

Torture- A matter of habit

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Public torture has historically written a sad chapter in the story of America. Between 1890 and 1940 there were 300-400 public torture lynchings in the South and several thousand other lynchings carried out more privately. Public torture lynchings were community affairs invented to express a level of passion and anger that would not be allowed through official criminal law. They were inter-racial atrocities in response to (alleged) crimes that would have been subject to the death penalty if the accused had been tried and convicted. However, Southern lynch mobs considered hanging too good for the offenders. The lynchers revived ancient penalties of torture, burning, beating and dismemberment to express their outrage. (Garland, 2007).

The Universal Declaration of Human Rights /The Geneva Convention

In response to the human atrocities committed by the Nazis in World War II, the United Nations drew up an historic document outlining inalienable human rights. On December 10, 1948, *The Universal Declaration of Human Rights* was adopted by the General Assembly of the United Nations. All member countries of the U.N. were to disseminate and teach these statutes in their schools. The document outlined the inalienable rights of all members of the human family to life, liberty and security of person. It condemned the "barbarous acts which have outraged the conscience of mankind." Article 5 specifically stated that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." (Universal Declaration of Human Rights, 1948).

The *Geneva Convention* consisted of a series of agreements first made in Geneva, Switzerland in 1864. These agreements concerned the treatment of prisoners of war and of the sick, wounded and dead in battle. On August 12, 1949 an updated version of the *Geneva Convention* was developed by the United Nation's Office of the High Commissioner for Human Rights. It was adopted and became effective in October of 1950. Most nations signed this document, including the United States. Article 3, Section 1 outlines that all persons not actively engaged in combat, including those who had laid down their arms and were detained "shall in all circumstances be treated humanely." (Webster's Dictionary, 1988; Office of the High Commissioner for Human Rights, 2009).

U.S. involvement in Saigon tortures

Amnesty International (AI) is a respected organization concerned with political prisoners around the world. On July 15, 1973, AI issued a statement on the situation of the 100,000 or more civilians retained by the Saigon Government. The report described what was done in the interrogation centers of South Vietnam: the use of electricity, beating, water and the resulting crippling and death. "Torture during interrogation, or as a disciplinary measure within prisons, is no longer even motivated by a desire to gather 'intelligence' ...torture is widely used not only as an instrument of intimidation but as an end in itself... in many instances torture has become no more or less than a matter of habit." (Lewis, 1973)

The tragic situations of political prisoners in South Vietnam were graphically described by American Congressman, correspondents, doctors and others. However, again tragically, the police system of

South Vietnam was an American creation. The *Phoenix* program devised to hunt out Viet Cong suspects was a product of the CIA. The director of the CIA, William Colby testified that between 1968 and 1971, 20,587 suspects were killed.(Lewis, 1973).

The School of the Americas (SOA)

In 1946, to promote stability in Latin America, the United States Army established The School of the Americas in Panama to train Latin American officers. By the 1960's the SOA was known in Latin American circles as the "School of Coups" because it had trained so many tyrants and dictators. In 1984 the SOA moved to Fort Benning, Georgia after being kicked out of Panama. *La Prensa*, the Panamanian newspaper dubbed it, "The School of Assassins".

SOA trains soldiers in "Low Intensity Conflict". This is a strategy for maintaining U.S. influence in Latin America without using large numbers of U.S. troops. "Dirty little war" techniques are taught by U.S. personnel to soldiers from Latin America and the Caribbean. By 1995, 57,000 soldiers from 23 countries in Latin America had been trained to "professionalize militaries in Latin America, promote democracy, and teach human rights." However, an in-depth investigation by *The National Catholic Reporter* revealed that an examination of course catalogs showed that mandatory human rights training began only in 1992 in response to congressional pressure and media publicity. (Bourgeois, 1995)

In 1996, the literary satirist, Molly Ivins, reported, "Well, I'll be dipped in snuff...You can cut off one of my legs and call me I-lean". She was expressing her amazement at a *Washington Post* report that "the U.S. Department of Defense has admitted training Latin American military leaders in the arts of torture, execution, black-mail and other forms of coercion". She was expressing her surprise not because the government was engaging in these behaviors but because the media was finally speaking out about these abuses. Ivins documented "the honor roll of graduate students of the School of the Americas:

- Roberto D'Aubuisson, leader of El Salvador's infamous death squads.
- Manuel Noriega, Panamanian dictator and drug-dealer.
- Nineteen of the Salvadoran soldiers linked with the 1989 assassinations of six Jesuit priests.
- Six Peruvian officers tied to the murder of university students and professors.
- Officers who oversaw the massacre of 900 peasants at El Mozote, El Salvador.
- Three of the five who raped and killed the four U.S. churchwomen in El Salvador in 1980.
- Two of the five assassins of Archbishop Oscar Romero of El Salvador." (Ivins, 1996)

Maryknoll Father Roy Bourgeois has challenged the proceedings at Fort Benning for decades, staging protests and calling for closure of the school.

In 1990, Father Bourgeois formed an advocacy organization called School of the Americas Watch to protest the training of Latin American military officers at the School of the Americas.

Each year SOA Watch conducts a protest vigil in November at the site of the academy at Fort Benning. This protest commemorates the anniversary of the murders of six Jesuit priests, their housekeeper and her daughter by graduates of the School of the Americas in El Salvador. The vigil and

memorial service concludes with a mock funeral procession. Some protestors march onto the post, trespassing on federal property and risking arrest. Following 9/11/2001 a fence was built at the main gate, requiring determined protestors to climb over or under the fence. In 2004, a second fence topped with razor wire was added.

By 2005, 183 people had been arrested for civil disobedience and collectively served over 81 years in prison. The original band of ten resisters grew over the years, drawing people from across the United States and around the world. On Sunday, November 19, 2006 over 22,000 protestors attended the vigil. (Wikipedia, School of the Americas Watch, 2009).

Extraordinary rendition

Extraordinary rendition is a part of a new 'intelligence paradigm' that developed in the global war on terror. The Bush administration argued that "at this historical moment, it is too dangerous to respect the traditional laws of war that forbid torture and abuse, as well as the human rights rules of due process that safeguard against ill treatment." (Satterthwaite, 2006)

Six days after the attacks on the Twin Towers in New York on Sept 11, 2001 (9/11). President Bush signed a Presidential Finding authorizing "the CIA to kill, capture, or detain suspected al-Qaeda members anywhere in the world". This classified document became the basis for illegal tactics whereby U.S. authorities render suspects to countries known for torture or secretly detain them in CIA run 'black sites'.

On September 26, 2002, a Canadian citizen Maher Arar was picked up by U.S. officials at the John F. Kennedy airport as he was en route to Montreal after returning from Zurich on business. After enduring extensive questioning, U.S. officials demanded that Arar agree to be sent to Syria where he was born. He explained that he was afraid of being tortured in Syria for not completing his military service. Despite his refusal to agree, Arar was loaded into a night flight to Jordan. Arar was not accused of a crime nor ever learned of charges against him.

Jordan authorities beat him and then drove him across the border to Syria where he was kept in a dark cell for 10 months and beaten. After 3 days of beatings and interrogations he said, "I could not take the pain any more and I falsely confessed of having been to Afghanistan." What happened to Arar, has happened to dozens of men who were rounded up far from any battlefield and shipped to countries that use torture. This is known as extraordinary rendition. (Satterthwaite, 2006)

Enhanced techniques

After 9/11 President Bush issued an Executive Order establishing military commissions to try 'enemy combatants'. Conditions for these trials fell far short of fair trial standards of U.S. and International Law. (Satterthwaite, 2006). On February 7, 2002, President George W. Bush

signed a memorandum stating that the “Third Geneva Convention...regarding treatment of enemy prisoners taken in wartime, did not apply to members of al-Qaeda or the Taliban”. This statement led to callous abuses at Abu Ghraib and Guantanamo Bay prisons. The Justice Department’s Office of Legal Council circulated memos authorizing the use of ‘enhanced techniques’. Vice President Dick Cheney and Attorney General, Alberto Gonzales approved this decision. The techniques used on one prisoner were detailed in an Armed Services Committee report. “Military working dogs had been used against (Mohammed al-) Khatani. He had also been deprived of adequate sleep for weeks on end, stripped naked, subjected to loud music, and made to wear a leash and perform dog tricks.” (Klein, 2009)

Although waterboarding, a technique of simulated drowning used to force disclosures, was a subject of fierce congressional debate for years, CIA Director Michael Hayden confirmed that waterboarding had been used on three al-Quaida detainees after the Sept. 11 attacks. Legal experts have called the technique torture and it’s use was barred by U.S. laws and treaties. However, on Feb. 6, 2008, Tony Fratto, the White House spokesman said the CIA could use waterboarding with Bush’s approval, depending on the circumstances. (Eggen, 2008)

Guantanamo Bay Detention Center, Cuba

After the U.S. launched the war on terror following 9/11, thousands of people were imprisoned all over the world. The prisons of Abu Graib and Guantanamo Bay became symbols of how far America strayed from its principles of human rights.

The first prisoners arrived at Guantanamo Bay, Cuba on January 10, of 2002. The identities of the prisoners, the charges against them, and when they would be released were hidden behind a wall of secrecy. By May of 2003, 680 prisoners were held at Guantanamo Bay. In 2007 Amnesty International issued a report, *Cruel and Inhuman: Conditions of Isolation for Detainees at Guantanamo Bay*. Prisoners were described as being subjected to sensory deprivation, extreme isolation and confinement in mesh cages. (Amnesty, 2007).

The U.S. military paid a bounty for terror suspects. Two months after 9/11, Murat Kurnaz traveled to Pakistan from his hometown of Bremen, Germany. Kurnaz was abducted by Pakistani authorities and sold as a terror suspect to the U.S. military for a bounty of \$3000. He was sent to the Guantanamo Bay detention center where he endured five years of torture, interrogations and abuse. Official documents showed that U.S, and German authorities had determined he was innocent in 2002, but Kurnaz was not released until 2006. (Meroth and Rauss, 2008)

In the summer of 2007 Amnesty International documented changing conditions of detention at Guantanamo Bay: (Amnesty, 2007)

- June 28, 2004: Supreme Court rules that detainees can challenge their detention in U.S. federal court...

- July 7, 2004: the Pentagon creates Combatant Status Review Tribunals to determine each detainee’s “enemy combatant status”...

- August 24, 2004: First military commission begins...

- June 29, 2006: Supreme Court rules that the military commissions are illegal and that detainees are protected by the Geneva Convention...

- September 28, 2006: Congress passes the new Military Commission Act, despite the Supreme Court's June 29 ruling, stripping federal judges of the authority to review Guantanamo cases...

Jumana Musa, Amnesty International's USA's advocacy director for domestic human rights, said, "The commissions are not bound by any precedent or case law, making the mounting of an effective defense extremely difficult." (Amnesty, 2007)

Abu Ghraib

Abu Ghraib brings to mind shocking photographs of scandalous and degrading treatment of detainees at the U.S. military prison in Iraq in 2003. In response to a major investigation into the Army's prison system, Major General Antonio M. Taguba compiled a report that outlined devastating institutional failures of the system. Taguba found numerous instances of "sadistic, blatant, and wanton criminal abuses" at Abu Ghraib that were perpetrated by soldiers of the 372nd Military Police Company and by members of the American intelligence community. Some of the listed wrongdoings included: "Breaking chemical lights and pouring the phosphoric liquid on detainees; pouring cold water on naked detainees; beating detainees with a broom handle and a chair; threatening male detainees with rape; ...sodomizing a detainee with a chemical light and perhaps a broom stick, and using military working dogs to frighten and intimidate detainees with threats of attack." Taguba added "detailed witness statements and the discovery of extremely graphic photographic evidence" supported the allegations. (Hersh, 2004).

The photographs documented the degradation. "In one, Private England, a cigarette dangling from her mouth, is giving a jaunty thumbs-up sign and pointing at the genitals of a young Iraqi, who is naked except for a sandbag over his head... In another...seven naked Iraqis, knees bent, piled clumsily on top of each other in a pyramid."

Dehumanization is unacceptable in any culture, but especially so in the Arab world. Bernard Haykel, a professor of Middle Eastern studies at New York University, explained "Being put on top of each other and forced to masturbate, being naked in front of each other – it's all a form of torture". Seven suspects were charged with dereliction of duty, cruelty toward prisoners, maltreatment, assault, and indecent act. Staff Sergeant Ivan L. Frederick II, who was the senior enlisted man claimed that they were "carrying out the orders of his superiors, in particular the directions of military intelligence." This claim was supported by Provost Marshal Donald Ryder, a major general who reported that dating back to the Afghanistan war "M.P.'s had worked with intelligence operatives to 'set favorable conditions for subsequent interviews'". This was a euphemism for breaking the will of prisoners. One of the accused M.P.'s, Sabrina Harman, said it was her job to "keep detainees awake, including one hooded prisoner who was placed on a box with wires attached to his fingers, toes, and penis." (Hersh, 2004)

Psychologists denounce torture

Psychologists have played a central role in the military and CIA interrogations of suspected enemy combatants by observing suspects for mental quirks, suggesting lines of questioning, and helping decide

when questioning is too intense or should proceed. There has long been division in the profession in regard to this involvement. Debates came to a head at the 2008 annual meetings of the American Psychological Association (APA). While prominent members denounced such work as unethical, other key members strongly disagreed. Brad Olson, a psychologist at Northwestern University, who circulated a petition to place a moratorium on such consulting said, "It's really a fight for the soul of the profession". Representing the Society for Military Psychology, William Strickland disagreed saying, "The vast majority of military psychologists know the ethics code and know exactly what they can and cannot do...This is a fight about individual psychologists' behavior; and we should keep it there." (Carey,2008).

APA, the largest professional organization representing psychology in the U.S. with a membership of over 148,000, issued a statement in August of 2008 that "No psychologist- APA member or not – should be directly or indirectly involved in any form of detention or interrogation that could lead to psychological or physical harm to a detainee. " The APA statement prohibited 19 interrogation techniques that were considered torture, including waterboarding, hooding, forced nudity or stress positions in interrogations. (APA Online, Aug 16, 2008).

In October of 2008, APA sent a letter to President Bush informing him of changes in the association's policy limiting the role of psychologists in detention settings where human rights are violated, such as at Guantanamo Bay and CIA black sites around the world. "The effect of this new policy is to prohibit psychologists from any involvement in interrogations or any other operational procedures at detention sites that are in violation of the U.S. Constitution or international law. (e.g., the Geneva Conventions and the U.N. Convention Against Torture" (APA Online, Oct. 2, 2008).

President Obama bans torture

Two days after Barack Obama was inaugurated as President, he signed executive orders insuring that " torture and other abusive interrogation techniques will be prohibited and that the legal rights of detainees to judicial review will be upheld". (APA Online, Jan. 22, 2009)

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