



The world of torture:

A constructed reality

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Abstract

This article argues that torture is made possible, despite almost universal condemnation in legal codes, by the construction of a closed world that permits the use of torture against specific members of society defined as enemies. The article examines how a torture-sustaining reality is constructed (causes), how it is maintained and institutionalized (consequences), how it can be dismantled or deconstructed (cures) and, ultimately, how it can be prevented from forming in the first place (prevention, early warning). For each phase, the article looks at those variables that are most pertinent for three types of actors: perpetrators, victims and bystanders. It also examines those variables that operate primarily at the domestic level and those that operate at the international level.

Key Words

bystanders • perpetrators • prevention • torture • victims

Introduction

If men define situations as real, they are real in their consequences.

(W.I. Thomas, 1928: 572)

People live in the worlds that they believe to exist. In this sense, the old truism that seeing is believing (I'll believe it when I see it) can just as easily be reversed: believing is seeing (I'll see it when I believe it). While we like to think that everyone sees the same things we do, this is not the case.

Perception is a dynamic and active process, not the passive reception of signals from an outside reality that is the same for everyone. The end product of this process depends on a whole slew of factors ranging from biological differences, selective attention, different orientations in space and time, to different beliefs about what kind of reality exists 'out there'. Our perceptions and beliefs are therefore quite intimately connected. Together, they determine much of what we do—our behaviour—and whether we think our actions are good or bad, right or wrong, justifiable or not—our moral values.

While most of us like to believe that harming others is not a good thing to do and that doing so might bring harm to ourselves, either in the form of punishment, shame or guilt, there are certain contexts in which harming others is considered by most people to be appropriate and even good. The most obvious context is that of the just war, but others exist as well. A more subtle example is that of invasive surgery, whereby a surgeon damages certain parts of a person's body in order to repair or treat other parts. However, there are certain behaviours that most people agree are wrong, no matter what the justification given for them. In this sense, then, we can speak of a general consensus on what the world is supposed to be like. It is when such consensus exists that we seem to approach the ideal of one objective reality for all.

One of these widely disapproved behaviours is torture, although this has not always been so. According to the historian, Edward Peters (1996), one period in which the disapproval of torture was particularly strong was immediately after the Second World War. In his brief history of the European Convention on Human Rights, signed at Rome on 4 November 1950, and, in particular, the *Travaux préparatoires* of the Preparatory Commission of the Council of Europe, Committee of Ministers, Consultative Assembly (published in 1973), Peters shows how strongly people felt about abolishing torture during this period. He cites one delegate, F.S. Cocks, who suggested the following amendment to Article 1:

The Consultative Assembly takes this opportunity of declaring that all forms of physical torture, whether inflicted by the policy [*sic*], military authorities, members of private organisations or any other persons are inconsistent with civilised society, are offences against heaven and humanity and must be prohibited. *They declare that this prohibition must be absolute and that torture cannot be permitted by any purpose whatsoever, neither by extracting evidence for saving life nor even for the safety of the State.* They believe that it would be better even for Society to perish than for it to permit this relic of barbarism to remain.

(Peters, 1996: 146, emphasis added)

Here we see a direct refutation of the common argument that torture is justifiable to save lives, going so far as to say that society should perish rather than depend upon torture for its survival. Nigel Rodley, former UN Special Rapporteur on Torture, makes it clear that torture is universally

condemned in international law and that the prohibition is absolute (Rodley, 1999). In particular, he demonstrates how the utilitarian argument that torture or ill-treatment are justifiable if they serve a greater good has been thoroughly rejected by case law (Rodley, 1999: 80–4). The classic argument for this discredited justification is the ‘ticking bomb’ case where a suspected terrorist is the only one who knows where a bomb set to detonate in a crowded public place is located. For example, in interviews with military leaders in four Latin American countries that experienced widespread use of torture in recent times, Wolfgang Heinz (1995) repeatedly encountered this justification for torture. The same argument has of course resurfaced in the wake of the attacks of 11 September 2001 in New York and Washington, DC (Alter, 2001).

Yet many people practise torture today, despite its almost universal condemnation in international legal instruments. Amnesty International (2000) reports that between 1997 and mid-2000 three-quarters of the world’s governments have used torture. They report the use of torture and ill-treatment by state agents in over 150 countries since 1997, with widespread use in more than 70 countries, and its use resulting in death in more than 80 countries. How is this possible? This article argues that the practice of torture is only possible because reality is defined in such a way as to make it possible. To illustrate this point, let us consider how torturers are trained.

Torture training

Torture training usually includes techniques designed to supplant normal moral restraints about harming (innocent) others and to replace them with cognitive and ideological constructs that justify torture and victimization and neutralize any factors that might lead to pangs of conscience or disobedience to authority (Crelinsten, 1995). As such, it amounts to a kind of reality construction that involves the deconstruction of ‘objective’ reality, as reflected in conventional morality, and its replacement with a new reality that is defined by the ideological dictates of a particular regime that holds power, be it secular or religious (Crelinsten, 1995: 54). In order to maintain this reality, the torture regime must endeavour to ensure that it is reflected in all sectors of society and all aspects of social and political life. Everything must be reshaped according to the new template: laws rewritten or, at the very least, reinterpreted, new language and vocabulary devised, social relations redefined and all these processes of transformation channelled through and amplified by the mass media. As such, the techniques used to train prospective torturers to do their terrible work are but a reflection of a much wider process: the transformation of society. The torture system itself, which is usually embedded within those institutions that traditionally exercise the state’s monopoly on legitimized violence, i.e. the police and the military, is but a microcosm of this larger phenomenon: to enable torture to

be practised *systematically* and *routinely*, not only do torturers have to be trained and prepared, but wider elements of society must also be prepared and, in a sense, trained to accept that such things go on. In the former Yugoslavia, for example, Serbs were exposed to a constant stream of propaganda via state-controlled television that dehumanized Muslims and presented them as an existential threat to the Serb nation and way of life. This pre-dated the outbreak of war in Bosnia and certainly helped to prepare the way for the atrocities to come. A similar role was played by radio broadcasts that preceded and set the stage for the Rwandan genocide. It is important to realize, therefore, that it is not only the perpetrators of torture that participate in this reality construction, but also bystanders, who are not directly involved as either perpetrator or victim, and, in a cruelly ironic sense, the victims themselves.

A central feature of this reality construction is the creation of a powerful and dangerous enemy that threatens the social fabric. Laws are directed against this enemy, labels to describe this enemy are promulgated and disseminated via the mass media, people are divided into us and them, for us or against us. To imbue this purported enemy with sufficient substance to render the presumed threat credible, the police or the military target groups most likely to be perceived by the general population as enemies, such as ethnic or religious minorities or political dissidents. If such groups happen to include violent insurgents or separatists at their radical fringe, so much the better, since the threat will be more easily depicted as real. But this is not always necessary in the business of constructing reality: mere change is violence to the status quo and so, in the eyes of the power holders, peaceful advocacy and non-violent dissent can be perceived—and therefore depicted to others—as violence, *per se*. During the so-called ‘Dirty War’ in Argentina, for example, the net of subversion was drawn so wide as to include Marxism, Zionism, Freemasonry and Progressive Catholicism, as well as human rights, women’s rights and peace groups. But it did not stop there: it also included ‘indirect aggression’, which embraced everything from drug and alcohol abuse, political and economic liberalism, lay education and trade union corruption, to social and sexual deviance, the media and the creative arts (Donnelly, 1998: 41).

Torture: its causes, consequences and cures

When discussing torture’s causes, consequences and cures, it is therefore useful to keep in mind that a torture regime engages continually in the creation and maintenance of an alternate reality in which—at least with regard to its victims—conventional morality is largely absent. The degree to which any regime succeeds in establishing such an alternate reality and the extent to which such an alternative definition of the situation permeates other social institutions and sectors of society determine how wide is its influence and how great its impact on the variety of actors and bystanders

within that society. It is also important to realize that this new reality affects everyone living within its sphere of influence: perpetrator, victim and bystander alike. The degree to which they are affected depends in turn upon the degree to which individuals, be they perpetrators, victims or bystanders, are able to avail themselves of the more conventional reality that the torture regime attempts to supplant.

In a closed society, where the state controls most, if not all, political, social and cultural institutions, the torture reality can be so pervasive as to constitute essentially the sole reality available, except in those undergrounds that any resistance movement manages to create and sustain. This would be the case for Nazi Germany, for example, where Daniel Goldhagen (1996) argues that a virulent brand of ‘eliminationist’ antisemitism removed Jews from the orbit of conventional morality: ‘Simply put, the perpetrators, having consulted their own convictions and morality and having judged the mass annihilation of Jews to be right, did not *want* to say “no”’ (Goldhagen, 1996: 14, emphasis in original). In this case, the Germans were what Goldhagen calls ‘willing executioners’ because it never occurred to them that torturing and killing Jews was morally wrong. Goldhagen contends that Jews had been defined out of their moral universe long before the Nazis came to power. While highly controversial, his thesis suggests that such a radically different morality as was evidenced under the Nazis may take considerably longer to construct than the lifetime of the particular torture regime. Similarly, the roots of the Rwandan genocide and the attitudes that underlay it can be traced back to colonial domination by Belgium and Germany and the influence of Nazi ideals about the Tutsis and Hutus (the former being closer to ‘Europeans’; the latter closer to ‘Africans’). Social structures that develop slowly over time—Fernand Braudel’s *la longue durée*—can culminate in the creation of a truncated moral universe whose truncation is invisible—especially to those living within it—because it has become the norm. Such a universe obviously constitutes fertile ground for the implantation and entrenchment of a torture regime, where social agents too easily resort to what are gross violations of human rights by any other moral yardstick.

In more open societies, where individuals are free to criticize government policy and an independent press can operate without censorship, the alternate reality that permits and justifies torture must be sustained in more subtle and, ultimately, more complex ways. Stanley Cohen (1993: 105–11, 2001) describes the kinds of discourse, mechanisms of denial and cognitive techniques of neutralization that different individuals and groups can use to perpetuate the reality promulgated by the regime and/or to suppress the more conventional definition of reality that would render the torture-sustaining one powerless or diminish its influence. His analysis suggests that ‘reality’ and the self that both determines and is determined by it are not monistic. People can sustain several contradictory ‘realities’ at once and several contradictory ‘selves’ at once. The ‘denial paradox’ implies this as well: one can only deny what one is aware of in the first place. As such,

there are gradations or grey areas between the realities that sustain torture and related atrocities and those that sustain more conventional morality. Depending where one is in the social structure can determine the extent to which one becomes a willing agent of the torture-sustaining definition of reality and the degree to which one is still influenced by the more conventional torture-denying one.

In extreme cases, as noted above, there is no need to deny something is wrong, since what others see as wrong is conceived as right and there is no conventional morality to neutralize: the conventional morality has long been absent and is therefore unavailable for cross-checking, as Goldhagen argued for the 'willing executioners' of Nazi Germany. Cohen (2001: 98–101) invokes the term 'moral indifference' for this case, likening it to Hannah Arendt's famous concept, the banality of evil, which she coined in her study of Adolph Eichmann. According to Cohen,

Far from minimizing evil, [Arendt] warns that unimaginable evil can result from a constellation of ordinary human qualities: not fully realizing the immorality of what you are doing; being as normal as all your peers doing the same things; having motives that are dull, unimaginative and commonplace (going along with others, professional ambition, job security), and retaining long afterwards the façade of pseudo-stupidity, not grasping what the fuss was about.

(2001: 100)

These ordinary qualities, when operating in the truncated moral universe in which totalitarian regimes operate, can lead to the most horrendous actions. Cohen uses the term 'moral void' to describe this situation: 'the absence of anyone to test your old moral reflexes' (2001: 101). He goes on:

It is interesting, but irrelevant, to contrast the unprincipled, obedient automaton, looking after number one, adopting any convenient motivational camouflage, with the fully informed, ideologically motivated monster, evil but acting out of principle. Both occupy the same moral void.

(2001: 101)

Of course, this moral void is itself a construction, as suggested by Goldhagen's thesis discussed above. It appears to be a void simply because the process of supplanting conventional morality with a new one, or the excision of certain sectors of society from prevailing moral norms, has been long completed. In more open societies, this moral void is usually confined to the interstices in the social structure that permit its full expression: usually the hierarchical organizations, with their long tradition of obedience to authority, that recruit and train the future holders and implementers of the state's monopoly on violence. The pathway into torture can therefore be determined by family (military, right-wing, authoritarian families who expect their sons to join the military), career choice (young men who want to join the police or military) or even serendipity (going to

the cinema on a day when all young men leaving the theatre are scooped up and press-ganged into service). Structure and agency thereby interact and mutually determine each other. In this sense, then, the unprincipled automaton and the principled monster may actually be different, though they occupy the same moral void, since their place in the social structure—indeed their pathway into this niche—is probably quite different. This highlights the importance of understanding the varieties of perpetrator: Crelinsten (1995), for example, distinguishes among the professional, the zealot and the sadist. Kelman (1995) shows how the hierarchical structure in which torture is usually conducted confers different kinds of responsibility on those lower in the hierarchy—who usually do the torture—and those higher up—who usually order, condone or facilitate the torture.

If, as argued here, the systematic and routine use of torture is most easily established within a closed (if not entirely impermeable) world imbued with an alternate reality that is separated (if not completely or permanently) from that of conventional morality, then we can conceive of torture's causes, consequences and cures in terms of the nature, strength and pervasiveness of a definition of the situation that promotes and sustains the use of torture for political and social control. The *causes* of torture would be found in the processes that permit the *construction* of a separate reality. The *consequences* of torture would be reflected in the processes involved in the *maintenance* of this separate reality and its *diffusion* to as wide a spectrum of societal spheres as possible. Finally, the *cures* for torture would be related to the *deconstruction* of the torture reality and processes by which this can be effected for the victims, the perpetrators and the society at large. *Prevention* of torture can be conceived as those processes by which the construction of a separate torture-sustaining reality can be blocked in the first place or, if established, how its influence can be diminished and its spread impeded. The analysis which follows will look at each phase in turn and will identify those factors that are most relevant for three kinds of actors: the perpetrators, the victims and the bystanders. Because torture regimes exist within the larger context of the international system of states, I shall also divide my analysis into the domestic or national level, within a particular state, and the international level of analysis, within the broader international system of states. In doing so, I shall identify factors that operate in the construction, maintenance and deconstruction of a torture-sustaining reality not only at the domestic level, but also at the international level.

Torture and the construction of reality

If we turn our attention to those factors that permit a regime to construct a reality in which systematic torture is possible, we can divide them into those that operate primarily at the domestic level and those that operate at the international level. At each of these levels, we can look at those factors

Table 1. The *causes* of torture—factors permitting reality *construction*

	<i>Perpetrators</i>	<i>Victims</i>	<i>Bystanders</i>
<i>Domestic</i>	authorization • ideology routinization • professionalization • rewards and punishments dehumanization • creation of enemy us/them thinking	minorities at risk (includes privileged but despised) scapegoating insurgencies (use of violence and terrorism to provoke authorities) targeting of sympathizers economic or other inequities goals of torture (information, 'tutelage', destabilization)	bystander apathy toleration of scapegoating of other groups techniques of neutralization • just world thinking (they must have done something to deserve it) • it can't happen to me • ignorance is bliss mechanisms of denial (turning a blind eye, the paradox of denial)
<i>International</i>	international aid training and logistical support transfer of torture technology creation of 'national security states' silence on HR abuses	counterinsurgency doctrine • hearts and minds campaigns • 'pacification' transfer of torture technology	non-interference in domestic affairs of other nations tolerance of gross human rights violations in 'client' states

most pertinent to the perpetrators, those more relevant for the victims and, finally, those that pertain to the bystanders (see Table 1).

The domestic level

Perpetrators

When we turn to factors that help in preparing perpetrators for the commission of torture and related atrocities, the work of Herbert C. Kelman and his colleagues on state-sanctioned massacres provides some heuristic concepts. Their research identifies three processes that make it easier for individuals to commit terrible acts such as torture (Kelman and Hamilton, 1989; Kelman, 1995): authorization, routinization and dehumanization. *Authorization* refers to explicit orders, implicit encouragement or tacit approval by those in authority to commit torture. It therefore includes the processes by which regime leaders and top officials justify the use of torture

and, in a wider sense, define social relations within society. Ideology and propaganda play a central role in the diffusion of the idea that certain people deserve to be victimized and that, if they are not so victimized, society-at-large will be endangered or impoverished in some way. Kelman and Hamilton (1989: 16) argue that people's willingness to commit or condone violence is enhanced when acts of violence are authorized either explicitly or implicitly by higher officials. The fact that such acts are authorized eliminates the necessity of making personal judgements or choices, since their very authorization is interpreted as an automatic justification for them. 'Insofar as [actors] see themselves as having had no choice in their actions, they do not feel personally responsible for them. Thus, when their actions cause harm to others, they can feel relatively free of guilt' (Kelman and Hamilton, 1989: 16).

Routinization involves the professionalization of those who commit torture and the supplanting of conventional moral values with those of obedience to authority and unquestioning acceptance of the regime's ideology. Cognitive techniques of neutralization are used to quell moral conscience, while a system of rewards and punishments is used to condition the torturer to continue in his¹ work. At the same time, because torture becomes routine, a sense of personal choice and responsibility is drastically diminished. This makes it all the more difficult to refuse to continue or to exit from the closed world.

Finally, *dehumanization* is used to render the victim deserving of his or her fate in the eyes of the torturer. Torturers represent the end product of a selective and progressive training process in which conscientious objectors, doubters, independent thinkers and sensitive persons are weeded out along the way. As a result, those who become professional torturers are no longer in easy touch with such feelings as empathy, compassion or concern for the fate of their victims. As Pieter Kooijmans, former UN Special Rapporteur on questions of torture, puts it in his 1992 report:

We should be aware . . . that torture is only the final link in a long chain. The seeds of torture are sown whenever a society tolerates situations where respect for the human dignity of fellow citizens is taken lightly. The situation in the former Yugoslavia is a vivid illustration of this. Lack of respect for the inherent dignity of fellow human beings *just because they belong to a different ethnic group* has led to a situation where torture, rape and murder are rampant.

(United Nations, 1993: 129, para. 582, emphasis added)

Here we see the nefarious consequences of scapegoating and us/them thinking, whereby certain groups or individuals are excluded from the moral universe of respect for other human beings, thereby opening the way to brutal and savage treatment.

Group cohesion is so often maintained by the creation of a common enemy, an out-group, replete with social pariahs, traitors, infidels and barbarians. This in-out, us-them splitting is one of the prime vehicles for

legitimizing—within the eyes of the in-group—the moral transgressions towards members of the out-group. The process of reality construction involves the gradual and progressive exclusion of the members of the targeted group by stripping them of their human identity and redefining them as enemy aliens. The Jews were depicted by the Nazis as vermin. In the Second World War, the Americans depicted the Japanese as apes, while the Japanese depicted the Americans as insects (Dower, 1986). In Rwanda, the Hutus called the Tutsis ‘snakes’ and ‘cockroaches’ (Ruth Jamieson, personal communication). In war, in genocide, in repression, one of the principal features of gross human rights violations, such as torture, systematic rape or ill-treatment of prisoners, is the denial of the victim’s human dignity. This redefinition of part of the human family is a core element of the new reality constructed by the torture regime.

The victims

Turning now to the perspective of the *victim*, the process of reality construction at the domestic level usually involves scapegoating of minorities at risk of persecution or disadvantaged in some way, either economically or as a result of unequal opportunity. Minorities at risk can also be privileged, but despised as a result of their better position in society (Gurr, 1993). If there is an armed insurgency or some form of political violence, such as violent protests or terrorism, the authorities can use this armed opposition or insurgent violence to justify the installation of a torture regime. Ironically, this is often what insurgents want, since they feel that only then will the wider population join the fight. Terrorist violence, in particular the classic ‘propaganda of the deed’ first developed by 19th-century Russian anarchists, is designed to provoke widespread repression by the authorities so that people will join the revolutionary cause. This was, I believe, the real goal of the 11 September terrorist attacks, for example, though the repression would have been international (via US military might) and the revolts would be in the Muslim world, particularly the Middle East and the Gulf States.

In the process of reality construction and enemy definition by the regime, there is typically a widening of the scope of definition to include sympathizers with the same political aims as armed insurgents or active dissidents. This progressive decline in the discrimination between enemy and supporter, supporter and sympathizer, sympathizer and uncommitted bystander is exacerbated by the fact that armed insurgents or criminalized political opponents usually operate in secret. For the security forces, it is easier to target the non-violent protester or activist or to arrest the friend or relative of the suspected terrorist or subversive. In this way, the net of victimization spreads as the process of routinization of repression proceeds. Of course, many torture regimes do not need the justification of insurgencies or terrorist organizations operating in secret to widen the net of victimization and to spread a reign of terror. The use of torture often

continues after insurgencies are defeated, as in Argentina during the military dictatorship, for example, or where opposition is minimal, as in Saddam Hussein's Iraq. In such regimes, victimization is a tool of social control as much as it is a means of gaining information in the context of counterinsurgency. In yet other regimes, such as the Islamic Republic of Iran, torture is a form of 'tutelage', where the goal of torture is to reform an individual rather than to break or to destroy them (Rejali, 1994: 113–32). Victim testimony underscores the fact that torture can have many different goals. Some victims report being tortured for no apparent reason; others that their torturers aimed to destabilize them mentally; others that they wanted to extract information or confessions.

Torture can be exercised by different sorts of administration characterized by specific forms of rationality. The torturer may act on the tortured as a priest seeking a conversion, a surgeon operating on a patient, a psychiatrist transforming a subject. He may explain what he does in the same terms as a detective, a publicist, or a counterinsurgency expert. Each of these ways of acting describes a distinctive mode of government and casts an entirely different light on how torture operates in a society.

(Rejali, 1994: 164)

In this way, the victims' perspective can help to understand the kinds of reality construction that underlie particular torture regimes.

The bystander

Turning to the perspective of the uncommitted *bystander*, the construction of reality inherent in the build-up of a torture regime involves a combination of political apathy, toleration of scapegoating of other groups to which one does not belong or with which one does not identify (which contributes to the spread of us/them thinking throughout society, even when the bystander does not necessarily believe in the promulgated ideology of hate) and a variety of cognitive neutralization techniques, such as just world thinking (the victim must have done something to deserve it), denial (it can't happen to me) and repression (ignorance is bliss). This passivity or silent acquiescence on the part of the larger society allows the reality construction to spread into more and more spheres of political and social life until it is sufficiently anchored in law, custom and discourse to define what is right and wrong, what is permissible and what is not. Cohen's (2001) detailed analysis of 'denial' in its myriad facets underscores the diverse ways in which individuals not directly involved in perpetrating torture or not directly victimized by torture actively select what they perceive and what they refuse to acknowledge. In this sense, bystanders are not merely passive. The paradox of denial suggests that those who choose to 'turn a blind eye' are aware in some way of what they choose to ignore. As such, they actively contribute—by their very passivity—to the reality that is under construction, whether or not they agree with what is going on. No doubt some bystanders silently assent and go along, though they

themselves would never engage in torture or killing if called upon to do so, while others remain silent despite the fact that they do not accept the prevailing definitions that promote and sustain torture. Ruth Jamieson (personal communication) refers to these two types of non-involvement as 'acquiescence' and 'abstention'. Cohen's (2001) typology of ordinary human qualities referred to above when discussing perpetrators applies equally to bystanders. If acquiescent bystanders found their way into the social institutions where torture is practised, they would probably become torturers themselves. For abstaining bystanders, the situation is less clear. While almost anyone can become a torturer if their career path or life trajectory leads them to the institutions of torture and the attendant processes that torture training entails, there are exceptions. Pathways into torture are not inevitable and, once inside, it is sometimes possible to escape (Crelinsten, 1995).

The international level

If we turn now to the *international* level, the relevant factors pertain mostly to international relations and the legal and diplomatic norms that underlie the international state system. The modern Westphalian state is a social construct that considers domestic variables irrelevant to international politics and state behaviour. As such, states are assumed to be unitary actors in the international system, and foreign policy has traditionally been based upon this assumption. In an era of globalization, however, this dogma has been increasingly challenged by a variety of transnational phenomena, such as multinational corporations, migration and refugee flows, transnational organized crime and international terrorism, to the point that some have questioned whether the unitary state is any longer a viable concept. Non-state actors are increasingly recognized as playing an important role in international affairs, where they interact with state actors in a world characterized by multiple centres of power (Smith and Wolfson, 2001). Yet even in a globalizing world, the power of the state to control events within its own borders and in some cases to influence events within other states is still considerable. As such, the international level of analysis remains an important part of an overall analysis of how torture regimes develop, wax and wane.

The perpetrator

Perpetrator-related causes are primarily found in the support—economic, diplomatic or political—given by foreign states to the torture regime. Superpower states or states with more regional influence can send the message to torture regimes that torture is acceptable, either indirectly, by continuing to provide international aid or remaining silent about human rights abuses in international and diplomatic fora, or more directly, by providing training and logistical support to those agencies that commit the human rights abuses. Chomsky (1989a, 1989b) shows how arms supplies,

foreign aid and training, and transfer of torture technology to ‘client states’ aid in the creation of national security states where local protest is suppressed in the interests of economic growth and the protection of multinational interests. In a perversely ironic twist, international *condemnation* can sometimes lead to a strengthening of the torture regime or the switch from torture to disappearances or extra-judicial executions. This was the case in Argentina, where the ruling junta developed the strategy of disappearances to avoid the international condemnation that Chile had received several years earlier for its widespread use of torture.

The victim

From the perspective of the victim, international factors contributing to the construction of a reality conducive to torture include the diffusion of counterinsurgency doctrine, including the concept of ‘hearts and minds campaigns’ aimed at the general population, and the transfer of torture technology. The concepts of counterinsurgency and ‘hearts and minds’ campaigns easily lead to widening of the targets of victimization, while the transfer of torture technology obviously increases the likelihood that victims of the regime will be subjected to torture.

The bystander

From the perspective of the bystander, the widely accepted doctrine of non-interference of one nation in the domestic affairs of another and the practice of tolerating gross human rights violations in ‘client states’ lead to a climate where speaking out against the abuses of one’s own government seems fruitless or foolhardy at best and downright dangerous at worst.

Torture and the cost of maintenance

When we turn to the *consequences* of torture, these can be conceived in terms of factors that contribute to the *maintenance* and *institutionalization* of a separate reality conducive to torture. Again, let us examine these first at the national level and then at the international level, from the perspective of the perpetrator, the victim and the bystander (see Table 2).

The domestic level

The perpetrator

The world in which the torturer lives and works is a closed world, made impervious to outside influences by the processes described in the previous section. On the macro or societal level, this can go as far as state control of the media and all channels of public and even professional discourse, so that the prevailing ideology suffuses all aspects of social and political life.

Table 2. The *consequences* of torture—factors permitting reality *maintenance*

	<i>Perpetrators</i>	<i>Victims</i>	<i>Bystanders</i>
<i>Domestic</i>	closed world • supplanting conventional morality • control of media and public and professional discourse diffusion of responsibility in hierarchy progressive degeneration • addiction to power, to torture impunity corruption inoculation against post-traumatic stress disorder in direct perpetrators (alcohol, drugs)	post-traumatic stress disorder in torture victims personality disorders depression physical sequelae sexual problems familial problems loss of political will disruption of social network	mistrust and suspicion social atomization and isolation retreatism • alcoholism • cynicism collaboration corruption narrowing of focus from the social and political to the personal (getting ahead)
<i>International</i>	non-interference in domestic affairs of nations diplomatic efforts war against Communism (counterinsurgency) war against terrorism (counterterrorism) targeting dissidents abroad (international state terrorism)	increase in refugee and exile populations problems of adaptation in exile or place of refuge targeting of exiles terrorist fund-raising in diaspora communities human rights abuses in host country (counterterrorism context)	business as usual • selective focus on trade and development issues at expense of human rights concerns

This is most typical of totalitarian regimes, such as the Nazi and Soviet regimes in which torture first made its reappearance after it was absent from established judicial procedure for a century or so. It is also true for most military regimes, which usually change laws and criminalize a wide variety of social and political activities in addition to any armed opposition that may be active at the time of gaining power. A whole set of legal and judicial procedures help to institutionalize the practice of torture: extended periods of detention, insistence on confessions for conviction and/or show

trials, and impunity for those who engage in torture. This impunity can sometimes go so far as to include changing the name and identity (through plastic surgery if necessary) of perpetrators and providing pensions for life.

On the institutional level (meso-level), there is also the phenomenon of diffusion of responsibility, whereby individuals engaged in torture are but one part of a complex bureaucracy, all elements of which contribute to the overall process of repression. Interrogators may torture, but doctors monitor the condition of the victim and advise the interrogators on how far they can go; guards watch the cells and torture chambers, ignoring the screams and broken bodies; judges ignore the obvious signs of torture when accused persons appear before them and confine themselves to the charges laid against them; prosecutors rely on the forced confessions and turn a blind eye to how they were obtained; commanding officers decide who is to be questioned and compete among rival services for the most arrests, confessions, convictions or whatever 'end product' by which success is measured; politicians and regime leaders demand results from the forces of order and do not question how they go about their business; and the list goes on.

In such a system, the direct perpetrator can easily claim that he was just following orders, while his superiors can just as easily claim that he never directed the perpetrator to commit torture. The other participants in the torture apparatus can claim that they were only trying to help; doctors who help in torture often insist that, without their intervention, the victim would have suffered even more. Lawyers advise their clients to accept their forced confessions so that they can avoid more torture. Even the interrogator himself can argue that his particular technique of torture is 'scientifically' designed to make it easier on the victim. This was the case with the use of sensory deprivation and the Ulster hooded technique in Northern Ireland (Kennedy, 1990), where authorities argued that such a method did not cause undue suffering.

In any closed system, however, there is a great risk of progressive degeneration. This is most obvious at the level of the perpetrator, where addiction to power and to torture itself can lead ultimately to more and more brutal behaviour and increasingly callous or depraved actions on the part of more and more individuals. Without any means of cross-checking reality or questioning the basic premises of the system, for example why a particular individual has been arrested in the first place, individual perpetrators feel at liberty to indulge in systematic rape or sexual blackmail (demanding sexual favours in return for better treatment), contemptuous treatment of victims' relatives who seek information on their loved ones, using the system to their own advantage (such as arresting someone who owes them money or has taken them to court in a legal dispute) and other forms of corruption. In the words of Lord Acton, power corrupts, and absolute power corrupts absolutely.

It is this degenerative aspect of the torture regime that often leads individual perpetrators finally to attempt to break with the system. Many suffer psychological problems, such as nightmares, sleeplessness, irritability, that permeate their private lives. In many cases, this amounts to post-traumatic stress disorder (PTSD). Some use alcohol and drugs to try to numb their consciences, often at the behest of their superiors; others seek psychiatric help with institutional doctors, who prescribe sedatives or give a few days of leave, but never question the system itself. The result is that many engage in 'doubling' (Lifton, 1986), whereby they split themselves into the perpetrator and the family man, the amoral torturer and the moral, upright citizen. In these ways, the perpetrator can continue what he is doing without facing the consequences for his own psychological and moral integrity. Only afterwards, or at the moment of some moral crisis—often triggered by the appearance of a friend or acquaintance among the victims—does the perpetrator suffer the full-blown consequences of his actions.

The victim

If we turn now to the victims' perspective, the maintenance of a torture regime is accomplished principally by the breaking down of the spirit and integrity of those caught up in its repressive apparatus. The results include a litany of physical and psychological sequelae that can render an individual incapable of espousing another cause, engaging in political or social activism again, or feeling capable of caring about anything more than mere survival. Familial and wider social networks can be so disrupted and damaged that relatives blame the victim for their predicament and victims reject family and friends because they can never understand what happened to them. Fortunately, however, the resilience of the human spirit is remarkable and victims can often resist the effects of torture (though they can probably never escape them altogether) by persisting in their beliefs or their commitment to social justice and humanity despite their abuse and torment. This is why those who work with victims of torture prefer to call them 'torture survivors' (Randall and Lutz, 1991). Yet the purpose of torture is to make this impossible, to break the bonds that link humans together and to destroy the personality that underlies whatever personal commitment the individual possessed before they were tortured.

The bystander

Turning now to the bystanders' perspective, the persistence of a torture regime over a long period of time can ultimately lead to social atomization and isolation, whereby everyone is mistrustful and suspicious of everyone else, and people narrow their attention to a small circle of family and friends and abandon any commitment to social or political change. This can also manifest itself in widespread alcoholism, cynicism (which serves as an excuse not to get involved politically) and other forms of retreatism

or withdrawal from political life. Finally, an accent on personal gain at the expense of social commitment can lead to widespread corruption and collaboration with the torture regime in order to gain personal advantage.

The international level

The perpetrator

Turning now to the international level, the persistence of a torture regime relies on the classic doctrine in international affairs of non-interference in the domestic affairs of other nations. Most torture victims tend to be nationals of the states that victimize them. As such, the regime argues in international fora that the question of human rights violations is a domestic problem. Diplomatic efforts and propaganda campaigns are often used by torture regimes to justify the abuses as necessary, given the nature of the internal threat. The fact that insurgents throughout the Cold War often espoused Communist ideologies enabled many torture regimes during that period to justify their abuses as fighting the spread of Communism and they received support from western powers, most notably the United States (McClintock, 1992). Fighting terrorism has, especially during the 1980s, and more recently, since the attacks of 11 September, also been a justification for turning a blind (diplomatic) eye to abuses in non-democratic regimes that are viewed as important allies in the war on terrorism. Dissidents living abroad have also been targeted by the secret services of the torture regime, as in the case of the 1976 murder of Orlando Letelier in the United States by the Chilean intelligence service. The current 'war on terror' has resulted in muted criticism, if any, of human rights abuses in the Russian–Chechen and the Israeli–Palestinian conflicts, for example.

The victim

At the international level, the longer a torture regime succeeds in perpetuating itself, the greater the increase in refugee and exile populations. This leads to serious problems of adaptation in the host countries, including in the case of large migrations typical of the times we live in today a significant strain on social resources and infrastructure in these countries. A sad irony is that public opinion in the host country can only too readily turn against the refugee rather than the regime that is responsible for their plight. In this sense, a torture regime can spread its poison to those countries that accept their refugees and exiles, fomenting and triggering ethnic hostility, ideological polarization and outright racism as much as public outrage over their human rights abuses. In addition, particularly active exiles, who actively seek international condemnation of the torture regime, can risk being targeted by their government's security forces. Diaspora communities, including victims of torture, can also become targets either of insurgents or their support groups trying to raise funds

abroad or by security agents of the host country trying to garner intelligence. Members of such communities can also become victims of abuse at the hands of police, customs officials or immigration officers in their host countries, particularly in the context of counterterrorism (Crelinsten and Özkut, 2000), thereby compounding the degree and levels of victimization.

The bystander

A torture regime can persist as long as other nations and multinational corporations take a 'business as usual' approach to affairs with the regime, such as focusing exclusively on issues of trade and development and turning a blind eye to more political and social concerns.

On the dismantling of a torture regime

If a torture regime lasts a considerable period of time, this means that the definition of reality that the regime has promulgated to justify its abuses has probably permeated all aspects of political life, most aspects of social life and even cultural life. It has become embodied in law, has developed a jurisprudence. It has reshaped the civil bureaucracy, its institutions and its practices. It has created a whole new language that has been learned by school children and has been reproduced in a whole variety of discourses, from the military and police jargon typical of torture regimes, to medical associations, media organizations and 'politically correct' cultural productions. The process of dismantling this regime therefore involves a whole process of re-education designed to deconstruct the reality that permitted and maintained the practice of torture (see Table 3). At the same time, however, it involves trying to understand how this reality was constructed in the first place, in the hope that we can develop ways in which to prevent it happening again—or elsewhere, in a new context.

The domestic level

The perpetrator

For the perpetrator, at the institutional level, the most important means by which the torture reality can be dismantled is by changing the way in which police and military personnel are trained and educated. This means the incorporation of a recognition of the importance of respecting human rights and observing human rights conventions into the educational programmes at police and military academies. It also means that obedience to authority must be seen to have its limits in that individuals must question orders that compel them to harm others. While the status of whistleblowers in hierarchical institutions and private corporations is a delicate business (Vinten, 1993; Cohen, 2001: 257–8), legal protection for whistleblowers

Table 3. The *cures* for torture—factors permitting reality *deconstruction* or impeding/preventing its initial construction

	<i>Perpetrators</i>	<i>Victims</i>	<i>Bystanders</i>
<i>Domestic</i>	training and education of police and military strict adherence to laws and human rights conventions legal protection for whistleblowers prosecution of perpetrators repentance/ recognition of wrongdoing by perpetrators and superiors (condition of any amnesty)	replace physical pain with political dignity • testimony method document the trauma story rehumanize the victim punish the perpetrators treat the family and children along with the direct victim	public airing of grievances document the record of abuse and victimization expose the torture reality, retracing its progressive construction training programmes for control agents • reduce risk of re-victimization
<i>International</i>	war crimes tribunals foreign aid contingent on good human rights record economic sanctions penetration of the closed world via international and diplomatic condemnation and human rights campaigns	treatment of refugees in exile setting up treatment centres information exchange • international training programmes for care providers training for control agents dealing with foreigners	international condemnation campaigns against professionals who aid in torture or repression prevention • early warning monitoring • public education and literacy campaigns

would be one way to make it easier for an individual within a burgeoning torture system to question the basic premises of the reality which is being constructed.

When a torture regime ends, prosecution of the perpetrators and their superiors is imperative: the perpetrators for what they have done; the superiors for what they permitted to be done. Yet experience has taught us that this rarely occurs. Greece and Argentina remain two of the few nations that have brought some perpetrators and/or superiors to trial and, in the latter case, a general amnesty came after one change in government. In cases where prosecution is not possible, either because social divisions are still too great, or because of the threat of a new military takeover, then there should ideally at least be a public recognition by the perpetrators and

their superiors that what they did was wrong and morally unacceptable. Repentance laws would be even better, whereby an individual who publicly repents for what he has done is subject to reduced penalty or even the dropping of all charges. In South Africa, amnesties were made conditional on first applying for the amnesty (which implied a kind of acknowledgement that the applicant did something wrong that needed to be amnestied) and, more importantly, on acknowledging his wrongdoing in public before the Truth and Reconciliation Commission. The power to break the hold of a dominant ideology or a constructed reality is greatest when there is public recognition that this reality was a false one, a corrupt one, a wrong one. The bubble is thereby broken once and for all. While criminal law can perform this function by publicly accusing and, by due process of law, convicting wrongdoers, it is not the only way. As such, prosecution of perpetrators, though perhaps preferable from a moral point of view, is not absolutely necessary in the deconstruction of the perpetrator's epistemological world.

The victim

Turning now to the victims' perspective, the central element in deconstructing the pernicious reality of torture and its all-too-real consequences is to rehumanize those who were the targets of the torture regime. This involves replacing the physical pain and torment of the torture experience with the political dignity inherent in a human being's right to hold certain beliefs even if they differ from those in authority (Agger and Jensen, 1993). One way that is widely recognized for accomplishing this is to allow former victims to tell their story fully. One variant of this is the testimony method, whereby a survivor works with a therapist, narrating what happened to her or him, if necessary in the presence of an interpreter. The narrative is transcribed, checked and revised and then signed by all parties and the survivor reads the final document aloud. S/he is then free to do with it as s/he pleases (Agger and Jensen, 1990, 1993). This process of documenting the trauma story is an effective way of empowering those very people who had been disempowered and incapacitated by the torture regime. It redresses the imbalance of power inherent in the torture process and gives a coherent and human voice to those whose humanity had been reduced to inhuman screams.

Another important aspect of deconstructing the torture reality from the victims' perspective is to punish the perpetrator. While this may embody elements of revenge—a natural emotion, given the enormity of the wrongs committed—it can also contribute to exposing the underlying logic of the torture regime to public scrutiny and refutation. As such, it can perform the same moral educative function for the victims' constituency that it would for the perpetrators'. In doing so, it could help to heal some of the familial rifts that were caused by the survivor's victimization. By treating the family and particularly the children along with the survivor, the wider network of

relations can also benefit from the healing process. This is why many treatment centres employ social workers who work alongside and in concert with physiotherapists and psychiatrists, as in the pioneering efforts of the Danish Rehabilitation and Research Centre for Torture Victims (RCT) (Jacobsen and Vesti, 1992). In addition, many victims endure their torture in the hope that their tormentors will be brought to justice. The therapeutic value of seeing this happen cannot be underestimated.

The bystander

Turning now to the bystanders, it is again the public airing of grievances that is the most effective antidote against the effects of the artificially constructed reality of the torture regime. Just as for the perpetrator and for the victim, documenting the regime's record of abuse and victimization, identifying the perpetrators and those who supervised their actions, can expose to public scrutiny and debate the rationale behind the reality of torture. By exposing this torture reality and retracing its progressive construction, a society that is emerging from the horrors of a torture regime can begin to rebuild social relations and to revitalize public and political life. Unfortunately, this is not necessarily an easy or painless process as we have seen in nations that have emerged from decades of totalitarian or military rule (Cohen, 2001). In order to minimize the risk of re-victimization, it is also imperative to develop training programmes for officials who deal with torture survivors in the context of policing, criminal justice, border control, customs, immigration, refugee determination, social work, job placement, health and education (Crelinsten and Özkut, 2000: 265). It is vital that such control agents deal with such people as human beings, not as potential threats to society, lest they reinforce the very stereotypes and demonology that torture regimes used to dehumanize them in the first place.

The international level

The perpetrator

At the international level, it is always possible to pursue the legal route that may be impossible within the former torture regime, by using war crimes tribunals and an international court of law. This is what is being attempted in the case of the former Yugoslavia and Rwanda. The same has often been proposed for international terrorist crimes (Zagari, 1993). The problem here is that national interest usually prevails over international co-operation unless world opinion is so unanimous as to transcend these parochial concerns. Even the successful creation of an International Criminal Court has been marred by the United States' refusal to sign on—even to the point of jeopardizing international peacekeeping operations. More typical has been the use of economic sanctions, though their utility and effectiveness have often been questioned, and making foreign aid contingent on a good

human rights record, as the United States did with some of its client states during the Carter Administration. Finally, the role of international condemnation, diplomatic protest and human rights campaigns in penetrating the closed world of the torture regime should not be underestimated. The whole idea behind Amnesty International's system of urgent actions and letter-writing campaigns is to penetrate the constructed reality of torture at crucial points when specifically identified individuals are most at risk. Larger campaigns aimed at specific audiences, ranging from cultural and intellectual elites, through professional organizations such as medical or bar associations, to the general public and the mass media, can expose individuals to information inconsistent with the prevailing dogma. In the area of prevention, it can inoculate key sectors of the population to the dissemination and implantation of the authorizing ideology that justifies torture during the phase of reality construction.

The victim

The demise of a torture regime does not necessarily mean that all the refugees who had fled that country suddenly flock back to their home country. Treatment of refugees in exile is a long-term proposition, particularly when couples have children in exile or refugees marry nationals of the host country. In many cases, the exile longs to return (and when s/he does, finds the country drastically different), while the children born in the host country wish to remain there. The legacy of a torture regime includes new kinds of familial problems related to the exile and refugee experience. The most important aspect of victim-related cures for torture at the international level involves the establishment of treatment centres and training programmes for care providers and the exchange of information that can contribute to the development of treatment programmes that are sensitive to the differing contexts within which torture survivors live throughout the world (Randall and Lutz, 1991; Başoğlu, 1992). As at the domestic level, control agents who must deal with immigrants and refugees on a daily basis should be sensitized to the problems experienced by torture survivors so that they do not re-victimize them.

The bystander

International condemnation of the torture regime can also play a role in providing support for those, within the society, who are attempting to deconstruct the old reality. More specialized campaigns against professionals, such as doctors or lawyers, who aid in torture or repression can help medical and bar associations within the torture regime better to resist the dominant reality and adhere to their codes of ethics that predate the regime.

In the realm of prevention, or impeding the construction of a torture reality in the first place, early warning systems and monitoring projects can detect early signs of reality construction conducive to the installation of a

torture regime. Public education and literacy campaigns can help young people and economically disadvantaged people to fight against the rhetoric and dogma promulgated by those who would like to impose totalitarian rule or anti-democratic regimes. The common denominator of all these efforts would be to impede or, at best, render impossible, the construction of a reality that makes the exercise of torture possible for a large number of a society's young men.

Conclusion

The purpose of this article has been to show how torture is embedded in a much wider context than might at first be imagined. Torturers are not born; nor are they very easily made. Torturers can suffer psychological damage from the work they do; perhaps not while they are doing their terrible duty, but afterwards, sometimes long afterwards. Nor are victims inherently deserving of their fate; nor do they bring it upon themselves by insisting upon holding views opposed to those in power. And bystanders are not necessarily egocentric, apolitical, apathetic and cynical. Torture thrives because those in power and those who execute their power within the state bureaucracies, the military, the police and ultimately the educational system condition people to believe in certain things, to think in certain ways and hence to act towards others in certain ways. It also persists because people who should know better engage in cognitive tricks and techniques of neutralization that permit them to turn a blind eye to what is happening around them (Cohen, 2001). The result is the construction of a reality that is both determining, in that it defines what people participating in that reality believe and therefore do or don't do, and determined, in that those who participate in that reality contribute to its construction and its preservation by their beliefs and their actions, by what they choose to ignore and refrain from doing.

One way to combat torture in all its forms and contexts is to understand what beliefs, thought patterns and modes of consciousness lie behind the practice of torture. Then we can develop techniques to counter these beliefs, ways of thinking and perceptual patterns with those that reflect and foster the more noble ideals of humankind. We must learn to nurture what Cohen (2001) calls 'an inquiring mind', both in ourselves and in others—one that can strike a balance between turning a blind eye and being blinded by the truth. If W.I. Thomas' well-known dictum that opens this article is true, then it is incumbent upon everyone to ensure that the human condition be defined in such a way as to make torture impossible.

Notes

The research for this article was funded in part by a research leave from the University of Ottawa, funding from the Netherlands Science Organization

(NWO) and funding from the United Nations Voluntary Fund for Victims of Torture. I would like to express my thanks to Alex P. Schmid for inviting me to Leiden to adapt my research on terrorism to the study of torture and gross human rights violations, to J.A. Walkate, chairman of the UN Voluntary Fund for Victims of Torture and to the University of Ottawa. Thanks, too, to Ruth Jamieson and an anonymous reviewer for helpful comments on the first draft of this article.

1. I shall refer to torturers in the masculine as I am unaware of any research on women as torturers. I have come across occasional references to regimes that do use women torturers, such as the Islamic Republic of Iran, but to my knowledge there has not been any systematic study of whether or how women are recruited or trained as torturers. This gap in the literature suggests a host of interesting research questions and agendas related to gender and gross human rights violations.

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