

## ***TORTURE AND DEMOCRACY***

**Darius Rejali**

Princeton, New Jersey: Princeton University Press, 2007

*Book Review by Shana Tabak*

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Throughout America's courtrooms, a witness is asked to raise her right hand and to swear an oath in court. This image is as emblematic as any of democratic society and of due process in a court of law. The origin of this practice, however, stems from a less dignified past. In early America, torture was used as a civic marker. A letter, branded into one's right palm, indicated the crime a disgraced citizen had committed so that when he raised his hand in the courtroom, all would know whether he was a blasphemer (B), slave stealer (S) or malefactor (M). An oath of honesty in a court of law traces its origins to the scarring of the body—a form of torture that reflects just one of the many linkages between torture and democracy Darius Rejali explores in his timely book, *Torture and Democracy*.

The concept of torture may initially seem incongruous with basic values of democracy. Yet the central thesis of Rejali's book, contrary to what we might expect, is that democratic pressures have had a huge influence on the development of torture. He argues that the pressure of international monitoring mechanisms, generated by human rights and civil society groups in democracies, was the impetus for torturers' shift from techniques that leave scars to techniques that are "clean."

Today's academic, legal, and policy circles are rife with debate on torture. Rejali claims, however, that, "analysts cannot study torture when clean historical data is absent, and those that do often generate misleading and unreliable explanations. They rely too much on national memories and over-generalize from single cases, muddying the waters (Rejali, p. 264)." Rejali's consolidation of the available data on torture is certainly an admirable and relevant task. What is especially provocative and essential about Rejali's scholarship is that he forces readers to retreat from the minutiae of political debates surrounding torture and asks us to examine the larger contextual picture. He offers a compelling argument that in forgetting that democracies promoted the development of clean torture techniques, democracies may have also forgotten some other very salient facts about torture.

Much of the book is dedicated to correcting the historical fallacy that most torture originated in Nazi Germany or Russia, and then, to examining the evolution of every torture method imaginable. Rejali demonstrates, for example, that long before the rise of the Nazis, the French were honing torture techniques throughout their colonial empire. French techniques utilized in combating Algerian resistance in 1950 did not imitate Nazi torture techniques, yet mimicked those used by the French in 1930's Vietnam. These methods include such "clean" techniques as electro-torture and water torture. The Gestapo typically used neither of these methods (except for Gestapo agents in France), as

the Nazis were apparently not concerned with international monitors or with the post-torture condition of their victims.

The implications of Rejali's thesis reach far beyond whether a victim of torture has physical scars to show for his suffering. Torture that leaves no marks makes pursuing accountability all the more difficult. When there are no visible scars, a victim's word may remain perpetually dubious. And torturers and human rights advocates alike agree that torture without marks is no less damaging to a victim; torture is most influential when it reaches beyond the body and touches the mind.

Another implication of the connection between democracy and torture is the existence of a cultural amnesia surrounding torture. The history of global torture that Rejali provides raises a profound question: if democracies have managed to either forget or willfully ignore the interplay between torture and democracy, what else about torture might our society be forgetting or willfully ignoring?

Rejali offers a number of disturbing answers to this question, derived from his meticulous research on the topic, that are relevant to contemporary debates about the utility of torture. Too easily, we forget the effect of pain on the body, and that it can diminish a person's capacity to reliably recall information. Or that for decades guerilla groups have trained members to withstand torture for twenty-four hours, the length of time after which all relevant information is changed. This practice implies a need for speedy torture, which contradicts one of the principles all expert torturers know: good torture hinges on fear, generated over stretches of time. We also forget that torture may forfeit as many lives as it may save, if the information elicited is inaccurate. Rejali calls to mind the 2003 invasion of Iraq, justified using information that Saddam Hussein was training Al-Qaeda in the use of biological and chemical weapons. This information, ultimately proven false, was elicited by CIA coercion as recently confirmed by the Pentagon.

Readers will gravitate to this book for a multitude of purposes. Some will be fascinated by the gory details of the techniques, others will benefit from the political analysis offered—the last five chapters are particularly relevant—but many will lack the stomach for chapters entitled “Water, Sleep and Spice,” or “Singing the World Electric.” With chapters organized by torture technique, the book occasionally feels repetitive and disjointed; it may even elicit in readers a macabre sensation of torture-tourism. The bulk of his data may not interest all readers, and oddly, the book lacks statistical analysis or other methodology that might buttress Rejali's claims.

These shortcomings do not undermine the book's important message that democracies across the world would do well to question some basic assumptions about torture. Most importantly, it calls into question the most dangerous of these assumptions: the misperception that torture necessarily saves lives. Rejali's book is a valuable contribution toward understanding the relevance of an ancient practice that has continued to flourish in modern society. He offers a mammoth amount of historical data on torture, a debunking of the notion that democracies share none of the blame for its proliferation, and a damning analysis of torture's implications for democratic society.