

# **Terrorism, torture, and the regression of history**

Days before the recent Afghani elections, a suicide car bomb exploded in front of NATO headquarters in Kabul, killing seven and wounding scores more. Immediately after the bombing, Taliban spokesmen called media outlets to claim responsibility, and to offer a clarification. The real target of the attack, they said, was the U.S. embassy next door.

The Kabul bombing provides renewed evidence that the battle between militant Islamic terrorism and the West is far from over. This struggle – and its attendant moral and policy debates – has left an indelible mark on the last decade of world history.

Inside the United States, the parameters of this conflict continue to evolve. The recent indictment of seven alleged jihadists in North Carolina has raised fresh questions about the scope and scale of the domestic terrorist threat. At the same time, American policy makers have been actively re-assessing the nature of their counter-terrorism tactics - particularly those related to detention and interrogation. The debates that surround these tactics are similar to those that have gripped other societies where fundamentalist violence and representative democracy have clashed.

At this juncture - nearly ten years after 9/11 - it is worth pausing to examine some of the recurring themes that have characterized the incendiary collision between Islamic extremism and the West.

## **A challenge to modernity**

The most overt challenges posed by terrorism are those that involve physical security. Such matters are pressing, and they deserve the attention of both policy makers and society at large. At the same time, the clash between violent Islamists and the West has created another set of serious - but more abstract - problems.

For those concerned with the preservation of the modern, democratic state, the age of terrorism has posed several inter-related threats. For instance, many strains of Islamic extremism have openly disputed the central assumptions of secular modernity, and have rejected the legitimacy of

democratic institutions outright. In recent decades, these philosophies have found expression through militant violence.

At the same time, some of the hard-line counter-terrorism tactics used by Western democracies – such as torture – have likewise rejected key conventions of the modern nation state. The dynamic that has resulted – the bloody terrorist attack, followed by the hard-line reprisal – has proved dangerous to the modern democratic enterprise. Working in tandem, these phenomena have threatened civic life wherever they have taken root.

### **Resurgent tactics**

In this conflict, each side has employed tactics widely considered to be forbidden and shocking – whether they be attacks on civilians, or torture. Such tactics, once roundly condemned by the international community, have found new sets of adherents in the age of terrorism. The purpose of this essay is not to suggest parity or equivalency between these disparate tactics, but rather to examine the mutual challenges that they pose to representative democratic institutions.

### **The use of terror**

Terrorism – specifically, the unprovoked, direct attack upon civilians – has become a staple of violent Islamic fundamentalism. While militant Islam cannot claim this device as its own, it has embraced it with increasing fervor, and has distorted religious doctrine to accommodate it. The result of this embrace has been the Islamists' widespread use of suicide bomb attacks against civilian targets. As scholar Gilles Kepel has noted, these methods can be traced back to the years of the Iran-Iraq war, when Iran began to employ suicide squads in combat operations. Iranian “martyr brigades” cleared Iraqi mine fields by marching directly into them while chanting religious slogans.

These suicide operations were mimicked by militant Shiite groups, and were eventually transformed into offensive attacks like the 1983 truck bombing of the U.S. embassy in Beirut. As Kepel has noted, this suicide bombing strategy has been adopted by Islamic extremists of all stripes, and has spread from Jerusalem to Jakarta, with civilians as the principal targets. Israel alone suffered over 70 such attacks between 2000 and 2005. The coordinated attacks of 9/11, of course, displayed this strategy on its most expansive scale yet.

In large part, terrorists have turned to civilian-targeted attacks because of the results they produce. The psychological impact of such operations is profound, for they rupture the sense of predictable calm so necessary to the functioning of civil society.

### **The use of torture**

Precisely because of this, the terrorist bombing has spawned a strong counter-reaction from elements of the Western world. Doubtlessly, the severity of such attacks has required a vigorous and concerted response. However, the rise of terrorist bombings in Western countries has frequently spurred these nations to depart from their normative behaviors. For example, it has been quite common for attacked democracies to resort to harsh interrogation techniques or torture in order to divine information about future terror operations.

After a wave of bomb attacks in the early 1970s, the English military turned to coercive techniques as a way to wrest information out of suspected IRA detainees. The military approved the use of noise bombardment, sensory deprivation, and stress positions against the civilians under its control.

During the 1980s, the Israeli government introduced guidelines for the use of “moderate physical pressure” in the interrogation of Palestinian prisoners. A 1995 report by the Israeli state comptroller revealed that these guidelines were regularly exceeded during the late 1980s, resulting in severe beatings, the violent shaking of prisoners, and the long-term use of stress positions.

Related techniques were approved by the U.S. Justice Department in the months after 9/11, and were applied in America’s fight against Islamist militants. Recent allegations indicate that agents of the U.S. government may have gone even farther, by threatening to rape and kill the family members of detainees.

### **Twilight of the Enlightenment?**

The terror-torture cycle is a complex one, with multiple influences that are not easily teased out. However, this dynamic does have discernable patterns, some of which have a philosophical resonance. For instance, select combatants on each side of the war on terror have rejected key premises that flowed from the Enlightenment period of the eighteenth

century. For Islamist militants, this rejection has been explicit. For most Western actors, the rejection has not been so directly articulated.

More than any other historical period, the Enlightenment helped to establish the modern, democratic state. Enlightenment-era thinkers rejected the authority of the monarchy, set the stage for democratic rule and individual rights, and established a separation between church and state institutions. These notions became standard fare among the nations of the West, and were eventually embraced by much of the globe.

### **Salafism vs. modernity**

Today, Islamic militancy has raised a fresh challenge to the dominance of secular modernism. Wherever it has arisen, militant Islam has been entangled with its regional political dynamics. However, Islamists have added a fiery critique of democratic modernity to these political battles, and have striven to impose solutions based upon their own strict interpretation of Islam.

Egypt's Muslim Brotherhood - the forerunner to all modern Islamist movements – began as a political resistance campaign against Egypt's government. However, its organizing principles were centered on a rigid version of Islam known as Salafism, rather than purely secular political concerns. The Brotherhood's goal was not only the overthrow of the Egyptian regime, but its ultimate replacement with an Islamic state.

Salafist theology eventually spread throughout the Muslim world, and extremist groups adopted a violent permutation of the doctrine. Tenets of Salafist jihadism have been publicly rejected by mainline Muslim clerics, but the doctrine has persisted. While its adherents are few in number, its impact on the world stage has been sizeable, due to the terrorist activity it has inspired.

### **The West turns away from Voltaire**

Concurrent with the rise of Salafist violence, some in the West also retreated from Enlightenment principles. The use of torture to combat terrorism constitutes such a rejection, albeit for different reasons.

The West's traditional resistance to torture largely stems from the writings of Voltaire, an eighteenth century philosopher who rejected the use of torture by the religious and governmental institutions of his day. His

thinking on the subject informed Enlightenment-era prohibitions on cruel and unusual punishments, such as those found in the Constitution of the United States.

While the Enlightenment did not entirely abolish torture, it effectively removed it from the mainstream discourse of Western societies. This removal was so successful that opposition to torture became enshrined in several international conventions during the Twentieth Century – from the Geneva Conventions, to the United Nations Convention Against Torture.

The rise of terrorist violence during the late Twentieth Century spurred an unraveling of this consensus, as has been previously described. Within the United States, this unraveling did not begin in earnest until the events of September 11th. In the aftermath of 9/11, certain influential voices in American society began to ask the “torture question” quite directly. The well-known jurist Alan Dershowitz, for instance, pondered the merits of torture warrants in the pages of the Los Angeles Times.

As the public debated Dershowitz’s proposals, similar questions were being asked – and answered - within the American national security establishment. In 2002, the U.S. government produced and disseminated several memos that prescribed harsh interrogation techniques. These documents took great pains to state that methods such as simulated drowning were not torture, and were not barred by international conventions against the same. Interestingly, the West’s departure from the Enlightenment did not come in the form of fiery fatwas, but in the form of shrewdly worded legal memoranda.

### **Backward or forward into history?**

Populations around the globe have witnessed the growth of the terror-torture cycle, as well as the deleterious effect it has had on the social fabric of the democratic world. Where, then, is this cycle headed?

In the United States, government agencies have re-visited the harsh tactics adopted after 9/11. This process began quietly during George Bush’s tenure, but the Obama administration has made the modification and review of these tactics a public priority. Interestingly, this pattern is familiar from the experiences of other nations. In 1987, the European Court of Human Rights condemned tactics used by the British military during its IRA pacification program. In 1999, the Israeli Supreme Court banned the use of

certain coercive techniques during prisoner interrogations.

In the Muslim world, there are indications that jihadist groups are facing a more complex and uncertain terrain. As reported by the *New Yorker* last year, a former key Al-Qaeda theorist, Doctor Fadl, issued a public statement condemning the use of terrorist tactics by jihadist groups. The *New Yorker's* Lawrence Wright spoke to several former Islamic militants who pointed to Fadl's statement as a harbinger of Al-Qaeda's decay.

### **Islamist infighting**

Infighting among militant Islamist groups has also grown, raising questions about the long-term viability of their enterprise. Security forces of the Palestinian group Hamas – once the area's most militant Islamist group – recently did battle with adherents of the even more doctrinaire Jund Ansar Allah (Soldier of God) organization. Elsewhere in the world, such schisms have portended the end of militant movements, as they did in Northern Ireland.

The future of these trends is far from clear. However, what is certain is that the responsibility for short-circuiting the terror-torture dynamic lies equally in the West and in the Muslim diaspora. After decades of conflict dominated by hard-line voices, one can hope that moderation will eventually hold sway. The long-term prospects for civil society depend on it.

**Originally published at [Minnpost.com](http://Minnpost.com) | August 26, 2009**