

Psychology and Torture: Enhanced Interrogation Techniques in the Aftermath of the 9/11 Attacks

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INFORMACIÓN ART.

Recibido: 4 abril 2021
Aceptado: 27 junio 2021

Key words
September 2001 attacks,
torture,
enhanced interrogation techniques,
APA

Palabras clave
atentados de septiembre de 2001,
tortura,
técnicas intensificadas de interrogatorio,
APA

ABSTRACT

In the aftermath of the September 2001 attacks in the USA, many suspects were arrested, kept in custody and interrogated by several US government agencies in order to obtain information about terrorist groups. Significant evidence indicates that some of the methods used, so-called “enhanced interrogation techniques”, included torture, and points to psychologists being involved in these practices. This article looks into this involvement as follows: firstly, the creation of the Behavioral Science Consultation Teams in detention centers such as Guantanamo; secondly, the variety of techniques employed to “enhance” interrogation, many of which had been designed, and even implemented by psychologists; thirdly, the successive efforts carried out by the American Psychological Association (APA) to respond to the public outcry provoked by their involvement in these practices; finally, motives for the widespread acceptability of torture, and motives that deny its effectiveness for obtaining relevant information.

Psicología y tortura: técnicas intensificadas de interrogatorio tras los ataques del 11 de septiembre

RESUMEN

Como consecuencia de los atentados de septiembre de 2001 en EEUU, muchos sospechosos fueron arrestados, mantenidos bajo custodia e interrogados por diversas agencias gubernamentales de EEUU, con el propósito de obtener información sobre grupos terroristas. Existen pruebas de que algunos de los métodos utilizados, las denominadas “técnicas intensificadas de interrogatorio”, incluían tortura, y señalan la implicación de psicólogos en ellas. Este artículo revisa esa implicación como sigue: primero, con la creación de los Behavioral Science Consultation Teams en centros de detención como Guantánamo; segundo, en la variedad de técnicas empleadas para “intensificar” el interrogatorio, muchas de ellas diseñadas e implementadas por psicólogos; tercero, en los sucesivos intentos realizados por la American Psychological Association (APA) para hacer frente a la protesta generalizada provocada por su implicación en estas prácticas; finalmente, se presentan razones que explican la amplia aceptación de la tortura y otras que niegan su efectividad para obtener información relevante.

The author thanks Adam G. Joseph for his constant help in the preparation of the manuscript.

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ISSN: 2445-0928 DOI: <https://doi.org/10.5093/rhp2021a12>

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Para citar este artículo/ To cite this article:

Álvarez-Cruz, A. (2021). Psychology and Torture: Enhanced Interrogation Techniques in the Aftermath of the 9/11 Attacks. *Revista de Historia de la Psicología*, 42(3), 2-9

Vínculo al artículo/Link to this article:

DOI: <https://doi.org/10.5093/rhp2021a12>

Psychology and Torture: Enhanced Interrogation Techniques

As with other fields of study, the debate about the ethical employment of scientific knowledge has become controversial in the case of psychology. An example of this is the relationship between psychology and interrogation techniques. McCoy (2006, in Harper, 2007) pointed out how in the first few years of the 1950s, McGill University psychologist Donald Hebb received a grant from the Canadian Defense Research Board (CDRB) to study the effects of sensory deprivation.

An investigation related to this is Heron's (1957) study, in which the participants received a sum of money in exchange for lying in a bed inside a soundproof cubicle (where they were subjected to a continual quiet noise) and wearing thick gloves to reduce the sense of feeling and goggles to blur the light. As time went by in these conditions, the partakers showed a clear reduction in their cognitive ability even for simple tasks and started to perceive hallucinations of varying natures (Heron, 1957). In addition to appearing in several scientific journals, Hebb's team's research on sensory deprivation would be exposed in a secret symposium of CDRB and would serve as the basis for the development of interrogation techniques at the Central Intelligence Agency (CIA) and other security agencies (McCoy, 2006, in Harper, 2007)¹.

Psychologists and the War on Terror

As a consequence of the terrorist attacks of September 11th 2001 in the USA, and the subsequent declaration of the "war on terrorism" (originally and on occasion also called the "war on terror") by the US Government, many people were arrested, kept in custody and interrogated by several of the government agencies such as the CIA, the Department of Defense (DoD), and the National Security Agency in order to obtain information about various terrorist groups, especially al-Qaeda (Homant & Witkowski, 2011). In 2009, the Obama Administration declassified a series of official documents that provided detailed information about what was being euphemistically called *enhanced interrogation techniques* (O'Mara, 2018) (hereafter, EITs) during the George W. Bush Presidency, which included torture (like *waterboarding*², sleep deprivation, and isolation); some American officers had used these with terrorism suspects in the Abu Ghraib prison and that of Guantanamo Bay (Houck & Repke, 2017). Following this declassification, a major controversy was brought to light regarding psychologists and psychiatrists also being involved in these interrogations.

When Lieutenant General Geoffrey D. Miller³ was designated commander in chief, in November 2002, of the Guantanamo base, he authorized the creation of the *Behavioral Science Consultation Teams* (BSCT, colloquially known as *Biscuit*), which included a psychiatrist and a psychologist, which was later copied in Abu Ghraib (Harper, 2007; Hoffman et al., 2015). William Winkenwerder Jr., the Assistant Secretary of Defense for Health Affairs, told Mayer (2005) that the BSCTs' members were not under the command of health authorities, but under military intelligence. On November 30th, 2004, Neil Lewis, a *New York Times* reporter, published the story that a confidential report of the International Red Cross destined to US Government, informed that psychiatrists and psychologists were collaborating with officers involved in interrogations in Guantanamo Bay where coercive techniques were being employed, many of which fit the international definition of torture (Lewis, 2004).

Presidential Task Force on Psychological Ethics and National Security (PENS)

In response to the public outcry after the leak involving psychologists in the BSCT, in June 2005 the American Psychological Association (APA) created a special commission, the *Presidential Task Force on Psychological Ethics and National Security* (PENS), to investigate their role. The commission's meetings took place between June 24th and 26th, and the final result was a report (issued to the press on July 5th) with 12 guidelines initially alleged to constitute a provisional step and to be quickly followed by a stricter set of rules, but the 12 provisional guidelines were the ones ultimately adopted as the official ethical policy by the APA (Hoffman et al., 2015). Among the issues whereby PENS did not reach an agreement was one regarding psychologists adopting the international regulation on human rights, a serious matter considering that the definition of torture usually given by the Bush Administration "was much narrower" than actual international standards (Harper, 2007, p. 31).

Specifically, the Office of Legal Counsel, of the Department of Justice, released memoranda for the CIA in 2002, which considered that an act that intentionally caused pain to a person, only reached the torture level when it was equivalent to a "serious physical injury such as organ failure, impairment of bodily function or even death" (Hoffman et al., 2015, p. 3). Regarding psychological pain, the same source defined it as torture only if it turned into a significant wound that lasted months or years, as a real mental disorder would (Hoffman et al., 2015). One of the members of PENS, Michael Wessells, proposed using the regulations of the Geneva Conventions (in particular, Article 3, which is common to all Four Geneva Conventions⁴) or other

¹ Mayer (2005) mentioned a letter in which Federal Bureau of Investigation (FBI) agents, who declared having seen a detainee in the Guantánamo prison in November 2002 after having been in full solitary confinement for more than three months (except for occasional interrogations), in a cell "always flooded with light". Because of being treated in this way, the detainee allegedly displayed very disturbing behavior, kneeling for hours in a corner of the cell and talking to imaginary people.

² Torture technique used in interrogations, which consists of immobilizing the subject, putting him/her in a supino position on an inclined bench and with his/her head towards the floor and the feet lifted (Trendelenburg position), covering his/her face with a piece of cloth and pouring water above it; this makes breathing extremely difficult and leads to terror of imminent death by asphyxiation.

³ On May 5th, 2004, the *New York Times* published an article in which General Miller defended practices like sleep deprivation and stress positions as legitimate means of interrogation, pointing out that they were part of the around fifty coercive techniques that were sometimes employed against enemy detainees (Hoffman et al., 2015).

⁴ Taken from August 12 III Geneva Convention related to treatment towards prisoners of war and focused on non-international conflicts. It strictly prohibits cruel treatment and torture, as well as humiliating and degrading conduct.

international rules⁵ to more clearly define the terms which they were discussing in the meeting, a proposal that was supported by Jean María Arrigo and Nina Thomas, another two commission members. Nevertheless, the other six members rejected the suggestion (the President, Olivia Moorehead-Slaughter, did not have the right to vote) and it was not even included in the final report (Hoffman et al., 2015).

Besides this, the PENS report concluded that psychologists could be used for “national security roles” as long as they were consistent with the APA’s ethical code, a conclusion which seemed questionable because, in accordance with this code, if psychologists perceived a conflict between the APA’s rules and the orders of a higher authority, they would be able to follow the latter’s orders (Hoffman et al., 2015; Summers, 2007). For Frank Summers, a member of Division [39] of Psychoanalysis at APA, along with other colleagues, this clause appeared as if it were a technical term to justify non-ethical behavior on the argumentative basis of “following orders” (Summers, 2007). Moreover, Philip Zimbardo (2006, in Summers, 2007) criticized the PENS report by pointing out that it had proposed a model according to which psychologists were independent contractors, when they were just employees of their client, in this case, the DoD, which meant that reporting torture or doing anything else which might displease their employer implied a risk that the PENS report did not take into account. In the USA, the DoD is one of the largest employers of psychologists, to whom they offer millions of dollars in the form of contracts or grants, and it has constituted a traditional form of support for development and consolidation of psychology as a profession (Hoffman et al., 2015).

Ultimately, in accordance with Hoffman et al. (2015), the main PENS promoters and coordinators reportedly tried to present two functions as simultaneously compatible; psychologists, they alleged, could use these in interrogations of detainees considered to be “illegal combatants” in order for them to disclose important information under pressure from the authorities to carry out their work. This was done in an environment where they were not protected by the federal justice system. The first function was to monitor the interrogator to warn him (or warn his supervisor) to stop when he was going too far in the interrogation. The second was to collaborate with the same interrogator to ensure that the interrogation techniques were effective in making the detainee cooperative by declaring all relevant details (Hoffman et al., 2015).

For these reasons among others, the conclusions drawn by PENS, where six out of the nine members with the right to vote had connections with the DoD⁶, engendered much controversy (Eidelson, 2015; Harper, 2007; Hoffman et al., 2015). In a communication directed

to Ronald Levant, at that time the president of the APA, and Stephen Behnke, the then director of the APA’s Ethics Committee, the executive director of *Physicians for Human Rights*, Leonard Rubinstein (2005, in Harper, 2007; Hoffman et al., 2015) pointed out three objections to the PENS Report: a) it did neither consider nor prohibit the participation of psychologists in highly coercive interrogations; b) it did not ask psychologists to adhere to the human rights international regulations; c) it did not properly protect the confidentiality of information about the detainees’ health.

In February 2006, the APA’s monthly newsletter, *Monitor on Psychology*, included an editorial written by the newly-appointed president of the association, Dr. Gerald Koocher, in which he defended the work of psychologists in detention centers, rejected the complaints of incorrect behavior as mainly supported by rumors and speculations⁷, and highlighted the Ethics Committee’s statement in which the PENS recommendations were in agreement with the APA’s ethics code (Koocher, 2006). In response to this announcement, in a letter published in the same medium, in May of the same year, the aforementioned PENS member Michael Wessels asserted that the PENS report, although it was a positive contribution, fell short insofar as dealing with the problem of the human rights violations went, saying “The quiet, timid approach APA has taken on these issues is inappropriate to the situation, inconsistent with the association’s mission and damaging to our profession” (Wessels, 2006).

The Leso Case

The APA’s attitude described above was reflected by the Ethics Committee’s response to psychologist Trudy Bond’s complaint that she had filed in 2006 against the practices carried out by psychologist John Francis Leso when he directed the BSCT in Guantanamo between June 2002 and January 2003 (Eidelson, 2015). According to the 2008 report from the *U. S. Senate Armed Services Committee* (SASC, 2008, in Eidelson, 2015), Dr. Leso and his coworker in the BSCT, psychiatrist Paul Burney (neither of whom had had training or experience in interrogations or espionage before their arrival at Guantanamo, [Hoffman et al., 2015]), had prepared a memorandum in 2002, under the name of *Counter Resistance Strategy Memorandum*, in which physically and psychologically harmful tactics of detention were recommended, to promote cooperation and eliminate the resistance of detainees in Guantanamo. Among these recommended techniques were social isolation, sensorial deprivation (as in continual white noise in jails or hooding the prisoners), sleep and food restrictions, and interrogations of up to 20 hours non-stop. The memorandum’s authors suggested that all characteristics of the detention

⁵ On January 9th 2002, two days after the first detainees began to arrive at the Guantanamo detention center, John Yoo, Deputy Assistant Attorney General at the Office of Legal Counsel, of the Department of Justice, sent a memorandum to William J. Haynes, General Counsel of the DoD, referring to the applicability of the international rules on armed conflicts for the detention of Taliban and al Qaeda members in Guantanamo. The memorandum concluded that the War Crimes Act, the Geneva Convention and other related international laws did not apply to these detainees (Hoffman et al., 2015).

⁶ From a total number of 111 APA members preselected to form part of PENS, about 70% had little or no connection with the Government or the armed forces. Nevertheless, out of the 10 finally selected PENS members, six worked for the DoD (Hoffman et al., 2015).

⁷ In an exchange of emails which occurred on January 4th and 5th 2005, in which, among others, Levant, Behnke, and Koocher were involved, the latter suggested that the APA would never have “hard data” about whether there were psychologists “committing abuses” in Guantanamo Bay; it would only have to declare its concern and readiness to investigate the issue as soon as these hard data were disclosed. It would be probable, he added in another email, for the association to repeat the same statement “until ‘evidence’ of anything becomes public in 2055” (Hoffman et al., 2015, p. 216).

environment “should enhance capture shock, dislocate expectations, foster dependence, and support exploitation to the fullest extent possible” (SASC, 2008, p. 52, in Eidelson, 2015).

These techniques, and other more aggressive ones, were part of the interrogation that Mohammed al-Qahtani, the alleged twentieth hijacker in the September 11th 2001 attacks, received (SASC, 2008, in Eidelson, 2015). For nearly two months, starting in late 2002, the detainee underwent what was described by the US Army in 2005 in the Schmidt-Furlow Report as degrading and abusive treatment, with Susan Crawford, the convening authority on military commissions at Guantanamo, similarly stating that it met the legal definition of torture (Woodward, 2009, in Eidelson, 2015). A leaked interrogation log confirmed that doctor Leso himself had participated in several of these interrogation sessions (Bloche & Marks, 2005; Hoffman et al., 2015). According to the evidence gathered, Dr. Leso had not only transgressed the fundamental rules of the ethical code that all psychologists needed to follow, but also of the Geneva Convention and the United Nations Convention against Torture (Eidelson, 2015). In spite of that, and seven years after filing the complaint against Dr. Leso, the APA's Ethics Office informed Dr. Bond in 2013 that after a thorough revision of records, they had deemed it unnecessary for the defendant to have been accused and subsequently rejected the claim (Eidelson, 2015).

Survival, Evasion, Resistance, Escape (SERE)

On July 11th 2005, days after the PENS report was released, journalist Jane Mayer published an article in *The New Yorker* entitled “The Experiment”, which reported that an interrogation program was being applied in Guantanamo based on a series of techniques, originally known as *Survival, Evasion, Resistance, Escape* (SERE) (Mayer, 2005; Summers, 2007). The SERE were alleged to have simulated the interrogation tactics used by Chinese and Vietnamese military torturers and were utilized to train American soldiers to survive in hostile environments and, eventually, to withstand torture in the event that they were taken prisoner by enemy countries that did not respect the Geneva Conventions (Hoffman et al., 2015; Summers, 2007).

The SERE were taught in schools created by the Joint Personnel Recovery Agency (JPRA), a military organization put in place by the Joint Chiefs of Staff. The training section of the SERE focused on resistance by exposing the students to physical and psychological methods of interrogation to help them cope with its effects. These methods included stress positions, sleep deprivation, abdomen slaps, isolation, humiliation, walling (i.e., slamming detainees against a wall), and waterboarding, and were supervised by psychologists to avoid harm to students (Hoffman et al., 2015).

Contrary to its original aim, Mayer (2005) reported that the DoD was using these same tactics in Guantanamo and Abu Ghraib, under the advice of psychologists and psychiatrists from the BSCT in order to extract information of detainees kept in custody, in what a source called “to reverse-engineer the SERE program” (Mayer, 2005). Unlike the aforementioned Neil Lewis article, Mayer named military psychologists involved in the Guantanamo interrogation program,

specifically Louie (Morgan) Banks (Chief of the Psychological Applications Directorate at the US Army's Special Operations Command and Senior Psychologist for the SERE in Fort Bragg, North Carolina) and James Mitchell⁸. He, along with Bruce Jessen, another psychologist from the SERE (having worked together at the Air Force Base near Spokane, Washington) started up the firm *Mitchell Jessen & Associates* in July 2002, which soon afterwards was contracted by the CIA to support its emergent interrogation program (Hoffman et al., 2015). This same month, Mitchell proposed using twelve SERE interrogation techniques to the CIA: attention grasp, walling, facial hold, slaps, cramped confinement, waterboarding, wall standing, stress positions, sleep deprivation, use of diapers, use of insects, and mock burial (Hoffman et al., 2015).

On March 28th 2002, Abu Zubaydah was captured in Pakistan and was then moved to a CIA black site in Thailand. Initially, Zubaydah was kept in a hospital room, where he was interrogated by FBI special agents. Although he had seemed to be collaborating, several CIA services started to propose the employment of more aggressive techniques, which is when they contacted James Mitchell in order to be advised on the psychological aspects of interrogation and as a last resort, “real-time recommendations to overcome Abu Zubaydah's resistance to interrogation” (Hoffman et al., 2015, pg. 127).

On August 3rd 2002, the CIA headquarters approved the use of ten methods proposed by Mitchell. In the following three weeks, Mitchell and Jessen subjected Zubaydah to a daily schedule of enhanced interrogation techniques, which was allegedly being trialed for the first time (Hoffman et al., 2015); this plan included cramped confinement, stress positions, sleep deprivation, and waterboarding administered several times a day. It has been reported that FBI agents present in these interrogations objected that such procedures were bordering on torture, which subsequently led FBI Director Robert Mueller to order his agents not to participate in interrogations where techniques were being utilized that would otherwise not be allowed if they were to take place in the USA (Hoffman et al., 2015).

When Zubaydah's interrogation was concluded, it was considered a success by the CIA, which recommended that the plan, in which psychologists “shape[d] compliance of high value captives prior to debriefing by substantive experts,” (Hoffman et al., 2015, p. 129), be used as a model for future interrogations. Shortly afterwards, the interrogation operations based on Mitchell and Jessen's design started to spread to other secret CIA detention centers (Hoffman et al., 2015).

In May 2006, and in contrast with the APA, the American Psychiatric Association, (ApA) released a statement (the American Medical Association made a similar position public in the same year) establishing that no psychiatrist should be allowed to participate directly in the interrogation of any detainee held by military or civil authorities be it in the USA or in any other country (Harper, 2007; Hoffman et al., 2015). As a consequence, DoD officers indicated that, from there on out, they would request advice from psychologists,

⁸ A counter-terrorist expert who was around in 2002 during the interrogation of a highly significant Al-Qaeda suspect, in which Mitchell was also present, informed Mayer (2005) that Mitchell had recommended that the detainee should be treated like the dogs in the experiment carried out in the 1960s by Martin Seligman and collaborators.

but not from psychiatrists, when they needed assistance to extract information from detainees in Guantanamo and other similar places where interrogations were being carried out (Hausman, 2006). In June 2006, the aforementioned Assistant Secretary of Defense William Winkenwerder Jr., sent a “DoD Instruction” that explicitly prioritized psychologists over psychiatrists in the role of “behavioral science consultants” to serve as support in interrogations and related activity (Hoffman et al., 2015).

The APA had adopted a more permissive approach regarding the participation of psychologists in interrogations to detainees, based on the principle that avoiding harm to the public (i.e., if it is proceeded from terrorism or another similar kind of threat) was a consideration to be taken into account along with the obligation of not harming⁹the detainees (Hausman, 2006).

Torture

The United Nations (UN) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as an act that intentionally inflicts intense pain or physical or mental suffering to individuals, in order to make them confess or extract information, punishing, intimidating or coercing them or a third party (Hoffman et al., 2015). Torture survivors do not acknowledge any distinction between torture and psychological torture; for most of them, terror and submission are its basic elements (Pérez-Sales, 2016). In the words of the Human Rights Organization *Amnesty International* (2014), torture is unjustified, self-defeating, and inhumane; it poisons the rule of law, replacing it with terror; when governments allow its use, no one is safe. There are three key aspects of torture as defined by the UN: incarceration, physical or mental suffering, and harm inflicted by organized political agents (Mollica, 2004). The EITs appear to use all three.

The key issue in the debate about psychologists’ involvement in EITs concerns torture, with what is considered as such, when it should be employed, and whether or not it is an effective way of obtaining relevant information (Houck & Repke, 2017). It is imperative to understand that this is not a simple issue to elucidate. Torture is almost universally deplored, and it is not approved by any international law or national legislation of any country (Bagaric & Clarke, 2005). Nevertheless, there are an increasing number of studies showing that people believe that torture is morally justified in certain cases (Houck & Repke, 2017) from a utilitarian point of view where harming the few allows the lives of many to be saved (O’Mara, 2018). For example, in a survey carried out by *ABC News* and *Washington Post* two months after the images showing abuse in the Abu Ghraib jail were leaked, it was found that 35% of Americans thought that torture was acceptable in certain circumstances (McCoy, 2006, in Harper, 2007). The General Secretary of Amnesty International, Salil Shetty, pointed out that governments all over the world are “two-faced”

with torture; it is banned by law, but they make it easier for it to be carried out in actuality (Amnesty International, 2014, in Houck & Repke, 2017). Worthy of mention is a study performed by this Human Rights Organization on 195 nations between 1997 and the mid-2000s which found reports of torture or mistreatment inflicted by public servants in more than 150 countries, and, in more than 70, the reports indicated that these practices were generalized or persistent or had come to cause death among detainees (Bagaric & Clarke, 2005).

In November 2014, the Executive Board of the APA recruited the lawyer David Hoffman from the firm Sidley Austin to look into the accusations made by James Risen, author of *Pay Any Price: Greed, Power, and Endless War* (Eidelson, 2015) regarding collusion between the CIA, the Department of State, and the APA. Specifically investigated were the accusations that the APA had conspired with US Government officers aiding the practice of torture in interrogations of prisoners in foreign detention centers (Houck & Repke, 2017). In its conclusions, for which more than 50,000 documents were inspected and more than two hundred interviews were carried out in various cities in ten American states, the Hoffman Report pointed out that APA representatives had indeed colluded with DoD officers to publish vague and imprecise ethical guidelines that failed to restrict the practices of officers during interrogations to a greater extent than the actual DoD guidelines did (Hoffman et al., 2015).

The Hoffman Report did not find evidence supporting the conclusion that APA representatives had known about the existence of an “enhanced interrogation techniques” program. Nevertheless, according to the report, when they had collaborated with DoD officers to create and follow an ethical regulation which was not restricted to the activity of the latter organization, the APA representatives had sufficient reason to suspect that abusive interrogations had taken place. Far from trying to obtain information corroborating these suspicions, the report concluded that they had intentionally and strategically avoided doing so (Hoffman et al., 2015).

The Ticking Time Bomb Scenario

In many of the studies that have investigated how torture is supported, the issue has been addressed by means of several crisis situations. For instance, the *ticking time bomb scenario* is an imaginary case where a terrorist has hidden a bomb in a crowded city with the intent to cause a large number of casualties. The authorities are unaware of where the device has been planted, but have arrested the terrorist, who refuses to co-operate. The dilemma with which one is faced is whether or not it is justified to use torture to try to obtain vital information in this case (Houck & Repke, 2017).

Alan Dershowitz (2002b, in Homan & Witkowski, 2011), a lecturer at the Harvard Law Faculty, largely contributed to sparking the debate on torture by coming up with the idea of creating “torture warrants” for scenarios such as that of the ticking time bomb. Dershowitz postulated that torture is an undesirable practice, but, given that it already happens in the USA anyway, it would be better to regulate it judicially rather than leave it in the hands of the security forces (Homan & Witkowski, 2011). García-Amado (2016) rejects any possibility of legalizing torture (explicitly denying any similarity with

⁹ The Latin expression “primum non nocere”, attributed to the Greek doctor Hippocrates (460-377 BC), which can be translated as “first, do no harm” constitutes the essence of the Hippocratic Oath, the oldest professional rule of self-regulation in the practice of medicine (Arrizabalaga-Clemente, 2007).

Dershowitz's approach) but proposes that torture may be morally acceptable in certain circumstances. Such situations would include where the aim of torture would be a means to preventing a wicked act (rather than merely punishing the perpetrator for it); the plot would significantly harm the lives or integrity of a high number of innocent people, and there would not be any doubt regarding proof of the threat, the involvement of the terrorist to be tortured, and his ability to stop it from happening. In other words, the ticking time bomb scenario would be considered such a case, provided that there was conclusive evidence of the planned attack (García-Amado, 2016).

Using the ticking time bomb scenario, Homan and Witkowski (2011) did some research with a sample of university students; their objective was to discover what their points of view were regarding the use of different levels of coercive interrogation, including torture, in response to different hypothetical situations, amongst which the abovementioned scenario was included; they discovered that 61% supported the use of torture. Even when many people show a negative attitude toward torture on an abstract level, they do not think twice about defending it when the scenario suggests that people close to them could be in danger (Houck & Repke, 2017).

In any case, several specialists have signalled that the extreme settings that shape the ticking time bomb scenario are not realistic (Houck & Repke, 2017; Zegart, 2010). For instance, it is extremely rare for investigators in a situation such as the one described here to have all the information about the case except for the whereabouts of the bomb (Arrigo & Wagner, 2007). Houck and Repke (2017) suggested that the reason for the scenario seeming so familiar and likely to be used as a basis for defending torture may be due to the *availability heuristic*; this was located by Tversky and Kahneman in 1971 and stated that people tend to evaluate the relevance of certain questions or cases, depending on how easily they help evoke past memories (Kahneman, 2012). In this way, the exposure in the cinema, on TV or on other forms of mass media, to dramatic representations of terrorism which include the ticking time bomb scenario, could encourage the tolerance or defence of torture; it may conjure up a false but intensely emotional situation instead of less extreme, and more ambiguous scenarios where torture commonly takes place (Houck & Repke, 2017). In unison with this idea, Zegart (2010) discovered that in an investigation carried out with university students, those who often saw the televised drama series *24*¹⁰, where there was often a timebomb scene in the plot (as well as enhanced interrogation techniques on a regular basis), approved of the use of torture with terrorist suspects to a higher degree than those who did not see the program so frequently.

The Effectiveness of Torture

An open question that arises when torture is employed is where to put the blame when the suspect does not confess. Thus, Gray and Wegner (2010) proposed that a link between suspects' suffering

and their guilt could be established, with one of the following two theories being addressed: on the one hand, according to the *moral typecasting hypothesis*, presumption of innocence rises with pain due to people's tendency to see others as pain victims (moral patients) or as perpetrators of misdeeds (moral agents), but not both at the same time. On the other hand, according to the *cognitive dissonance theory* (e.g., Festinger, 1957, in Gray & Wegner, 2010), one feels uncomfortable when seeing others suffering, and, in order to mitigate any displeasure convinces oneself that those who undergo pain deserve their torment. Therefore, the greater the pain the tortured experience, the guiltier they appear.

In order to contrast these theories, Gray and Wegner (2010) designed an experiment in which a person suspected of committing an offense was subjected to a moderate form of torture (hand immersion in freezing water), presented as a stressful situation designed to induce a sincere response. He or she could show significant signs of suffering or none at all, while the observers either stayed away from the torture scene (just hearing it, as in *distant condition*) or stayed close to it (they had already met the person and heard him/her undergoing the interrogation procedure, as in *proximal condition*) and had to decide on whether he or she was guilty or not guilty. The bystanders of the distant condition judged the person as less likely to be guilty if he or she seemed to be in more pain, whereas those in the proximal condition considered it to be more probable that the subject was guilty when he or she demonstrated more intense signs of suffering. Distance from torture appears to influence the conclusion about whether the suspect is guilty or not, and it is done in such a way that it is partially consistent with both proposed psychological models; the moral typecasting model takes place when the distance is greater; conversely, the cognitive dissonance theory occurs when the observer is nearer. These opposing results might help to explain the controversy over torture (Gray & Wegner, 2010).

Another bias which seems to affect people who show their support for the use of practices of torture for interrogating terrorists or terrorist suspects is the belief that torture is effective for obtaining relevant information. In actual fact, however, according to the opinion of a wide range of experts, it is not an effective method (e.g., Arrigo and Wagner, 2007; Houck and Repke, 2017; O'Mara, 2018; Pérez-Sales, 2016; Soufan, 2020; Zegart, 2010). As many victims of torture concur, they will intentionally supply false information while going through it in order for the ordeal to stop (Houck and Repke, 2017). Likewise, stress and pain caused by torture have harmful effects on cognitive processes, especially those related with declarative memory, which clearly reduces the quality of information provided (O'Mara, 2018). As Damien Corsetti, an interrogator who employed torture in Bagram prison in Afghanistan has claimed, after four or five days of sleep deprivation, the detainees suffered hallucinations and were rendered useless as information sources (Pardo, 2014, in Pérez-Sales, 2016). Last but not least, torture destroys any glimmer of rapport between the interrogated person and the interrogator (Houck & Repke, 2017).

When the United States National Security Advisor, Condoleezza Rice, asked several questions to the CIA in November and December 2004 regarding the effectiveness of enhanced interrogation techniques, the CIA responded that "an effectiveness review was not possible" (Hoffman et al., 2015, p. 140).

¹⁰ A TV series produced by the Fox Channel which, in real time, followed the adventures of its main character, an anti-terrorist unit agent who had to face an extremely critical situation for the integrity of the United States of America and its allies, related to a terrorist threat.

Conclusion

Evil seems an especially vague or controversial term as it is difficult to define it in terms of a scientifically precise construct (Miller, 2004). Nevertheless, a growing number of social psychologists have tried to make this term operative. For example, Staub (1989) has used it to denote extreme human destructiveness, such as in cases of genocide and mass killing. Zimbardo (2004, 2008) defines *evil* as intentionally behaving, or causing others to act, in ways that demean, dehumanize, harm, destroy, or kill innocent people. Waller (2002) characterizes human evil as the deliberate harming of humans by other humans. Based on these points of view, accepted by many, the September 2001 attacks constitute an unquestionable manifestation of evil.

On the other hand, we can recall, for instance, Khalid Shayk Mohammad (KSM), the al-Qaeda mastermind of these attacks, who plotted them and trained the hijackers that went on to kill thousands of innocent victims. When he was captured by the US security forces, and in order to extract information from him related to the next planned terrorist attacks, he was subjected, among other things, to waterboarding at least 183 times, or “a series of near drownings” in the words of a medical officer present at the interrogation sessions (Senate Select Committee on Intelligence [SSCI, 2014, p. 86]). These actions are ultimately acceptable when a free and fair society is defending itself against destructive and very dangerous enemies, but are not if they constitute unnecessary, ineffective, and inhumane practices of evil. This is the dilemma regarding torture.

There is no dilemma for Amnesty International (2014) which states that torture and ill-treatment are prohibited under all circumstances, everywhere and against everyone, even in the worst case scenarios, such as war or other man-made catastrophes, and even towards the most feared individuals, such as terrorists and other serious criminals. A systematic response like this one has been absent on the part of APA psychologists. Zimbardo (2004), the 2002 APA President, for example, considered that torture represented “one of the darkest sides of human nature”. In contrast, Joseph Matarazzo, the 1989 APA President, when asked in the months following the 9/11 attacks whether sleep deprivation constituted torture, concluded, after consulting with other psychologists and thinking about his own experience, that it did not¹¹ (Hoffman et al., 2015). This is an opinion that resembles that of General Geoffrey D. Miller, the Guantanamo base commander in chief from 2002 to 2004, who, in a New York Times article, defended practices like sleep deprivation and stress positions as legitimate means of interrogation (Hoffman et al., 2015).

The Department of Defense (DoD) has been one of the largest recruiters of psychologists in USA, constituting a traditional form of support for the development and consolidation of psychology as a

profession. It is no coincidence that by the time that the PENS Task Force had been founded, contemporaneous internal discussions show that improving APA's already strong relationship with the DoD was a priority for the APA officials working for the commission (Hoffman et al., 2015). It was perhaps a higher priority than “to advance psychology...as a means of promoting human welfare”, one of the APA's missions as stated in its bylaws in 1945 (Leahey, 2013, p. 419). Russ Newman, the APA Practice Directorate head during the time of the PENS, seemed to prove this point when e-mailing Stephen Behnke on August 12th, 2005. He told him that one of his reasons behind psychologists being present in national security settings was that “it is a very good example of psychologists as ‘experts in behavior’ (rather than simply mental health or health professionals), bringing to the activities, skills, and competencies that other professionals just do not have” (Hoffman et al., 2015, p. 328).

Several issues have been left open for future research. For example, whether the EITs constitute unnecessary, inefficient, and inhumane practices, as several sources have agreed (e.g., Pardo, 2014, in Pérez-Sales, 2016; SSCI, 2014; Soufan, 2020), what are the motivational forces behind these evil acts? Humiliation that the first world power had been outsmarted on its own doorstep by a terrorist organization of no more than a few hundred activists, and with many of its operation bases in some of the poorest countries in the world? Frustration, especially in its security forces, for not having been able to prevent the attacks when it appears that they had enough resources and intelligence (Soufan, 2020)? Fear of being attacked again by uncontrollable and incomprehensible individuals, so fanaticized that they do not hesitate in killing themselves in order to harm the USA to a great extent.

Another future line of work could be related to the possible connection between EITs and out-dated institutionalized methods of torture, which could be antecedents of the former. A possible example of this is the “toca” or “water torture”, one of the most used procedures during the Spanish Inquisition. The practice consisted of tying the detainee upside-down on an inclined ladder or stretcher, and then stuffing a cloth (the “toca”) inside the prisoner's mouth and pouring water into it from a pitcher (e.g., Pérez, 2012). Apparently, this could be the forerunner to waterboarding. Another example is the “garrucha”, known in Italy as “strappato”, another common act of torture carried out by interrogators throughout the Spanish Inquisition, in which the prisoner's hands were tied behind his/her back, and hung from a rope tied around his/her wrists (Pérez, 2012). Manadel al-Jamadi, the prisoner killed in Abu Ghraib known as the infamous “Ice Man”, was hung in a similar way before he died (Mayer, 2005b; Zimbardo, 2008).

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¹¹ A former interrogator in Guantanamo informed Mayer (2005) that sleep deprivation was such a frequent tactic employed in this prison, that the interrogators had ended up calling it “the frequent-flyer program”, which consisted of detainees having to change cells every one or two hours. In its use of sleep deprivation, the CIA managed to keep the prisoners awake for up to 180 hours, usually holding them in stress positions, and sometimes with the hands shackled over their heads (SSCI, 2014).

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