

1 The terrorism–torture link: when evil begets evil

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Joshua Key, a 28-year-old US soldier and father of two, deserted the US army during a two-week leave in the early months of the second Iraq War (2003–). He described his most common duties while in Iraq as “busting into and ransacking homes” (Key, 2007). In the course of these routine duties, Key was troubled by the fact that he never found anything in those homes that appeared to justify “the terror we inflicted every time we blasted through the door of a civilian home, broke everything in sight, punched and zipcuffed the men, and sent them away.” When reflecting on the consequences of his actions, Key concluded that “we, the American soldiers, were the terrorists ... The ones we didn’t kill had all the reasons in the world to become terrorists themselves.”

What this disillusioned young soldier was doing in his reflections on his war-time experience is what Noam Chomsky (2007) calls *looking in the mirror*. Chomsky often uses the metaphor of looking in the mirror to remind us that to ask who one is, what one does, and how one is perceived by others, is an essential step toward understanding the dynamics that fuel the vicious cycle of violence and counter-violence. This book intends to provide a careful look into that mirror using the tools of an inter-disciplinary analysis, in order to shed light on what we consider to be a particularly invidious instantiation of the logic of fighting evil with evil; namely, the use of state-sponsored torture in the so-called “war on terror.”

Terrorism risk and torture

The smoke and dust from the 9/11 terrorist attacks on the World Trade Center and the Pentagon had not yet settled, when US Vice President Dick Cheney made it clear that the gloves had come off and that torture would be an essential tool for dealing with the threat of further terrorist attacks. In an appearance on *Meet the Press* five days after the attacks, Cheney put the world on notice that “we also have to work, though, sort

of the dark side ... A lot of what needs to be done here will have to be done quietly, without any discussion ... it's going to be vital for us to use any means at our disposal, basically, to achieve our objective" (Cheney, 2001). A few months later, Alberto Gonzales, the Chief Legal Counsel to the US President, made it clear that "this new paradigm renders obsolete Geneva's strict limitations on questioning enemy prisoners and renders quaint some of its provisions ..." (Gonzales, 2002).

Thus, the possibility of further atrocities against American civilians was used by leading administration figures to justify the use of torture largely unrestrained by international norms. Since then, more than 100 "suspects" have been rendered to countries with the intent of subjecting them to torture, and at least thirty-four American-held prisoners have been killed while in custody (Otterman, 2007). In 2008, the US President vetoed a bill that would have banned the use of the interrogation practices often employed by torturers (e.g., waterboarding, beating, electrocuting, burning, intimidating with dogs, stripping prisoners naked, forcing them to perform or mimic sexual acts). According to President Bush (2008), these interrogation methods are "one of the most valuable tools in the war on terror," notwithstanding his earlier admission that these practices, when exposed in the notorious Abu Ghraib prison in Iraq, were "... the biggest mistake that's happened so far, at least from our country's involvement in Iraq" (Bush, 2006).

Torture is a mistake not only because it corrupts the moral standing of the nations practicing it, but because the fallout of the humiliating images of state-sponsored torture tends to radicalize the minds and hearts of entire communities to which the torture victims belong (Otterman, 2007). For that reason, there is a strong case to be made that torture does not reduce the risk of terrorism. To the contrary, state-sponsored torture arguably serves as a powerful recruiting tool for terrorist groups across the globe and ultimately undermines counter-terrorism efforts (Otterman, 2007).

Terrorism and torture provoke fear

A fundamental objective that is shared by both terrorists and torturers is to provoke intense fear. The United Nations *Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment* defines torture as "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 or a third person information or a confession ..." (United Nations, 1984). According to torture training manuals, the mechanism by which torture is thought to achieve its aim is to instill in

the victim an overwhelming sense of debility, dependency, and dread (Otterman, 2007). The intense fears and anxiety triggered by the threat of coercion can be more debilitating than the sensation of actual physical pain itself.

Provocation of intense fear is also the primary objective of terrorist acts. Terrorists not only aim to inflict pain and suffering on countless individuals, but they hope to spread fear among entire societies to shatter all sense of personal and community safety (Bongar, 2007). Moghaddam (this volume) defines terrorism as “politically motivated violence, perpetrated by individuals, groups, or state-sponsored agents, intended to instill fear and helplessness in a population in order to influence decision-making and to change behavior.” Thus, provoking debilitating fear is common to both terrorism and torture as a means of achieving political ends.

State-sponsored terrorism and torture

As the above definition of terrorism highlights, terrorism may also include acts where the state is not the target, but the sponsor. The tools of the state against threats from groups fighting perceived oppression by the state include imprisonment, torture, and death (McCauley, 2007). Indeed, in the twentieth century, for every civilian killed by non-state terrorism, 280 civilians were killed by state-sponsored terrorism (McCauley, this volume). These numbers suggest that the damage inflicted on innocents by state-sponsored terrorism in combating non-state terrorists far outstrips the damage suffered at the hand of non-state terrorists. Consider, for example, Tony Blair’s lament when he was British Prime Minister that terrorists “have no moral inhibition on the slaughter of the innocent. If they could have murdered not 7000 but 70 000 does anyone doubt they would have done so and rejoiced in it?” (Blair, 2001). This legitimate and welcome moral concern over the slaughter of innocents, shared by most people around the world, did not prevent Tony Blair from becoming one of the principal architects of the pre-emptive invasion of Iraq in 2003, based on a series of false intelligence statements fueling the public’s fear of an imminent terrorist threat. In the five years since then, about one million Iraqis have been killed, which represents over 300 times the number of innocents killed in the 9/11 terrorist attack (Burnham *et al.*, 2006; Opinion Research Business, 2007, 2008).

The moral reprehensibility of this slaughter of innocents – for at least part of which the invading Coalition forces cannot escape blame – along with the routine arbitrary imprisonment and harsh treatment of

civilians, was not lost on Joshua Key, the US deserter who came to view himself and his fellow soldiers as the “terrorists” during the invasion and occupation of Iraq. The arbitrary logic of pre-emptive war, the demeaning images of torture victims at Abu Ghraib, and the harrowing accounts of innocent civilians disappearing into “rendition” programs that outsource torture to secret locations across the globe, all raise the disturbing question: do political leaders who authorize torture as a “valuable tool” in the war on terror ultimately put their constituents at greater risk of becoming the innocent targets of terrorist acts? The London train bombings on July 7, 2005 are a case in point. In an al-Jazeera videotape broadcast about two months after the attack, Mohammad Sidique Khan, the terrorist who detonated the Edgware Road bomb on that fateful day, justifies the targeting of innocent bystanders as follows: “Your democratically elected governments continuously perpetrate atrocities against my people all over the world. And your support of them makes you directly responsible, just as I am directly responsible for protecting and avenging my Muslim brothers and sisters” (Tulloch, 2006, p. 219).

An interdisciplinary analysis of the terrorism–torture link

In this volume, experts from a diverse range of disciplines examine the complex dynamics between terrorism on the one hand, and state-sponsored torture of individual “suspects” on the other.

The law, criminal justice, and crime prevention

The first four chapters examine the terrorism–torture dynamic from the perspectives of legal codes, criminal justice, and crime prevention.

In Chapter 2, Alex Bellamy, from the Australian Centre for Peace and Conflict Studies, explores why torture and terrorism tend to go hand in hand. Bellamy begins by identifying the flaws with the strategic-imperative argument, according to which torture is necessary as a lesser evil, because it prevents the greater evil of an imminent terrorist attack. He then argues that terrorism and torture are primarily linked because both violate the norms of non-combatant immunity, which in turn helps to create a normative environment in which the commission and validation of one type of violence makes it easier to justify the other type. For example, the moral double standards of democratic nations such as the United States, who condemn the use of torture in other countries while simultaneously endorsing its use in covert operations

around the globe, is a weakness that is exploited by terrorists in their justification for targeting civilians. Bellamy shows how a weakening of the norm of non-combatant immunity, as the principal moral inhibitor of both terrorism and torture, has an inflammatory effect on the terrorism–torture link (see Figure 1.1). It follows that the key to breaking the escalatory tension that fuels both types of violence lies in the reaffirmation of non-combatant immunity.

In Chapter 3, Ben Saul, the Director of the Sydney Centre for International and Global Law, draws on his expertise in anti-terrorism law, humanitarian law, international criminal law, and human rights law to examine the manipulative use of legal arguments that underlie the equivalent logic of torture and terrorism. He observes that justifications for state-sponsored torture and non-state terrorism are strikingly similar, often drawing on the same underlying logic. Both appeal to the language of human rights and both justify the use of violence on the basis of an asymmetry of power, with terrorism viewed as the only effective weapon available to the weak and disempowered, and torture considered a necessary weapon to respond to terrorists who are thought to hold all the cards within a society governed by democratic values. Saul examines the legal strategies often invoked to justify the use of exceptional means by torturers and terrorists alike. They include instrumentalist lawyering to fit the evil conduct within existing legal frameworks, the defense of necessity to excuse a ‘lesser’ evil to avert a ‘greater’ evil, and direct challenges to existing legal rules to escape punishment for evil done. Saul concludes that the absolute prohibition of torture in international law ought to be upheld and defended, but that there are inadequacies in the legal regulation of terrorism that allow international law to be instrumental in repressing legitimate struggles against political oppression.

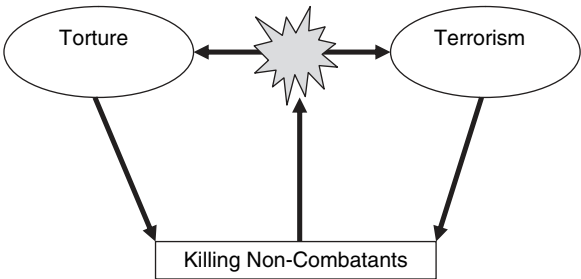


Figure 1.1 Escalation of terrorism and torture through violation of the norm of non-combatant immunity.

In Chapter 4, Clark McCauley, the Co-director of the National Consortium for Study of Terrorism and Responses to Terrorism (NC-START) in the United States, contrasts the conflicting implications of using military action and war versus police work and criminal justice to respond to terrorist acts. He reviews evidence that, since 9/11, success against terrorism has come from police work firmly grounded within a rights-oriented criminal justice system. In contrast, war and its rhetoric have been counter-productive in fighting terrorism and have magnified the problem rather than reducing the long-term threat of terrorist acts. The liability of war as a response to terrorism is two-fold: first, war plays into the hands of the terrorists directly, because the inevitable collateral damage to civilians creates a feeling of collective injustice, which is precisely what terrorists hope to exploit in gaining widespread support for their cause. Second, war undermines the effective response to terrorism indirectly, by putting on hold the values and successful operations of a criminal justice system that balances the rights of the accused and society’s right to security (see Figure 1.2). McCauley further argues that torturing suspected terrorists is the strongest expression of the logic of war, which is to win at any cost. Because torture is one of the strongest sources of community grievance against state power, he concludes that torture, along with indiscriminate military action, is part of a failing logic in reducing the threat of terrorism and bringing terrorists to justice.

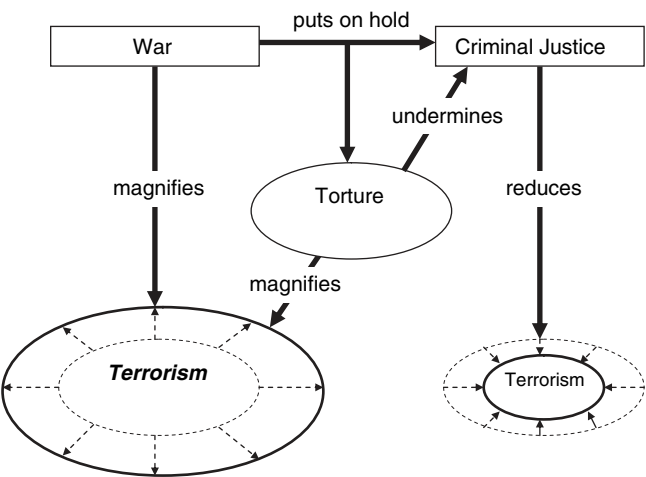


Figure 1.2 War versus criminal justice and the role of torture in response to terrorism.

McCauley’s conclusion that successful counter-terrorism stems more from police work supported by a rights-oriented criminal justice system, rather than from military action and torture practices that stretch the bounds of international laws and conventions, is consistent with the approach to counter-terrorism advocated by Ronald Clarke and Graeme Newman, who in Chapter 5 apply the principles and strategies of “situational crime prevention” as a framework for reducing the opportunities for terrorism. These authors draw on theories of environmental criminology that seek to predict the occurrence of a crime rather than to explain it by reference to the motivational, social, and biological roots of criminology. A fundamental tenet of this approach is that crime is the product of the interaction between a criminal disposition or motivation, and an opportunity to commit the crime (see Figure 1.3). In this approach, terrorism is treated as simply another form of crime, where the focus is not on the political motives underlying the crime, but on the protection of the most vulnerable targets, the control of the tools and weapons used by terrorists, and the modification of social and physical systems (e.g., limiting the volume of liquids passengers can carry onto airplanes) to make it harder for terrorists to operate. Clarke and Newman acknowledge that focusing on the reduction of opportunities complements other approaches that focus on the reduction of motives for terrorist acts, but argue that opportunity reduction has the potential for making swifter and more certain preventative gains. After introducing the principles of situational crime prevention, the authors describe the application of these principles to analyzing the opportunity structure for terrorism (i.e., targets, weapons, tools, and facilitating conditions), and changing the opportunity structure to reduce the likelihood of terrorist acts being committed.

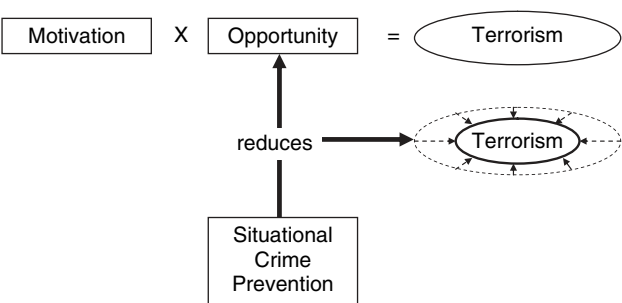


Figure 1.3 Situational crime prevention and reduction of opportunities for terrorism.

Psychological and motivational processes

The next four chapters in this volume shift the focus from legal, judicial, and criminological issues, to psychological and motivational processes in the terrorism–torture link. What are the psychological processes that influence the readiness of people to engage in terrorist acts on the one hand, or to support extreme counter-terrorism strategies, even if they involve killing and harming countless innocents, on the other?

In Chapter 6, Fathali Moghaddam uses the metaphor of a “staircase to terrorism” to examine from the terrorists’ point of view the role of contextual and dispositional factors in shaping the motivational readiness of individuals to become terrorists. Figure 1.4 shows how powerful contextual forces act incrementally at each floor of the staircase, with a large number of people on the ground floor taking small steps toward supporting terrorism, and a small number of individuals who have progressed to the top floor being ready to take big steps and launch extreme actions. Moghaddam argues that particular psychological processes on each floor progressively shift some individuals toward an increasingly narrow and radicalized worldview, where terrorism is the only viable behavioral option to address perceived injustice and disempowerment. He traces the origins of this progressive radicalization to a collective identity crisis in Islamic communities shaped by the friction between fundamentalist ideals and contemporary trends toward modernization, Westernization, and secularization. Dissatisfaction with identity and

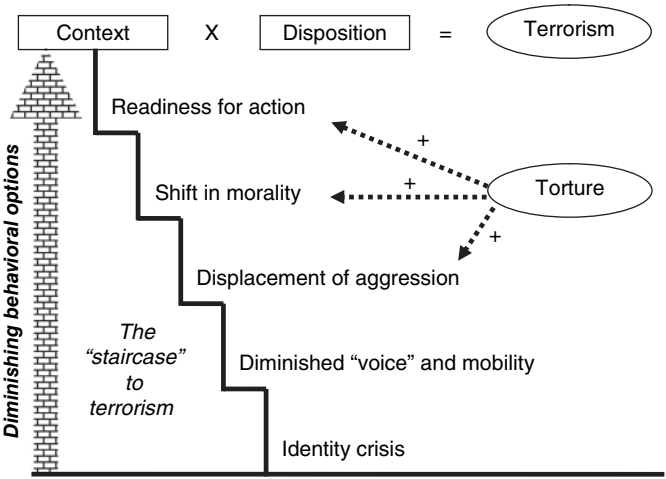


Figure 1.4 The role of torture in accelerating the climb up the “staircase to terrorism.”

group affiliation leads some to feel disenfranchised from decision making and social mobility. A psychological coping mechanism to deal with this diminished role within one's particular group is to direct blame and aggression onto outside groups (e.g., Western powers), which in turn can lead to disengagement from the morality shared by mainstream society, and an increasing enmeshment with the ideology of insular radical groups for whom terrorism is a legitimate tool of making their voice heard. According to Moghaddam's conceptual model, oppressive conditions, such as Western support for dictatorships in the Middle East and torture of individuals simply because of their affiliation with Islamic communities, accelerate the climb onto higher floors of the staircase. The implications of the staircase model are that the best long-term strategies for defeating terrorism need to be targeted at the ground floor. Moghaddam concludes that, unfortunately, most counter-terrorism activities to date have focused on individuals already on the highest floors of the staircase to terrorism.

In Chapter 7, Winnifred Louis draws on social psychological theories of decision making in conflict to explain the influence of valued norms and identities of groups one belongs to ("ingroups") in shaping people's readiness to inflict harm on members of other groups ("outgroups"). Louis shows how normal social influence processes are instrumental in fostering terrorism. Beliefs about the utility of terror in righting wrongs committed against one's group in the perceived absence of viable alternative strategies, coupled with extreme hatred of an external aggressor, become socially learned and reinforced. From this perspective, terrorists' motives for violence are not personal, but are self-sacrificing and pro-social. The aim is to achieve long-term benefits for their communities. Louis argues that because beliefs about the utility of terrorism are socially learned and reinforced, they can potentially be unlearned, and the level of violence committed by individuals can be attenuated through the influence of non-terrorist constituents and leaders within the wider community that terrorists depend on for support. Conversely, indiscriminate broad retaliation for terrorist acts, and repression or torture of "suspects" from among the community's non-terrorist constituents, only serve to harden the beliefs in the utility and legitimacy of terrorism. Louis identifies stopping the spread of terrorist identity and norms as the key challenge in reducing terrorism risk. She concludes that for counter-terrorism to prevail, it is vital that terrorists be targeted and framed narrowly, and members of the terrorists' wider community be spared from reprisal, humiliation, torture, and collateral damage.

In Chapter 8, Tom Pyszczynski, Zachary Rothschild, Matt Motyl, and Abdolhossein Abdollahi use terror management theory (TMT)

to explain why the symbolic threat of humiliation and injustice is a major motivator for the development of terrorist groups, and results in the cycle of “righteous” destruction that characterizes terrorist and counter-terrorist violence. Expanding on the dynamics between ingroups and outgroups discussed by Moghaddam and Louis in the previous chapters, TMT posits that humans have a strong need to feel secure within a shared belief system of their respective cultural ingroup. This shared cultural worldview serves to protect the individual against the existential anxiety that stems from awareness of one’s own mortality. A challenge by alternative worldviews, such as the identity crisis experienced by those dwelling on the ground floor of Maghaddam’s staircase to terrorism, undermines one’s protective shield against existential anxiety. Strategies to reduce the anxiety associated with the threat posed by outgroup members typically involve derogating them or, in the extreme, attempting to annihilate them altogether. Experimental research on TMT has shown that when thoughts of death are salient, feelings of humiliation and injustice against one’s own group lead to increased preference for members of one’s own group, and increased hostile reactions toward outgroup members. Even individuals who are not the direct target of humiliation and injustice can be provoked to become more accepting of violent terrorist strategies by a strong empathic humiliation response with the plight of ingroup members who suffered torture and counter-terrorist violence. Terror management theory illuminates how perceived injustice and humiliation, whether symbolized in the degrading images of torture in Abu Ghraib or the humiliating images of the collapsing twin towers on 9/11, activate psychological processes that set in motion a perpetuating cycle of retaliatory violence. Fortunately, in the latter part of the chapter, Pyszczynski and his colleagues also offer a ray of hope. They present recent research that suggests that TMT offers mechanisms by which the impact of existential anxiety on fueling outgroup hostility can be attenuated or even reversed. While reminders of death or humiliation of members of one’s own group prompt hostilities toward outgroups, reminders of people’s shared compassionate values such as tolerance, love, acceptance, and their shared sense of humanity and the value of family, prompt an attenuation or reversal of the typical increase in hostility toward outgroup members evoked by mortality reminders.

In Chapter 9, Stephan Lewandowsky, Werner Stritzke, Klaus Oberauer, and Michael Morales turn to the interaction between media coverage and people’s information-processing capabilities in shaping attitudes and beliefs about the “War on Terror.” Lewandowsky and his colleagues report evidence on how basic psychological and cognitive