Darius Rejali, "Use of Torture in Iraq Damages US Ability to Gather Intelligence" (*The Oregonian,* May 6, 2004)

Not as Bad as Terrorism?

Whatever happened at Abu Ghuraib, it was not as bad as the killing and mutilation of the four contractors in Falluja or the mass murder on 9/11, right?

On the contrary, no act of terrorism could have done as much damage to our intelligence gathering capabilities as the torture at Abu Ghuraib. Acts of terrorism killed people, but they did not undermine the trust on which good intelligence depends.

Successful police and intelligence work depends on public cooperation. In our societies, police uncover crimes most of the time because people tell them and supply the witnesses and the information.

Since the 1970s, a large body of research has shown that unless the public specifically identifies suspects to the police, the chances that a crime will be solved falls to about 10%. Only a small percentage of crimes are discovered or solved with techniques like fingerprinting, DNA sampling and offender profiling.

Police in long term dictatorships like the Chinese and Soviets also know the importance of public co-operation for solving crimes. Where they can't get public cooperation for some kinds of crimes (crimes against state property), they create an alternative human intelligence system, informants.

Torture is good for intimidation and false confessions to put someone away. But can torture produce more reliable information than public co-operation or technological monitoring? Even these police states know you would be better off hiring a psychic.

The bottom line is the always the same: Good intelligence requires humans willing to trust government enough to work with it. Torture is always the sign that the government either does not enjoy the trust of the people it governs or that it cannot recruit informers

into a system of surveillance. In both cases, torture for information is a sign of institutional decay and desperation – as Saddam Hussein's Iraq clearly demonstrated.

Torture accelerates this process, destroying the bonds of loyalty, respect and trust that keeps information flowing. When citizens detain, assault or kill me, they use only the forces at their disposal. When a state official detains and assaults me for public purposes (to stop crime, to ensure good government), he does so using the authority and instruments with which the public entrusted him. Torture, as it is defined from the Romans to the United Nations, always involves this use or abuse of public trust, something that is absent when a private citizen assaults me.

Whoever authorized the soldiers at Abu Ghuraib also knew the importance of public trust. They used techniques that left few long term visible marks. Few people die of stealth tortures, there are few wounds to show, and pain – in the absence of blood – seems ephemeral. Someone was trying to have it both ways: keep public trust of Iraqis and Americans and at the same time engage in coercive interrogations.

But this was a profoundly damaging mistake. Unlike traditional war, winning the war on terror is not about winning more land or wealth. It is about our way of life, the fundamental identity of liberal democratic society. Those who oppose this kind of society believe that fundamentally such societies are scam games, and they disguise violent coercion with promises of freedom. Tyranny, as the Greeks used to say, always wears a mask.

Now everyone has plenty of reason to be suspicious. Every time a government abuses public trust in a war on terror, it undermines the respect and loyalty of those it hopes to win. What kind of victory is it to have won the battle, but lost our way of life? If we cannot respect the rule of law, if we cannot fight with one hand tied behind our backs and win, who exactly are we?

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