

How to end torture: Five steps

by [George Hunsinger](#) in the [October 7, 2008](#) issue

In May 2007 I was a speaker at a conference sponsored by the University of Santa Barbara where one of the other presenters was Darius Rejali, the distinguished torture researcher and analyst. During a break, he turned to me and said, in reference to our own country, “You know, of course, that there are five steps which would bring torture to an end.” No, I said, I didn’t know. I will never forget him ticking the five steps off on his fingers one by one.

Although I expected these steps to be included in Rejali’s magnum opus *Torture and Democracy* (Princeton University Press), which was soon to appear, I was surprised to discover that they weren’t there. Perhaps at some point he will develop them in print. Until then, they seem important enough to summarize.

First, the rules of interrogation must be clear. Where conflicting directives exist, as was the case at Abu Ghraib, the situation is rife for abuse. Double standards cannot be tolerated. It is imperative that intelligence operatives of the CIA, for example, or the Navy SEALs be held to the same high standards—without loopholes—as are required by the Army Field Manual.

Second, the chain of command must be equally clear. Again, Abu Ghraib shows what can happen when the lines of authority are blurred. In interrogation, conflicting jurisdictions between military and intelligence services (or independent contractors) must be eliminated.

Third, outside visitation is essential in venues where interrogation occurs. The International Committee of the Red Cross and similar watchdog agencies must receive free access to all detainees as well as authority to publicize the findings. It is alarming that our government has systematically blocked such access at Guantánamo and other facilities around the world—even resorting to the use of secret prisons, the so-called black sites.

Fourth, detainees with grievances must have timely access to a fair hearing. Where the access is not timely or the hearings not fair, the conditions for abuse are

obvious.

Finally, and perhaps most important, structures of accountability must be strictly observed. Where there is no clear accountability, situations can rapidly deteriorate. Not only does abuse start to proliferate, but professional interrogators who pride themselves on obtaining reliable information by honorable means eventually get disgusted and leave the system. A process that drives out the professionals, while at the same time rewarding the abusers, can only lead to multiple disasters.

In short, there must be (1) a single set of operating procedures, (2) a clear chain of command, (3) outside monitoring by accredited agencies, (4) a fair and timely grievance procedure and (5) above all, a strict observance of procedures for accountability.

“It’s totally within our power to stop these things from happening,” Rejali remarked in a recent interview. “One of the things we do know from experimental work is that most of the violence doesn’t happen because of a disposition toward violence, it happens because of situations where perfectly normal people end up doing violence. It’s a question of vigilance, it’s not about nature.”

Elsewhere he stated to the press:

One of the main points about what I’m saying is that when we watch, torturers care. Torturers actually care about what your church group, or your newspaper, or anybody says. Public monitoring really works. This is one of the important points. . . . The harder thing is to persuade governments to stop creating the conditions that produce torture. Even harder than that for us is going to be that once you have torture in the system it is very hard to get it out. There are all sorts of problems that will take us years and years to fix.

In the effort to end torture Rejali thus envisions, on the basis of his historical research, an important role for religious communities.