

Democracies with separation of powers less likely to stop using torture

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A system of checks and balances in government is usually regarded as a good thing, except when it comes to the probability that a nation will stop its use of government-sanctioned torture, according to a Florida State University study.

As repugnant as torture is, the fact is most countries -- even those with democratic governments -- do it. FSU political science professor Will Moore and graduate student Courtenay Ryals wanted to find out what makes governments stop doing it. They presented their study, "What Stops the Torture?" at a recent meeting of the Midwest Political Science Association.

The researchers were not surprised to learn that governments in which the citizens have a right to vote and freedom of expression are more likely to stop using torture. But it was another finding that, at first glance, seems to fly in the face of common sense: A system of checks and balances, an important dimension of liberal democracy, lessened the likelihood that a country terminated its use of torture.

Why? Because a separation of power often means it is harder to effect change.

"Checks on executive authorities are viewed as a positive attribute of liberal democracies," Moore said. "Unfortunately, they are also associated with the continuation of the status quo. So this liberal democratic institution that at first pass one might expect to be positively

associated with the termination of the use of torture is actually a hurdle to be overcome."

That means the United States probably will not change anytime soon its interrogation methods and detention conditions, which Amnesty International has documented as violations of international laws against torture, Moore said. While Moore and Ryals' study did not specifically address the United States, its findings indicate that all of the various entities under the executive, judicial and legislative branches of government would have to agree to stop torture before policies would change. That hasn't happened.

The United States is not alone. An average of 78 percent of the governments in the world used torture against at least one person under their control in any given year during the last 25 years of the 20th century, according to Moore and Ryals. Those who used it in a given year faced a 93 percent chance of continuing the practice the next year.

"Politicians and pundits speak in highly moralistic language that suggests that because torture is abhorrent, it is abnormal and unusual," the researchers wrote. "While it is abhorrent, it is neither abnormal nor unusual. Human rights workers are very aware of this fact, but policy makers, politicians and reporters, to say nothing of the general public, in liberal democracies are considerably less informed."

No scientific research has been done to establish whether torture is more effective than other interrogation techniques, according to a 2007 study commissioned by the White House. Yet Moore and Ryals say that most police, military and intelligence officials believe that torture works most of the time, and so they keep doing it.

Torture is used primarily for three reasons: to collect national security intelligence; to secure confessions to prosecute criminal cases; and to

gain social control over members of marginalized groups. Over the years, the use of torture for the second and third reasons has declined, while its use in efforts to collect national security intelligence has escalated, according to Moore and Ryals.

The way torture is administered also has evolved from scarring techniques to methods of inducing severe pain without leaving marks on the body. These techniques often involve use of water, electricity, stress and duress and "clean" beatings. These practices have proved to be easy, portable and, with little physical evidence, they have the added benefit of allowing government leaders to plausibly deny their existence.

However, leaders of countries where the people have freedom of expression and a right to vote are more likely to put programs in place to train prison guards and interrogators to avoid torture. A system of checks and balances can be a hindrance to these efforts, but it's not the only thing standing in the way of a liberal democracy abolishing torture. When faced with any kind of violent dissent, all bets are off.

"Even democracies engage in torture if they are faced with a violent threat," Moore said. "When national security is threatened, the temptation to torture trumps moral considerations in both democratic and authoritarian governments."

Source: Florida State University

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