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# The United States of America's Use of Torture in Interrogations

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**The United States of America's Use of Torture in Interrogations**

## **Abstract**

This paper outlines the use of state sanctioned torture since 1960 in Vietnam, Latin America, and the Middle East by American military forces. It will focus on the results and implications of the use of torture in each case, and especially in the Middle East following the terror attacks in the United States on September 11<sup>th</sup>, 2001. This paper will examine the legal process which has enabled not only the technically legal implementation of such programs, but also minimized repercussions for the United States, despite the devastating effects of their torture programs across the globe. The now declassified memorandums, manuals, and other relevant materials will be outlined, along with an overview of various “black sites” and extralegal prison facilities used by the American military overseas. Finally, this paper will examine possible reasons as to why torture programs persists today in spite of the plethora of research discrediting all effectiveness, as well as highlighting the true implications of the use of torture.

## Introduction

Since World War 2 the United States of America has consistently engaged in foreign military occupation and intervention across the world, from Vietnam to South America. In recent years, hundreds of pages of memorandums and manuals have been declassified outlining the enhanced interrogation tactics that were not only employed by the U.S. military, but also taught to numerous militaries across the world since the 1960s.<sup>1</sup> Many of the strategies fall under the legal classification of torture. The U.S. is a global superpower, and has defense budget that is more than the next 15 countries combined, consistently emphasizing national security. They have faced little to no consequences for the incredulous damage effectuated through their systematic torture program across the world.<sup>2</sup> This brief will explore the far reaching implications of the Central Intelligence Agency's interrogation program through the examination of the history of the United States' use of torture in interrogations since the 1960s, especially following the September 11, 2001 terrorist attacks, followed by an analysis of the effectiveness of torture, or lack thereof.

## Defining Torture

The 1987 UN Convention Against Torture defines torture as "the intentional infliction of severe physical or mental pain or suffering for purposes such as obtaining information or a confession, or punishing, intimidating or coercing someone." Torture is always illegal. "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political

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<sup>1</sup> "Prisoner Abuse: Patterns from the Past." *Prisoner Abuse: Patterns from the Past*. The National Security Archive, 24 Feb. 2014. Web. <http://nsarchive.gwu.edu/NSAEBB/NSAEBB122/index.htm>

<sup>2</sup> Sam Perlo-freeman. "TRENDS IN WORLD MILITARY EXPENDITURE, 2015." Stockholm International Peace Research Institute. <http://books.sipri.org/files/FS/SIPRIFS1604.pdf>

instability or any other public emergency, may be invoked as a justification of torture."<sup>3</sup> It is important to note that the abuse of prisoners does not have to be technically defined as "torture" to be illegal. Cruel, inhuman, and degrading treatment (CID) is also illegal under both U.S and international law. CID includes any neglectful or harsh treatment that could damage a detainee's physical or mental health, any punishment intended to inflict physical or mental harm, or to degrade or humiliate the person being punished.<sup>4</sup>

In 1994 the US ratified the UN Convention, the U.S. resumed their advocacy of human rights, ratifying the UN Convention Against Torture in 1994 that banned the infliction of "severe" psychological and physical pain.<sup>5</sup> It appeared as though the United States had resolved the discord between its anti-torture principles and its torture practices, but when President Clinton sent the UN Convention to Congress for ratification, he included language drafted six years prior by the Reagan administration – with a few diplomatic "reservations."<sup>6</sup> These reservations were carefully constructed to re-define torture, according to the United States, to exclude self-inflicted pain and sensory deprivation, the two primary components of the CIA's torturous interrogation program, as this report will detail later on.

### **Historical Overview**

As previously mentioned, the United States has exerted great influence over foreign governments, especially their militaries. This brief will highlight the five main geographical locations where the American military imposed their specialized interrogation doctrine: Vietnam,

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<sup>3</sup> "UN, United Nations, UN Treaties, Treaties." United Nations. Accessed March 22, 2017. [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-9&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9&chapter=4&clang=en).

<sup>4</sup> "Torture." *Amnesty International USA*. Amnesty International, <http://www.amnestyusa.org/our-work/issues/torture>

<sup>5</sup> UN, United Nations, UN Treaties, Treaties."

<sup>6</sup> Alfred W McCoy. "The U.S. Has a History of Using Torture." *Centre for Global Research*. 7 Dec. 2007. <http://www.globalresearch.ca/the-u-s-has-a-history-of-using-torture/4066>

Latin America, Iran, and the Middle East. Historian and torture scholar, Alfred McCoy writes: “From 1962 to 1974, the CIA worked through the Office of Public Safety, a division of U.S. AID that posted police advisers to developing nations. Established by President John F. Kennedy in 1962, OPS grew, into a global anti-communist operation... By 1971, the program had trained over one million police officers in forty-seven nations.”<sup>7</sup> McCoy describes how the interrogation training proved controversial, when the trained police agencies across the developing world became synonymous with human rights abuses. In the 1976 audit of OPS, the General Accounting Office reported that “there were allegations that the academy taught or encouraged the use of torture.”<sup>8</sup> By the end of 1975 the OPS was effectively abolished, but the CIA’s psychological torture program would persist for decades, and arguable continues today.<sup>9</sup>

### Vietnam

The 1960’s Phoenix program in Vietnam was the first in a long line of U.S. led torture programs. Colonel Andrew R. Finlayson describes how the programs was “designed to identify and "neutralize" (via infiltration, capture, counter-terrorism, interrogation, and assassination) the infrastructure of the National Liberation Front of South Vietnam (NLF or Viet Cong).”<sup>10</sup> The program consisted of a two-step process where Provincial Reconnaissance Units would capture suspected NLF members, as well as civilians who were thought to have information on NLF activities, who were then taken to interrogation centers where they were allegedly tortured in an attempt to gain intelligence on VC activities. The CIA’s ability to gather information necessary

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<sup>7</sup> Alfred W. McCoy, *A question of torture: CIA interrogation, from the Cold War to the War on Terror* (New York: Metropolitan Books/Henry Holt and Co., 2007).61.

<sup>8</sup> IBID.

<sup>9</sup> IBID, 73.

<sup>10</sup> "A Retrospective on Counterinsurgency Operations," Central Intelligence Agency, June 26, 2008, <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol51no2/a-retrospective-on-counterinsurgency-operations.html>.

in defeating their opponents and topple governments is unmatched. With that being said, non-state actors pose a greater threat, and have proven to be much harder to defeat, such as the Vietcong in this case. When the agency fails to gather tactical intelligence it becomes desperate and defaults to torture in a systematic way.

### Latin America

The United States' involvement in Latin American politics is ugly and extensive, with a long history of backing repressive regimes for their economic benefit. American officials supported various South American regimes in carrying out kidnappings, "disappearances", torture and assassinations during the 1970s and 1980s as part of Operation Condor, a state sanctioned political repression program involving intelligence operations and the elimination of opponents, by the right-wing dictatorships.<sup>11</sup> Operation Condor was one of many programs in Latin America which sought to eradicate communist influence and ideals, and to suppress oppositional movements against the U.S.-backed governments' neoliberal economic policies using torture and other human rights abuses. The majority of the perpetrators were trained by the U.S. Army School of the Americas, a training program infamous for its promotion of torture.<sup>12</sup> Jennifer Harbury, American lawyer and human rights activist, concluded that in regards to Latin America, "a review of the materials leads relentlessly to just one conclusion: that the CIA and related U.S. intelligence agencies have since their inception engaged in the widespread practice of torture, either directly or through well-paid proxies."<sup>13</sup>

### Iran

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<sup>11</sup> Harbury, Jennifer (2005), Truth, Torture, and the American Way: The History and Consequences of U.S. Involvement in Torture, (Beacon Press) ISBN 978-0-8070-0307-7

<sup>12</sup> IBID.

<sup>13</sup> IBID

The CIA effort in Iran was one of the most disastrous torture training programs, and the instability and turmoil of the late 1970s illustrated the results of U.S. tolerance of an ally's torture and human rights abuse.<sup>14</sup> In the 1950s, the CIA assisted in consolidating the Shah's power and reinstating this repressive regime. American officials were involved in the creation and training of the Iranian secret police, most notably the lethal "SAVAK" division.<sup>15</sup> This training was yet again centred on strategies of CID and torture. In an interview with *Le Monde*, the shah questioned, "Why should we not employ the same methods as you? We have learned sophisticated methods of torture from you. You use psychological methods to extract the truth: we do the same."<sup>16</sup> In 2013 the American government confirmed its role in the 1953 coup which overthrew the democratically elected Prime Minister Mohammad Mosaddeq and reinstated the Shah.<sup>17</sup> The coup was intended to ensure the Iranian monarchy would safeguard the west's oil interests in the country, as Mosaddeq posed a serious threat to American strategic and economic interests after nationalising the British Anglo-Iranian Oil Company.

### Iraq

After the terrorist attacks on September 11, 2001, the United States government declared a "war on terror". After addressing the nation, President George W. Bush told his Emergency Operations Centre that he wanted them "to understand that we are at war and we will stay at war until this is done. Nothing else matters. Everything is available for the pursuit of this war. Any barriers in your way, they are gone."<sup>18</sup> When the secretary of defence, Donald Rumsfeld said that

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<sup>14</sup> *A question of torture: CIA interrogation, from the Cold War to the War on Terror*, 74.

<sup>15</sup> IBID.

<sup>16</sup> "Human Rights Abuses in Shahist Iran." Human and Civil Rights: Essential Primary Sources. Accessed March 15, 2017. <http://www.encyclopedia.com/history/legal-and-political-magazines/human-rights-abuses-shahist-iran>.

<sup>17</sup> "CIA Confirms Role in 1953 Iran Coup." The National Security Archive. Accessed March 22, 2017. [http://nsarchive.gwu.edu/NSAEBB/NSAEBB435/#\\_ftn1](http://nsarchive.gwu.edu/NSAEBB/NSAEBB435/#_ftn1).

<sup>18</sup> Zulaika, Joseba. *Terrorism: the self-fulfilling prophecy*. (Chicago: U of Chicago Press), 2010, 31.



prevention, and not retribution was all international law allowed for, Bush said: “No, I don’t care what the international lawyers say, we are going to kick some ass.”<sup>19</sup> This was the beginning of a snowball effect resulting in some of the darkest parts of American history in the past 20 years. Similarly to the situation in Vietnam 40 years prior, the CIA was confronted with another non-state enemy. McCoy explains how, “The CIA found it had few, if any, assets inside Al Qaeda or militant Muslim circles, forcing the agency to revive the torture techniques it had once used in South Vietnam.”<sup>20</sup> In the following weeks the documents that are now known as the “torture memos” were drafted and put in place. These documents manipulated and furthermore blatantly ignored not only the law, but also the rule of law. The orders that followed included the decision to suspend the U.S.’s obligations to adhere to Geneva Convention for the war on terror, the implementation of enhanced interrogation methods, (read: torture), and the ability to strip detainees of terror laws of their rights.<sup>21</sup> The memos were the beginning of the infamous state-sanctioned, systematic torture program run by the American military against the war on terror in the Middle East. The orders from President Bush and Secretary Rumsfeld for the CIA to torture “just a few high-value Al Qaeda targets” quickly proliferated into the flagrant abuse of dozens at Bagram, hundreds at Guantanamo, and thousands at Iraqi prisons such as Abu Ghraib.<sup>22</sup>

### **The Torture Memos**

The set of documents known as the "Torture Memos", are a group of legal memoranda that were drafted by John Yoo, as Deputy Assistant Attorney General of the United States, and signed in August 2002 by Assistant Attorney General Jay S. Bybee, head of the Office of Legal

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<sup>19</sup> IBID

<sup>20</sup> McCoy, 109.

<sup>21</sup> IBID, 113.

<sup>22</sup> McCoy, 195.

Counsel of the United States Department of Justice.<sup>23</sup> The memorandums advised the United States Department of Defense, the Central Intelligence Agency, and President Bush on the implementation of enhanced interrogation techniques, and stated that the physically and psychologically damaging acts, widely regarded as torture, could be legally permissible under an “expansive interpretation of presidential authority” in order to combat the war on terror.<sup>24</sup>

### **Techniques and Manuals**

In 2014, the American government declassified the training manuals that were used to teach their “enhanced interrogation techniques” across the world throughout the last 5 decades. The first step was the 1960s US Army Foreign Intelligence Assistance Program, which resulted in the establishment of "Project X", a military effort to create intelligence field manuals drawn from counterinsurgency experience in Vietnam.<sup>25</sup> Those manuals influenced the three major training manuals that have been used across the world: the "KUBARK Counterintelligence Interrogation-July 1963", the "Human Resource Exploitation Training Manual-1983" and intelligence manuals used at the School of the Americas.<sup>26</sup> Most notably, the KUBARK manual includes a detailed section on "The Coercive Counterintelligence Interrogation of Resistant Sources," with instructions for employing "Threats and Fear," "Pain," and "Debility." The language of the subsequent 1983 "Human Resource Exploitation Training Manual" drew heavily on the previous manual and the references to “Project-X”. Recommendations on detainee interrogations included the threat of violence and deprivation. The declassified documents describe how the interrogator "is able to manipulate the subject's environment to create

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<sup>23</sup> "Memorandum for Alberto R. Gonzales: Counsel to the President."

<sup>24</sup> IBID.

<sup>25</sup> "PRISONER ABUSE: PATTERNS FROM THE PAST"

<sup>26</sup> IBID

unpleasant or intolerable situations, to disrupt patterns of time, space, and sensory perception."<sup>27</sup> All three manuals contain explicit reference to coercive and abusive interrogation techniques that are intended to, "induce psychological regression in the subject by bringing a superior outside force to bear on his will to resist."<sup>28</sup>

### KUBARK

This declassified 128-page report, was drafted in July 1963 as a "comprehensive guide for training interrogators in the art of obtaining intelligence from "resistant sources." The strategies outline in this handbook are what McCoy is referring to – the "hands off" psychological torture style. In the section on "Threats and Fears", the manual notes that "the threat of coercion usually weakens or destroys resistance more effectively than coercion itself."<sup>29</sup> Under the heading "Pain," the guidelines reference the CIA's research on various thresholds of pain, and describe how a subject's "resistance is likelier to be sapped by pain which he seems to inflict upon himself" rather than by direct torture, i.e. by prolonged periods of standing in uncomfortable positions.<sup>30</sup> The section on sensory deprivation explains how sensory deprivation is also effective in breaking the resistance of a prisoner. These psychological concepts will become the basis of the CIA's torture program, as will be discussed in the following section.

### Human Resource Exploitation Training Manual - 1983

This now declassified manual consists of a combination of techniques from the KUBARK guide, and from the 1960's U.S. Military Intelligence field manuals out of "Project X." The manual was used in numerous Latin American countries as an instructional tool by CIA

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<sup>27</sup> IBID.

<sup>28</sup> IBID

<sup>29</sup> IBID

<sup>30</sup> IBID.

trainers throughout the 1980's, and came under investigation by a senate committee in 1988 due massive human rights abuses committed by CIA-trained military units. The manual focused on "coercive questioning" and psychological and physical techniques.<sup>31</sup>

### Techniques

Although the aforementioned manuals are no longer used as official training guides, the techniques of interrogation outlined are still used by the CIA. The agency's systematic torture program has three psychological techniques that can be seen starting in Vietnam, all the way to Abu Ghraib and Guantanamo: "hooding for sensory deprivation; short shackling, long shackling, and enforced standing for self-inflicted pain; and dogs, total nudity, and sexual humiliation for that recent innovation, exploitation of Arab cultural sensitivity."<sup>32</sup> McCoy describes how in the 1950s two eminent neurologists working for the CIA found that the KGB's most effective torture technique involved, "not crude physical beatings, but simply forcing the victim to stand for days at time—while the legs swelled, the skin erupted in suppurating lesions, the kidneys shut down, hallucinations began."<sup>33</sup> Looking at the testimony from victims of U.S. led torture across the world, and the hundreds of photos from U.S. led terror prisons, such as Abu Ghraib, the repeated use of this method, now called "stress positions" is prominent. All of the aforementioned training manuals outline the same types of psychological disruption; and as previously mentioned, when Washington ratified the torture convention, they conveniently re-defined torture to exclude sensory deprivation and self-inflicted pain. Waterboarding is one of the few techniques employed by the U.S. that is overtly abusive by the interrogator and continues to be a contentious topic in American political affairs. Amnesty International said these psychological techniques

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<sup>31</sup> IBID.

<sup>32</sup>"The U.S. Has a History of Using Torture."

<sup>33</sup> IBID

hold a “special place in our catalogue of moral crimes... [And] are as grave an assault on the human person as more traditional techniques of physical torture.”<sup>34</sup>

In 2002, interrogators at Guantanamo Bay moved beyond the CIA’s original attack on sensory receptors universal to all human beings, by exploring specific cultural sensitivities to sexuality, gender identity, and fear of dogs. Behavioral Science Consultation teams of military psychologists were created by General Geoffrey Miller, commander of Guantanamo, who probed each detainee for individual phobias, such as fear of dark or attachment to mother. McCoy describes how this three-phase attack on sensory receptors, cultural identity, and individual psyche, “Guantanamo perfected the CIA’s psychological paradigm”. After regular inspections of Guantanamo from 2002 to 2004, the International Red Cross reported: “The construction of such a system...cannot be considered other than an intentional system of cruel, unusual and degrading treatment and a form of torture.”<sup>35</sup>

### **Black Sites and Foreign Detention Centres**

“Black sites” is the moniker for secret overseas prison facilities where detainees are held by the American Military. In recent years, under the Obama administration, information has emerged and been declassified about these sites. At their peak use, very little was known about these locations, including their location, the interrogation methods used, the charges (if any) against the detainees, the length of time detainees are/will be held, or how any of these decisions are made.<sup>36</sup> The prisons exist overseas, because it is illegal for the government to hold prisoners

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<sup>34</sup> McCoy, 57.

<sup>35</sup> IBID.

<sup>36</sup> "CIA Holds Terror Suspects in Secret Prisons." *The Washington Post*. WP Company, 02 Nov. 2005. Web. 15 Mar. 2017

<http://www.washingtonpost.com/wp-dyn/content/article/2005/11/01/AR2005110101644.html>

in isolation like this under U.S law, and they only came about after the initiation of “The War on Terror”. Documents obtained by The Washington Post describe how prisoners often exist in “complete isolation from the outside world; kept in dark, (sometimes underground) cells, without any recognized legal rights.”<sup>37</sup> According to current and former government officials, no one outside the CIA is allowed to engage in any contact with prisoners, or to verify their well-being. U.S. citizens and foreign nationals alike have been captured outside of the United States and transferred to these secret U.S. administered detention facilities, often held incommunicado for months or even years. Overseas detention facilities have been confirmed to have been maintained at least in: “Thailand, the Philippines, Pakistan, Afghanistan, Uzbekistan, Azerbaijan, Jordan, Egypt, Iraq, Kuwait, UAE, Saudi Arabia, Morocco, Cyprus, Cuba, Diego Garcia, and unspecified South Pacific island nation(s).”<sup>38</sup> There have been countless allegations and reports that detainees have been tortured, abused or humiliated; or otherwise have had their rights under the Geneva Convention violated. The charges against most of the people detained in these prisons are nonexistent. Red Cross reports show that 70 to 90 percent of those being held seem to be guilty of nothing more than being in the wrong place at the wrong time, caught up in some sweep of “suspects.”<sup>39</sup> The primary justification for holding people is interrogation, and as previously explained in relation to the Vietcong, when this is the justification for detaining prisoners indefinitely, coercion, humiliation and ultimately torture become inevitable.

Khalid El-Masri, a German and Lebanese citizen, was mistakenly abducted by the Macedonian police, and transferred to the CIA in 2003. While in American custody, he was

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<sup>37</sup> IBID

<sup>38</sup> IBID.

<sup>39</sup> Sontag, Susan. "Regarding The Torture Of Others." *The New York Times*. The New York Times, 22 May 2004. <http://www.nytimes.com/2004/05/23/magazine/regarding-the-torture-of-others.html?pagewanted=all&src=pm>

flown to Afghanistan, held at a black site, and routinely subjected to cruel forms of inhumane and degrading treatment and torture.<sup>40</sup> After El-Masri held hunger strikes, and was detained for four months in the cruelest foreign prison, nicknamed “the Salt Pit”, the CIA finally admitted his arrest and subsequent torture were a mistake and released him. The ACLU notes that he is among an estimated 3,000 detainees abducted from 2001–2005. No justice was served in the U.S., but he won his case at the European Court of Human Rights, and it was the first time that CIA activities against detainees was legally declared as torture.<sup>41</sup> His case is an anomaly and very few people have ever seen any type of justice and the CIA has made very few admissions of guilt.

#### Abu Ghraib Prison: Iraq

During the war in Iraq, United States Army and Central Intelligence Agency personnel committed a series of incredible human rights violations against detainees in the Abu Ghraib prison in Iraq. The violations included physical and sexual abuse, torture, rape, sodomy, and murder.<sup>42</sup> The abuses garnered widespread public attention with the publication of photographs of the abuse by CBS News in April 2004. The photos, (a few of which are attached), depict the tell-tale signs of the CIA’s systematic torture program.<sup>43</sup> The iconic photo of the hooded person standing on a box with outstretched arms show the CIA’s trademark sensory deprivation, and self-inflicted pain. The Bush government’s response to the photographs was that these were acts committed by a few “bad apples” and that this was not the “true nature of America.” Political

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<sup>40</sup> "Statement: Khaled El-Masri." *American Civil Liberties Union*. ACLU, 2010.  
<https://www.aclu.org/other/statement-khaled-el-masri?redirect=cpredirect/22201>

<sup>41</sup> IBID.

<sup>42</sup> "Regarding The Torture Of Others."

<sup>43</sup> Leung, Rebecca. "Abuse At Abu Ghraib." CBS News. May 06, 2004. Accessed March 22, 2017.  
<http://www.cbsnews.com/news/abuse-at-abu-ghraib/>.

activist and filmmaker, Susan Sontag, makes the point that the pictures were meant to be circulated, and draws comparison between these photos and photos of black lynching victims from the 1880-1930's.<sup>44</sup> The Bush administration's main goal was to limit a public-relations disaster, rather than deal with the disgusting crimes of leadership and of policy revealed by the pictures. Sontag and McCoy are adamant that the torture of prisoners is not an aberration, but a direct consequence of the with-us-or-against-us doctrines of world and the training programs of various parts of the American Government and Military.

### Guantanamo Bay Detention Camp: Cuba

Since 2002, the Guantanamo Bay American Naval Base has contained a military prison, the Guantanamo Bay detention camp, for unlawful combatants captured in Afghanistan, Iraq, and other places during the War on Terror. Cases of torture of prisoners and their alleged denial of protection under the Geneva Conventions, have been widespread and internationally condemned. President Obama pledged to close the camp, but managed to only transfer many of the detainees. McCoy describes the numerous techniques used at this facility in attempts to elicit confessions or useful information. In a 2003 memo, ten techniques based upon the CIA's basic methods of sophisticated psychological torture were approved for use at Guantanamo Bay: Dietary Manipulation; Environmental Manipulation (i.e. adjusting temperature and introducing unpleasant smells); Sleep Adjustment; False flag (convincing the detainee that individuals from a country other than the U.S are interrogating him.); extended periods of isolation; presence of military working dogs; sleep management; yelling, loud music, and light control (used to create fear, disorient detainee and prolong capture shock.); deceptions (use of falsified representations,

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<sup>44</sup> IBID



including documents and reports; stress positions.<sup>45</sup> In 2005, a group of health professionals concluded after comprehensive studies, that “there is sufficient evidence available now to show a consistent pattern of the use of psychological torture as a key element in the interrogation of detainees by U.S. personnel.”<sup>46</sup> The same report goes on to list the debilitating, long-term effects on the detainees.

Road to Guantanamo is a British 2006 docudrama film about the incarceration of three British citizens (the 'Tipton Three'), who were captured in 2001 in Afghanistan and detained by the United States there and for more than two years at the detainment camp in Guantanamo Bay. The testimony by the men describes their experience with the interrogation techniques mentioned in the previous paragraph. The men describe how information about them and their families would be made up, they were not allowed any legal counsel, and they were subject to torture. They explain how the abusive interrogators were relentless and did not want to hear anything but a confession about Al-Qaeda affiliation.<sup>47</sup> One of the men describes his experience in a stress position, where “There's a hook on the floor... the leg irons are attached to a hook. Then they put [his] hands between [his] Ankles at the floor and chain [him] to the hook on the floor as well. They keep [him] there for an hour. Sometimes two hours, five hours, six hours. [He] can't go to the toilet. [He had] to urinate and defecate where [he was].”<sup>48</sup> Eventually they were released, but the American Military never admitted any wrongdoing. There are countless similar accounts, yet very few people ever saw any justice for the United States' indiscriminate torture programs.

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<sup>45</sup> McCoy, 135.

<sup>46</sup> McCoy, 160

<sup>47</sup> *The road to Guantánamo*. Directed by Michael Winterbottom and Mat Whitecross. Produced by Andrew Eaton and Melissa Parmenter. Performed by Rizwan Ahmed, Farhad Harun, Waqar Siddiqui, and Afran Usman.

<sup>48</sup> IBID.

## The Ineffectiveness of Torture

The use of torture in interrogations has proven to be futile and completely ineffective. Even within the American government, the most notorious torturers of the past 50 years, this has been reiterated. FBI personnel report that the tactics use in places like Guantanamo by the CIA do not produce any intelligence, and furthermore complicate and/or destroy any rapport or cooperation established by the FBI through their non-coercive techniques. The abusers cannot resort to the classic “the ends justify the means” argument, as there has been nothing but “tremendous propaganda defeats for the United States” in the end.<sup>49</sup> The FBI has successfully used non-coercive techniques that rely on trust and communication in counterterrorism activities.<sup>50</sup> Steve Kleinman, chairman of the research advisory committee to the High Value Detainee Interrogation Group (HIG), explains that: “There is a robust body of scientific literature and field testing that demonstrates the efficacy of a relationship-based, rapport-based, cognitive-based approach to interrogation, as well as a robust literature that would suggest torture immediately undermines a source’s ability to be a reliable reporter of information... And this is only from a purely operational perspective; we can’t take the morality out of strategy.”<sup>51</sup>

A common sentiment among proponents for torture is the "ticking time bomb" situation, which is sometimes used as a limiting case that justifies torture of prisoners who have knowledge of an imminent attack. Academics across many disciplines have debunked this theory, as it requires such specific conditions that it is simply too far-fetched and highly unlikely to ever

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<sup>49</sup> McCoy, 196.

<sup>50</sup> McCoy, 203.

<sup>51</sup> Matthew Weaver and Spencer Ackerman. "Trump claims torture works but experts warn of its 'potentially existential costs.'" *The Guardian*. Guardian News and Media, 26 Jan. 2017. <https://www.theguardian.com/us-news/2017/jan/26/donald-trump-torture-absolutely-works-says-us-president-in-first-television-interview>

occur. Furthermore, it has been proven that few people possess enough information to justify torture; and those who do are the least likely to end up in the hands of the torturers or give up information if they do. During McCoy's 10 years of research into torture programs in the Philippines he met with "dedicated Communist cadres whose resistance to savage state violence almost defies comprehension."<sup>52</sup> The past two thousand years have consistently proven that the strong can resist torture and the weak will say anything to end their pain.

If there is so much evidence of the ineffectiveness of torture, then why does a country as advanced as the United States continue to use it? The answer seems to be that those in power turn to torture during times of crisis, "not because it works but because it salves their fears and insecurities with the psychic balm of empowerment."<sup>53</sup> Oftentimes, leaders feel the need to retaliate or do something to feel as though they are in control of the situation, such as the post-9/11 war on terror under the Bush administration.

### Terror Breeds Terror

Noam Chomsky explains how among the many fear mongering tactics used to manipulate the American public, nothing has been more effective than terrorism. This term has been used exclusively for stateless groups, whereas official violence is always described as responsive or provoked. Upon closer inspection it is clear that the greatest terrorist in recent memory is the United States military, and the "linkage between U.S. interests and power, on the one hand, and the severe human rights violations, on the other, is systematic, not accidental."<sup>54</sup> Repressive, torture-happy regimes have been propped up and backed by the U.S. time and time again. This

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<sup>52</sup> McCoy, 204.

<sup>53</sup> McCoy, 207.

<sup>54</sup> Noam Chomsky, and Edward S. Herman. *The political economy of human right. The Washington connection and third world fascism*. Boston: South End Press, 1979, 33.

type of action only breeds what is commonly known as “terrorism” today. This is not to say any action on either side is justified, but it is worthwhile to note that all terrorist action can be traced back to foreign occupation by the United States. Malise Ruthven writes how, “Internment in special camps completes the process: with or without torture, these institutions became the training grounds for rebels, for anyone subjected to a period of imprisonment without charge or trial is likely to emerge with a grievance.”<sup>55</sup> Moreover, Ruthven explains how state-sponsored torture does not defend the state, but destroys it by agitating enemies and losing credibility. The photos out of Abu Ghraib and the psychological techniques used across the world only add fuel to the anti-American fire.

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<sup>55</sup> Malise Ruthven, *Torture: the grand conspiracy*. London: Weidenfeld and Nicolson, 1978., 296.

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