Torture and Terrorism: A Pyrrhic Victory

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Abstract

This paper explores the problematic decision by the US Government to condone the use of various methods of physical and psychological torture when interrogating prisoners captured since the beginning of the Global War on Terror (GWOT). Additionally, it briefly examines the background of torture and the efficacy of physical torture for obtaining information. It also analyzes the moral, ethical, legal, and strategic ramifications of pursuing this particular torture policy.
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Did our morals and ethics come crashing down with the World Trade Center towers on 9/11? Once the dust and smoke cleared above the rubble, a singular thought permeated the collective American conscience: hunt down the savages that dared to perpetrate this act on our soil. The Bush Administration made many far-reaching decisions in America’s furious rush to track down these terrorists and extract vengeance; decisions that dealt a serious setback to civil liberty and human rights (NSA eavesdropping and racial profiling, i.e.). In this hyper-charged atmosphere of “victory at all costs” and “desperate times call for desperate measures” the American government made one of the most difficult and haunting decisions of the GWOT era: to suspend international conventions and condone the physical and psychological torture and abuse of prisoners. Many in the highest circles of government, business, science, and law now sanction and advocate acts previously deemed unlawful, unethical, and immoral. These politicians and intelligentsia argue that we must be able to use any means necessary to extract information and intelligence from our prisoners, especially when the government considers that information to be of a time-sensitive nature (information of immediate tactical value, i.e.).

Once we as a country give into the clamor for these repugnant means are we then any better than the terrorists or prisoners on which we intend to use them? We as a country and as a culture lose both morally and ethically when we acquiesce to politically expedient emotional hysteria and blindly condone the use of these methods. What piece of our national psyche do we lose in our race to obtain “time-sensitive information”, especially when the information itself is a spurious, fleeting, and ephemeral goal? What little, if any, reliable information derived from prisoners using these methods might be of limited tactical use, but the very use of these methods cedes a strategic victory to the terrorists and insurgents. The use of physical torture on prisoners
by the United States and its surrogates is ineffective and produces a pyrrhic victory for the U.S.

Since the GWOT began, the US military and the US public in general has been confronting the ethical and moral dilemma of torturing prisoners and captured combatants for the ostensible reason of obtaining information of a time-sensitive nature. The media and human rights advocacy groups have helped bring this debate squarely in front of the American public. The debate has forced us as a nation to acknowledge, confront, and deal with the often-horrrendous manner in which interrogators and guards are treating prisoners. The president, vice president, and others have argued that deployed operators and the agents of various intelligence agencies require the latitude to employ these methods selectively and that only the most serious cases would warrant extreme physical torture: the ticking time bomb scenario. Brigadier General D. R. Irvine (2005) sums up the rebuttal for this nicely and points out the inherent difficulty with the government’s assertions and course of thinking:

...assumes that only the worst of the worst will be subjected to torture when it comes to ticking time bombs. Not only is that assumption unfounded, based upon the widespread abuses in Iraq, it was tried and abandoned by the Israelis....The capability to finely calibrate torture has eluded every democratic government which has tried it.

Many would like to blur the line separating the various techniques used during interrogations. They advocate coercive interrogation methods (threats, sleep deprivation, etc.) and then blur the line between coercive interrogation and torture so that more techniques fall into a grey area or worse, they push the dividing line so far to the right that even extreme physical and mental torture falls into the realm of “coercive interrogation”:

When the torture convention was ratified by the US Senate in 1994, maintaining a meaningful distinction between coercive but lawful interrogation and outright torture was
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a central concern. The Senate ratified the convention on the understanding that torture should be reserved for "severe physical or mental pain or suffering" resulting in "prolonged mental harm." Any physical abuse below that standard counted as "coercive interrogation." (Ignatieff, 2006)

The truly infamous and ominous Bybee memorandum issued by the US Attorney General's office in 2002 signaled an attempt by the Bush Administration to push the defining line between coercive interrogation and torture to the extreme right of the scale:

...physical torture "must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death." For a cruel or inhuman psychological technique to rise to the level of mental torture, the Justice Department argued, the psychological harm must last "months or even years." (Allen and Priest, 2004)

Brig. Gen. Irvine also gives us an answer as to whether any information obtained from extreme physical and psychological torture would have any tactical or strategic value:

No one has yet offered any validated evidence that torture produces reliable intelligence. While torture apologists frequently make the claim that torture saves lives, that assertion is directly contradicted by many Army, FBI, and CIA professionals who have actually interrogated al Qaeda captives. Exhibit A is the torture-extracted confession of Ibn al-Shaykh al-Libi, an al Qaeda captive who told the CIA in 2001, having been "rendered" to the tender mercies of Egypt, that Saddam Hussein had trained al Qaeda to use WMD.

We now know that Ibn's statements were false and extracted under torture. The Bush Administration based its original justification for launching OIF in 2003 largely on Ibn's false confession. A rational person can look back throughout history and conclude for himself as to
the efficacy of torture. The interrogators at the witch trials in both Europe and America, from approx. 1400-1700 AD, physically tortured and subsequently obtained confessions from thousands of men and women that they were witches. What rational person today believes in witches? Most logical people can see the inherent disconnect between physical torture and the veracity of the confessions derived from these methods. The tortured will say anything to make their pain stop and to please their interrogators.

Extensive CIA studies such as MK Search and MK Ultra, the British experience with IRA prisoners in Northern Ireland, the Israeli experience with the Palestinians, and the French experience in Algeria have all shown that physical torture produces almost no information of tactical value. Even in the very few instances where physical torture has produced anything of value, tactical or otherwise (the French had some limited tactical success with extreme physical torture), the strategic ramifications due to the loss of support, both passive and active, of the civilian populace far outweighed the miniscule intelligence benefits derived through these methods. Ultimately, the Algerians ousted the French from Algeria due largely to a complete collapse of support from the civilian populace. We must learn from others mistakes, such as the French experience in Algeria, and collectively assert as a government and a nation that physical torture is counterproductive to our strategic goals and incompatible with our national morals and ethics.

Historically, one of America's greatest strengths has been our rigorous and stringent observance of the Geneva and UN Conventions. It has given our Soldiers a sense of righteousness and belief in the purity of purpose of the mission when going into battle. America ratified the Geneva and UN Conventions for a reason. America signed them with the expectation that our Soldiers captured by the enemy would receive fair and humane treatment just as we
would treat the enemy POWs in our charge. The abolition of torture, both physical and mental, permeates international agreements and law. These international conventions also prohibit “coercive interrogation methods” such as sleep deprivation, threats, psychological pressure, perceptual monopolization (loud music and/or constant lights), and disorientation in addition to extreme physical and psychological torture.

Is it right for other countries to arbitrarily suspend their ratification or observance of international agreements, as they deem necessary or as they deem fit? Are they in any way justified? The answer must be an unequivocal, resounding “No”. If we expect other countries to conform to a code of human rights and behave in an ethical, humane manner as set out in a variety of international agreements, then it is incumbent on us to reciprocate. Why then do we feel that we are any better or have any more right to suspend arbitrarily various international conventions as we see fit? The height of hypocrisy is for America to publish yearly reports on the state of human rights in other countries and then in turn suspend international laws and conventions dealing with human rights to suit our own purposes. Our moral indignation truly rings hollow in such circumstances.

America plays into the terrorists’ hands when we stoop to their level and employ their methods. At best, this is a tactical gain, but a strategic loss in the GWOT for the US and her interests. Our enemies win the strategic level engagement because they can show one of the most vital Centers of Gravity (COG) in any conflict, the civilian populace, that the US is no better than the insurgents and perhaps much worse. The North Vietnamese were masters of such propaganda and achieved a victory on the strategic level by turning the American public’s opinion against the Vietnam War. Our foes do not necessarily have to win any military engagements to see their strategic goals realized.
We are regressing as a society and a species and have reached a historical low point when we ever allow ourselves to condone the senseless brutal torture of other human beings. The message we send to our children and future generations is bleak indeed. Would we feel outrage, indignation, and disgust if we saw our own child or any US Soldier tortured by our enemies? Why would it be any more or less reprehensible than what we are contemplating or subjecting our captured prisoners to at this moment? Some very strident advocates of torture have taken advantage of the emotional, hysterical backlash of 9/11 to further their pro-torture agendas. Steven Crenshaw (2006) sums up the conundrum that we must confront when talking about torture by saying that, "Torture degrades the torturer and those who condone it; acceptance of torture undermines the very foundations—and thus the security—of our society."

The crux of the problem is when we cross the moral and ethical Rubicon and begin to condone interrogation methods previously considered too abhorrent to contemplate or allow. Once we condone torture and inure our Soldiers to their indiscriminate use and frequent employment, we invite abuses similar to Abu Grahib where interrogators and guards tortured prisoners merely for their own personal amusement and sadistic gratification. The genie is truly difficult to put back in the bottle once freed. Torture in any form is anathema to the average American, as well it should be. We must continuously refuse to desensitize ourselves to the horrors of torture and we must continually temper and suppress our understandable, yet irrational, need for vengeance in its most naked and unrestrained forms. Emotionally, because of the horror of 9/11, Madrid, and the British subway bombings, many conscientious citizens have come to advocate fully the torture of prisoners to obtain information. However, we as a people thinking logically, rationally, ethically, and morally, must reject this escalation of torture interrogation methods. The moral foundations of our society are in jeopardy if we continue to
follow this course of action and allow the government ever-greater latitude for the employment of physical and psychological torture. We cannot allow the government to run rampant uncensored and unchecked or to allow it to weaken the moral and ethical tenets on which our ancestors founded this nation. The transient and unreliable nature of any information gained from extreme physical and psychological torture methods is a pyrrhic victory for the US, won at too great a price to our strategic goals and our national psyche.
References


