

Analysis

Is a 'little bit' of torture ok?

Juliet Morton of Wirral MM and the clinical psychology advisor to the Liverpool medical faculty explores the question

In a lecture about acceptability of war General Sir Hugh Beach listed the justification for war: a 'just' cause, legitimate authority, 'good' intention, success highly likely, used in a last resort, proportional and civilians not involved. There is a parallel between a 'just war' and torture. Both are seen as 'bad', but acceptable in exceptional circumstances. Does torture ever meet this criteria?

What is torture for? Is it effective? What are the consequences? Are civilians involved?

Torture is believed to have a protective function, garnering accurate and timely information that benefits the torturers and the wider society. It is believed to deter people who might plan harm to others.

But torture is not effective. Ensuring accurate information is not possible. People in considerable pain do not provide accurate information. Documents from between the 15th and mid 18th centuries in France indicate that torture failed to produce 'evidence' in sixty-seven to ninety-five per cent of cases. Research following the Korean war concurs with this, an eminent American neurologist commenting, 'Any circumstance that impairs the function of the brain potentially affects the ability to give information, as the ability to withhold it.' Discriminating what information is erroneous, deceitful or useful is a major difficulty.

Extracting timely information is unrealistic. Six months after the start of interrogation Nazi torturers did not have accurate information

about the plot to assassinate Hitler.

As an effective deterrent it fails. Torture increases peoples' adherence to their beliefs. The Israelis identified at least seven different ways Palestinians resist and endure excruciating pain. The use of torture tends to recruit support for a cause.

Torture increases the risk to the wider population. Torture involves 'trawling' suspect populations who are interrogated. The idea is to extract diffuse data which can then be processed for converging information. Between 1987 and 1994 the Israeli General Security Services officially interrogated 23,000 Palestinians. Alternatives are the usage of local informants or using surveillance systems collating innocuous data such as our everyday movements, association and buying habits, designed to predict those likely to be 'wanted'. The error rates for detecting 'terrorists' and 'sympathizers' is high. In Abu Ghraib prison the US military officials reckoned between seventy per cent to ninety per cent were mistaken arrests. This amounts to state-sponsored torture of many innocent people.

Official torture interrogation programs produce long-term changes in our key institutions, such as biomedical research, health care, the police, judiciary, and military.

There is considerable biomedical and psychological research investigating how to extract information and avoid the detection of torture. Physician assistance is required for many of the methods and to certificate

cause of death. These interrogation units train torturers and desensitize them to human distress. They use sophisticated methods tailored to the individual captive. The outcome for both torturer and tortured is long lasting severe social dysfunction impacting well beyond the interrogation unit.

'Dagnet' operations produce so much 'data' that it requires a large organisation of trained people to handle it. Establishing 'truth' remains problematic. The collating services are overwhelmed by a mountain of false information from victims desperate to save themselves further agony.* Research indicates that official 'lie-catchers' differ only from non-trained people by their over-confidence.

Sophisticated torture systems requires coordination between them and the police, judiciary and military with government support. Bringing people without charge requires access to lawyers so bypassing traditional judicial safeguards. Well-equipped easily accessible locations are needed, pre-arranged permission from courts organised, independent monitoring rejected due to security issues. Historically these institutions have rapidly become corrupted and allied with criminal institutions.

Torture is not effective. It creates risks for civilians and ultimately weakens civic society and liberties, undermining the roles of law and justice.

** from A Horne 1977 'A savage war of peace: Algeria 1954-1962', Macmillan, London.*