

Torture in the “War Against Terrorism”

FROM ISRAELI PRISONS TO ABU GHRAIB

In the name of the “war against terrorism” the US government has terrorized tens of thousands of prisoners in a network of secret CIA jails and Pentagon- run prisons, of which the most notorious are Guantanamo in Cuba and Abu Ghraib in Iraq (“The US Archipelago,” *The Washington Post*, May 23, 2004). According to the International Red Cross, up to 90 percent of the prisoners held in Abu Ghraib were rounded up and sent there by mistake (*Wall Street Journal*, May 10, 2004). There are numerous reports of innocent civilians being handed over to US troops for cash bounties in Afghanistan, and ending up in Guantanamo.

Though the US public was shocked by the revelations of torture and sexual humiliation at Abu Ghraib, the majority of Americans refuse to believe that the abuse is systemic (“American Denial,” *The Washington Post*, May 9, 2004). There has been no widespread demand for accountability or even for an independent investigation into the

US practice of “disappearing” detainees and holding them beyond the reach of domestic and international law.

The issue of our treatment of prisoners was entirely absent from the presidential election campaign. In its place is the conviction that the horrific nature of the 9/11 attacks gives the US the impunity to do anything it wants in the war against terrorism. If now we are forced to do bad things by the “bad guys,” sooner or later, the Bush administration believes, the end will justify the means.

THE EXAMPLE OF ISRAEL

The US model for the subjugation of an occupied population has been its closest regional ally and the self-proclaimed “sole democracy in the Middle East,” Israel.

Israel has trained US Iraq forces in “counterterrorism” and targeted assassinations. Following the example of Israel in the West Bank and Gaza Strip, the US has sought to control the local population through the use of physical and psychological abuse to get intelligence and recruit informers.

It is not entirely clear if Israeli interrogators have been present at Abu Ghraib, as the commander of Iraq’s 17 US-run prison facilities, Brigadier General Janis Karpinski, told the BBC (July 3, 2004). What is clear is that Israel’s methods of “pre-emptive interrogations” and its defiance of international law have been adopted wholesale in the US occupation of Iraq.

ISRAEL’S RECORD OF TORTURE

Israel has long been the only western-style democracy to legitimate torture. Since its occupation of the West Bank and Gaza Strip began in June 1967, more

than 800,000 Palestinians have passed through Israeli jails—this is more than half the male population in the entire occupied territories.

In 1970 Amnesty International published a report called *Israeli Methods of Torture*, which documented a range of brutalities practised against Palestinians, from dogs being loosed on handcuffed prisoners, to prisoners being injected with pepper solutions and chemical substances. The June 19, 1977 Sunday Times of London presented the results of a major survey of Israel’s use of torture. It found that prolonged



beatings of prisoners suspended by chains and pulleys, threats and incidents of rape, use of electric shocks, confinement in specially constructed cells which made movement impossible, and long periods in stress positions were standard procedures during the interrogation of Palestinians. The report concluded that torture was used for three reasons: to extract information, “to induce people to confess to ‘security’ offenses of which



The US Campaign is a diverse coalition of over 200 groups working for freedom from occupation and equal rights for all by challenging US policy towards the Israeli-Palestinian conflict. The Campaign is based on human rights and international law, providing a non-sectarian framework for everyone who supports its *Call to Action*. Its strategy is to inform, educate, and mobilize the public so as to change the US role in the Israeli-Palestinian conflict.

they may, or may not, be guilty . . . and to persuade Arabs in the occupied territories that it is least painful to behalf passively.”

In 1987 the Israeli Landau Commission found that the Shin Bet interrogators had systematically concealed their methods and given false testimony under oath. But, the commission argued, since so many Palestinians were “terrorists” it was in the interests of state security to permit interrogators to use “the methods of physical and psychological pressure” as long as they were not “excessive.”

The line between “moderate pressure” and “torture” was never drawn in practice. In March 1991 the Israeli human rights group B’Tselem published *The Interrogation of Palestinians during the Intifada: Ill-treatment, ‘Moderate Physical Pressure’ or Torture?* This report described routine verbal abuse and humiliation, long periods of sleep and food deprivation, hooding with a filthy and often wet sack for hours, days or even weeks, suspension from iron pipes for days at a time, and severe beatings that sometimes resulted in permanent injury. The Israeli Women’s Organization for Political Prisoners in August 1989 documented the use of sexual abuse and threats of rape directed against women and young boys.

In 1997 the UN Committee Against Torture declared that Israeli interrogation methods constituted torture as defined by Article 1 of the UN Convention Against Torture. Two years later the Israeli High Court ruled that many of the interrogation methods were not legal. But instead of banning torture as defined in the Convention Against Torture, only specific methods of interrogation were barred. The decision kept the door open for torture to be employed to extract information in alleged “ticking bomb” cases, with torturers using the “defense of

necessity” to avoid prosecution. Since this ruling, Israel has continued to subject men, women and even children to abusive forms of interrogation (see *Stolen Youth: The Politics of Israel’s Detention of Palestinian Children*, Pluto Press, 2004). “Torture in Israel has once more become routine, carried out in an orderly and institutional fashion,” concluded the Committee Against Torture (*Washington Post*, June 16, 2004).

Today, over 7,400 Palestinians prisoners, including nearly 400 children, are abused in the effort to recruit informers and instill submission. Torture victims include several Palestinians with American citizenship, who are among the 45,000 US citizens of Palestinian origin who live in or visit the West Bank.

THE US RECORD OF TORTURE

On October 27, 2004 Amnesty International published a massive report on the US use of torture from Afghanistan to Abu Ghraib via Guantanamo Bay, *Human Dignity Denied: Torture and Accountability in the ‘War on Terror.’* The Amnesty document, like the internal military report compiled by Major General Antonio Taguba, makes it clear that the US is systematically using sadistic and criminal behavior against detainees in violation of international law and its own domestic law.

The methods are familiar to anyone who knows how Israel treats its Palestinian prisoners: hooding, the use of dogs and prolonged stress positions, extreme heat and cold, sleep and food deprivation, forced stripping, sexual torture, the brutal mistreatment and rape of child detainees. And the rationale is also familiar: according to the Amnesty report, a Justice Department memo cites the 1999 Israeli High Court decision to buttress its assertion that torture and the “defense of necessity” could be used in “ticking bomb” cases. In the memo on

torture he drew up for the White House on August 1, 2002, Justice Department attorney Jay Bybee defined torture narrowly as pain like that accompanying “death, organ failure or the permanent impairment of a significant body function.” Lesser pain, he implied, could be inflicted with impunity.

IS THIS WHAT DEMOCRACY LOOKS LIKE?

In a January 2002 memo White House counsel Alberto Gonzales wrote that “the war on terrorism is a new kind of war” which “renders obsolete” and “quaint” the provisions of the Geneva Conventions on the questioning of prisoners. Both Israel and the US have adopted the notion that international humanitarian law can be suspended and their treaty obligations abandoned when they exercise the right to “self-defense” in the “war against terrorism.”

Israel and the US have violated the 1984 UN Convention on Torture and numerous provisions of the Fourth Geneva Convention “relative to the Protection of Civilian Persons in Time of War.” The Convention bars not just torture, but “any other measures of brutality whether applied by civilian or military agents” (Article 32). Grave breaches of the Convention include “willful killing, torture or inhuman treatment” (Article 147). Each one of the 192 state parties to the Geneva Convention is required to search for persons suspected of such grave breaches. According to the US War Crimes Act of 1996, a “grave breach” of the Geneva Conventions anywhere in the world by a member of the US military of any US citizen is a felony to which stiff penalties are attached.

The example of Israel demonstrates that torture debases democracy and does nothing to ensure stability. There can be no peace without an end to both military occupations in the region, and the implementation of the rule of law.