

Torture 101

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Research-based scientific theory is most useful when it can successfully predict outcomes. In Spring 2002 I submitted an editorial to the *Albany Times Union* published as “Treat Prisoners Like Human Beings,” (3/26/2002), warning that prisoner conditions at Guantanamo allowed interrogations there to become torture. This model was based not on an image of the kinds of people likely to torture, but on the political, social, and cultural facilitating conditions that promote, encourage, and excuse it. After thirty years of sociological research on state violence, including extensive interviews with Brazilian police torturers, I felt confident about the ability of my model to predict torture in prisons, jails, and interrogation safe houses.

Using the same model, in April 2004, I sent out an oped piece on prisoner treatment in Afghanistan and Iraq. Coming just before the pictures

of Abu Ghraib abuse, newspaper editors found my arguments lacked ‘sufficient data.’ I had asserted that prisoner torture in Iraq, Afghanistan, and at Guantanamo’s “Camp Delta” could be predicted from decades of research on obedience to authority, prisoner treatment in pre-WWII Japan and Nazi Germany, and torture in Brazil and other Latin American countries.

I listed ten conditions in the U.S. ‘war against terror’ in U.S.-occupied Middle Eastern war zones and at Guantanamo that lay a foundation for state-sanctioned torture. The U.S. Congressional and military investigations into Abu Ghraib illustrate these ten conditions. Torture occurs when:

1. **The word “torture” is mislabeled or avoided by perpetrators and responsible officials.** The Brazilian torturers interviewed, seldom used the word *torture*, referring to it as “that type of conduct,” “a conversation with our prisoners, or “conducting research . . . and looking for data.” They would admit to having carried out such “lesser excesses” as “slapping . . . and punching [a prisoner] around a little” or “hanging [a prisoner] up there.” When torture had gone “too far,” the torturer pointed to his having “commit[ed] a mistake” or carried out “unnecessary excesses.”

Similarly, in investigations of U.S. “abuse” of imprisoned

Iraqis, there has been reluctance to use the “T” word, describing this violence as: “degradation,” “staging,” “mistreatment,” “tough interrogation,” all forms of violence apparently less than torture.

We found among Brazilian torturers the tendency to distance themselves organizationally from those they labeled torturers: As one Brazilian policeman asserted, his team would simply arrest suspects and leave them “to be ‘officialized’; we just gave interrogators “the material to work on.” Even if this man had been directly involved in torture, he did not have to consider the personal emotional consequences of his actions because he transformed (dehumanized) his victims into “material” to be worked on-- much like pre-W.W. II Japanese experimentation teams called their human guinea pigs, “stumps of wood.” (see Gold, 1996)

The UN Convention against Torture, signed by the U.S. in 1994, defines torture as “any act that creates severe pain and suffering, whether physical or mental, intentionally inflicted to obtain information, or a confession, or to punish.” According to this Convention, and the definition in U.S. law, Iraqi prisoners were tortured when they were:

- held for prolonged periods without formal charges; had food and water withheld;
- stripped naked and placed in dark cells--held in

solitary confinement for sustained periods;
--subjected to psychological terror;
--attacked by dogs;—burned;--forced to simulate or perform
sex;--prodded with electric poles;--subjected to repeated
rectal examinations;--sodomized with light bulbs;--raped;--
and beaten—sometimes to death.

These are the practices of torture. To claim that they are not, or to argue that it is difficult to distinguish torture from ‘normal’ interrogation, or that “softening up” prisoners for interrogation is not torture, demonstrates a rhetorical pattern common to torture systems: Torture is seldom labeled “torture” and torturers use a police or military system’s division of labor to physically distance themselves from such violence.

To maintain that Abu Ghraib prisoners were not tortured must be called into question in any case since State Department and CIA lawyers recommended to the Bush Administration and its interrogators how torturers could avoid prosecution: If lawyers were unclear about what constitutes torture, they would not have been able to suggest how torture could be made to *look like* what it is not, by arguing that:

- Guantanamo’s “unlawful combatants” have no status in United States Constitutional or international law and thus no protection from torture;
- Torture by foreign governments—e.g., “by-proxy”—will not implicate the U.S., even though information obtained through torture is passed on to the United States;
- A torturer is guilty “only if he acts with the express purpose of inflicting severe pain or suffering on a person within his control”;
- “The Federal torture statute will not be violated as long as any of the proposed strategies are not specifically intended to cause severe physical or prolonged mental harm”;
- Interrogation that “simulates torture” may be used as long as such acts stop “short of serious injury”;

The Brazilian torturers I interviewed were clear about the difference between themselves as “good torturers” and the “bad” ones. These “sadists,” they said, used pain as an end in itself

rather than toward the ‘just end’ of securing information. As one Brazilian torturer explained, “a policeman must be completely aware of what he is doing—torture must cause suffering but must not cause injuries. Injuries can cause the policeman to be held responsible,” a situation that lawyers advising the Bush administration sought to avoid.

2. Evidence of torture is ignored, hidden, denied and lied

about. Many torture regimes use press censorship, eliminate congress and popular elections, and shut down the judiciary to avoid public knowledge of government-sponsored torture. In the United States, when challenged about torture, powerful actors can dismiss, hide, or, if necessary, lie about ‘excesses.’

Released Guantanamo prisoners have reported abuses there to no avail; most of it has been denied by the Bush administration.

Human Rights Watch has recorded prisoner abuse in Afghanistan, where John Walker Lindh, the “American Taliban,” was tortured in 2002--initially by Afghan allies of the United States and then by U.S. agents. They put Lindh, stretcher-bound, for several days into a windowless, suffocating, casket-like metal

container with little food or medical attention. Lindh, a Taliban fighter, could be so treated because, as such, he was adjudged outside U.S. Constitutional and international law.

Rumsfeld, at the request of CIA Director George Tenet, even ordered military officials in Iraq not to list in the incarceration log, seventeen ‘high-level’ prisoners’ names. This hid these “ghost detainees” from International Red Cross inspectors and increased their vulnerability to the ‘overly stressful’ interrogation techniques that Rumsfeld himself could authorize.

When the International Red Cross, Amnesty International and other human rights groups, the family of one American Abu Ghraib guard, and numerous U.S. service personnel, reported prisoner abuse in Iraq and Afghanistan, their charges were ignored, underplayed, dismissed, and hidden by U.S. officials until photographic evidence of Abu Ghraib prisoner mistreatment came to light.

3. Ad-hoc legalism is employed. A torture culture is created by official executive-level decisions that make torture seem legitimate. In 2002, the Bush administration simply declared that Guantanamo detainees were not covered by the U.S. Constitution nor by international law. Under pressure from the State Department, this

ruling was revised to apply only to Guantanamo's "illegal combatants," a status assigned to individuals by the Bush administration rather than by 'military tribunals,' as required by the Geneva Convention.

Attempting in Spring 2004 to clarify the Bush administration's position on prisoner status in Iraq, Secretary of Defense Donald Rumsfeld explained before the Senate Armed Services Committee that at the Abu Ghraib prison the Geneva Conventions apply to the incarcerated "in one way or another." He declared that the Conventions do apply directly to "the Prisoners of War, [but] the criminals...are handled under a different provision of the Geneva Convention." Rumsfeld failed to identify the legal status of "battlefield detainees," unless these are the "criminals" to whom Rumsfeld refers.

The Bush Administration claims to accept application of the Geneva Accords and the UN Convention Against Torture--*except* when it does not. This illustration of what some legal scholars call "international law a la carte," makes prisoners vulnerable to torture, especially where the definition of such violence shifts to accommodate international, national, and local conditions. Like 'Humpty Dumpty' in Lewis Carroll's *Through the Looking Glass*,

when Rumsfeld certifies that torture is not torture, the Defense Secretary makes this word into what he “choose[s] it to mean—neither more nor less.” Such broad definitional flexibility filters down to those carrying out interrogations, creating a climate that makes prisoners susceptible to torture.

In a military authoritarian government, such as in Brazil between 1964 and 1985, executive rule-by-fiat is the norm. In a formal democracy, such shifting executive-level legalisms, soil the essence of what differentiates the United States from violent dictatorships.

4. Ideologies of ‘national security’ are advanced. Torture is nurtured and justified by ideologies that create an ever-expanding category of >enemy others.= Where ‘good’ nations are threatened by ‘evil-doers,’ and anyone could be an ‘enemy,’ there should be no restrictions on interrogation.

Fear, whether or not deliberately instilled—as in fictions about “weapons of mass destruction”—grants legitimacy to torture.

Where a ‘threat’ is said to operate outside civilized law, it is argued that the response can and must be uncivilized.

5. Torture is systemic, and not the work of a few ‘bad apples.’

As one Brazilian torturer explained, especially young police have “no choice” about their actions because “they belong to a machine [and]...may or may not [torture] according to who is materially or morally directing [them]. When a supervisor doesn’t keep his eye on things,...torture [can result].”

To claim that torture is systemic means that such violence is persistent and widespread, supported by legal and ideological frameworks, incorporated into an official agency with its multiple and intersecting divisions of labor, nurtured and protected by secrecy and by absence of any official action against it.

In Afghanistan, Iraq, Guantanamo, torture does not result from chain of command failures such as perpetrators not following prisoner treatment regulations. Quite to the contrary, interrogation guidelines were issued at the highest levels of the U.S. government. President Bush was told that in the ‘war against terror’ he had Commander-in-Chief authority to ignore national and international law. Donald Rumsfeld had to approve

prisoner treatment, even signing-off on interrogation techniques considered “overly stressful.”

In a “Gitmoization” of Iraqi prisons, Rumsfeld’s top civilian intelligence official, Cambone, assigned Gen. Geoffrey Miller, head of Guantanamo’s prison complex, to “assess” conditions in Iraq. Miller, who recommended that prison guards help “set conditions for the successful interrogation” of prisoners, was subsequently placed in charge of Abu Ghraib.

Acting according to the Bush administration’s ad-hoc Legality, the torturers--whether guards or interrogators--functioned under an explicit chain of command. Torturers’ actions were encouraged by rewards for “softening up” prisoners or for coerced testimony. Those questioning such violence were held hostage by punishment for failure.

This established a climate in which no explicit order to torture had to be given. Those operating in the prison environment were shaped by the cultural and social conditions that surround them, a fact no less true for service men and women in a war zone, than for automobile plant workers or children in a school yard.

6. Multiple actors are deployed. Systemic torture is fostered and perpetuated by actors and organizations inside **and** outside the local torture environment. The direct perpetrators of Abu Gharib torture—some guards and some interrogators, government and private—could not have *serially* tortured without a range of facilitators who provided organizational, technical, legal, and financial support for their violence.

In the immediate torture environment, facilitators included translators, medical doctors, nurses, medics, guards, and dog handlers, among many others. The torture system's higher-up facilitators include heads of state, their ministers, ambassadors, lawyers, and chiefs of departments, to name a few.

Asking why someone would torture another therefore only explores a small part of the problem. Understanding that direct perpetrators' violent actions can only occur within a system that includes facilitators and their organizations, makes it clear that facilitators are even more essential to the *long-term* stability and protection of a torture system than its more visible direct perpetrators. Clearly, torture during Brazil's military period could not have persisted for over twenty years without the active and passive complicity of facilitators. This is as true for the U.S. today

as for Brazil's military period.

7. Responsibility is diffused. Torture's division of labor includes some who order and disguise torture and others who carry it out. As our research on Brazilian torturers demonstrated, an important difference between the police who became torturers, as opposed to those who did not, was their membership in elite police operations or intelligence units. This division of labor, created by a person's assignment within a police or military system, was the most important predictor of torture. Quite simply, a person could not torture routinely unless associated with an interrogation squad. In addressing how such specialized violence organizations might shape human conduct, Robert J. Lifton (1986: 425) argues that these are "so structured . . . institutionally that the average person entering . . . will commit or become associated with atrocities." The ultimate responsibility for torture rests on the structure and functioning of such specialized units themselves, which result from the actions of those who knowingly create such units and place certain kinds of people in them.

Pointing to the role of superiors in facilitating torture, one

Brazilian police official who had headed a special intelligence team and a death squad, explained that, in his experience, torturers are quite likely to come from the ranks of “more aggressive” policemen: “If anyone analyzed their psychological profile, it would be obvious that they have a higher tendency for aggressiveness—a very high degree,” although not necessarily for torture. The police official explained that these men were “noticed” by superiors and placed in “the most violent police units.” But, these men do not automatically become “good torturers.” Their ability to torture emerges through mentoring by the squad’s more senior members. In the end, the torturers are “really exploited by their bosses, by those who [just] want to get the job over quickly” (see Huggins, et al., 2002).

A division of labor between various levels of superiors who knowingly establish and promote a torture structure and culture, and the perpetrators who actually carry it out, usually protects the facilitators from exposure while exposing their more visible operatives to punishment. The assembly-line (e.g., highly segmented, task differentiated) structure of torture systems simultaneously keeps torture perpetrators from having to recognize

the meaning and consequences of their particular role in violence and protects torture facilitators from labeling themselves or being labeled by others as torturers. As one Brazilian torture facilitator told me: “I never tortured anyone, I just delivered people to the interrogators; I don’t know what happened to them after that.”

Torture perpetrators may eventually get plenty of public and legal attention, **although** the perpetrators are in fact much less numerous and considerably less important than facilitators for the long-run maintenance of a torture system.

By seeing torture as a working component of a larger organizational system that includes perpetrators and their facilitators, researchers can explore how some kinds of system operations and certain kinds of political ideologies come together to nurture, support, and excuse torture. By contrast, seeing torture as a deviant or ‘broken’ aspect of an otherwise normal system—which some “bad apple” and “command confusion” explanations do—limits proposals for eliminating torture to the easily ‘fix-able’ and seemingly ‘deviant’ aspects of otherwise normal systems. This of course primarily protects the facilitators, who can then devise new

ways of getting around national and international laws against torture.

New torture perpetrators can always be found, a fact demonstrated by the countries whose once vibrant torture systems persist even after their authoritarian or totalitarian periods have ended. While political leaders and politics change, and the social class, ethnicity, religion, or gender of victims may change as well, torture as a form of interrogation, coercion, punishment, or for instilling fear, remains.

8. Competition rages. Intelligence-system ‘speed-up,’ easily nurtured by a broadly defined preventive war against an expanding category of enemy ‘others,’ encourages competition for intelligence and creates a hospitable climate for torture. As military and civilian intelligence agencies and their agents each vie for the ‘most’ and the ‘best’ information from and about ‘terrorists’—with each of these categories (‘best,’ ‘most,’ and ‘terrorist’) ill-defined and subject to change—torture usually results.

In military Brazil, what furthered an operative’s career or a unit’s prestige was capturing the ‘most important’ subversives,

bringing in the ‘greatest number’ of suspects, or obtaining the ‘highest-quality’ information. This required above all great speed and secrecy, which encouraged the harshest treatment in the first hours after a suspect was arrested.

Introducing another important factor in virtually all torture environments, Ramirez (1999) points to how competition interacts with masculinity, arguing that where one man’s respect is derived from another’s degradation, the thin line between normal masculine aggression and physical violence is easily transgressed. This is especially true when competitive masculinity is swaddled within an elite police unit’s social cocoon—creating a secret, club-like atmosphere in which each man is constantly proving his courage and toughness relative to others in his unit. Within such a context, physical violence may be the only way of successfully demonstrating manhood (see Uildriks and Mastrikt 1991; Skolnick and Fyfe 1993).

Where such masculine competition is legitimized by a climate of *politically validated* internal war, atrocities are extraordinarily likely. In Brazil, in fact, some of the worst torture was associated with competition between elite police and intelligence squads.

In Iraq and Afghanistan today, competition between and

within U.S. intelligence organizations is further exacerbated where interrogation and guard work are not only conflated, but have been outsourced to private corporations. For private operatives and their corporate sponsors, ‘success’ is bankable: If interrogation produces abundant information, whether accurate or not, another lucrative government contract will follow. Operating within a contractually defined short time period, the contract employee--traditionally unregulated by military, local, or U.S. laws--is relatively unconstrained in how he fulfils a contract, as long as the private contract corporation’s needs are met. Such needs, especially for providing IT intelligence software for the Pentagon, requires a constant and abundant flow of intelligence information--whether or such information is correct is relatively less important than its abundance. Humans and their information thus become the grist for keeping IT software and technology operating and developing.

To label as ‘private’—outside the U.S. government—those corporations and their employees to whom the military outsources interrogation--disguises these corporations’ heavy reliance on Pentagon and CIA funding. Private outsource corporations receive up to 95% of their funds from the Department of Defense. CACI and Titan, two corporations whose contractees were implicated

in Abu Ghraib torture, are ranked 15th and 19th, respectively, among the twenty corporations which together receive half of all Pentagon Information Technology contracts. Funded by the Pentagon, seemingly private contractees are not fully ‘private’--although, they are routinely labeled such--a fact that makes contract interrogators into torture proxies: They can commit or facilitate torture without immediately implicating the U.S.

9. Insularity and secrecy hide torture. Like some American guards at Abu Ghraib prison, a Brazilian torturer I interviewed in 1993 had snapped pictures of a man being tortured. Where actors answer only to each other and to the immediate superiors who directly or indirectly permit torture, snapping pictures is very low-risk. Yet if torture is so safe, why was it carried out at night? Perhaps this suggests that Abu Ghraib perpetrators are not as ‘essentially bad’ as portrayed—not just “bad apples.” Carrying out torture at night--with victims hooded, and sometimes perpetrators, too--dehumanizes victims and provides anonymity to torturers. People without eyes and facial expressions can be more easily abused; the environment’s anonymity allows otherwise good men and women to do unthinkable things, a fact presumably known to the more seasoned interrogators who controlled Abu Ghraib, since academic information about degradation and deindividuation have been

available for about fifty years (Huggins et al., 2002, conclusion).

10. Impunity is widespread. Torture becomes systemic when those involved are not punished.

Conclusion: Three factors distinguish the U.S. today from the other terror systems I have studied: free media, Congressional scrutiny, and a relatively non-partisan judiciary. Without these, or to the extent that any one is weakened, there will be more ‘scandals’ and more torture.

The media and Congress must continue to seek evidence of facilitator involvement in torture in Iraq, Afghanistan, and at Guantanamo. They must look for torture ‘proxies’ within and outside the occupied countries, especially with the U.S. turnover of Iraq to Iraqi’s and the ushering in of Iraqi torture “proxies” to conduct interrogations.

Private military contract corporations must be held accountable for their contractees’ actions under civil and criminal law. The U.S. ‘national security’ war against terror must not be a successful pretext for

denying information to Congress and the public. Congress must expand its investigation of torture into Afghanistan, Diego Garcia Island, and Guantanamo, and then to U.S. jails and prisons.

***Martha Huggins' recently published book, *Violence Workers: Torturers and Murderers Reconstruct Brazilian Atrocities* (with Philip Zimbardo and Mika Haritos-Fatouros [University of California Press]), won the American Society of Criminology's "Distinguished Book" prize from its Division of International Criminology and the "Best Book" prize from the New England Council of Latin American Studies.**

References

Amnesty International: Amnesty International.

----- . 2004. Annual Report

———. 2001. *Brazil: Commentary on Brazil's first report to the UN Committee Against Torture*. AMR 19/016/2001.

Browning, Christopher. 1992. *Ordinary men: Reserve police battalion 101 and the final solution in Poland*. New York: HarperCollins.

(BW) Business Week Online. 2002. "Out in front: Information technology." November 25.

Gold, Hal. 1996. *Unit 731 Testimony*. Singapore: Yen Books.

Haney, Craig, and P. G. Zimbardo 1977 "The socialization into criminality: On becoming a prisoner and a guard." In *Law, justice and the individual in society: Psychological and legal issues*, edited by J. L. Tapp and F. J. Levine. New York: Holt, Rinehart & Winston.

Huggins, Martha K., Mika Haritos-Fatouros, Philip Zimbardo. 2002. *Violence Workers: Torturers and Murderers Reconstruct Brazilian Atrocities*. San Francisco, CA: University of California Press.

Huggins, Martha K. 2002. "Treat prisoners like human beings." *The Albany Times Union*. March 26.

----- . 1998. *Political policing: The United States and Latin America*.
Durham, NC: Duke University Press.

Jenkins, Brian Michael. 2000. "Elite units troublesome but useful." *Los Angeles Times*,
March 27.

Johnson, Robert. 1997. *Death work: A study of the modern execution process*. Belmont,
CA: Wadsworth.

Lifton, R. 1986. *The Nazi doctors: Medical killing and the psychology of genocide*. New
York: Basic Books.

Morales, Frank, 1999. The militarization of the police. *Covert Action Quarterly* 67
(Spring-Summer), p. 67.

(*NYT*) *New York Times*. 2004. "Photos of dead show the horrors of abuse." *May 7, A-11*.

----- . 2004. "'My deepest apology' from Rumsfeld; 'nothing less
than tragic,' says top General." *May 8, p. A-6*.

Ramirez, R. 1999. *What it means to be a man: Reflections on Puerto Rican masculinity*.
New Brunswick, NJ: Rutgers University Press.

Skolnick, Jerome. 1966. *Justice without trial*. New York: John Wiley & Sons.

Skolnick, Jerome, and James Fyfe. 1993. *Above the law: Police and the excessive use of
force*. New York: The Free Press.

- Toch, Hans. 1969. *Violent men: An inquiry into the psychology of violence*. Chicago, IL: Aldine.
- . 1996. “The violence-prone police officer.” In *Police violence: Understanding and controlling police abuse of force*, edited by William A. Geller and Hans Toch. New Haven, CT: Yale University Press.
- Uildriks, Niels, and Hans van Mastrigt. 1991. *Policing police violence*. Deventer, The Netherlands: Kluwer.
- Washington Post*. 2004. “Bush administration documents on interrogation.” June 23.
- (WT) Washington Technology Online*. 2004. “Top 100 federal prime contractors: Companies by ranking.” May 2.
- Watson, J. 1973. Deindividuation and changing appearance before battle. *Journal of Abnormal and Social Psychology* 25, pp. 342–345.
- Zimbardo, P. G. 1970. “The human choice: Individuation, reason, and order versus deindividuation, impulse, and chaos.” In *1969 Nebraska symposium on motivation* edited by W. J. Arnold and D. Levine. Lincoln, NE: University of Nebraska Press.
- Zimbardo, P. G., C. Haney, W. C. Banks, and D. Jaffe. 1973. The mind is a formidable jailer: A Pirandellian prison. *New York Times Magazine*, April 8, 38ff.
- Zimbardo, Philip, C. Maslach, and C. Haney. 2000. “Reflections on the Stanford Prison Experiment: Genesis, transformations, consequences.” In *Obedience to authority: Current perspectives on the Milgram paradigm*, edited by T. Blass. Mahwah, NJ: Erlbaum.

