

# State Torture

Gresham Lecture, October 2018

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# Jack Bauer in “24”



# “Marathon Man”

Hero = victim cf. hero =  
perpetrator



“I don’t wanna bypass the  
Constitution, but these are  
extraordinary times”



# Brig Gen Patrick Finnegan

(Dean of the US Military Academy at West Point)

The cadets love “24” :  
If torture is wrong, what about “24”?



1. The return of torture in western democracies in the late C20th

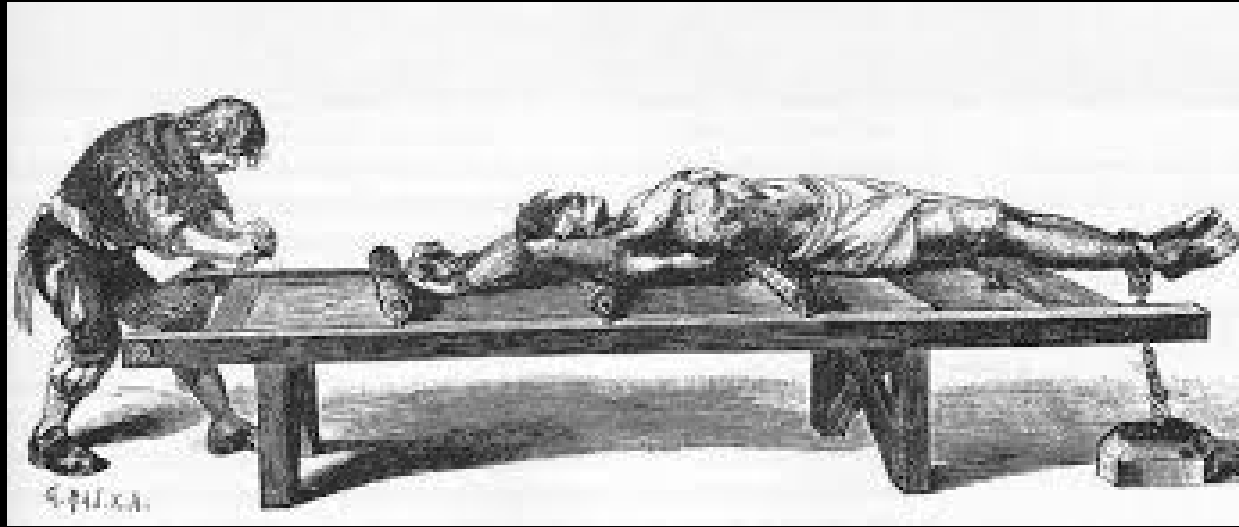
2. Changes in the form of torture

3. “Ticking time bomb” arguments

4. What can be done?

# The United Nations Convention Against Torture and Other Cruel , Inhuman, and Degrading Treatment and Punishment

Torture is “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him [sic] or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”





## The abolition of torture from C18th:

1. “Civilized”, enlightenment values
2. New forms of discipline
3. Legal standards of proof
4. Meaning of pain

1. Rise in “three block conflicts”
2. Unconventional and counter-insurgent armies
3. “Homeland”
4. Technologies and techniques of surveillance

2016: 63% of Americans and 82% of Republicans agree that torture can sometimes or often be justified





Slavoj Žižek: discussions that “do not advocate torture outright, [but] simply introduce it as a legitimate topic of debate, are even more dangerous than an explicit endorsement of torture”. The “mere introduction of torture as a legitimate topic allows us to entertain the idea while retaining a pure conscience”.

# “Doing a Lynndie”



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# “Doing a Lynndie”





# Alan Dershowitz

“We cannot reason with them [terrorists]... but we can – if we work at it – outsmart them, set traps for them, cage them, or kill them”



“Defeating  
terrorism requires  
violence”



# Janis Karpinski



# “Five Techniques”

Food deprivation

Sleep deprivation

Hooding

Noise Bombardment

Forced standing

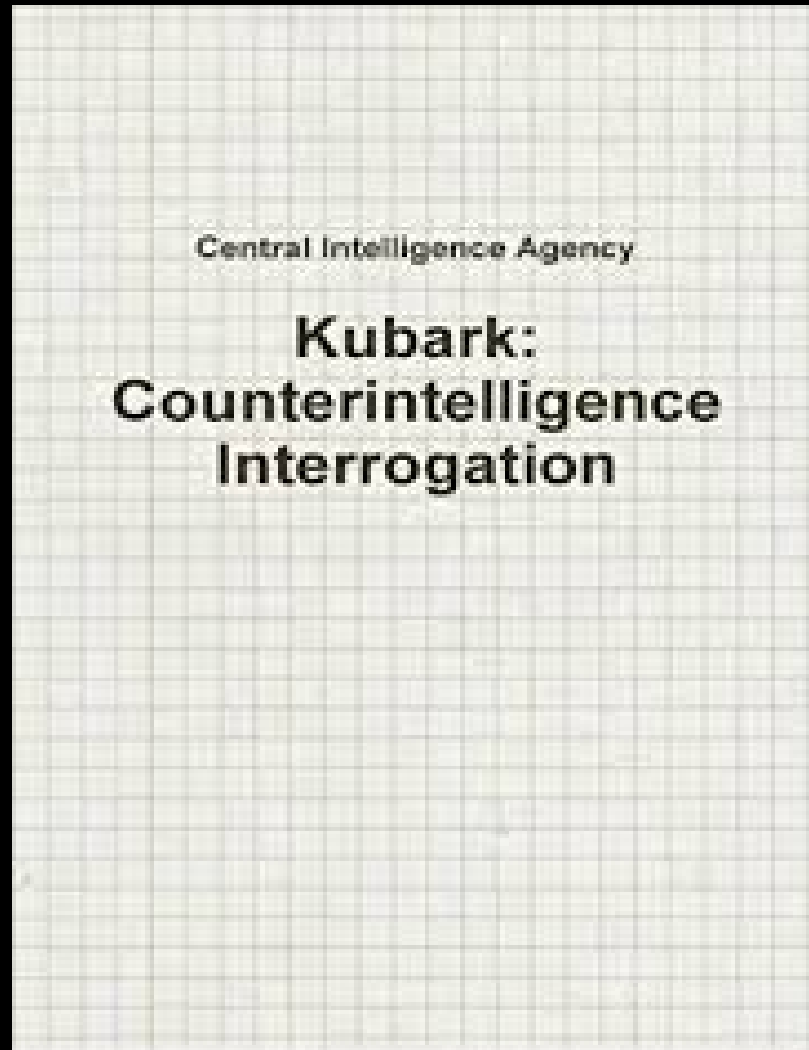
# Compton Report & Parker Inquiry



# Lord Gardiner's Minority Report



# “TORTURE LITE”



# “TORTURE LITE”

1. “Uncivilized”, sadistic torturers v. “respectable” ones
2. Professionally trained
3. “Chain of command”
4. “Greater good”
5. “Moral phenomenology” (Thomas Nagel)



# “TORTURE LITE”

breaks the physical and temporal relationship between the torturer and his victim;

victim becomes an active participant in his own abuse.

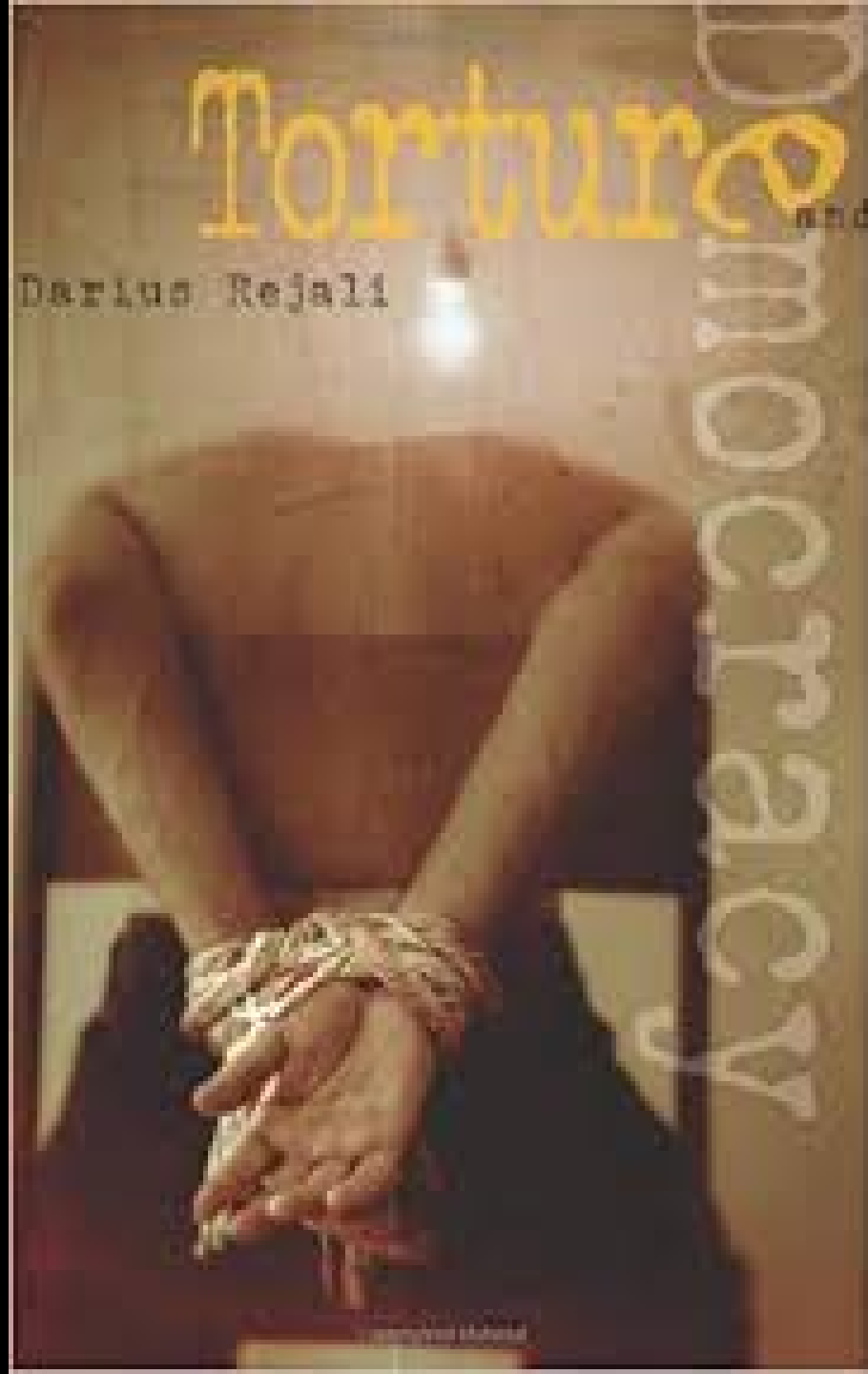


# Torture

and

Darius Rejali

Democracy



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anatomy of a war

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—New York Herald Tribune

# “Ticking time bomb”



# Shafiq Rasul



1987-1994: 23,000 Palestinians  
were interrogated



Hypotheticals

What can be done?



# Training Torturers



Real examples from real (not hypothetical) worlds

Holding governments to account

Spectre of fear

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