

CJ 490: The Problem of Torture in Counterterrorism

Summer 2018

Department of Criminology & Criminal Justice
University of Alabama

1 INSTRUCTOR INFORMATION

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*note that all emails must originate from your University of Alabama email account. Please reference this class (CJ 490) in the subject line of your email.

2 COURSE INFORMATION

Time: May 7-May 25; MTWRF 1-4pm
Prerequisites: Passed CJ 100 with at least a C-

Location: Farrah 219

3 COURSE DESCRIPTION

Throughout history, torture has been used for multiple purposes: as a mechanism within formal legal systems, as a tool to control the lower classes, and as a covert tactic that has survived even when its practice has been contested or outlawed. Today, most democratic countries have outlawed torture and outwardly condemn it. However, even “civilized” states that denounce torture widely practice it. In the past decade, torture has become part of the public discourse. Scholars are also increasingly studying the phenomena, particularly in the context of counterterrorism.

This course will discuss the history of torture and physical punishment, changes in the practice over time, and the problem of torture today. The course will focus on a range of issues relating to torture including: what constitutes torture, attitudes about torture, the efficacy of using torture, concerns about torture especially in the context of counterterrorism, and why torture persists despite arguments against it.

4 STUDENT LEARNING OUTCOMES

Upon successful completion of this course students will be able to:

- Explain what constitutes torture
- Critique the problem of torture today
- Identify and examine concerns about the ongoing use of torture
- Describe why torture persists
- Apply empirical findings to analyze the controversial topic of torture

5 TEACHING METHOD

The course is structured to examine various approaches to the problem of torture. We will draw from research articles in criminology, psychology, political science, human rights, and related fields. We will also read narrative accounts of torture, op-eds, and news articles about torture.

Research has shown that students learn best when they actively participate in class. I believe that the role of a professor is to facilitate an active learning environment through a combination of brief lectures, productive classroom discourse, teamwork, and creative thinking. As such, the course will engage in a variety of activities in addition to lectures, including writing exercises, group work, class discussions, simulations, debates, etc. I value your opinions about the course and will solicit feedback periodically. To be successful in the course, you are required to read all assignments, come to class prepared, and engage fully in discussions and other activities.

To be successful in the course, students are required to read all assignments, translate their thoughts on the readings into effective written communications, and engage fully in discussions and activities.

6 COURSE EXPECTATIONS, REQUIREMENTS & GRADING

6.1 ASSESSMENT

Student Led Discussions (30%):

This class works best when students are present and engaged. I expect that you will have read all assigned material and bring at least three thoughtful questions for each piece of reading. You should bring one-page total of notes for all of the readings each class in hard copy — this may be used for in-class assignments.

In-Class Assignments (30%):

There will be unannounced in-class assignments, which will either be individual or group assignments. These assignments are intended to help you apply the materials we are reading to real-world events and other topics.

Quizzes (10%):

There will be three brief quizzes held on Friday 5/11, Friday 5/18, and Thursday 5/23. The quizzes will test your knowledge of the materials that we have read and discussed that week.

Final Project (30%):

Each student will chose an issue within the course material to examine, make an argument, and present a 10-minute project in a multimedia format for the rest of the class. You must have your topic approved by the second week of class. The grading rubric is on Blackboard.

You must complete the Academic Integrity Quiz due 5/7. Failure to do so will result in ZEROs on all written assignment until this is completed.

6.2 GRADING

A = 94-100	A- = 90-93	
B+ = 87-89	B = 83-86	B- = 80-82
C+ = 77-79	C = 73-76	C- = 70-72
D+ = 67-69	D = 63-66	D- = 60-62
F = 59 or below		

If you have questions or concerns about a grade(s) and believe I should review them, you should submit a written request over email to me describing your concern in detail. You must take 24 hours to reflect on the grade before contacting me, but you must submit the request within one week of the date that grades for that assignment are disseminated. The exception is an addition error, which should be pointed out immediately.

Unless otherwise stated in class, there are no extra credit assignments for this class. Assignments will be graded on accuracy, depth of expression, grammar, neatness, punctuation, quality, spelling, and thoroughness. Rubrics are available on BlackBoard for all graded assignments. Please note that Blackboard shows unweighted grades.

As per the Family Educational Rights Privacy Act (FERPA), grades will not be posted, given out over the phone or email, or released to anyone other than the student.

7 COMMUNICATION

EMAIL

I will send emails on a regular basis to remind students about upcoming events, due dates, important news, et cetera. These messages will come to your official university email. Students are responsible for the contents of these messages. I will respond to email within 24 hours during the week and within 48 hours on the weekend unless otherwise specified in advance.

PROFESSIONALISM

Recently, my colleagues and I have noticed that some (by no means all) students email us using language and format more appropriate for friendly emails, not professional ones. I will only respond to emails that include: a subject, a salutation (Dear, Hello, etc.), a closing (at least your name), and proper grammar (no text speak). Additionally, if your question is about a due date, what the reading is for next week, or something else that is found in the syllabus or grading rubrics, I will not respond to your email. This is not to be harsh, but I want to make sure that all students are in the habit of corresponding professionally, which is what will be required of you in the future.

8 COURSE POLICIES

STUDENT COPYRIGHT

For the benefit of future students, work in this course may be used for educational critique, demonstration, samples, presentations, and verification. Outside of these uses, work shall not be sold, copied, broadcast, or distributed for profit without student consent. Items submitted for this course also may be submitted to TurnItIn.com for analysis.

THE MISCELLANEOUS CALAMITY CLAUSE

As you may know, each class is required to meet for a specified number of hours in a semester. When class is cancelled due to ice/hurricane/plague/zombies, these hours need to be made up. Instead making up hours at the end of the semester when you are very busy, we will simply hold class online for any day in which class is cancelled. If this happens, I record the lecture over my PowerPoint and post the video on the day we're out. Since we would not know of a cancellation in advance, the timeframe will shift slightly. You will have until the next class to respond to 3 of the discussion questions I post on Blackboard.

MAKE-UP EXAMS, ASSIGNMENTS & NOTES

All assignments are due by the beginning of class on the date indicated and will receive a 0 if not provided at that time. I WILL NOT accept late assignments. No excuses will be accepted.

In an extraordinary circumstance, I accept late work. To qualify for this exception, you must notify me by email, provide documentation, and receive my permission in advance of the deadline. You will receive a 0 for unexcused late work. Examples of extraordinary circumstances include, but are not limited to: medical problems that require bed care or surgery (including yourself and immediate family members), subpoena for court or jury duty, or in-service training. Oversleeping and other personal events do not qualify. I reserve the right to exercise discretion in this matter so that individual predicaments may be considered.

CLASSROOM COURTESY

Classroom courtesy is essential for learning. All students have the right to learn without unneeded distractions such as: cell phones, talking out of turn, reading, falling asleep, entering and leaving the classroom, etc. If you need cell phone for emergency purposes, it must remain on vibrate. Cell phone use is prohibited. You may use a laptop or tablet to submit in-class assignments; these can also be done in hard copy. Aside from this, laptops and tablets may only be used if you have a documented learning need. It is your responsibility to arrive on time and stay for the entire class period. If you need to leave early, tell the professor beforehand. Repeated disruptions will lead to a reduction in your final grade.

Most importantly, as the topics addressed in this class can lead to strong feelings and heated discussion, please remember that class discussion must be respectful and scholarly at all times.

Scholarly Comments:

- are respectful of diverse opinions and open to follow up questions and/or disagreement
- are related to class and/or the course material
- are focused on advancing the discussion about issues related to the course and/or course material rather than personal beliefs
- are delivered in normal tones and a non-aggressive manner

Unacceptable Comments:

- are personal in nature (includes attacks on a persons appearance, demeanor, or beliefs)
- include interrupting the professor or other students
- often use the discussion to argue for political positions and/or beliefs. If political discussions arise in the context of the research discussed, they must be discussed in a scholarly way
- include using raised tones, yelling, arguing, or being threatening in any manner
- include ignoring the professor's authority to maintain the integrity of the classroom

SEVERE WEATHER GUIDELINES

Please see the latest Severe Weather Guidelines in the Online Catalog.

POLICY ON ACADEMIC MISCONDUCT

Students are expected to be familiar with and adhere to the official Code of Academic Conduct provided in the Online Catalog.

EMERGENCY CONTACT INFORMATION

UA's primary communication tool for sending out information is through its web site at www.ua.edu. In the event of an emergency, students should consult this site for further directions. Additional course information will be posted using Blackboard Learn.

DISABILITY STATEMENT

Contact the Office of Disability Services (ODS) as detailed in the Online Catalog.

PREGNANT STUDENT ACCOMODATIONS

Title IX protects against discrimination related to pregnancy or parental status. If you are pregnant and will need accommodations for this class, please review the University's FAQs on the UAct website.

RELIGIOUS OBSERVANCES

Under the Guidelines for Religious Holiday Observances, students should notify the instructor in writing or via email during the first two weeks of the semester of their intention to be absent from class for religious observance. The instructor will work to provide reasonable opportunity to complete academic responsibilities as long as that does not interfere with the academic integrity of the course. See full guidelines at Religious Holiday Observances Guidelines.

UACT: ETHICAL COMMUNITY STATEMENT

The UAct website (<http://www.ua.edu/uact>) provides an overview of The University's expectations regarding respect and civility.

9 REQUIRED MATERIALS

REQUIRED BOOKS

- ★ Fallon, Mark. (2017). *Unjustifiable Means: The Inside Story of How the CIA, Pentagon, and US Government Conspired to Torture*. Regan Arts.
- ★ Kurnaz, Murat. (2009). *Five years of my life: An innocent man in Guantanamo*. Macmillan.

ADDITIONAL READINGS

Mandatory readings will be posted to Blackboard. Students are required to do all the assigned reading. Due to the topical nature of the course material, additional reading will come from newspapers, magazines, et cetera. You are expected to read a newspaper daily. You can choose any paper you would like, but I would recommend one with good international coverage, such as the New York Times www.nytimes.com. If you are particularly interested in this topic and would like to do further reading on it, feel free to ask me for suggestions.

10 TENTATIVE COURSE SCHEDULE

This syllabus is a guide for the course. It is subject to change with advanced notice. Changes may come in class or may come via e-mail. You are responsible for all such communications.

THE HISTORY OF TORTURE

Class 1 (Monday 5/7)

- Beccaria, C. (2009). *On crimes and punishments and other writings*. University of Toronto Press. Chapter on Torture, p. 24-27.
- Hathaway, O. (2008). The promise and limits of the international law of torture. Excerpts posted on BlackBoard.
- Horne, A. (2009). Torture—A Short History of its Prohibition and Re-emergence. *Judicial Review*, 14(2), 155-169.
- **ACADEMIC INTEGRITY QUIZ DUE BY 11:59pm TONIGHT**

Class 2 (Tuesday 5/8)

- Hill, G. (2008). Understanding the UN Treaty Against Torture. *Corrections Compendium*, 33(2), 28-29.
- MacMaster, N. (2004). Torture: From Algiers to Abu Ghraib. *Race & Class*, 46(2), 1-21.
- Sontag, S. (2004). Regarding the torture of others. *New York Times*, 23(05), 04.

WHY TORTURE?

Class 3 (Wednesday 5/9)

- Blakeley, R. (2007). Why torture? *Review of International Studies*, 33(3), 373.
- Morgan, R. (2000). The Utilitarian Justification of Torture Denial, Desert and Disinformation. *Punishment & Society*, 2(2), 181-196.
- Shue, H. (1978). Torture. *Philosophy & Public Affairs*, 124-143.
- Wantchekon, L., & Healy, A. (1999). The “game” of torture. *Journal of Conflict Resolution*, 43(5), 596-609.

Class 4 (Thursday 5/10)

- Arrigo, J. M., & Bennett, R. (2007). Organizational Supports for Abusive Interrogations in the War on Terror. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 411-421.
- Crelinsten, R. D. (2003). The world of torture: A constructed reality. *Theoretical Criminology*, 7(3), 293-318.
- Fiske et al. (2004). Piece in Social Psychology Policy Forum, 1482-1483.
- Levinson, S. (2003). The debate on torture. *Dissent*, 79, 79-94.
- Loftus, E. F. (2011). Intelligence gathering post-9/11. *American Psychologist*, 66(6), 532.
- Milgram, S. (1963). Behavioral study of obedience. *The Journal of Abnormal and Social Psychology*, 67(4), 371.

Class 5 (Friday 5/11)

- Bueno De Mesquita, B. B., Cherif, F. M., Downs, G. W., & Smith, A. (2005). Thinking inside the box: A closer look at democracy and human rights. *International Studies Quarterly*, 49(3), 439-458.
- Goodliffe, J., & Hawkins, D. G. (2006). Explaining commitment: States and the convention against torture. *Journal of Politics*, 68(2), 358-371.
- Rejali, D. (2009). *Torture and democracy*. Princeton University Press. Excerpts posted on

BlackBoard.

• **QUIZ 1**

TORTURE, DEMOCRACY, AND COUNTERTERRORISM

Class 6 (Monday 5/14)

- Conrad, C. R., & Moore, W. H. (2010). What Stops the Torture?. *American Journal of Political Science*, 54(2), 459-476.
- Davenport, C., & Armstrong, D. A. (2004). Democracy and the violation of human rights: A statistical analysis from 1976 to 1996. *American Journal of Political Science*, 48(3), 538-554.
- Hoffman, P. (2004). Human rights and terrorism. *Human Rights Quarterly*, 26(4), 932-955.
- Mialon, H. M., Mialon, S. H., & Stinchcombe, M. B. (2012). Torture in counterterrorism: Agency incentives and slippery slopes. *Journal of Public Economics*, 96(1), 33-41.

Class 7 (Tuesday 5/15)

- Conrad, C. R., Hill Jr, D. W., & Moore, W. H. (2017). Torture and the limits of democratic institutions *Journal of Peace Research*.
- Dreher, A., Gassebner, M., & Siemers, L. H. (2010). Does terrorism threaten human rights? Evidence from panel data. *Journal of Law and Economics*, 53(1), 65-93.
- Gordon, A. F. (2006). Abu Ghraib: imprisonment and the war on terror. *Race & Class*, 48(1), 42-59.
- Hafner-Burton, E. M., & Shapiro, J. N. (2010). Tortured Relations: Human Rights Abuses and Counterterrorism Cooperation. *PS: Political Science & Politics*, 43(03), 415-419.
- Piazza, J. A., & Walsh, J. I. (2010). Physical integrity rights and terrorism. *PS: Political Science & Politics*, 43(03), 411-414.

Class 8 (Wednesday 5/16)

- ★ Fallon, Mark. (2017). *Unjustifiable Means: The Inside Story of How the CIA, Pentagon, and US Government Conspired to Torture*. Regan Arts.

THE ETHICS, EFFICACY, AND LEGALITY OF TORTURE

Class 9 (Thursday 5/17)

- Bellamy, A. J. (2006). No pain, no gain? Torture and ethics in the war on terror. *International Affairs*, 82(1), 121-148.
- Blakeley, R. (2011). Dirty hands, clean conscience? The CIA inspector general's investigation of enhanced interrogation techniques in the war on terror and the torture debate. *Journal of Human Rights*, 10(4), 544-561.
- Ramsay, M. (2006). Can the torture of terrorist suspects be justified?. *The International Journal of Human Rights*, 10(02), 103-119.
- Soufan, A. (2018). Telling the Truth About CIA Torture. *The Atlantic*
- Suedfeld, P. (2007). Torture, interrogation, security, and psychology: Absolutistic versus complex thinking. *Analyses of Social Issues and Public Policy*, 7(1), 55-63.

Class 10 (Friday 5/18)

- Allhoff, F. (2009). The war on terror and the ethics of exceptionalism. *Journal of Military Ethics*, 8(4), 265-288.
- Arrigo, J. M., & Wagner, R. V. (2007). Psychologists and Military Interrogators Rethink the Psychology of Torture. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 393-398.
- Fallon, M. (2014). Collaboration Between Practice and Science Will Enhance Interrogations.

Applied Cognitive Psychology, 28(6), 949-950.

- Khader, M. (2014). Information Gathering: Practical Concerns. *Applied Cognitive Psychology*, 28(6), 947-948.
- Skoll, G. R. (2008). Torture and the Fifth Amendment Torture, the Global War on Terror, and Constitutional Values. *Criminal Justice Review*, 33(1), 29-47.
- Sullivan, C. M. (2014). The (in) effectiveness of torture for combating insurgency. *Journal of Peace Research*.
- **QUIZ 2**

ATTITUDES TOWARD TORTURE & THE ROLE OF MEDIA

Class 11 (Monday 5/21)

- Carlsmith, K. M. (2008). On justifying punishment: The discrepancy between words and actions. *Social Justice Research*, 21(2), 119-137.
- Carlsmith, K. M., & Sood, A. M. (2009). The fine line between interrogation and retribution. *Journal of Experimental Social Psychology*, 45(1), 191-196.
- Conrad, C. R., Croco, S. E., Gomez, B. T., & Moore, W. H. (2017). Threat Perception and American Support for Torture. *Political Behavior*, 1-21.
- Gronke, P., Rejali, D., Drenguis, D., Hicks, J., Miller, P., & Nakayama, B. (2010). US public opinion on torture, 2001-2009. *PS: Political Science and Politics*, 43(3), 437-444.
- Janoff-Bulman, R. (2007). Erroneous assumptions: Popular belief in the effectiveness of torture interrogation. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 429-435.
- Mayer, J. (2005). Outsourcing torture: the secret history of Americas Extraordinary Rendition Programme. *The New Yorker*, 14.
- Redlich, A. D. (2007). Military versus police interrogations: Similarities and differences. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 423-428.
- Semel, M. D. (2008). 24 and the Efficacy of Torture.

Class 12 (Tuesday 5/22)

- Crandall, C. S., Eidelman, S., Skitka, L. J., & Morgan, G. S. (2009). Status quo framing increases support for torture. *Social Influence*, 4(1), 1-10.
- Gray, K., & Wegner, D. M. (2010). Torture and judgments of guilt. *Journal of Experimental Social Psychology*, 46(1), 233-235.
- Kearns, E. M., & Young, J. K. (2017). "If Torture Is Wrong, What About 24? Torture and the Hollywood Effect." *Crime & Delinquency*.
- Moghaddam, F. M. (2007). Interrogation policy and American psychology in the global context. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 437-443.
- Nordgren, L. F., McDonnell, M. H. M., & Loewenstein, G. (2011). What constitutes torture? Psychological impediments to an objective evaluation of enhanced interrogation tactics. *Psychological Science*, 22(5), 689-694.
- Norris, J. I., Larsen, J. T., & Stastny, B. J. (2010). Social Perceptions of Torture: Genuine Disagreement, Subtle Malleability, and In-Group Bias. *Peace and Conflict*, 16(3), 275-294.
- O'Brien, E., & Ellsworth, P. C. (2012). More Than Skin Deep Visceral States Are Not Projected Onto Dissimilar Others. *Psychological Science*, 23(4), 391-396.
- Opatow, S. (2007). Moral exclusion and torture: The ticking bomb scenario and the slippery ethical slope.
- Tarrant, M., Branscombe, N. R., Warner, R. H., & Weston, D. (2012). Social identity and perceptions of torture: It's moral when we do it. *Journal of Experimental Social Psychology*, 48(2), 513-518.

THE IMPACT OF TORTURE: LOCALLY AND GLOBALLY**Class 13 (Wednesday 5/23)**

- Mollica, R. F. (2004). Surviving torture. *New England Journal of Medicine*, 351(1), 5-7.
- Oosterhoff, P., Zwanikken, P., & Ketting, E. (2004). Sexual torture of men in Croatia and other conflict situations: an open secret. *Reproductive Health Matters*, 12(23), 68-77.
- Piwowarczyk, L., Moreno, A., & Grodin, M. (2000). Health care of torture survivors. *JAMA*, 284(5), 539-541.
- Sanders, J., Schuman, M. W., & Marbella, A. M. (2009). The epidemiology of torture: a case series of 58 survivors of torture. *Forensic Science International*, 189(1), e1-e7.
- Vallacher, R. R. (2007). Local Acts, Global Consequences: A Dynamic Systems Perspective on Torture. *Peace and Conflict: Journal of Peace Psychology*, 13(4), 445-450.

Class 14 (Thursday 5/24)

★ Kurnaz, Murat. (2009). *Five years of my life: An innocent man in Guantanamo*. Macmillan.

• QUIZ 3**Class 15 (Friday 5/25)****• FINAL PROJECTS PRESENTED IN CLASS**