

The Trouble With Torture...

A brief introduction to psychological and political arguments
against extreme interrogation and indefinite preventive detention

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*Dedicated to Dilawar and Habibullah,
and to the memory of Spc. Alyssa Peterson,
a US Army interrogator who committed suicide
a few days after refusing to participate in torture.
She understood things that we are only beginning to
understand now, and there was no one there to help her.*

Introduction: Why Discuss the Torture Issue?

It is deeply reassuring to imagine that we inherit our cherished values and traditions of dialogue and respect for the dignity of each person the way we would inherit a bronze statue. With a very minimum of care on our part, a bronze statue will endure for centuries. It is deeply reassuring to think this way about our deepest cultural values, but, unfortunately, it is not true. We inherit our cherished values and traditions of liberty, self-restraint and reasoned dialogue the way one would inherit a carrot garden. If we do not continue to plant carrots, water them well and weed the garden, whatever we have inherited will gradually be lost.

One of today's major challenge to American values concerns the deeply interwoven issues of torture and indefinite preventive detention. Although there has been a recent interruption in the practice of torture (we hope) by U.S. agencies and armed forces, the debate about this is hardly over. American political life includes many politicians and commentators who support torture or indefinite preventive detention or both. According to recent polls, somewhere between forty percent and sixty percent of American adults support the torture of "terror suspects,"¹ so the problem is not confined only to policy makers and talk-show hosts. Unfortunately, if enough people support torture and/or fear-based imprisonment, politicians will surely arise who will play to their fears and find ways to carry forward their mandates, however confused or misguided those mandates may be. This seems evident to me in the current proposals [June 2009] to legalize preventive detention in the United States.

These two practices, symbolized by the waterboard and Guantánamo, violate much of what Americans have struggled for since colonial days. And they are linked together in several unhappy ways. Indefinite detention is in itself a form of slow torture, especially as now practiced in the form of solitary confinement with sensory deprivation. And the practice of interrogation by torture inevitably (I will argue below) involves torturing innocent people, who then become sworn enemies who need to be detained on an indefinite basis to prevent them from attacking the country that tortured them.² And

so on, the downward spiral turns. Waterboarding is only the most well known of a range of brutal techniques. We are all weary of thinking about these things, after eight years, but the challenges presented by torture and indefinite preventive detention are so serious, and so ongoing in present political debates, that I don't see how we can avoid them. The fact that there are laws against torture and precedents against preventive detention will only be meaningful if most citizens know about those laws and precedents, and actively support them.

The choices over using or not using torture, and over imprisoning people based only on the fear that they might someday do us harm, are not just about choosing strategies to collect needed information and keep our country safe. They are also very much choices about the kind of world we want to live in and the kind of world we want to create by our own actions. To be part of a culture that engages in torture and fear-based-imprisonment is to choose a world where creating and inflicting terror is acceptable, where exerting utter power and control over the minds and bodies of defenseless people is normalized. It is not only the victim of torture whose sense of connectedness to others and openness to the world is shattered. The torturers and the allowers of torture are also shattered, numbed and disconnected from other people. We all live in the very same world that we ourselves are making more brutal by the minute, all the while muttering to ourselves, "they started it" and "they do worse" as if to drown out the knowledge of what we are doing.

When torture and universal fear of imprisonment are knit into the way we conduct ourselves with others, we fall into a world of good-versus-evil binary oppositions that blind us to our capacity to cause pain and make serious mistakes, on the one hand, and also blind us to the humanness and the sacred essence of all people, some of whom we have now defined as "unlawful enemy combatants." The rhetoric that justifies these extreme measures imagines the others as inhuman destroyers of life and ourselves as noble warriors. There is also a very important binary opposition, *among ourselves*, between the saintly but ineffective good guy who believes all violence is wrong, and the tough, realistic people, like that TV character, Jack Bauer, who do whatever needs to be done to save the day

and spend no time worrying about the morality of what they have done.

In several important ways, I see this dichotomizing as obscuring our view of what is going on in the world, including our own actions. And it greatly oversimplifies the conflicts in which we are now caught. By virtue of these oversimplifications, some thoughts become nearly impossible to think. For example, that the use of torture might be bad military strategy, like an apparently brilliant chess move that causes you to lose the game. Or, that our commitment to moral standards of behavior is part of what allows us to hold onto allies and persuade bystanders to either join our side or stay out of the conflict. Or that torture may represent a kind of self-inflicted wound upon the soul of America. (Once justified as appropriate for *some* circumstances, we have no idea where or how far the practice of torture will spread.) The dramatic but deceptive contrast between the saintly but ineffective good guy, and the tough but immoral protector of the people, who is always in a hurry, completely obscures the question of how carefully anyone is thinking about the meaning, implications and consequences of what we are doing.

So the rest of this article is my effort to try to think more clearly about some of the serious issues in which we are now entangled. For the most part I am going to concentrate on the issue of torture, but many of moral, psychological, legal, and strategic liabilities of torture also apply to indefinite preventive detention. I have also to push out the boundaries of the discussion in ways that some readers may find unpleasant. Many public commentators on the topic of torture seem, in my view, reluctant to discuss that fact that torture can and does lead to murder. We know now that since 9/11 at least nine detainees held by the United States have been tortured to death in the course of interrogation (which constitutes a major instance of war crimes). There are another 40 to 80 deaths of detainees which may turn out to have been the result of torture. How we respond to this issue will say a lot about who we are and what we believe in. I sympathize with President Obama's desire to focus on the future and not politicize the past. However, it is not clear to me how many of these deaths in custody we can overlook before the rule of law begins to unravel for all of us.

In the Washington Post, a blogger commented in May, 2008, that “whether it’s waterboarding or water balloons, I don’t care, as long as it keeps us safe.” My hope is that we will all think more carefully than that about these issues.

1. Dictatorship in a locked room: questions about the reach and power of the State.

In the United States, we have spent the last two centuries struggling to maintain limits on when and how agents of the state can hurt or imprison a person. Once we start to remove those limits, we will all be in danger. Torture represents imprisoning and hurting someone without formal criminal charges, without a trial by jury of one's peers, without review by a judge, without a conviction or a sentence, in cruel and unusual ways, all violating our most basic American rules of law and order, grounded in the U.S. Constitution. Torture and fear-based-imprisonment represent the essence of military dictatorship in a locked room. The apologists for “Enhanced Interrogation Procedures” assert the right to imprison and hurt people based on mere suspicion or even just on vague probabilities, if we are at war or if there is some giant threat, real or imagined, on the horizon. Anyone, you or I, could be the object of suspicion by *someone* under *some* circumstances, and if suspicion is all that is required, then you or I could be tortured or locked up without charges for the rest of our lives. If in the process of being imprisoned or tortured or both, we become so angry that we want to lash out at the people who have hurt us, then we become dangerous enough, in current thinking, to merit indefinite detention without trial. The current justification offered by apologists for torture seems to be that desperate fear justifies anything and everything. But truly, one cannot live by fear alone. The idea that fear for the safety of others justifies all all manner of cruelty and abuse is a danger to democracy, to morality and even to our own sanity. Once we adopt that principle, there is no limit to how bad things can get. I doubt that we will be able to keep the military dictatorship confined to a few locked rooms.

Since 9/11, the accumulating evidence suggests that somewhere between 9 and 80 people have been

tortured to death under interrogation. We know for sure that at least two of them, Dilawar and Habibullah were completely innocent of any involvement with our enemies. Here we are faced with fact that torture can quickly escalate to murder, and if it is justifiable to torture or kill one person in order to save the lives of thousands, why not torture 10 or 50 or 100. (This is the sort of noble-ends-justify-evil-means reasoning that conservatives used to excoriate as the evil heart of communism.) Where will these sorts of justifications end? And where will the practices lead? For example, once you torture someone, you can't let them go even if they are innocent because they could reveal your secret torture methods, so that means secret prisons or hidden executions. Also, torturing "the wrong people," that is to say, people who are not involved in any way in the current conflict, can make security authorities look stupid or evil or both. To prevent such embarrassment, there is already a history of security authorities in various countries murdering people who have been wrongfully detained in order to avoid the embarrassment that releasing them would cause. With regard to soldiers and employees of the United States government, we don't know how many of the "deaths under questionable circumstances" fall into this category, but we do have before us alarming examples of falsified death certificates and the destruction of evidence.

The TV show "24" shows Jack Bauer ordering the apparent execution of a terror suspect's children. There is nothing in our current "desperate fear justifies anything" reasoning to prevent this from actually happening. In fact, we are not as far away from involving detainee's children as we might like to imagine ourselves. In order to get the Iraqi General Abed Mowhoush to surrender, the United States kidnapped his two sons. General Mowhoush then turned himself in, hoping to gain the release of his sons. He was then suffocated to death after two weeks of beatings and interrogation. In the interrogation of Khalid Sheikh Mohammed, the United States again kidnapped his children and threatened that his children would be harmed if he did not divulge his secrets. Unfortunately, in order for such threats to be effective, we must eventually carry some of them out. So, in addition to secret prisons and hidden executions, the path of torture leads us toward the torturing or killing of children (a

practice which actually took place during the dictatorship years in Argentina). If it is true that our ordinary rules of law are in conflict with the needs of war, as John Yoo, the architect of the now infamous torture memos, asserts, then we need to have a careful discussion about what to do, not simply, as he suggests, abandon our long cherished rules of law and hope that we will get them back some day after the war is over.

2. Torture is contagious.

Five identifiable forms of "torture creep."

People may imagine that we can torture a few terror suspects and not have our entire political system and psychological equilibrium overwhelmed. But that, it seems to me, is an unrealistically hopeful view of the process. Recent experience suggests that torture in both the psyche and the body politic behaves something like a malignant disease. There are at least five ways in which it is difficult to contain its aggressive spread.

The physical intensity of torture increases, leading to the murder of suspects. The first form of Torture Creep concerns the tendency of torture to escalate toward murder. Many suspects will not be able to divulge the needed information because they simply do not have the needed information. This will result in increasing force being applied to the suspects, partly in the hope of gaining the desired information and partly to fight off the nagging doubts in the minds of the torturers as to whether they have captured a real terrorist. Military analysts use the term "force drift" to describe this tendency to increase the amount of force applied. At some point the force applied will be too much and the suspect will die. From my point of view, there is in the torture situation a perverse incentive to torture a suspect to death while insisting that the suspect is a real terrorist, rather than admit to one's colleagues and superiors that one may have captured and tortured the wrong person.

Torture spreads horizontally within and across institutions. The practice of torture gives some agencies of government God-like, unlimited, powers of life, death and punishment over prisoners. The intoxication, both in the sense of being giddy and also in the sense of being poisoned, that comes from such unlimited power is extremely difficult to

control. Torture represents “breaking” the both the body and will of the victim, but torture also represents a significant breaking of established patterns of professional discipline and self-restraint, a breakdown in customs of order, and a violation of the previously established boundaries of human bodies and human behavior. The experience of inflicting extreme violence on another human being can bring the vivid, hypnotic and addictive illusion that one is accomplishing something terribly important in the defense of one's country, when in most cases one is merely inflicting terrible pain on another human being and moral degradation on oneself and one's country. ***To justify the pain I have already wrongfully inflicted on my randomly collected suspects, I must torture again and again, with techniques even more painful and fiendish, until the secret plot is finally revealed, my country is saved, and I am proven to be a hero and not a criminal madman!*** (An American intelligence officer remarked to a Red Cross inspector that ninety percent of the prisoners at Abu Ghraib did not belong there, had no information to give. We do not know how many of them were tortured or even killed under interrogation. There is one photograph in the Abu Ghraib archive of U.S. soldiers posing over the dead body of a prisoner.) Torture's hypnotic illusion of extreme power and efficacy (thinking you are saving the world when all you are doing is wrecking someone's life) can spread like wildfire among demoralized troops and frightened government officials.

The Israeli experience was that torture (extreme interrogation methods) could not be contained. Once you allowed it anywhere in an organization, the Israelis concluded, it would spread. That has already been the American experience as well, as extreme practices migrated from Guantanamo to Afghanistan to Iraq. Notice that the practice of torture is spreading as an ideology, also. It has created an active “torture faction” in US politics, led informally by Dick Cheney and Rush Limbaugh, suggesting that the consent to the practice of torture may become a permanent landmark on the American cultural horizon. Americans are being actively invited to join this “party of torture” by affirming that torture is necessary, by affirming that torture has kept us safe, and by affirming that torture is not a violation of everything we've ever believed in.

The list of justifications and legitimizing circumstances for torture grows. A third example of Torture Creep concerns the insidious, gradual widening of the range of situations in which authorities see torture as justified. Most discussions of torture focus on the dramatic, but highly improbable and implausible, “ticking time bomb” scenario. In this scenario millions of people are in danger from a ticking time bomb (nuclear weapons are the favored example), authorities are certain that the person they have detained knows where it is hidden and how to defuse it (no one explains how the authorities learned so much about the detainee without also stopping his evil plan), and finally, torture is the only way to extract the information in time to save the people. Repeating this example over and over again gives us the impression that torture will only be used in such dire emergencies: to prevent an attack, when authorities are certain they have the right person, and know that only torture will work.

But actual practice is worlds away from this idealized storyline. For example, Dilawar and Habibullah were tortured to death *after* a mortar attack on an American base in Afghanistan, as part of an open ended “fishing expedition” for battlefield information. It later came to light that they were innocents pointed out to the Americans by a Taliban double agent, who himself was later arrested. (So much for being certain that the person you are hurting is the right person.) Notice that in just a year the list of acceptable torture situations had expanded from sudden threats of mass murder of civilians to the needs everyday war fighting: “finding out who did it so we can stop them from doing it again.” The situations justifying torture expanded again between 2002 and 2006, it was revealed in recent U.S. Senate reports. Prisoners in various locations were tortured in the hope of making them confess that Saddam Hussein had cooperated with Al Qaeda in the years before the Iraq war (an allegation for which there is no evidence, but one used repeatedly to justify the war). So at that point the justifications of torture that the government was allowing itself had grown again, now to include generating believable lies that would protect government officials from embarrassment.

One final example of the spread of torture justifications concerns the term, “suspect.” When

people recite the ticking time bomb scenario, it is always taken for granted that we know for certain the person being interrogated has the secret we are looking for. But this is pure Hollywood fantasy. In actual practice, the people who are interrogated are “suspects,” which is a snarling way of saying we don’t know whether we have gotten the right person yet. “Better that ten guilty persons escape than that one innocent suffer,” has been a long-standing principle of English law, and then American law, reaching back centuries. This represents our vision of and commitment to fairness, and it is part of the culture of legal restraint that makes a constitution like ours possible. In allowing the torture or indefinite imprisonment of people who are merely suspects, we are giving up our most cherished ideals of fairness. We know that we are going to be injuring the wrong people at least some of the time, perhaps much of the time, and thus we are committing ourselves to injuring, and perhaps even killing, innocent people. *Torture will guarantee that people who were merely suspects, or their outraged families, become actual dangerous enemies.* All these people who are now dangerous enemies will then need to be preventively detained, preferably in total isolation so that they don’t keep plotting against us. And that will create an even wider circle of enemies, who also need to be imprisoned and tortured to find out what *they* are planning. This self-exacerbating, spiraling-out-of-control process has happened several times in recent history, so we know that this is not just a theoretical worry. Examples include the Soviet gulags, the killing fields of Cambodia, and the Argentine “dirty war” against alleged communists that included a widened spiral of torture-extracted confessions naming others, and the subsequent torture and murder of all those named, and on and on. It is not clear that either torture or preventive detention can ever be restricted to only real enemies. We need to take some deep breaths and think more clearly about the circular logic of tragedy we are setting in motion.

The moral breakdown of torture spreads across different professions. A fourth area in which we can observe the contagion of torture concerns the role of professions in society, and especially the medical profession's commitment and oath “to do no harm.” Part of civilized life consists of relying on highly trained individuals to be thoughtful, careful,

compassionate and law-abiding. The torture issue has now influenced and implicated, and some would say compromised, the legal, medical, psychological and military professions in the United States. Doctors, psychologists and lawyers have been recruited, in different roles, to facilitate interrogation sessions that include torture, and some doctors have been involved in covering up torture by falsifying the death certificates of prisoners who died under interrogation. To their great credit, many military officers have fought against torture creep, however their efforts have been outmaneuvered by the outsourcing of torture activities to private contractors and the promotion of officers who would carry out the illegal orders of their superiors. Private contractors are outside the reach of military law and outside the reach of the US military's version of the Golden Rule as it applies to prisoners of war: don't do it to their guys if you would not want them to do it to our guys. Military officers have been implicated in violating the most basic principles of military law and trials, by deciding, for example, that a particular terror suspect would be convicted no matter what evidence and arguments were presented on his behalf. Torture deforms everything it touches.

In recent years there have been intense discussions in professional associations about doctors and psychologists participating in interrogation, with strong lobbying from military intelligence agencies to soften any condemnation of torture.³ In 2008, the members of the American Psychological Association finally voted to support a strong resolution against torture, but the resolution passed with only 60% of the vote. (Of the approximately 6000 psychologists who did not support the resolution, we do not know how many actively support torture, how many imagine that they might be able to protect torture victims, and how many work for the military as highly paid consultants.) Pressed to explain his participation in what may have been torture, one psychologist excused himself by saying that “the detainees were not my clients, the American people were my clients and I was trying to protect them.” This, I suggest, is an extremely narrow view of professional responsibilities, one that could easily justify any professional becoming a paid torturer. To their credit, both the American Medical Association and American Psychiatric Association have guidelines

that forbid physicians from participating in torture, but it is not clear how well or how extensively these guidelines are enforced.

Torture encourages the spread of the “secrecy zone” in society. The fifth form of Torture Creep concerns the widening area of public life which is no longer available for public discussion. Democracy is based on the idea that the people guide the actions that government takes on their behalf, based on education, public discussion and vigorous debate. Openness in government is a cherished principle of American life, embodied in many laws that require the meetings of public agencies to open to the public. But the people can't guide the actions of their government if they are forbidden to know what those actions are. The accommodations that democracy makes for wartime secrecy are always in danger of becoming institutionalized, and cutting the ground out from under the democracy that the war was supposed to defend. In the trials of terror suspects, it has already been argued that the terror suspects may not testify in open court about what forms of torture may have been inflicted upon them, because that testimony would alert our enemies to our secret torture methods and thus allow them to resist more successfully. The problem with this, as the Abu Ghraib photos show, is that secrecy creates a space in which abominations may flourish, and we, the members of the public who are shut out from knowing what was going on, will eventually pay the price for those abominations. We know less and less, and yet we become responsible for more and more. It is an open question in my mind as to how much secrecy any society can tolerate before it collapses, since secrecy is used so often to conceal embarrassing mistakes, and a society that hides from its mistakes will never correct them.

Summary: Reflecting on Torture Creep. These five forms of torture creep: 1) increasing physical intensity leading to murder, 2) spreading inside and across institutions, 3) widening the range of acceptable justifications, 4) implicating American professions, and 5) threatening our country by enlarging the secrecy zone, form, in my view, really good reasons for opposing torture under all circumstances. Similar arguments can be made against the fear-based imprisonment that has been newly renamed indefinite preventive detention. Left unopposed, we have no idea how far into our lives

these various processes will reach. Did we win the Cold War only to become like the Soviet Union, in which one could be imprisoned simply by being branded as an “enemy of the people?” The answer is up to us.

Over the years, there have already been instances of torture and murder in US. law enforcement institutions, so we know that we are not immune to the spread of torture to domestic institutions. The struggle with terrorists around the world is not only a military struggle. It is also a struggle between the culture of dictatorship and coercion and the culture of dialogue, cooperation and orderly deliberation. Torture is terror in a locked room. Indefinite preventive detention represents the obliteration of one person's rights and life by an all-powerful state. The more we accept torture and fear-based imprisonment, the more our enemies will have converted us to their ways, and we will have lost “the war on terror.”

3. Torture as bad strategy. How safe can torture keep us?

Even if torture appears to work every now and then to produce important information, that does not constitute a good argument for adopting the practice. It is worth remembering that in World War II, the German armed forces practiced torture, preventive detention and mass murder, but lost the war anyway. That should warn us that extreme practices, no matter how powerful they may make us feel, are not “magic bullets” that will make up for all our other strategic shortcomings (such as having no people on staff who speak the languages of the country we are going to invade, etc.). Here are seven strategic doubts about interrogation by torture:

Incurring unknown opportunity costs. We do not know what cooperation we are giving up, when we give up on traditional rapport-building interrogation methods. There is a lot of evidence from World War II to the effect that torture is both unnecessary and counterproductive, that rapport-building interrogation produces better information.

Endangering our own troops. To the degree that we become known for torturing, we endanger the lives of our own soldiers, since whatever justifications we offer for our practice of torture can

easily be adopted by our enemies to justify the torture of captured American troops. This represents what has been called in other contexts, “a race to the bottom.” The potential danger that the practice of torture presents to our own troops is a point often made by our own military officers. We lose our ability to appeal to the Geneva Conventions for the protection of our own soldiers.

Inspiring enemies fight to the death. In both the practice of torture and the practice of indefinite detention, we embolden all our enemies to fight to the death, because there is no longer any point in surrendering. In World War II, many enemy soldiers surrendered to Allied forces because they trusted that they would be treated humanely. That trust saved the lives of many American troops. That trust is gone at present but could be renewed if the United States made a new, very public, and verifiable, commitment to the Geneva Conventions..

Making new enemies. Giving up torture will probably not sway any of our current enemies, but becoming known as a state that defends itself by torture and fear-based imprisonment is a great way of making tens of millions of new enemies. Because the practice of torturing “suspects” inevitably involves hurting many innocent people in the hope of eventually extracting information from a few guilty ones, the practice of torture is doomed to produce more enemies (all the families and friends of those unjustly injured) than it disarms or eliminates. The practice of indefinite preventive detention for people who are not U.S. citizens implies that the ninety-five percent of the world’s population who are not American citizens have no rights whatsoever and are not worthy of the rights we grant ourselves. It is hard to see how anyone will ally themselves with us, or help us in our hour of need, if we treat them with such withering condescension.

Producing bad information. The torture victim has a powerful motivation to say whatever he or she imagines the torturers want to hear, or would be willing to believe, even if it brings only a temporary interruption in process of being tortured. Security forces are then diverted from responding to real threats and become bogged down investigating fabricated threats.

Increasing the will to mislead. If the torture victim is in fact a combatant of some sort, then he or

she probably expects to be killed. Misleading one’s enemies by giving false information would represent a final act of resistance, and being on the receiving end of torture would increase the victims’ hatred of their captors and the victims’ determination to fight back by misleading their captors. An actual terrorist who was being tortured in the much cited “ticking time bomb” scenario could easily defeat his torturers by preparing for the eventuality of being tortured, just U.S. troops prepare. He could go on his mission already prepared with an elaborately concocted false story. If he were captured, he would then resist the torture as long as he possibly could, and then blurt out the false story. By the time the security authorities finished checking out the elaborate false story, the ticking time bomb would have exploded. One former Army interrogator related an instance in which a suspect pretended to resist the torture being inflicted upon him by his American captors, and then finally pretended to break down, blurring out the names of all of his family’s enemies in his home village, as if they were all Al Qaeda members, which they were not. The Army imprisoned all of them. I believe that these sorts of counter-strategizing is well within the reach of any beginning chess player.

Buried rages make bad strategy. None of the above suggest to me that torture or unlimited preventive detention are good strategies for either gathering information or staying safe. I have begun to wonder if torture is really about gathering information at all, or whether torture interrogations might be a kind of secret practice of revenge and a way of assuaging unexamined feelings of rage, fear, grief, frustration and powerlessness. How dare anyone hurt us! We will hurt somebody back, really bad, to show the world that we are powerful, even if it means hurting someone who had nothing to do with the injury that was inflicted upon us. To the degree that we are nursing secret rages, we will be attracted to the practice of torture beyond any real consideration of its military usefulness. And to the degree that we carry a large amount of unresolved grief (in a culture that validates violence), we will never be able to torture enough people, we will never be satisfied. The torture victim cries the uncried tears of the torturer, but they are never enough.

As they were being kicked to death by their uniformed American interrogators, Dilawar and

Habibullah may have simply represented the wretched Afghanistan to which the soldiers had been sent, and in which their comrades had died. We should not elevate these instances of human desperation to the level of strategy. These instances of human failure perhaps deserve our compassion, but they certainly do not represent some new organizing principle of strategy to which we should give our consent and approval. This is video game thinking, or street gang thinking: “if you are mean enough no one will mess with you,” or alternatively, “this will really teach them a lesson.” Even on the street, being mean guarantees nothing in the long run, because the meaner you are, the more you tutor your enemies in meanness and steel their wills to resist you. What is lost from view in all this rage-fueled swaggering and preemptive hurting is the high probability of downward spirals. As Gandhi said, “an eye for an eye leaves everyone blind.” Not, I would add, safe.

4. Torture as a step toward society-wide mental breakdown.

There are significant problems in the practice of torture for the people who do the torturing and the country that allows the torturing. If an American soldier were captured, and tortured by his captors in the course of interrogation, Americans would be outraged, even if the torturers, once brought to trial, argued that they sincerely believed they were defending their country from an imminent threat. We Americans would probably describe such torture as an act of total evil, cowardice, morally unredeemable, a violation of every concept of human dignity and human decency. As John McCain observed, after World War II the United States executed Japanese officers who had waterboarded American prisoners of war. Similarly, the idea of the indefinite imprisonment of American troops drives Americans into a desperate frenzy. Such was the public response to underground new stories that circulated in the 1970s and 80s alleging that North Vietnam had not released all the American POWs at the end of the Vietnam war. The idea that American POWs might be rotting away somewhere in hidden prison camps drove the participants in the POW/MIA movement to strenuous efforts to find them and intense denunciations of their alleged captors .

And yet now we ourselves allow such acts of torture and life-long imprisonment without trial, as long as they are done to someone else. The psychological problem here is that we have now divided our own minds into two compartments, a compartment that vigorously criticizes torture and indefinite detention when other people do it, and a compartment that defends these practices when we do them. A mind thus compartmentalized is a mind speeding toward mental illness and moral breakdown.

I use the word mental illness because our mental health depends on an ongoing connection and harmony between our thoughts, our feelings and our actions. The more disconnected these three get, the more mental trouble we are in. With regard to the torture and fear-based imprisonment issues, we can't possibly justify doing to other people what we would consider an abomination if done to us. People who can think like that are considered to have profound personality disorders. They are mentally ill. Here are six vulnerabilities toward mental illness that I see as implicit in supporting torture.

Retreating from the life of independent reason.

One way people cope with such intolerable rational contradictions is that they give up trying to be rational, they give up trying to be inwardly unified. One can do this by losing oneself in a powerful movement, full of marches, parades, or give oneself over to the service of a powerful leader, so that one is no longer aware of or responsible for the contradictions in one's life. This seems to be the situation in the case of the former Attorney General Alberto Gonzalez, who appears to have abandoned any independent sense of self or reason in order to do and say whatever was required of him by his powerful employers, the president and vice-president, including justifying torture. Mr. Gonzalez's evasive, stonewalling testimony before a senate committee had about it an eerie, zombie-like quality that brings to mind Hannah Arendt's phrase “the banality of evil.”

Another high profile example of abandoning one's own capacity to reason concerns the inability of Attorney General Michael Mukasey to admit that waterboarding constituted torture, in spite of the fact that the United States had, after World War II, tried and executed Japanese soldiers who had

waterboarded American prisoners of war. It is as though the extreme violence of torture evokes extreme levels of conformity, self-abasement and self-abandonment on the part of witnesses and facilitators. There are many recent historical examples of docile and mindless collaboration with atrocities. Nazi Germany, the Cambodian killing fields, Argentina's "dirty war," the Rwandan genocide and the Jim Jones mass suicide come immediately to mind. Unfortunately, we Americans are in danger of adding ourselves to this list. To our credit, at least, there has been significant resistance among military officers and officials to the push toward torture, for example the courageous stand of Alberto Mora, who was for a time the General Counsel of the United States Navy.⁴

Defending against one's own knowledge with mantra-like slogans. In other instances people retreat from intolerable contradictions into simple, primitive but unreliable, formulaic thinking, such as "anything is okay if it protects my tribe." These simple slogans mask our deep uncertainties. What we are really saying is "anything is okay if some powerful person persuades us all that it will protect our tribe, and that person will allow us to hide from the ugly details," a relinquishing of our autonomy and personal responsibility. "Do anything, just don't tell me about it," represents a significant retreat from full personhood, a desire to will oneself back into ignorant and innocent childhood. But it is psychologically impossible for us to escape from our adult knowledge of, and our gnawing doubts about, what may have been done on our behalf. The person who shouts, "I don't want to think about it!" has already thought about it.

From an emotional perspective, sticking sterile needles under someone's fingertips, an allegedly safe but horrific form of torture recommended by Professor Alan Dershowitz (in what I consider to be a moment of terrible confusion), or threatening to hurt someone's children, are never acceptable, no matter what temporary advantage they might seem to offer. Setting aside for a moment all thoughts of morality and speaking only psychologically, such acts are not acceptable because we will never really be able to live with what we have done, or allowed to be done on our behalf. If we allow these things to be done, we will spend a significant part of the rest of our lives preoccupied with trying to blot out or justify what some part of us knows to be

unjustifiable. We may fear, also, for the rest of our lives and perhaps with some justification, that someone will eventually do to us what we have already done, or allowed to be done, to others. Those who come after us will carry the legacy of our commission of the unthinkable on others, contaminating our sense of legacy to future generations.

Escaping from intolerable contradictions by self-numbing and/or suicide. A third response to inner conflict is to try to stop feeling altogether. The motto of the SS troops in the Third Reich was not "to have nerves of steel," it was to have "no nerves at all." If you had no feelings at all, you could kill or torture people all day long and it wouldn't bother you. One has to stand back and look at a person's life over a number of years to realize what a profound self-mutilation it is to try to stop feeling the natural response of compassion for the pain of others. No matter how hard we try to shut them out, though, our feelings and forbidden memories will eventually come back, always exacting some vengeance, sometimes exacting a terrible vengeance. I am thinking now of all the troops who come home from various wars and then commit suicide, sometimes killing their spouses or families as well. America is now witnessing the return of Iraq war veterans who are burdened with the memories of the pain they have caused.

In the case of U.S. Army Specialist Alyssa Peterson, I believe that the inner conflict between her conscience and the team she had pledged to serve was more than she could bear. In September of 2003, a few days after refusing to participate in torture sessions in Tal Afar, Iraq, she took her own life. At some level she probably understood everything that I have written in this article, much better than I do, but there was no support in her world at that moment to have such understandings. The external orientation toward life focuses on whether something is legal, whether we can get away with. But the life of the psyche is internal, and the question it asks is not, can I get away with it?, but rather, can I live with myself?, and at that point, she could not. Perhaps her tragic act of conscience, made in desperate circumstances, may inspire us, not living in such desperate circumstances, to take up the issue that was her undoing, and carry it forward with patient, compassionate and determined acts of conscience.

Becoming enmeshed in the madness of violent bureaucracies. A fourth vulnerability to madness in the inflicting of torture and preventive detention concerns the capacity of large organizations to create the situations they fear, and drag their members along. Perhaps the largest example of this is World War One. In the months before World War One began, each of the great powers in Europe, fearful of being attacked, began mobilizing their armies. And each country interpreted the mobilizations of potentially hostile countries as a threat of imminent attack. Caught in this self-reinforcing spiral, Europe stumbled into a giant war that had no real justification; 16.5 million people died and another 21 million were wounded, costs catastrophically out of proportion to any of the conflicting interests of the nations involved. An example closer to home is the way that prisons in the United States have become large training institutions for criminal gangs; they are “correctional systems” that do not correct anything, that actually make things worse. These giant failures are then reframed a great successes: World War One became known as “the Great War” rather than “the Tragic Blunder.” The growing gang population, exacerbated by California prisons, is used to argue that California needs more prisons!

The war-on-terror bureaucracies of torture and detention are prone to the same sort of self-amplifying processes. As mentioned in the beginning of this article, arguments are now circulating in Washington to the effect that even if some of the detainees at Guantánamo were not terrorists when we confined them, we have treated them so badly that they would become terrorists if we released them, therefore we can’t ever let them go. This is an example of what one might call circular organizational insanity. And as we try to justify this unfair and unreasonable course of action as fair and reasonable, or alternatively as we try to blot it out of consciousness, we ourselves become contaminated by the fear and irrationality that gave birth to these actions in the first place.

One does not have to be a military genius to conclude that we have probably made deep enemies out the families and clans of people we have confined without charge for years at a time, released without explanation or apology, tortured, sexually humiliated and/or killed. Every American is being invited by the war and torture promoters to drown

out our nagging doubts about all this with heroic stories of our brave troops and their noble sacrifices. We do have many noble troops. who have in fact made many very heroic sacrifices. But that will not undo our tragic mistakes, clarify our muddled policies, or ease the burden of what we secretly know about insane organizational momentum but don’t want to think about. I am convinced that the reason Khalid Sheik Mohammed was waterboarded 183 times was that the people who were torturing him could not bear the thought that it was not working, that they had broken the law and turned themselves into monsters for nothing.

If we succumb to the temptation to try to rationalize the irrationality of our country’s practice of torture and preventive detention, we will have damaged our own capacity to make sense out of our lives. If we accept the lies of others, we may gradually lose the ability to tell our own truth. Bureaucracies have a keen sense of survival and appearance, and are extraordinarily anxious to cover up their mistakes. Every time we hear a government official use the phrase “enhanced interrogation techniques” instead of “torture by partial drowning,” we are being invited to participate in our own mental cover up, a kind of linguistic cleansing. A similar invitation-to-not-see was at work when President George W. Bush described the people who were doing the waterboarding as “our professionals.” There are many problems with this. The one I want to emphasize here is that our own psychological survival and wellbeing require that we practice facing our problems rather than hiding from them, so that our personal needs are on a collision course with those of a security state that wants to portray itself as never making mistakes.

Flipping In fighting terrorists, we are liable to concentrate on them and hate them with such intensity that we run the psychological risk of a kind of mental breakdown, a “cracking” or “flipping,” in which our psyches are reshaped in the image of the hated other. Vice-President Cheney spoke in measured tones about “going over to the dark side” in order to fight the terrorists, implying that we would do whatever dirty deeds needed to be done. And in kidnapping and threatening to injure the children of our enemies, we do seem to have engaged in acts of evil, hoping that good would come from them, something that our forefather William Penn warned us against. The problem with

“going over to the dark side” is that it is not so easy to get back. We may not come back as the same persons who left. The unexamined assumption in Mr. Cheney’s position is that we can either do these terrible things, or allow them to be done on our behalf, without being influenced as persons by the process; that we can terrify other human beings by partially drowning them, without becoming terrorists ourselves in the process. I do not believe this assumption is true..

Familiarization and normalization of fear, suspicion and extreme behavior. The Roman philosopher Seneca once wrote that one cannot strike fear into the heart of another without becoming afraid oneself. Once we become accustomed to the idea of torture and preventive detention, extreme violations of human boundaries and human dignity, and give our consent to these practices in the name of keeping us safe, it could become easier and easier to argue that we should inflict these on certain of our fellow U.S. citizens, who, after all, might be secret sympathizers with the terrorists. The fear that was previously reserved for terrorists might spread to a fear of everybody, as it was extended to all potential sympathizers, collaborators, fellow travellers, etc., as was the case in the anti-communist hysteria of the late 1940s and early 1950s. (The search for secret betrayers was also an animating theme of the Spanish Inquisition that gradually made everyone a suspect.) In consenting to allow torture on our behalf, we are reinforcing, both inside of ourselves and outside of ourselves, our dominant cultural myth that violence will keep us safe and solve our problems. We see this kind of paranoid venom already at work in the writings of Ann Coulter, who believes that all liberals are traitors and should be shot. It is not clear whether Ms. Coulter is actually paranoid, or is simply pretending to be flagrantly paranoid in order to get lots of media attention. What is clear is that a steady diet of intense fear, suspicion and incitement to harm is bad for people, and will push some people over the edge into manifest insanity and actual acts of violence. The ongoing problem in the United States of political murders by crazed gunmen shows that the issue of the normalization of extreme behavior is not just a theoretical concern.

Summary. Struggling to preserve our integrity as persons. Based on the psychological considerations I have introduced above, I cannot

help but conclude that to the degree we accept torture being committed on our behalf, and to the degree that we accept locking up forever anyone whom the authorities fear, we will have suffered a serious, self-inflicted injury to our own sanity. We cannot describe ourselves as “safe” if we have made ourselves emotionally dead inside. *I am convinced that whatever we inflict on others, we psychologically inflict upon ourselves.*

Conclusion.

In this article I have described four of the serious and interwoven drawbacks of torture and fear-based imprisonment/indefinite preventive detention.

- The practices of torture and fear-based imprisonment, by their grant of unlimited power to agents of the State, will if left unchecked turn any government into a military dictatorship.
- Once accepted in the most limited of contexts, the practices of torture and preventive detention will start to invade various institutions of a society and create their own expanding justifications and their own expanding necessity.
- Neither torture nor fear-based imprisonment can keep us safe, and are highly likely to create more enemies than they thwart.
- Torture and fear-based imprisonment will eventually injure the minds and lives of those who practice, support and allow them.

Therefore, I suggest, if we are concerned about protecting our country and saving our sanity, we need to find strong, compassionate, and steady ways of inching back from this abyss of pain and confusion.

As I mentioned in the introduction to this article, somewhere between one-third and one-half of adult Americans support the torture of “terror suspects” (a label that could eventually be stretched to apply to anyone). Since preventive detention is slightly less extreme than torture, I imagine the percentages of support are similar or more. So the task facing the opponents of torture and fear-based imprisonment is not simply to convince policy makers in Washington, DC. We also have to convince our own neighbors that there is a better way.

Even in time of war, and perhaps especially in time of war, it is up to each person to keep supporting what is best in people, and to resist being swallowed up by what is worst. That is why I invite everyone to deepen their knowledge of and support for the Geneva Conventions, and for the related treaties that taken together form what is now called International Humanitarian Law. The issue of prisoner abuse is not new. Up to the 1860s and the first Geneva Convention, wounded enemy soldiers after a battle were killed by the victorious army, or were left to die of their wounds or be murdered and robbed by battlefield scavengers. Patient and determined people of conscience changed that. There is a tendency to say that war is so terrible that there is no point in trying to clean it up around the edges. That attitude assumes that things can't possibly get uglier than they are now. But history suggest both that things can always get much uglier, and that they can also get better. Deep inside, most people know this, even people who believe in armies and wars. This margin of sanity is what has caused the United States to cooperate in the past with potential enemies in order to ban such things as poison gas (1928 and 1993), germ warfare (1928 and 1997) and quite recently, laser blinding weapons (1995), and to limit the nuclear arms race.

Human beings are complex, such that areas of compassion and reason can coexist in the mind with areas of mindless fear and violence, which makes our situation both daunting and hopeful. For example, no one in America today is calling for the formation of a corps of American suicide bombers, in spite of the fact that suicide bombing has proven itself many times to be a powerful military tactic. And I doubt that anyone would be branded as weak-willed, a sissy, or "sympathetic to the enemy" if they opposed the adoption of suicide bombing as a tactic. Another example of the margin of sanity in human beings, even when at war, concerns the attitude toward deception in the law of war. In war it is acceptable to try to deceive your enemy by camouflaging yourself with leaves to look like a tree. But it is not acceptable to falsely wave the white flag of surrender and then shoot at the troops who come forward to accept your surrender. As frightened and confused as we may get, or as hardened by violence, some margin of sanity still operates within most people.

I see us as needing to encourage that margin of

sanity in people today, in the following three ways:

- to build a new, stronger consensus against torture and for the Geneva Conventions and the growing body of International Humanitarian Law, including the reaffirmation of the Geneva Conventions by individuals, civic groups, schools and religious congregations,
- to renew our appreciation for and commitment to the limits of State power that are part of English and American law, especially as relates to imprisonment,
- and to create a less belligerent, more helpful stance for the United States in the world, one not focused on fantasies of world domination, infinite revenge for 9/11, or impossible levels of security in a fundamentally insecure world. Over the past century the United States has often accomplished its belligerent goals in foreign lands by hiring local killers, such as the violent jihadists we hired in the 1980s to kill Russians in Afghanistan. However one may argue the rightness or wrongness of those actions, the world is already far too small, to tightly knitted together, to allow such practices to continue. The bomb throwers we hire today in faraway places will arrive at our doorstep tomorrow. They will either do us great harm, or we will go bankrupt trying to keep them out.

Without such efforts as outlined above to change our public consensus, our policies and our behavior, I have become convinced that the terror we inflict upon our enemies, under the sanitized names of enhanced interrogation techniques, indefinite preventive detention and anticipatory self-defense, will become, faster than anyone can imagine, the terror we inflict upon ourselves and the terror that returns to us.

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Notes

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- 1 Depending on how the question is phrased. See, Banks, Adelle M. "Poll shows support for torture among Southern evangelicals ." *Religion News*, Created: 11 Sep 2008. Consulted: 27 May 2009. <<http://pewforum.org/news/rss.php?NewsID=16465>>.
 - 2 Glaberson, William. "President's Detention Plan Tests American Legal Tradition," *New York Times*, Created: 22 May 2009. Consulted: 27 May 2009. <http://www.nytimes.com/2009/05/23/us/politics/23detain.html?_r=1>. The following quote from the Glaberson article does not address the issue I raise about imprisoning innocent people, but it does point toward the circular, self-exacerbating character of our current programs: "But some proponents of an indefinite detention system argue that Guantánamo's remaining 240 detainees include cold-blooded jihadists and perhaps *some so warped by their experience in custody that no president would be willing to free them*. And among them, the proponents say, are some who cannot be tried, in part for lack of evidence or because of tainted evidence." (my italics) The gist of this is that we may have abused some of our prisoners so badly that we now do not dare let them go free, even if there is no evidence against them. It is difficult to see how we can ever reconcile this with our ideal of fairness.
 - 3 Vedantam, Shankar. "APA Rules on Interrogation Abuse." *Washington Post* 20 Aug. 2007, Science sec.
 - 4 Mayer, Jane. "The Memo: How an internal effort to ban the abuse and torture of detainees was thwarted." *The New Yorker*. Created: 27 Feb 2006. Consulted: 3 June 2009. <http://www.newyorker.com/archive/2006/02/27/060227fa_fact>

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Greenberg, Karen J., and Dratel, Joshua L., Editors. *The Torture Papers: The Road to Abu Ghraib*. Cambridge University Press (January 26, 2005) ISBN-10: 0521853249 ISBN-13: 978-0521853248

[from the publisher] The Torture Papers document the so-called ‘torture memos’ and reports which US government officials wrote to prepare the way for, and to document, coercive interrogation and torture in Afghanistan, Guantanamo, and Abu Ghraib. These documents present for the first time a compilation of materials that prior to publication have existed only piecemeal in the public domain. The Bush Administration, concerned about the legality of harsh interrogation techniques, understood the need to establish a legally viable argument to justify such procedures. The memos and reports document the systematic attempt of the US Government to prepare the way for torture techniques and coercive interrogation practices, forbidden under international law, with the express intent of evading legal punishment in the aftermath of any discovery of these practices and policies.

"The Torture Papers: The Road to Abu Ghraib thoroughly documents repeated and shocking perversions of justice. The torture of prisoners became standard practice as the internationally accepted tenets of the Geneva Convention were bypassed and ignored. This is not a collection of complex legalese but pages where a clear episodic story unfolds free of bias and spin. The documents and their authors speak for themselves; key individuals approved torture as a coercive interrogation technique while others, namely Secretary of State Colin Powell, strongly opposed it. This is required reading for everyone concerned with fairness, justice, and difficult choices made under the pressures of our post 9/11 world." -Nadine Strossen, President, American Civil Liberties Union

"The Torture Papers may well be the most important and damning set of documents exposing U.S. government lawlessness ever published. Each page tells the story of U.S. leaders consciously willing to ignore the fundamental protections that guarantee all of us our humanity. I fear for our future. Read these pages and weep for our country, the rule of law and victims of torture everywhere." -Michael Ratner, President, Center for Constitutional Rights

"The minutely detailed chronological narrative embodied in this volume..possesses an awful and powerful cumulative weight.[...]The book is necessary, if grueling, reading for anyone interested in understanding the back story to those terrible photos from Saddam Hussein's former prison, and abuses at other American detention facilities." -New York Times Book Review

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Greenberg, Karen J., Editor. *The Torture Debate in America*. Cambridge University Press (November 28, 2005) 0521674611 9780521674614

[from the publisher] As a result of the work assembling the documents, memoranda, and reports that constitute the material in *The Torture Papers* questions were raised about the rationale underlying the Bush administration's decision to condone the use of coercive interrogation techniques in the interrogation of detainees suspected of terrorist connections. The condoned use of torture in any society is questionable but its use by the United States, a liberal democracy that champions human rights and is a party to international conventions forbidding torture, has sparked an intense debate within America and across the world. *The Torture Debate in America* captures these arguments with essays from individuals in different disciplines. This volume contains essays covering all sides of the argument, from those who embrace the absolute prohibition of torture to those who see it as a viable option in the war on terror, and with relevant documents complementing the essays.

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Grossman, Dave. *On Killing: The Psychological Cost of Learning to Kill in War and Society*. Back Bay Books; revised edition (June 22, 2009) ISBN-10: 0316330116 ISBN-13: 978-0316330114

[from the publisher] The good news is that most soldiers are loath to kill. But armies have developed sophisticated ways of overcoming this instinctive aversion. And contemporary civilian society, particularly the media, replicates the army's conditioning techniques, and, according to Lt. Col. Dave Grossman's thesis, is responsible for our rising rate of murder among the young.

Upon its initial publication, ON KILLING was hailed as a landmark study of the techniques the military uses to overcome the powerful reluctance to kill, of how killing affects soldiers, and of the societal implications of escalating violence. Now, Grossman has updated this classic work to include information on 21st-century military conflicts, recent trends in crime, suicide bombings, school shootings, and more. The result is a work certain to be relevant and important for decades to come.

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Mayer, Jane. *The Dark Side: The Inside Story of How the War on Terror Turned Into a War on American Ideals*. Anchor; Reprint edition (May 5, 2009) ISBN-10: 0307456293 ISBN-13: 978-0307456298

[from the publisher] The Dark Side is a dramatic, riveting, and definitive narrative account of how the United States made terrible decisions in the pursuit of terrorists around the world—decisions that not only violated the Constitution, but also hampered the pursuit of Al Qaeda. In spellbinding detail, Jane Mayer relates the impact of these decisions by which key players, namely Vice President Dick Cheney and his powerful, secretive adviser David Addington, exploited September 11 to further a long held agenda to enhance presidential powers to a degree never known in U.S. history, and obliterate Constitutional protections that define the very essence of the American experiment.

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McCoy, Alfred. *A Question of Torture: CIA Interrogation from the Cold War to the War on Terror*. Holt Paperbacks (December 26, 2006) 0805082484 978-0805082487

[from the publisher] In this revelatory account of the CIA's fifty-year effort to develop new forms of torture, historian Alfred W. McCoy locates the deep roots of recent scandals at Abu Ghraib and Guantánamo in a long-standing, covert program of interrogation. *A Question of Torture* investigates the CIA's practice of "sensory deprivation" and "self-inflicted pain," in which techniques including isolation, hooding, hours of standing, and manipulation of time assault the victim's senses and destroy the basis of personal identity. McCoy traces the spread of these practices across the globe, from Vietnam to Iran to Central America, and argues that after 9/11, psychological torture became the weapon of choice in the CIA's global prisons, reinforced by "rendition" of detainees to "torture-friendly" countries. Finally, McCoy shows that information extracted by coercion is worthless, making a strong case for the FBI's legal methods of interrogation. Scrupulously documented and grippingly told, *A Question of Torture* is a devastating indictment of inhumane practices that have damaged America's laws, military, and international standing.

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Miles, Steven H. *Oath Betrayed: America's Torture Doctors*. University of California Press; 1 edition (April 20, 2009) **ISBN-10:** 0520259688 **ISBN-13:** 978-0520259683

The news that the United States tortured prisoners in the war on terror has brought shame to the nation, yet little has been written about the doctors and psychologists at these prisons. In *Oath Betrayed*, medical ethics expert and physician Steven H. Miles tells how doctors, psychologists, and medics cleared prisoners for interrogation, advised and monitored abuse, falsified documents--including death certificates--and were largely silent as the scandal unfolded. This updated and expanded paperback edition gives newly uncovered details about the policies that engage clinicians in torture. It discusses the ongoing furor over psychologists' participating in interrogations. Most explosively this new edition shows how interrogation psychologists may have moved from information-gathering to coercive experiments, warning all of us about a new direction in U.S. policy and military medicine--a direction that not so long ago was unthinkable.

"This, quite simply, is the most devastating and detailed investigation into a question that has remained a no-no in the current debate on American torture in George Bush's war on terror: the role of military physicians, nurses and other medical personnel. Dr. Miles writes in a white rage, with great justification--but he lets the facts tell the story."--Seymour M. Hersh

"Steven Miles has written exactly the book we require on medical complicity in torture. His admirable combination of scholarship and moral passion does great service to the medical profession and to our country."--Robert Jay Lifton, author of *The Nazi Doctors: Medical Killing and the Psychology of Genocide* and *Home from the War: Vietnam Veterans - Neither Victims nor Executioners*

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Sands, Philippe. *Torture Team: Rumsfeld's Memo and the Betrayal of American Values*. Palgrave Macmillan; Reprint edition (May 12, 2009) 0230614434 978-0230614437

In 2002 Donald Rumsfeld signed a memo that authorized the controversial interrogation practices that later migrated to Guantanamo, Afghanistan, Abu Ghraib, and elsewhere. From a behind-the-scenes vantage point, Phillippe Sands investigates how this memo set the stage for a divergence from the Geneva Convention and the Torture Convention and holds the individual gatekeepers in the Bush administration accountable for their failure to safeguard international law. Cited in Congressional hearings, *Torture Team* is the "rigorous, honest, devastating" (Vanessa Redgrave) account of high ranking members of the Bush administration's involvement in authorizing torture and subsequent attempt to cover their tracks.