

# Study: Torture reports rose despite UN convention

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Newly published research suggests that government use of torture has increased worldwide despite international norms discouraging it.

The study, published in *The Journal of Legal Studies*, found that between 1985 and 2003, reports of state-sponsored torture collected by the U.S. State Department and Amnesty International increased, even as a growing number of countries signed on to the United Nations Convention Against Torture.

"The results could not be clearer: there is no evidence that as more states have joined the CAT, states' use of torture has abated," write study authors Michael Gilligan, a [political scientist](#) at New York University, and Nathaniel Nesbitt. "Indeed, if anything, the results suggest that levels of torture have increased."

The U.N. enacted the CAT in 1987. By 2003, more than 75 percent of the world nations had signed on to the convention. But in spite of the growing consensus against torture, Gilligan and Nesbitt found that torture was still reported in 69 percent of the world's nations in 2003. Moreover, the data suggest that CAT signatories were just as likely to torture as non-signatory nations.

"Our results suggest, quite simply, that torture is a practice in which leaders engage even though they know it is wrong," the authors write.

"It may be possible to point to unscientifically selected cases where

norms appear to have discouraged torture," Gilligan said. "But over a long period and across a broad sample nations, there's no evidence that nations are more constrained by an anti-torture norm."

The authors used two different point scales to rate the prevalence of government-sponsored torture in each country. They used a [statistical method](#) to determine what factors appear to influence how often a nation tortures.

They found that torture reports are more prevalent in larger nations, nations plagued by civil war, and in dictatorships. Democracies and nations with a larger [gross domestic product](#) tended to have fewer torture reports.

The authors acknowledge that there are potential complications in studying torture. Most notably, their study tracks torture reports, not actual occurrences. It could be that actual occurrences of torture went down, but better reporting has created the illusion of an increase. However, Gilligan and Nesbitt find that explanation unlikely.

If better reporting alone were the reason for the results, the authors say, one would expect democracies—which are generally more open societies—to show a larger spike in torture reports than dictatorships. That didn't happen. The results show that dictatorships report more torture than democracies. That finding is a strong indicator that actual torture—not just reports of torture—increased.

Just what might be driving the overall increase in torture is outside the bounds of this study, the authors say. But what this study makes clear is that an international consensus against torture appears to do little to discourage the practice.

"The findings in this paper are a disappointment to anyone who believes

that an anti-torture norm can reduce the state practice of torture," the authors conclude. "We could find no evidence to support that belief."

More information: Michael Gilligan and Nathaniel Nesbitt, "Do Norms Reduce [Torture](#)?" The Journal of Legal Studies Vol. 38:2

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