

# REAPING WHAT YOU SOW

A COMPARATIVE EXAMINATION OF TORTURE REFORM  
IN THE UNITED STATES, FRANCE, ARGENTINA, AND ISRAEL

HENRY F. CAREY



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**Henry F. Carey**



**PSI Reports**



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## Preface

On May 1, 2011, the United States executed Osama bin Laden in a daring raid in Pakistan. The perennial public debate on torture quickly reemerged after a few weeks of dormancy, as it inevitably will wax and wane in public consciousness, but never disappear. Public discussion on torture seemed to have been overtaken in debates on the legality of targeted assassinations by Predator drone missiles, which had increased under President Obama. Had bin Laden been captured instead of killed, the question of torture would likely have arisen during his detention. However, the issue arose the next morning, as some U.S. officials attempted to gain ground quickly by claiming that “enhanced interrogation techniques,” the euphemism for legalized torture used at secret “black sites,” Bagram Air Base, at Guantánamo, and other U.S. detention centers, had solved bin Laden’s whereabouts, by identifying the code name of Osama’s courier. Some say the revelation, that bin Laden had a trusted courier with a code name, al-Kuwaiti, supposedly came from the torture of Hasan Ghul at a secret site after his capture in 2004. Former Vice President Dick Cheney called the water-boarders “heroes.” Former Central Intelligence Agency (CIA) director Michael Hayden asserted that to deny that water-boarding provided important intelligence information is the equivalent of denying that President Obama was born in the United States.

Others say the revelation of the courier came *after* the worst CIA techniques had been suspended.<sup>1</sup> CIA Director Leon Panetta wrote to Senator John McCain on May 9, 2011, stating that no detainee in CIA custody revealed

the courier's full name or whereabouts. It also took several years of post-interrogation intelligence gathering to compile information on the courier network that would lead to bin Laden. However, interrogations of detainees did not produce the real name and whereabouts of the courier or the location of his home where he and bin Laden lived in Abbottabad, Pakistan. That bin Laden used a courier, instead of the phone or Internet, was obvious. As with what has long been known about torture, useful information can be obtained from torture, especially among lower-ranking people naming similar acquaintances, such as the masses tortured and killed by the French in Algeria and the Argentine junta against political activists. In the war against terrorism, however, top operatives have been mostly unwilling to reveal any important information. The problem is distinguishing what among the congeries of information accrued during months of interrogations is accurate and which is garbage. The most likely consequence of torture is delay.

Politically motivated U.S. officials, who were invested in the interrogation program, including torture, seized the moment to redeem their program and reputations. The next day, on May 2, Liz Cheney and Bill Kristol released a statement: "We are also grateful to the men and women of America's intelligence services who, through their interrogation of high-value detainees, developed the information that apparently led us to bin Laden."<sup>2</sup> That evening, Fox News host Sean Hannity asked General Tommy Franks whether the discovery of bin Laden's compound justified torture. The commander of the 2003 U.S. invasion force into Iraq replied, "I think that torture should remain illegal, but also the President has an obligation to keep America safe." In other words, torture should remain an option, presumably to be excused. (Only perhaps in Germany has torture worked, when police torture produced the location of a kidnapped, though dead, baby and the police were still prosecuted.)

One can imagine the Hollywood nightmare and no-win situation that would have occurred had Osama bin Laden surrendered upon his capture before the United States could kill him.<sup>3</sup> Former "torture memo" author John Yoo suggested that the Obama administration made a colossal error in lost intelligence-gathering by not interrogating him. There would have been mountains of dilemmas, a mighty fine mess, and a situation where perhaps little good would have accrued to U.S. counterterrorism efforts when interrogating the leader of *al Qaeda* prior to prosecuting him, presumably without using torture, where no high-value detainees had been either sent to Guantánamo or removed from there in several years. The United States could not extradite him to the International Criminal Court, where neither the death penalty nor national security claims would be under consideration. Had torture and other "enhanced interrogation techniques" been used, as had been

for other senior *al Qaeda* detainees in secret European prisons run by the CIA, then any evidence from interrogating bin Laden could not have been used even in U.S. military commissions at Guantánamo, let alone in U.S. civilian Article III courts. What rights bin Laden would be entitled to as a criminal defendant would be the source of endless debate. There might be other U.S. secrets that would be revealed by such a trial. Perhaps *al Qaeda* would initiate kidnappings to demand bin Laden's release, when the U.S. policy has always been never to negotiate with terrorists.

No one ever said terrorist detainees should not be interrogated, and though lawful, prisoners of war are protected from interrogation. Even if we learn who the source was and how he or she was interrogated, the debate on torture will not go away. Even if torture was valuable in the immediate context, it may not have been necessary. Most likely, Pakistan or other sources on the ground could have just told the United States where bin Laden was, without any torture required.

The full story on the effectiveness of U.S. torture in general and its effect in leading to the bin Laden assassination is yet to be known. Both the praise for and criticism of the U.S. military and intelligence that brought off this and other operations occur in a veil of ignorance not unlike the twilight zone of the law in which interrogations are still conducted. This is paradoxical because the treaty law as written—and treaties are supposed to be read according to their plain meaning, according to the Vienna Convention on the Laws of Treaties—could not be more explicit: Torture and other cruel, inhuman, and degrading treatment or punishment (CIDTP) are absolutely forbidden.

The White House press office indicated that the courier was said to be a protégé of the 9/11 master planner and number three of *al Qaeda*, Khalid Sheikh Mohammed, and, following his capture, the new number three, Abu Faraj al-Libbi. The former was water-boarded 183 times in a month, a feat that astounded his interrogators. The latter was most likely tortured as well. Neither gave up the name of the courier. At most, either of these tortured detainees may or may not also have given up the *nom de guerre*, but not the identity or location of the courier. If the source of the alias was indeed al-Libbi, he is one Libyan with that surname who gave one of the most valuable pieces of intelligence against *al Qaeda*, a necessary, but not a sufficient condition for capturing bin Laden. Another Libyan with the same surname also gave up the most disastrous false intelligence in recent history. That latter one, Ibn al-Shaykh al-Libi, was rendered to and tortured in Egypt, and was the source for Colin Powell's false claim at the UN prior to invading Iraq that Saddam had weapons of mass destruction. These sources are the "poster children" of false-positives coming from torture and the person who would hold

the *Guinness Book* world record for water-boarding—not much useful, actionable intelligence for all they endured. Two other commonly claimed sources of informational torture, Mohammed al-Qahtani, the intended “20th hijacker,” who was discovered at Guantánamo, and Abu Zubaydah, who was mistakenly thought to be the number three in *al Qaeda*, told almost everything they knew to friendly interrogators before the CIA took over and then were tortured. The latter was forced to wear a woman’s bra, led around on a leash to do dog tricks, and subjected to cold temperatures that twice required his hospitalization to avoid death from bradycardia, because his heart rate fell to 35 beats per minute. The record of informational torture is complicated, and cannot be judged from a single case.

The public torture debate had previously arisen a month before when U.S. Attorney General Eric Holder announced the U.S. decision to prosecute the 9/11 conspirators in military commissions at Guantánamo, despite having received “enhanced interrogation techniques,” which the Bush administration regarded as not torture. In most countries, actions short of torture, such as cruel, inhuman, and degrading treatment or punishment, are illegal under domestic law, as they are under international law. Water-boarding is one of the originally secret CIA techniques secretly approved by President Bush as legal because it was not deemed torture, even though it has long been a U.S. crime. At the International Military (War Crimes) Tribunal for the Far East after World War II, many Japanese war crimes were covered up by the United States. For example, U.S. General Douglas MacArthur, Allied Supreme Commander in the occupation of Japan, granted immunity to Shiro Ishii and other members of the bacteriological research Unit 731, in exchange for germ warfare data based on human experimentation that included live vivisections, exposure to cholera and anthrax, and other tests involving torture of and murder of many of approximately 10,000 Chinese civilians and prisoners of war. The evidence on Unit 731 collected by U.S. investigators was returned to Japan in return for passing on the test results. Of the crimes that were punished at Tokyo, at least when committed against Americans, was torture including “water treatment,” also referred to as water-boarding. A Japanese interrogator was sentenced to 15 years of hard labor. Up to seven others executed for torture had committed this simulated water suffocation, and other serious torture and murder crimes.

On September 6, 2006, in a low moment in U.S. history, Bush proudly explained that invaluable information was gained from these interrogation techniques in an interview with Katie Couric of CBS News. He said:

We gotta make sure that we have the capacity to interrogate, not torture but interrogate people to learn information. And one of the interesting

things I think people will find in this speech is I'm going to reveal the data we have learned from interrogating people like Khalid Sheik Mohammed or Ramzi Ben Oshi [*sic*] or Abu Zubaydah—these are all three cold-blooded killers that ordered the attack on the American people—about how that information has enabled us to protect the country better . . . we uncovered a—a potential anthrax attack on the United States. Or the fact that—Khalid Sheik Mohammed had got somebody to—to line up people to fly airlines, to—to crash airlines on, I think, the West Coast or somewhere in America. And these would be Southeast Asians. In other words, we've uncovered cells. And—this—this is pretty rich data that has been declassified so that I'm capable of telling the American people the importance of the interrogation program. And I'm gonna call upon Congress to make sure that our interrogators have the capacity to do so without breaking the law. See, we're not—we're not interrogating now because CIA officials—feel like the rules are so vague that they cannot interrogate without being tried as war criminals. And that's irresponsible, particularly in a time when our country could be in danger. So I'm—we wanna—in other words, the point is we wanna work with Congress and clarify the rules.<sup>4</sup>

In a speech that same day, President Bush admitted that the CIA had kept about 100 detainees in secret centers, but denied that any were tortured. He announced that 14 of those detainees would be transferred to Guantánamo Bay Detention Center. During the previous nine months, Human Rights Watch, the *Washington Post*, and a Special Rapporteur of the Council of Europe had alleged that the United States had a network of secret extraordinary rendition sites in Romania and Poland, among other locations. A completely innocent man, Maher Arar, was beaten with a shredded electric cable by Syrian interrogators after being extraordinarily rendered by the CIA, and has received no acknowledgment from the United States of what it condoned, if not ordered, because U.S. courts will not grant his standing to sue for damages.

It can be presumed that torture produced some information relevant to the killing of bin Laden, whether or not it made the difference in solving his whereabouts. That would not mean that strategically, the torture applied on hundreds if not thousands of suspected terrorists, hundreds of whom were absolutely not terrorists, will help win the war on terrorism or *al Qaeda*, which did not end with bin Laden's assassination. Even if one detainee out of thousands provided good information, it came at the cost of torturing or at least inhumanly abusing and then releasing them. Aside from the inherent harm to those innocent victims, how much extra fervor did the United States give

to “freedom fighters” to come after our soldiers and citizens, to wipe the landscape with their blood? Strategically, the question is, how many more terrorists are recruited as a result of torture, compared with the ones who are caught? If bin Laden was the only person who mattered, then perhaps the torture was worth it. If terrorism is a phenomenon with complex roots, then the method of interrogating leaders tends to spawn other external effects on terrorism over the longer term. Dumping bin Laden’s body into the ocean, while not a secret or a crime, bore a disturbing, symbolic resemblance to the Argentine death flights described in this book. In both cases, no one was entitled to the body.

In a startling admission less than a week before Bush left office in January 2009, Susan Crawford, then the U.S. official convening authority of the military commissions, decided not to prosecute the “20th hijacker because,” she said, because:

We tortured Qahtani. His treatment met the legal definition of torture. And that’s why I did not refer the case. The techniques they used were all authorized, but the manner in which they applied them was overly aggressive and too persistent. . . . You think of torture, you think of some horrendous physical act done to an individual. This was not any one particular act; this was just a combination of things that had a medical impact on him, that hurt his health. It was abusive and uncalled for. And coercive. Clearly coercive. It was that medical impact that pushed me over the edge to call it torture. For 160 days his only contact was with the interrogators. Forty-eight of 54 consecutive days of 18- to 20-hour interrogations. Standing naked in front of a female agent. Subject to strip searches. And insults to his mother and sister.<sup>5</sup>

Geoff Morrell, Pentagon spokesman in both the Bush and Obama administrations defended this and other interrogations. “We have conducted more than a dozen investigations and reviews of our detention operations, including specifically the interrogation of Mohammed Al Qahtani, the alleged 20th hijacker. They concluded the interrogation methods used at GTMO, including the special techniques used on Qahtani in 2002, were lawful.”<sup>6</sup> The military investigation found them to be “degrading and abusive,” in other words legal, because it was not “cruel and unusual punishment,” the Constitutional standard in the Eighth Amendment. Five other 9/11 plotters are to be prosecuted in a military commission because the evidence against them had been initially gathered by the FBI without using torture, even if they were tortured later by the CIA in secret “black sites.”

Of the 18 investigations conducted by the U.S. military on detainee treatment, the first and most credible one was by General Antonio Taguba, the

Article 15-6 Investigation of the 800th Military Police Brigade, on Abu Ghraib in May 2004, a month after *60 Minutes* revealed the infamous photos. In the 1950s, Taguba's mother had described to him about her experience living next to a Japanese POW camp in occupied Philippines. She recalled Filipino and U.S. soldiers bayoneted, as well as interrogations with fingernails pulled out. Taguba's report, described in this book, simply stated the horrific series of abuses. For that, Defense Secretary Donald Rumsfeld ridiculed Taguba. The head of CENTCOM, General John Abizaid, took revenge on the snitch. As reported by Andrew Sullivan:

A few weeks after his report became public, Taguba, who was still in Kuwait, was in the back seat of a Mercedes sedan with Abizaid. Abizaid's driver and his interpreter, who also served as a bodyguard, were in front. Abizaid turned to Taguba and issued a quiet warning: "You and your report will be investigated."

"I wasn't angry about what he said but disappointed that he would say that to me," Taguba said. "I'd been in the Army thirty-two years by then, and it was the first time that I thought I was in the Mafia."<sup>7</sup>

The 2008 collapse of Lehman Brothers, the 2010 Haitian earthquake, and the 2004 publication of the Abu Ghraib photographs were all unpredictable, catastrophic events, which appear probable only in retrospect. Humans have a capacity to overestimate their ability to forecast the future. The military and intelligence planners of clean and secret torture never expected to be discovered, let alone prosecuted. In a small, secret world of the international intelligence community, an international conspiracy to defeat *al Qaeda* used enforced disappearances, extraordinary rendition, and torture in secret detention centers to get the names of others in the terrorist network. The plan was so secret that most European governments did not know what their own intelligence agencies had arranged for the CIA to accomplish on their territorial air space and army bases. For its part, the CIA partly owed its techniques of stress positions to the Israelis and the enforced disappearances and torture from the French, via the Argentines. In none of these four countries has torture "worked," in the sense of saving lives, compared to the much larger number of those who joined ranks out of the outrage of the inhumanity that disappearances, torture, and sometimes murder has wrought. In fact, for every life that a government has publicly said that "enhanced interrogation techniques" has saved, the complex system of world terrorism appears to have produced hundreds of times more terrorist attacks. ("Enhanced interrogation" is also the English translation for the Nazi term for interrogation techniques.) For, in a complex system, with many steps involved, the initial

error gets multiplied at every stage. When a government institutes a secret policy to promote torture, involving every Western government, somehow, some way, it will become known. The intelligence agencies did their part to keep the policy secret. The courts had been compliant up to a point. Bush officials convinced themselves that they had not authorized torture, since only “organ failure, impairment of bodily function, or even death” would qualify. It was the lowest-ranking soldiers who unwittingly leaked the truth of extreme sexual humiliation. In one moment, the unlikely produced a catastrophe, a permanent, unforgettable stain against the reputation of the United States of America, as well as of all Western governments who were collaborating in what was clearly anti-Islamic prejudice and war.

Torture has personal ramifications as well. The blank stare and zombified eyes of a torture victim can leave a ghastly, ghostly impression on others, especially if they suspect their story of injustice can never be compensated. Most of the victims keep their stories quiet, if not secret, rather than having to relive the pain to those who have little appreciation for their pain. Instead, these forgotten debris of wars on terrorism suffer in silence while states often arbitrarily declare political enemies as terrorists, whether it was the murderous Salvadoran government sponsoring death squads that extralegally tortured and killed 800 people monthly, the apartheid regime that tortured civil rights protestors, or the U.S. government torturing the majority at Guantánamo, who were innocent of *any* crime but victimized by U.S. bounties to anyone serving its arbitrary dragnet. Conditions have improved for most of the remaining detainees in Cuba, who are offered “life skills” classes in English and job training, as well as art (though portraying the body is not permitted in paintings, presumably based on what their own bodies might have suffered during their time of captivity). The Jihadists are reportedly assigned various high school assignments like Shakespeare, but also books like the *Seven Habits of Highly Effective People*. The title suggests a U.S. presumption that whatever works in the United States is the universal story of human experience, in order to de-radicalize the prisoners through taking personal responsibility (though it might make some of them better terrorists, if ever released).

The main argument in favor of torture, at last among democracies, is to save lives, usually under the metaphor of the ticking time bomb. It is not clear if that metaphor originates from a class taught in an ivory tower or in the propaganda department of a regime under siege. Here the hypothetical and the propaganda meet, since no such thing exists in reality. The claim that lives were or are saved by using force during interrogation, to the extent it has ever been true, is based on getting the names of low-ranking people known to

the interrogee as part of longer-term conspiracies, not for stopping ticking time bombs in real time. Thus, governments offered an excuse to act outside the law, in a gray zone or in the twilight, because such governments are allowed to use force on the helpless under the most liberal interpretations, when they claim that they are saving lives in real time, or soon thereafter. Judges normally insist on the law being followed, which means an absolute ban on torture and cruelty, even as governments argue they must be responsive to the claims of national security establishments that torture works and of the claims of public opinion that protecting the society is more important than the rights of suspected terrorists. In most countries, there is a willful ignorance by public leaders about this illegality, as an unavoidable dilemma.

The techniques first adopted in Vietnam, using LSD and other mind-altering experiences, foreshadowed the cowardice of generals of any number of stars to complain about what both the CIA and the military were ordered to perpetrate, including by a civilian leader Donald Rumsfeld who not only occupied the same position but remarkably resembled the appearance and behavior of Robert S. McNamara. In the war against terrorism, military psychologists were hired as CIA contractors and reverse-engineered their Survival, Evasion, Resistance and Escape training techniques developed for U.S. Navy Seals to withstand torture, based on research on techniques used by the North Koreans to get *false* confessions from captured U.S. soldiers. Is it any surprise that such techniques applied to our enemies would also produce false confessions? It is hard to believe that even the interrogators can believe the lies detainees make up when ordering beatings and asking questions. But if someone eventually “breaks” and gives the answer that they are ordered to hear, then by golly, torture works. If a few are willing to confess falsely about themselves, then they will say the desired lie as well about their friends. If torture still does not work to get the desired lie, then the captors can keep someone in isolation until they do. At Abu Ghraib prison, a naked Iraqi man who cannot cover himself properly was harassed by a Belgian shepherd army dog and then gets bitten—and the event is captured on video by another prison guard, in a destitute scene that is actually surpassed by the still photos of sexual humiliation. Such detainees were referred by then Defense Secretary Donald Rumsfeld as “dead-enders.” He said of the U.S. treatment of the Guantánamo detainees: “We’re following the Geneva Conventions for the most part,” while at Abu Ghraib, he committed the United States to following Geneva law to the letter. Former President Bush said those at Guantánamo “are mostly killers.” (If that were true, then why were three-quarters of them released and so few prosecuted?)

The torture crimes of governments are not just Hollywood’s imagination. The documentary *Taxi to the Dark Side* details the homicide of an innocent

taxi driver in an Afghan detention center. The documentary *Ghosts of Guantánamo* details the extraordinary acts of ordinary guards pressured by the authorities to adopt techniques that not only intense pressure can induce, but also result from explicit orders from above, adopting Brazilian intelligence techniques, such as the iconic shackled, hooded prisoner standing on a block with electroshocks on his fingers. Yet Brazil is a country that managed to reduce torture, though not eliminate it, through political will and commitment.<sup>8</sup> The documentary *Road to Guantánamo*, about three innocent British citizens of South Asian origin, “the Tifton Three,” is actually much more mild than what they really suffered, or what was revealed in the Abu Ghraib photos, and the Taguba report of U.S. detention policies in Iraq. In Iraq, hundreds of completely innocent Iraqi men with the hope, absurd in retrospect, that the dots could be connected from people who had no knowledge about the resistance to the U.S. occupation.

I am ever grateful to be a U.S. citizen. I despair when the United States does not live up to its own standards, as is inevitable. Political expediency, rather integrity and the law, often drives the response, emulating enemy terrorism, turning the coercive apparatus into mindless vengeance. When President Obama ordered Bradley Manning in solitary confinement to make an example out of him, until public pressure made him relent, the former law professor was “judge, jury, and executioner” of someone who was still presumed innocent. That Manning’s first alleged act was to steal and publish a video, which showed a helicopter gun down innocent people including two children and someone trying to bring them into the safety of a car, all after gaining the approval of lawyers and before the U.S. soldiers laughed at their prey, was irrelevant. For Obama, the whistleblower threatened national security, rather than realizing the threat to national security from covering up the murder of children. Of all the U.S. attorneys, none chose to prosecute any U.S. official for torture. Of all the Bush administration officials, only one whistleblower, retired Colonel Lawrence Wilkerson, belatedly came forward to tell that the literally hundreds of Bush administration officials knew for years that hundreds of Guantánamo detainees were innocent of any crime and that they were kept there for years only to avoid any political embarrassment from the initial assessment that everyone imprisoned without any prior, independent review at “Gitmo” was, in the words of Rumsfeld, “the worst of the worst.” No foreigner and only a few U.S. citizens have been allowed to file even private civil lawsuits for damages suffered from torture suffered by plaintiffs against perpetrators who are U.S. officials or their agents. The two suits that have gone forward are: *Jose Padilla v. John Yoo and Donald Vance and Nathan Ertel v. Donald Rumsfeld*.

With literally millions of people fleeing countries because of torture, it is hard to believe that the United States is no longer the beacon of light to which those suffering worldwide wanted to emigrate. The death camp survivor can love the great things about the United States, which on balance has a human rights record that is better than many, maybe most countries. However, the U.S. record is much worse than it used to be, and it is much weaker than it once was as a civil society. It is a disgrace that the U.S. public often does not give a damn about our human rights record, particularly in the context of the fear generated by terrorism and the claims of counterterrorism strategies. The threats to the rule of domestic and international law, based on the constitutional checks and balances needed to check tyranny, rise when executives are not accountable for secret actions and policies serving counterterrorism and other national security claims. The indefinite detentions by the Bush and Obama administrations, along with their use of the state secrets doctrine to prevent litigation, even though there are adequate safeguards for in-camera review of classified information, as well as the continuing use of extraordinary rendition to torture of kidnapped terrorists, as well as the use of drones by alleged U.S. “unlawful combatants” sitting behind desks in CIA or Defense Department offices, are just some of the evils that continue to this day in the war on terrorism. Not only does Europe abhor such methods, but so does Israel. The latter has told U.S. officials that if the Israelis ever used the torture methods that the Americans have used of sexual humiliation against not just suspected terrorists, but perfectly innocent people picked off the streets of Baghdad, Afghanistan, and elsewhere, it would be impossible for Israel to make peace with its neighbors. The Americans apparently are uninterested in peace with their Arab enemies, creating a self-fulfilling prophecy of an endless war that cannot be won or lost. If the Israelis were ever to make peace, there would be bombings the next day, and the United States might respond by fighting its war against terrorism with torture, thereby, preventing the peace from continuing.

I am grateful that many scholars, journalists, filmmakers, NGOs, and citizens still are concerned with the issues raised in this book and on whose writings this book has relied. While public reactions to the mini-scandals of Abu Ghraib and Guantánamo, the revelations of French journalist Henri Alleg of his torture in Algeria, the shaking death of Abd al-Samad Harizat in Israel, and Adolfo Scilingo’s televised revelations of his role in the death flights in Argentina were all scandalous at the time, they helped induce reforms, which would not have otherwise occurred in the U.S., Israel, France, and Argentina. Still, the deeply rooted practices of intelligence and security services revealed have not been extirpated, as loopholes permit secret practices and secret authorizations providing the “good soldier” defense a second life, after it

was meant to be buried at Nuremberg so that “never again” (genocide) would not recur. Enhancing human rights and democratic accountability is a work in progress, to which this book is intended to be a contribution.

The research for this book has been generously sponsored by the travel grants to Argentina, France, and Israel from the Georgia State University Center for Democracy and Human Rights and the MISHA Institute of the University of Strasbourg. I am very grateful to the two sets of directors, Niilo Kappi in Strasbourg and William Downs and Fernando Reati in Atlanta, for not just this financial support, but especially for their intellectual sharing of experience. Reati and Gabe Kuperminc, both Argentines, have been gracious and generous storytellers and patient responders in Argentina and Atlanta. Michael Galchinsky is a friendly interlocutor and colleague with whom I shared the ideas of this book. Marguerite Feitlowitz kindly gave an advance copy of her “Epilogue” to the new edition of *Lexicon of Terror and the Legacies of Torture*. Felice Gaer provided guidance as well as very helpful contacts in Israel. I want to thank my old friend Peter Minowitz for still imparting a love of knowledge and philosophy. A foreign service officer under Pat Derian in Argentina, Patrick Flood, along with his wife Anita, has been a wonderful blessing as supporters and friends. My editor, Steve Catalano at Praeger, has the gift of patience and constructive persistence.

I am very grateful to my parents and my family for their lifelong love. My father’s participation in a 2003 debate on Bush-era torture with Ruth Wedgwood, Bruce Russett, and James Sutterlin at Wainwright House in Rye, New York, sparked my own interest in the torture issue. Wedgwood’s claim at the time that “Abu Zubaydah represents a leader of an apocalyptic threat to the U.S.” clearly represented the atmosphere in which torture became an answer to keeping the country safe. My father has been convinced that if most of the Bush administration officials had served in wartime, the United States would never have gotten into the torture business. None of them are responsible for any of my errors or opinions.

My younger brother, John Carey, Jr., passed away as this book was finished. He was a unique human being, a dedicated pacifist, who inspired others to strive to end the many unjust afflictions of this world, even though he could not eliminate the unjust illness he endured. The late Steven C. Poe was a friendly and kind scholar committed to reducing violent human rights violations, including torture. His memory lives on, including through the work of many like me whom he inspired. Also of blessed memory is the late Mary Concepcion Bautista (“MaryCon,” as she was known in the exuberant Philippine press), who was heavily criticized in her country as the human rights commissioner who defended the Aquino government’s poor human rights record. There was another side to MaryCon. At the Philippine

independent expert on the UN Sub-Commission on Human Rights, she pioneered the UN's first draft of what ultimately became General Assembly Resolution 47/133 of December 18, 1992, the Declaration on the Protection of all Persons from Enforced Disappearances, which provided the basis for the December 20, 2006, International Convention for the Protection of all Persons from Enforced Disappearances. Shockingly, the United States committed systematic policies of enforced disappearances, which led to rendition and torture, whether to the United States or foreign countries, both of which tortured. The enforced disappearances, which were the first steps to torture, were hardly mentioned in public debates, but would have been mentioned had this new Convention been promulgated when the policy started soon after 9/11. Since most torture occurs following a disappearance, to avoid accountability, this treaty may be the most important development to the goal of putting an end to torture as well as extrajudicial execution, the twin evils that amount to among the worst human rights violations.

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