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Book Review

*Just Violence: Torture and Human Rights in the Eyes of
the Police* by Rachel Wahl

Stanford University Press, 2017. 246 pages.

\$26.00 (paperback)

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Soon after I first received this book, Ahmaud Arbery was followed, attacked, and murdered by a retired Glynn County, Georgia police officer, assisted by both his son and neighbor. I read its portrayal of police moral imaginations as Breanna Taylor, a 26-year old EMT, was shot eight times in her apartment by three Louisville, Kentucky, police who were given a “no-knock” warrant. I finished it as people began marching in streets across America to protest the murder of George Floyd, who was killed when a Minneapolis police officer, aided by three others, kneeled on

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his neck for seven minutes and forty-six seconds. And now, as I write this review, unidentified federal agents on the streets in Portland, Oregon, are arresting activists after over 50 consecutive days of demonstrations and protests.

In the summer of 2020, the Black Lives Matter movement, the international effort to confront systemic anti-Black racism and its embodiment in police brutality, crystallized into a new formation. The movement, which was born in response to racist state violence, advances a cohesive critique linking police brutality to the larger historical trend of anti-Black violence in the United States and calls for the end of, for example, qualified immunity protections for police officers, the firing of violent and complicit officers, and reduction or elimination of police department funding. At their core, these marches, demonstrations, protests, and riots aim to interrogate the moral position of the police to deploy violence, commit torture, and kill. Into this political moment, Rachel Wahl's *Just Violence: Torture and Human Rights in the Eyes of the Police* offers a timely and nuanced exploration into law enforcement officers' individual and collective moral identity, their understanding of their violence—especially torture—within that frame and how their justification of it seemingly coexists with exposure to human rights and activism.

Synthesizing over a year's worth of ongoing interviews with officers throughout India, from the local constabulary to high-ranking officials who work in many of the various branches of the country's law enforcement apparatus, Wahl's ethnographic project examines the tension inherent in a moral understanding of the police and their use of violence simultaneously as an institution and as individuals within one. The book illustrates the way ethical questions and moral identity play out at the individual level. In addition, Wahl, a researcher interested in dialogue across social conflict, illuminates the apparent gap between law enforcement officers and human rights educators and activists, offering a counternarrative to the standard attribution of violence and torture to ignorance and lack of knowledge.

Roughly divided into three sections, the book first offers a pithy philosophical and political hermeneutic to discuss the function and utility

of state and police violence before introducing how officers' political and moral values, as well as their conceptions of their role within broader political and moral systems, shape their decision to employ violence. The expansive third section addresses the tensions, conflicts, disconnects, and contradictions that arise when human rights activists and human rights education confront torture and violence, often compounded by a set of contextual 'complications' that exacerbate violence or stymie reforms. Wahl is careful to consistently situate her interviewees and their responses within the national context of Indian policing, paying particular attention to local needs and the internal divisions between different law enforcement bodies. While a local constable in Delhi serves a different function than a mid-level paramilitary officer in Uttar Pradesh, their relationship with torture is surprisingly consistent. Despite her attention to context, *Just Violence* translates across national and political boundaries, elegantly diagramming torture's role in policing.

The brief but vital first section illustrates the ethical stakes, arguing that while prohibitions on torture and violence are universal, they are also fraught, fragmented, and highly contested, especially within law enforcement. Within that contestation, police, Wahl argues, torture not for evil or malignant reasons nor to flout international human rights guarantees. When law enforcement officers torture, they do so in (what they perceive of as) service of (what they perceive as) justice. They consider it forgivable and cohesive within a human rights paradigm. Individual officers are only partially individual moral agents and also partially under pressure from colleagues and superiors to maximize the form of retributive justice peculiar to law enforcement institutions, even when the individual knows torture is wrong. This contrast is complicated by the nature and environment of police work – a lack of oversight and generous freedom from accountability while also suffering from exhausting demands and continually expanding job roles. Wahl astutely notes a major gap in the existing research. Torture does not result only from the environment or personal beliefs, as torture scholars suggest, nor solely from police culture, as law enforcement scholars argue, nor exclusively from colonial legacies

and history. Rather, torture appears and spreads from a combination of these factors as determined by local and global complications.

Her analysis of the complex ethical positions of law enforcement officers is drawn from philosopher Charles Taylor's concepts of moral identity and moral imaginary, in which an individual's understanding of goodness and relation to it help form a sense of self. The concept of moral identity emphasizes the need to understand conceptions of right and wrong, while moral imaginary describes how individuals imagine their moral (or, for Taylor, social) existence. Taken together, these two concepts help explain the use and usefulness of violence for police, how it is justifiable, and how this violence does or does not form the core of the individual. While Wahl's reading of Taylor's moral identity theory does rebut the stereotypical human rights critique that torture stems from either a lack of knowledge or cruelty, it also appears strikingly generous to law enforcement – as shown in later chapters where she humanizes officers while still being candid about their participation in and approval of torture.

The second section aims to distill the understanding of violence and torture gleaned from Wahl's interviews into a concise explanation of principles. The author highlights how the Indian officers' understanding of justice is based on determinations of deservedness and objectives rather than equal protections and procedures. Torture, then, is a human rights violation that finds its justification in serving some justicial ends. Officers willingly engage in and perpetuate a narrative of heroism that centers their duty on finding evildoers, terrorists, and hardened criminals. For the officers Wahl interviews, torture is morally justified because suspects are perceived as either inhuman, not bound by human morality, or residing outside of the community, which only guarantees its members full protection. The conclusion is that, according to these officers, some people do not deserve human rights despite universal guarantees. Around this understanding of human rights as flexible is a systemic expectation for violence and a pressure for results, whether arrived at by torture or not. Torture, similarly, is integrated into protocols or left unaddressed, with no tension expressed. The officers describe skepticism of a human rights framework where some actions are categorically wrong, instead favoring

intention and circumstance over universality. As a tool, torture largely exists outside of the rule of law, according to a high-ranking prison officer in Haryana (the state surrounding Delhi), which leaves its use and regulation up to the officers.

Critically, Wahl follows this line of argument, identifying within her interviewees' moral identity the conflation of justice with law and order. Indeed, to these officers, violence against protesters in service of law and order, even in full knowledge of the inalienable right to protest, is forgivable at best and at least understandable. Rather than bolster universal rights, the officers described an internal utilitarian calculation, weighing rights against one another. Protection from violence, for protesters, or torture, for criminals, is only ever conditional for the interviewed officers. Somberly, Wahl notes the officers' moral calculus "rarely favors the rights of those who question the state" (p. 55).

The third section documents human rights interventions and how officers react to this training before exploring avenues and factors for reform. Generally, Wahl finds that officers subscribe to the ethical codes associated with human rights and incorporate the vocabulary but only superficially, while continuing to violate human rights. The officers look for ways to use human rights language to explain their use and approval of torture. Even after human rights training, these Indian officers from national paramilitary organizations and local police departments refused to view rights as anything but conditional and as privileged rights that related to their enforcement efforts. For example, officers stationed in Kashmir or other politically tumultuous areas favored rights related to security or social order at the cost of other equally-protected rights, though officers in model police pilot programs elsewhere in the nation echoed these preferences. From these observations, Wahl concludes that law enforcement officers are invested in moral issues, their moral identity, and a moral imaginary, but view these as ways to understand their labor without substantively changing it. She notes problems with what Sally Merry (2006) calls the 'vernacularization' of rights and identifies varieties of subversion to human rights reforms. She ends this section exploring local and global

‘complications’ - tensions between human rights activism and human rights education and contextual issues that slow or frustrate work.

In her conclusion, Wahl continues exploring the difficulties and tensions that inhabit the work of human rights reforms within policing. She recognizes the need for formal training but expresses concern that this may offer law enforcement officers merely additional vocabulary to justify torture. She acknowledges that humanization and understanding is vital to meet human rights objectives, but worries that it may remove the heft of the only meaningful check on police powers - accountability. By way of a solution, she points to the opportunity to expand existing human rights education programs, although she emphasizes the need to move beyond traditional methods and hierarchies, instead of favoring a model akin to transformative human rights education (Bajaj, Cislighi & Mackie, 2016) without ever naming it as such. This approach, which incorporates educators to help law enforcement navigate human rights issues, combined with greater accountability from activists, could lead to deeper, more widespread, and sustainable systemic change.

Wahl’s volume is alternately highly practical and profoundly philosophical, addressing both the material conditions of police work and the theoretical dimension of their violence. Furthermore, it explores a side of state violence that is often recorded but little understood. As such, it belongs alongside William Vollman’s treatise on violence, *Rising Up and Rising Down* (2003), Slavoj Žižek’s *Violence* (2008), and Hannah Arendt’s slim volume *On Violence* (1970), which all frame the political apparatus that perpetuates violence. Furthermore, because she works to unpack how torture and violence is inherent in policing, her work is also useful alongside books like Alex Vitale’s *The End of Policing* (2018) and *Who Do You Serve? Who Do You Protect* (2016) by the Truthout collective. Even by itself, Wahl’s text highlights the complicated nature of police violence generally and torture in particular, aiming to understand it without apologizing or justifying it. Such a perspective is not only helpful but essential, especially for human rights educators, those invested in social justice, and other education researchers looking to challenge and reform institutions that perpetuate oppression.

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