

Review of Darius Rejali's *Torture and Democracy*

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Darius Rejali, *Torture and Democracy*. Princeton, NJ: Princeton University Press, 2007. \$39.50 (cloth), ISBN: 978-0-691-11422-4.

LONG BEFORE THE PHOTOGRAPHS FROM ABU GHRAIB WERE LEAKED TO AN astonished public, an Iranian-American political science professor named Darius Rejali was at work on a history of torture in the modern era. *Torture and Democracy* arrives as the focus on torture in the United States has become unfortunately myopic. Whereas there have been excellent exposés on the Bush administration's interrogation policies—Karen Greenberg's anthology, *The Torture Debate in America*, Philippe Sands' *The Torture Team*, and Jane Mayer's *The Dark Side*—no major work has situated current events in the context of 20th-century histories of discipline and punishment, knowledge and pain. “Torture lite” and “enhanced interrogation techniques” did not spring Athena-like from the minds of the Office of Legal Counsel. Nor were the brutalities of Abu Ghraib the inventions of a few sadists in the 372nd Military Police Company. These methods have a well established if forgotten pedigree: the road to Abu Ghraib was longer than it seemed.

Darius Rejali's monumental book fills in the blanks. Following on the heels of his *Torture and Modernity*, an examination of the political culture of torture in Iran, *Torture and Democracy* cements Rejali's reputation and promises to reframe the current debate. Weighing in at 849 pages, Rejali's tome is no light reading. And yet, despite the dark subject matter, his prose is buoyant and humanely, even beautifully written. Throughout the book, he maintains a deeply felt authorial presence as his examination of the means of torture cuts across quantitative and qualitative lines.

His chattiness aside, the work remains empirically grounded and logically rigorous. Rejali has performed an exhaustive survey of the legal, medical, and social science literature on torture in over a dozen languages. Using this body of evidence, he makes a compelling case. Carefully and devastatingly, Rejali argues that modern torture is as much an adaptation to democratic institutions as it is a relic from an unenlightened past. Under the scrutiny of civil societies and the rise

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of the international human rights regime, interrogators have refined tortures that inflict pain, yet leave no marks. Like stealth weaponry, torture's modernity lies in its invisibility.

Rejali observes a global decline of the scarring techniques that characterized pre-modern torture. The evidence gleaned from human rights reports, truth and reconciliation commission testimonies, and perpetrators' confessions confirms a shift toward what Rejali terms *stealth* or *clean* torture. Rejali retraces these stealth tortures to their origins in the three principal modern democracies: England, France, and the United States. "There is a long unbroken, though, largely forgotten history of torture in democracies at home and abroad, a history in which these techniques were transmitted stretching back some two hundred years" (p. 4).

Here it is useful to note the nominal definition of torture that Rejali employs: "Torture is the systematic infliction of physical torment on detained individuals by state officials for public purposes, for confession, information, or intimidation" (p. 35). Although this definition might not be watertight—Is there no torture without physical pain? What about Dostoevsky's famous mock execution in Semyonovsky Square?—it permits social scientific study. Within this narrowed field, Rejali crafts a simple question-and-answer argument: What are these techniques, where do they originate, how are they disseminated, and why have they been adopted?

Rejali insists that the specific manner of *how* one tortures can be more revealing than the overdetermined reasons for *why* one resorts to torture. Accordingly, much of the book is devoted to an exhaustive typology of stealth tortures, where the history of each technique is re-created from the documentary evidence. Rejali helpfully supplements this with an appendix that enumerates the techniques. This baroque collection reads almost like a Rabelaisian laundry list. Under "restraints" we find: "Bucking (the parrot's perch), the *Crapaudine* (Toad) (*l'avion*, Banana Tie, *arbachtar*, Ulysses' bow...)" (pp. 555–556).

Having established the methods, Rejali goes about debunking the accumulated myths that often cloud debates on the subject. For one, there is no science of torture. Contrary to the claims of intelligence agencies and conspiracy theorists alike, the major modes of torture are remarkably crude. Despite pseudo-psychoanalytical names such as "Fear up, ego down," modern interrogation differs little from the Mutt and Jeff routines found in U.S. police stations throughout the 1920s. Indeed, many of the techniques used at Guantanamo are indistinguishable from the abuses documented in the American Bar Association's 1931 Wickersham Commission's *Report on Lawlessness in Law Enforcement*.

Another common view retraces modern torture to 20th-century totalitarian origins. This *reductio ad Hitlerum* is convincingly disproved. Rejali shows that the Gestapo was content to beat or maim; it was in France that Vichy interrogators mastered stealth electro-torture. Similarly, the Soviet Union practiced classic scarring techniques, but for one notable exception: the Stalinist show trials. At the time, Western observers were confounded by the Soviets' ability to produce the

most improbable confessions. For decades, the CIA attempted to reproduce this putative science of brainwashing. In fact, the accused were prepared for trial using a familiar regimen of sleep deprivation, forced standing, and serial interrogations.

Rejali offers an interesting hypothesis that the NKVD secret police organization had in fact gleaned these historically Anglo-Saxon methods of interrogation from the experiences of communists detained in the West. The provenance of these techniques is unambiguous: some originated in the lists of British naval punishments. Stress positions were used by Atlantic slave traders to discipline slaves without leaving visible signs of insubordination that would cut into market value. Sleep deprivation, while rejected by the Inquisition, was used by the Scots Presbyterian Church to elicit confessions of witchcraft. Other non-scarring techniques derive from constabulary practices in French and British colonies. Even electro-torture first surfaced in American jails in the 1920s. Rejali writes: "Virtually all the techniques that appear in conflicts in Afghanistan, Iraq, Algeria, and Northern Ireland, as well as in prisons in France, England, or the United States, are descended from these procedures or subsequent variants" (p. 4).

Rejali's point is not that the West is some demonic exporter of torture. Most of the world's cultures have traditions of torture, and admittedly, stealth techniques are likely preferable to mutilation and are nominally more humane. Of interest, though, is why these techniques came to predominate in both democracies and autocratic regimes. To explain the pattern, Rejali examines the correlation between stealth torture and democratic governance, offering the "universal monitoring hypothesis." It goes as follows: Democracies tend to generate robust civil societies that demand accountability from state institutions. In a process that began in the 18th century, reformers started to publicize the brutalities of torture, slavery, prisons, and mental asylums. In response, state institutions adopted less visible means of coercion, selecting inherited traditions of violence that leave no marks and abandoning erstwhile popular techniques. Exit the lash, enter the Taser. Rejali's hypothesis is a parallel of natural selection, whose reasoning is simple: "When we watch interrogators, interrogators get sneaky" (p. 9).

For most of the 20th century, this pattern obtains in the main democracies. Something changes in the early 1970s, however. With the rise of the human rights regime, public monitoring takes on an international dimension. In 1972, Amnesty International launches its first campaign against torture. In the context of the Cold War, accusations of human rights improprieties become diplomatic tools. As foreign aid becomes conditioned on adherence to human rights norms, legitimacy is tied to at least the appearance of compliance. During this period, there is an exponential growth in the evidence of stealth torture outside the main democracies. Throughout the 1970s and 1980s, regimes in Africa, Latin America, and Asia adopt stealth torture. In these years, the *gégène*—a hand-cranked generator, once the symbol of French electro-torture in Algeria—becomes the most celebrated torture device. Cheap, effective, available, *clean*.

Given the broad scope of *Torture and Democracy*, it might be unfair to compare it to the recent spate of works on torture. Perhaps the more interesting contrast is with Michel Foucault's classic, *Discipline and Punish*. The two cover some common terrain, but Rejali arrives at quite a different conclusion. For Foucault, the reform of punishment in the 1700s and 1800s is part of a profound shift toward a disciplinary regime of power. The decline of public executions and scarring torture is motivated by a push toward rationality and efficiency in governance. This is power perfecting itself. In contrast, Rejali sees this decline as a victory of constituent power. Here, citizens are the agents of a process that begins in the Western democracies of the 19th century, and later extends globally through the rise of the human rights consensus. In the end, Rejali offers an optimistic conclusion that human rights and international law do have a profound influence on the behavior of states. Still, one must be vigilant against unintended consequences.

All told, Darius Rejali's work is the most significant contribution to the study of torture since Elaine Scarry's *The Body in Pain* (1987). A survey of recent reports by human rights NGOs confirms Rejali's findings. Through the Physicians for Human Rights' *Leave No Marks* and *Broken Laws, Broken Lives*, B'Tselem's *Absolute Prohibition*, and the Public Committee Against Torture in Israel's *Ticking Time Bombs* and *Family Matters*, a consensus portrait of modern stealth torture is emerging.

Taken together, these studies form a core of empirical and phenomenological literature on contemporary torture that should significantly affect domestic and international law and shape medical and psychotherapeutic practice. Still, the history of torture is largely unexplored. The gaps in our understanding present many opportunities for further research. With *Torture and Democracy* as a foundational text, one can almost imagine a new academic discipline: Torture Studies. One needn't fear; as we unearth more evidence of systematic torture in the "global war on terror," there will be no lack of material.