

Human Rights First

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Public Facing Advocacy Writing

In 2004, the news that Americans had committed abuse and mistreatment in Abu Ghraib and Guantanamo was shocking. Even more alarming, were the revelations that physicians, psychiatrists, and other mental health professionals had assisted with interrogations that bordered on torture.

In the span of just two generations, the United States had drifted from condemning Nazi physicians at the Nuremberg Trials for their collusion with torture, inhuman experimentation and cruel mistreatment to justifying waterboarding in the pursuit of better intelligence.

As a retired brigadier general and Army psychiatrist, committed to a strong military and national defense, I find these scandals to be most disturbing. The complicity of psychiatrists and other physicians clearly deviated from the fundamental ethical principles of the medical profession and military medicine. My generation of soldiers, who had served during the Vietnam War, vowed not to repeat the misdeeds of the My Lai massacres and rampant indiscipline we witnessed.

However, after the attack on the World Trade Towers, fear and anger dominated the country's emotional climate and the principles of our profession were hijacked. The incessant drumbeat of political rhetoric that the war on terror is a war like no other and that we must take all measures possible to stop the enemy made it somehow easier for psychiatrists to apply their skills and training to exploit the vulnerabilities of prisoners. To this day, former government officials justify cruel and inhuman treatment of detainees at Bagram and Guantanamo with unsubstantiated assertions that their confessions led to the trail of Osama bin Laden. The public supported such conduct and the television show 24 gained wide popularity as viewers were captivated by threats of violence and new gimmicks for bringing the bad guys down. Even the presidential candidates in 2008 were ambushed by questions that judged their fitness to be commander in chief by their willingness to torture a suspect who planted a ticking bomb.

But, there is no evidence to confirm the assertions that torture of prisoners has helped the war effort at all.

The plain fact is that nothing that has been claimed in the name of defending our country can justify cruel, inhuman and degrading treatment of another man or woman. Torture, in any form light or heavy is not a tool of interrogation or useful for gathering good intelligence. It is a propaganda tool and degrades the perpetrator as well as the victim. This is not just the rhetoric of bleeding heart progressives. It is the opinion of over fifty retired admirals, generals⁽¹⁾ and senior government officials convened by Human Rights First to discuss this issue, and our conclusions can be stated simply:

Torture has long been associated with political repression and with regimes without any semblance of an independent judiciary or media. The Soviet Union's imprisonment of dissenters and forced use of psychotropic medication on them, the Khmer Rouge's torture of thousands of people in Cambodia and the Augusto Pinochet regime's brutality against prisoners in Chile all bear witness to the association between totalitarian or authoritarian regimes and their use of torture.

As the human rights lawyer Leonard Rubenstein and I [wrote](#) in March 2010, the medical staff at the C.I.A. and the Pentagon played a critical role in developing and carrying out torture procedures. Psychologists and at least one doctor designed or recommended coercive interrogation methods including sleep deprivation, stress positions, isolation and waterboarding. The military's Behavioral Science Consultation Teams evaluated detainees, consulted their medical records to ascertain vulnerabilities and advised interrogators when to push harder for intelligence information. Psychologists designed a program for new arrivals at [Guantanamo](#) that kept them in isolation to 'enhance and exploit' their 'disorientation and disorganization.' Medical officials monitored interrogations and ordered medical interventions so they could continue even when the detainee was in obvious distress. In one case, an interrogation log obtained by Time magazine [shows](#) a medical corpsman ordered intravenous fluids to be administered to a dehydrated detainee even as loud music was played to deprive him of sleep.

We cannot dismiss the psychiatrists and psychologists, who participated in interrogations in Guantanamo and helped devise the abusive practices, as mere rogues or outliers. They were actors on a much larger stage. They were swept up by a pervasive and persuasive attitude that subsumed the country and energized a military plan to hunt down the criminals wherever they may be hiding. The Department of Defense (DoD) issued policy accordingly and the Office of Assistant Secretary for Health Affairs contended that the legitimate objective of fighting terrorism trumps the ethical responsibility of the healing practitioner. In their eyes, the ends justify the means and a few brutalized prisoners were a small price to pay for protecting the citizens of the United States.

But, in truth, the use of torture and practices of cruel, inhuman and degrading treatment detracted from the military mission and compromised the international stature of our country, while also undermining the effectiveness, credibility and ethical foundations of the medical professionals. To a certain extent, the administration realizes this. Now, ten years into the wars in Iraq and Afghanistan, the White House has changed the national strategy and President Obama has insisted, human rights is both fundamental to American leadership and a source of our strength in the world. In his words, it does not merely represent our better angels Standing up for human

rights has come front and center both as a matter of national strategy and measure of human decency. Historically, the human rights stance against torture has been unequivocal, one of the few absolutes in human rights law: It is never permitted, never excused, never to be balanced against national needs or interests even in cases of national emergency. Torture is also forbidden under the laws of war. It is considered a war crime under the [Geneva Conventions](#).

This is important and good, but it is not enough. The political leadership of our nation does not have an appetite for investigating the misdeeds that were committed in the past ten years. A change for the better that is not informed by an honest assessment of the sins of the past is not likely to be either permanent or fully integrated into the power structure. Several human rights groups have called for a Commission of Truth and Reconciliation to spur corrective action. By this, they are referring to comprehensive programs that were undertaken in South Africa and in the former Soviet Union to bring to justice the perpetrators of misdeeds and examine the range of responsibility that society as a whole had for the injustices of the past. Mental health professionals understand the power of confession and repentance, for individuals, communities and institutions. Something is needed that goes beyond apology, regret or even a vow to do better. A Commission of Truth and Reconciliation is a step toward corrective action.

By reflecting on the ethical principles and traditions of the healing professions, a stronger case can be put forward against torture and mistreatment:

In 1947, our nation and its allies tried and sentenced the Nazi physicians who violated basic principles of medical ethics. In 2003, the political dynamics and national sentiment induced physicians and psychiatrists and other health care professionals to commit actions that violated core ethics. The healing professions can lead corrective action, help the country recover the high ground and prevent future lapses in professional conduct and policies that violated human rights. Human rights are vital to national security in the 21st century.

Much has improved since the dark days of 9/11, but our nation has been damaged. Where once the symbol of our great democracy was the Statue of Liberty it has now become the image of that poor hooded man in detention with wires strung from his hands and feet. Our men and women on the front lines are endangered because of the increased risk of retaliatory measures. We are not safer because of these misguided policies and how we have acted as a country.

1. I have recent experience that confirms my opinions on the ineffectiveness of harsh interrogation techniques, their unethical nature and harmful consequences. In the past five years, I have been asked to assess several detainees and review the medical records of many more on behalf of defense attorneys. Many detainees subjected to harsh interrogation, as designed and approved by clinicians working for the CIA and DoD, still suffer with the prolonged injuries and adverse psychological effects of their treatment. The evidence of negative effects of the harsh interrogations has been compelling. Moreover, the information gleaned in interrogations that involved harsh treatment has not been allowed in court proceedings.

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Stephen N. Xenakis M.D., is a retired brigadier general in the US Army.

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