية، اختارت هذه الدراسة المنهج النوعي والمنهج التاريخي. في المقابل، تكشف الدراسة أن سياسات ما بعد 11 سبتمبر في الولايات المتحدة أدت إلى انتهاكات كبيرة للحريات المدنية وحقوق الإنسان، بما في ذلك برامج المراقبة، وعمليات القتل المستهدف، والتعذيب، وتسليم المشتبه بهم. وعلى الرغم من الجهود التي بذلتها منظمات الحريات المدنية، وقضايا المحكمة العليا، والرأي العام، فإن التأثير الإجمالي لهذه السياسات على حقوق الإنسان كان سلبياً، مما يشير إلى تآكل حقوق الإنسان حيث أصبح الأمن القومي له الأسبقية على الحريات الفردية.

الكلمات المفتاحية: ما بعد 9/11، مكافحة الإرهاب، حقوق الإنسان، الأمن القومي.