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Citizens' Engagement with Torture

An Analysis of Neutralizations

Leigh Dickey

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Introduction

This paper asks how citizens discursively legitimize state torture. It is based on Sykes and Matza's (1957) theory of "techniques of neutralization," or verbalizations that legitimize a moral trespass. I found that use of neutralizations, such as denial of the victim, permit both indifference to and ignorance of torture. Determining the neutralizations used by individuals condoning torture illuminates the relationship between citizens and actions taken by the state on their behalf.

Torture and Citizen Tolerance

Torture was first codified as a violation of human rights in the United Nations' Universal Declaration of Human Rights (UDHR) in 1948. Article 5 of the UDHR stipulates that "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Subsequent covenants, the most important of which are the International Covenant on Civil and Political Rights (ICCPR) and the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), have affirmed this. Torture is also prohibited under international humanitarian law, as laid out in the 1949 Geneva Conventions.

In Article 1 of the ICCPR, torture is defined as

any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.

As a human right, torture is the use of physical or mental harm by authorities of the state, or someone empowered indirectly those authorities; physical or mental abuse perpetrated by individuals not acting on the authority of the state falls under criminal law, not international law.

While some human rights are derogable- that is, they may be suspended by the state "in time of public emergency" (Article 4 paragraph 1 of the ICCPR)- the right against torture is one of a handful of rights that is non-derogable, meaning that it cannot be suspended by the state at any time, for any reason (Article 4 paragraph 2 of the ICCPR).

Despite having been prohibited by international law since the mid-twentieth century, torture is still used by states throughout the world. Though states often claim they use torture to extract from victims information critical to national security, in most cases torture is a form of political repression, rather than intelligence gathering. In fact, torture as a means of gathering accurate information has been established as ineffective (Rejali, 2007, p. 469-479). Thus, torture is revealed as a means by which the state exerts its control over individuals, not as a useful tool of national security. The American public generally condemns torture *per se*, but grants its legitimacy under certain conditions (Gronke et al., 2010).

One of the most puzzling questions concerning modern torture practices is, as Darius Rejali (2007) observes, "How is it that democracy and torture can coexist?" (p. 22). Why do liberal democracies, with their supposed dedication to civil liberties and human rights, continue to tacitly approve the use of torture as an interrogation technique? This approval is especially troubling when it is far from guaranteed "that the prisoner has the information you seek, that the lack of that information will indeed mean someone will die, and that cruel methods extract reliable information" (Conroy, 200, p. 216) in any given situation.

Is the use of torture in liberal democracies the result of the bureaucratization of moral decisions in the modern state, that there is a distance between the opinions of the average citizen and those making day-to-day governing decisions? In *On Violence*, Hannah Arendt (1969) describes bureaucracy as "the rule of an intricate system of bureaus in which no men, neither one nor the best, neither the few nor the many, can be held responsible, and which could properly be called rule by Nobody." "It is this state of affairs," she continues, "making it impossible to localize responsibility and to identify the enemy, that is among the most potent causes of the current world-wide rebellious unrest, its chaotic nature, and its dangerous tendency to get out of control and to run amuck" (p. 35-56).

Such a "state of affairs" makes bureaucratic decision-making easy, because no one- neither bureaucratic workers, army interrogators, elected officials, nor the common voter- is held responsible for the consequences of actions taken. But if responsibility for bureaucratic decisions is easily avoided, so too is responsibility for moral decisions easily denied. Thus the "intricate system of bureaus" protects actors- bureaucrats, elected officials, army personnel, voters- from the consequences of their actions, be they participation in implicated agencies, policy initiatives, following orders, or support for particular candidates. So bureaucratization and the distance between the modern citizen and his or her government muddies the reality of ideal democracy, in which each citizen is responsible for having a working knowledge of the actions of his or her government (Lippmann, 1922).

Then, too, states may keep practices of torture invisible to the public. John Conroy (2000) observes:

In various nations in which notorious regimes have fallen, there has been a public acknowledgement that people were tortured. In democracies of long standing in which

torture has taken place, however, denial takes hold and official acknowledgement is extremely slow in coming, if it appears at all (p. 244).

Yet torture occurs even where citizens know about it, as seen in with the revelation of US torture use in Abu Ghraib and Guantánamo Bay (Cole, 2009). Indeed, one of the most important grounds of the problem of torture is citizen tolerance: why has liberal, democratic states' continued use of torture been tolerated and/or ignored by citizens? Is it because of a lack of information about the practice, purpose, and efficacy of torture? If it is true, as Gronke et al. (2010) assert, "that a majority of Americans were opposed to torture throughout the Bush presidency," why did torture continue to be used by American agents, in direct opposition to the will of the majority of American citizens?

To answer these questions, I set out to determine how American citizens justify torture. Analyzing how individuals justify torture will shed light on how human rights abuses generally are legitimated by members of democratic societies. Such legitimations form the cultural basis for the tolerance of torture by these societies. People's rhetoric about torture is matter of concern because we know that talk is a carrier for culture: as Sykes and Matza (1957) point out, the way people describe circumstances, "these 'definitions of the situation' …are extensions of patterns of thought prevalent in society" (p. 669). We also know that talk conditions action, and that the way individuals speak about something is a good indication of how they will act toward it in future circumstances.

We can understand "politics" and political/state actions only by taking into account peoples' daily realities. The use of language is one such reality, as it will reveal cultural discourses concerning the power of states vis-à-vis the rights of groups and individuals. If we can

discern how people talk about torture, we gain tools for preventing tolerance of torture and therefore, hopefully too, its use.

Methodology

Qualitative interviews with 29 individuals were conducted by a research team consisting of Dr. Lois Presser, Associate Professor of Sociology at the University of Tennessee, Knoxville, and two of Dr. Presser's Sociology doctoral students. Dr. Presser received the University's Institutional Review Board (IRB) approval for this research and for its subsequent transcription and analysis by research assistants. The interviews were one-on-one and took place in Tennessee between June 2009 and August 2010. They took place at varied locations including campus offices, participants' homes, and coffee shops. The participants were Tennessee residents aged 21 to 62, and, other than their uniform state residence, they were diverse in occupation, race, gender, and urban versus rural residence. Interview duration ranged from 29 to 170 minutes. Virtually all of the interviews were digitally recorded, then transcribed for analysis by Dr. Presser, a graduate student in Sociology, and the author of this paper.

The interviewers began each interview by asking research participants to define harm, and then to explain the difference, of any, between harm and violence. Subsequently the interviewers asked participants if a series of actions, such as spanking children, incarcerating convicted offenders, killing animals for meat, waging war, capital punishment, and torture, did harm. Because not all of the 29 participants discussed their views on torture, only 13 interviews are analyzed in this paper. All names used below are pseudonyms.

Though I shared transcribing duties with another student and Dr. Presser, I alone was responsible for the analysis found in this paper. I imported the transcribed interview data from Microsoft Word into N6, a software package for analyzing qualitative data. The first step of the analysis was to code the data according to any themes that answered the questions of whether the participant justified torture and, if so, how: the goal was to illuminate if and where each individual drew the line between acceptable and unacceptable use of torture. After identifying under what circumstances each individual justified torture, and how each spoke about its use, the next step was to group these justifications, using Sykes and Matza's (1957) techniques of neutralization as a guide. I also discovered and identified several techniques not found in previous literature, which I call *knowledge avoidance/denial* and *utilitarianism.* The final step of analysis was to compare the neutralizations I found in my data with those found in previous literature.

Literature Review

In criminology, a *neutralization* is a verbalization that legitimizes a moral trespass. In lay terms it is often called a rationalization or justification: it is the way someone talks about a particular topic to make it okay. Sykes and Matza (1957), the first scholars to use the term, proposed that neutralizations permit juvenile delinquency. For example, would-be delinquents tell themselves that they are not responsible for what they are about to do or that the victim deserves the treatment they are about to mete out. Sykes and Matza's classic paper on "techniques of neutralization" has shaped the way articulations of misconduct have been analyzed for the past half century.

The paper described five "techniques of neutralization" used by juvenile delinquents to legitimate their actions: denial of responsibility; denial of injury; denial of the victim; condemning the condemners; and an appeal to higher loyalties. Subsequent studies of specific crimes such as marijuana smoking, contract killing, white-collar offending, and genocide have shown how neutralizations qualify the moral beliefs that people otherwise hold against norm or law violation. The theory has been modified over the decades, as other researchers have found new techniques of neutralization, and as some of Sykes and Matza's original assumptions have been questioned. This paper investigates people's neutralizations concerning their support for the torture of suspects by government agents.

Sykes and Matza argued that the juvenile delinquent seemed "to be at least partially committed to the dominant social order" because "he frequently exhibits guilt or shame when he violates its prescriptions, accords approval to certain conforming figures, and distinguishes between appropriate and inappropriate targets for his deviance" (p. 666). Departing from contemporary theory, which viewed juvenile delinquency as "a form of behavior based on the values and norms of a deviant sub-culture" (p. 666), Sykes and Matza sought to understand "why men violate the laws in which they believe" (p. 666). They asserted that social values and norms rarely took the "form of categorical imperatives," but were instead "*qualified* guides for action, limited in their applicability in terms of time, place, persons, and social circumstances" (p. 666, original emphasis), and so able to be overturned in certain situations.

Thus, what Sykes and Matza call "neutralizations" are explanations, both to the delinquent him or herself and to society at large, of why particular norm violations are justifiable in a given circumstance. Neutralizations, as Maruna and Copes (2005) point out, work to reduce what Festinger (1957) called cognitive dissonance in an individual, so that contradictions

between the individual's actions and held beliefs do not threaten a "person's self-concept" (Maruna and Copes, 2005, p. 255).

The most common of Sykes and Matza's original five techniques, as Cohen (2001, p.61) observes, is denial of responsibility. Denial of responsibility neutralizes the harmful acts in question by constructing them as "due to forces outside of the individual and beyond his control" (Sykes and Matza, 1957, p. 667). Denial of injury allows the delinquent to believe "his behavior does not really cause any great harm despite the fact that it runs counter to law" (p. 668). The third technique, denial of the victim, neutralizes the possibility of internal and external guilt by asserting that though harm is done, it "is not wrong in light of the circumstances…it is a form of rightful retaliation or punishment" (Sykes and Matza, 1957, p. 668). Denial of the victim also occurs when "the victim is physically absent, unknown, or a vague abstraction," (p. 668).

The next technique, condemning the condemners, shifts the "focus of attention [from the speaker]…to the motives and behavior of those who may disapprove of his violations" (p. 668). The speaker, by using this technique, changes "the subject of the conversation" from "his own deviant impulses" to the actions of others, effectively hiding "the wrongfulness of his own behavior" (p. 668). The final original neutralization technique is an appeal to higher loyalties. With this technique, individuals are caught between conflicting demands of allegiance, and neutralize "internal and external social controls…by sacrificing the demands of the larger society for the demands of the smaller social groups" (p. 669). Sykes and Matza wrote that these neutralizations not only follow delinquent behavior, but also precede it, making it possible (p. 666), though Maruna and Copes (2005), take issue with this aspect of the original neutralization theory.

Albert Bandura, working in psychology, not sociology, identified similar justifications used to neutralize actions. Bandura considered several linguistic devices used to "maintain a sense of morality and violate it too," as Maruna and Copes note (Maruna and Copes, 2005, p. 230). These devices of Bandura's are reminiscent of Sykes and Matza's techniques: "reconstruing the conduct, obscuring personal causal agency, misrepresenting or disregarding the injurious consequences of one's actions, and vilifying the recipients of maltreatment by blaming and devaluing them" (Bandura et al., 1996, p. 364).

Martha Huggins, Mika Haritos-Fatouros, and Philip Zimbardo, working in sociology and psychology, conducted interviews with 14 secret police officers in Brazil who had perpetrated torture and murder, to analyze how they justified such harm. The interviews revealed "four strategies for explaining and excusing atrocity" that are very similar to Sykes and Matza's neutralization techniques: "diffusing responsibility, blaming individuals-whether victims or perpetrators-citing a just cause, and asserting that professionalism had correctly guided their and other's violence" (Huggins et al., 2002, p. 192).

Huggins et al.'s diffusion of responsibility mirrors Sykes and Matza's denial of responsibility. In one instance an officer stated: "some guys died, but I don't know who killed them. There were many guys shooting…I don't know who hit the guy and who [didn't]. You just know that people died. Fortunately it was the other side" (Huggins et al., 2002, p. 199). The officer refuses to take either personal responsibility or to place blame directly on his fellow policemen.

Blaming individuals was a frequent justification for the Brazilian violence workers, as it was in the data below, with Sykes and Matza's denial of the victim. Huggins et al. (2002)

describe blaming individuals as "locating the roots of torture and murder in 'bad' victims," continuing that "some interviewees asserted that violence occurs when victims fail to cooperate with police or through their 'stupidity' or because of their antisocial behavior" (p. 199): in other words, the victims deserve their punishment.

The most common justification seen by Huggins and colleagues was using professionalism as a defense. For the Brazilian police torturers:

> A fundamental assumption of professionalism accounts was that torture or murder were sometimes necessary and acceptable, with those carrying out such violence neither good nor bad but just professionally attuned to their organization's policies and practices to a greater or lesser extent (Huggins et al., 2002, p. 201).

By clinging to their professional identities as a defense, police torturers were able to both reinforce their self-concepts (as professional police) and outsource the responsibility for their questionable actions: as policemen, they were only following the rules of their organization. The least common justification Huggins et al. (2002) encountered was "citing a just cause," which "either legitimized violence to save a life or to save Brazil from an internal enemy" (p. 198). Huggins and her colleagues (2002) point out, though, that Brazil's transition from a nation that accepted the use of torture to one that officially condemns it, in the time between when the police torturers committed their acts and when they were interviewed by the researchers, possibly "reflects a reduction in the cultural and political legitimacy of just war accounts for violence and an increase in the cultural resonance of professionalism for justifying police abuses of power" (p. 207). In other words, the police torturers adjusted their rationalizations to fit the socio-political currents of the time.

John Conroy, in *Unspeakable Acts, Ordinary People,* chronicles the use of torture in several democracies. At the end of his book Conroy (2000) wonders why "notorious regimes" offer "public acknowledgement" of torture when they fall, but in "democracies of long standing…denial takes hold and official acknowledgement is extremely slow in coming, if it appears at all" (p. 244). He describes nine stages of response to accusations of torture that democracies use as a defense to accusations of torture. Though used by societies, not individuals, several of these stages parallel Sykes and Matza's neutralizations.

First, Conroy (2000) states, democracies respond with "complete and absolute denial" and then to "minimize the abuse" (p. 244). Though complete denial of the existence of torture is not seen in the interview data below, it is perhaps similar to Sykes and Matza's denial of responsibility or a parallel I call below knowledge avoidance, indicative of a refusal to face the reality presented by the fact of torture. Conroy's technique of minimizing the abuse echoes Sykes and Matza's denial of injury. Conroy (2000) cites the British Home Secretary as claiming "that there was 'no permanent lasting injury whatever, physical or mental, to any of the men'" in one response to allegations of torture (p. 244). A third response, "to disparage the victims," mimics perfectly Sykes and Matza's denial of the victim, who are called "'thugs and murderers'" (Conroy, 2000, p. 245).

Conroy's (2000) fourth stage rationalizes the use of torture "on the grounds that is was effective or appropriate under the circumstances" (p. 245), neatly mirroring what I describe in the data below as a utilitarian calculus. The fifth response of democracies, "to charge that those who take up the cause of those tortured are aiding the enemies of the state" (Conroy, 2000, p. 245), is not seen in the data analyzed below, but is exactly what Sykes and Matza call condemning the condemners. The sixth defense is that "torture is no longer occurring" (Conroy,

2000, p. 246) and the seventh is that the torture was the result of a "few bad apples" (Conroy, 2000, p. 246), in a justification similar to denial of responsibility.

The claim that "someone else does or has done much worse things" is Conroy's (2000) eighth stage (p. 246.) His ninth, that the "victims will get over it" (Conroy, 2000, p. 246) is similar to his second, in which the government minimizes the abuse done. Both are similar to Sykes and Matza's denial of harm.

Findings

The techniques described by Sykes and Matza and others concern the rationalizations of harm caused by the speaker him or herself. In the interviews analyzed in this research, the speakers were asked first about their conceptions of "torture" in general, and then specifically about their opinions concerning torture done by government agents to others; that is, they were both justifying (or, in a few cases, condemning) the actions of others as well as justifying their support for those actions. I have come across no study of 'third-party' neutralizations – where a speaker offers accounts for another's actions.

Of the thirteen interviews analyzed for this project, nine of the thirteen interviewees use at least two types of neutralizations; five of those nine used three or more. Three of Sykes and Matza's neutralizations proved salient, denial of victim, denial of responsibility, and denial of injury. Individuals also used two additional justifications, not found in Sykes and Matza's original work, which I call here *knowledge avoidance/denial* and *utilitarianism*. No individuals used appeal to higher loyalties or condemning the condemners. Two speakers used denial of

injury. Two speakers insisted that torture was never acceptable, no matter the circumstances. The remaining eleven speakers qualified their approval of torture with varying conditions.

In addition to identifying four defenses used by police torturers, Huggins et al. also sorted the justifications into a "system of moral reckoning that defined some atrocity as acceptable, some as unacceptable but understandable, and some as totally unacceptable" (Huggins et al., 2002, p. 192). This is a useful system of categorization, and is mirrored almost exactly, though phrased differently, in the data below. In fact, most of the discourse of the speakers analyzed below is concerned with not just neutralizing torture but drawing precisely these lines, determining where the use of torture can even be justified in the first place. Huggins observes, "each interviewee's moral calculus was sufficiently flexible to make violence acceptable in one situation, excusable in another, and totally unacceptable in a third" (Huggins et al., 2002, p. 205). This paper attempts to show exactly how that flexibility manifests.

Denying Victims, Harms or Responsibility

One of the most commonly invoked neutralization techniques involved denying the victim of torture. Though harm is done, it "is not wrong in light of the circumstances…it is a form of rightful retaliation or punishment" (Sykes and Matza, 1957, p. 668). Denial of the victim also occurs when "the victim is physically absent, unknown, or a vague abstraction" (Sykes and Matza, 1957, p. 668), as is most often the case with torture victims. Rick was concerned when the US military's use of torture came to light not because he objected to the practice, but because the US use of torture on Iraqi combatants made Iraqis "fight and kill 'til they get killed." He never mentioned the individuals tortured, assuming from their status as combatants that they

deserved the treatment. Ali also assumed that, "if you're in the military, I think you're sort of saying 'I understand if I get captured, there's a chance I'm gonna be tortured. I'm still gonna sign up,' so."

George alone asserted that torture "as a tool to get information" was never justified, because "it doesn't work," but that it would be permissible as a form of deserved punishment: "this is kinda sick but, the only time I can see justifying torture is if you're doin' it just to hurt the person 'cause you think they deserve it…if you think they – they're – they are owed it for some unbelievably bad thing they did…" Matt's primary neutralization technique was a utilitarian calculus, but in describing a situation in which the use of torture would be appropriate, he specified that "you know, it's inhumane to torture somebody but – if they've been involved in somethin' hideous and…if it was gonna save hundreds of lives an' – it was a known terrorist in-in that situation, it'd be awful hard to say no," implying that the identity of the individual to be tortured as someone who had "been involved in somethin' hideous" and "was a known terrorist" mattered in his decision of whether torture would be appropriate. Likewise, Michelle, in reference to child molesters, emphasized the identity of the victim in endorsing harm: "Torture torture, ah'm like I said – especially with child molesters, I think death is too good. I think – whatever they did to that child, they need to do it ten times as bad." Thus for some of the speakers the torture victims are either denied personhood or deserving of their punishment.

Caitlin and Robin both used denial of injury. Caitlin maintained that there is "a difference between mental harm and physical harm" and between temporary harm and permanent harm:

> If it's something you know is going to be temporary – ya know – I think – something
> that's not gonna cause them any lasting, then that would be – that would be okay…I think

it's gotta be something temporary, and – if it's gonna be mental. It's gotta be something men- temporary…Something that won't cause them lasting harm.

Caitlin neutralized her support for the harm caused by torture by saying it was permissible only when the damage caused was mental and temporary. When asked what should be done to get information out of a detainee, Robin replied, "Um. That's really uh – that's really hard. Uh. I don't know: maybe withhold food and water. Make 'em wear pink underwear," both trivializing the potential harm torture could cause to a victim, and refusing to engage the concept in critical thought.

The only individual to use denial of responsibility as a neutralization, Caitlin claimed that, though "we have a responsibility to treat people humanely…especially when it comes to prisoners of war…a lot of times [torture] happens to do with emotions, like they're just really mad or something and so people start doing things." As her phrasing shows, denial of responsibility neutralizes the harmful acts in question by constructing them as "due to forces outside of the individual and beyond his control" (Sykes and Matza, 1957, 667). Though this exact technique was used only by Caitlin, several speakers used two variations of it, what I will call denial of knowledge and knowledge avoidance.

Knowledge Denial and Avoidance

Denial of knowledge frees speakers from responsibility for their statements: as they claim to not know much about a given topic, they are protected from rebukes for whatever they may say subsequently. Matt, when asked to relate his views on the use of torture, claimed "I can't say that I'm highly educated in the situation. I haven't read all the news," though he later provides

conditions on which the use of torture would be justified. Matt's denial of personal knowledge of the subject exempts him from responsibility for the use torture, and later emboldens him to describe certain conditions in which torture would be justifiable. Julianna uses denial of knowledge in conjunction with knowledge avoidance: she first says that she does not believe torture is necessary, then questions her opinion because the military indeed uses it, and then denies having a valid opinion on the subject, because "I've never been in that kind of situation. It's just what I hear – over the news and stuff."

Phil, Theresa, Ali, Robin, and, again, Julianna all use the neutralization of knowledge avoidance, refusing to critically reflect on the topic. Robin, as mentioned above, avoided thinking about torture by joking about it. When asked if "torture should ever be used," she said, "probably not." When pressed for an answer, though, in a situation in which "somebody had information…about a bombing," Robin answered, "Um. That's really uh – that's really hard. Uh. I don't know: maybe withhold food and water. Make 'em wear pink underwear."

Most individuals who used knowledge avoidance either deferred to other agents to approve or disapprove of torture *for* them, or accepted the use of torture simply because it is used by trusted agents (in this case, agents acting on behalf of the state). Though these speakers did not have the professional justification to fall back on that Huggins' interviewees did, several do assert an unquestioning trust in experts, similar to the police torturers' failure to question whether "torture and murder were sometimes necessary and acceptable" (Huggins et al., 2002, p. 201).

Ali did not approve of "torturing for the sake of torturing," but then hesitated and qualified her answer, saying that "not being a military person, I don't really know how that

works." Similarly, Julianna at first believed "there's probably other ways of getting the information out of [prisoners], than torturing them." Later in the interview, though, she submitted her own views to the views of the state and claimed, "I could be wrong because I know the military uses this – torture sometimes." Theresa was asked if "this acceptable based on an expert- expertise kind of position," and replied that torture would be acceptable if it was done by "somebody that- that could handle the rules correctly," and then added that we would just have to "hope the rules are written well."

For Phil, the fact that he had "listened to a little bit experts here talk about" torture gives him confidence to create intricate boundaries for allowing torture, even though he admits, "I've heard some people say torture just isn't really – I mean we've got reason to think it's not a – a reliable way to get information." This, though, did not prevent Phil from thinking, "if you did in a particular case think okay, if we waterboard this person enough this person's gonna give us information that's gonna –I mean it's gonna be true – it's gonna be true information that's gonna lead us to save a bunch of people. That could be justified." Most individuals using knowledge avoidance depend on experts for their opinions, but Phil uses the fact that he has listened to expert opinion to give legitimacy to his own opinion, even though his conclusions differ from what he has heard from the experts.

Utilitarian Calculus

The most common neutralization used by the speakers interviewed in this research was what I will call a utilitarian calculus. When using this neutralization, the speaker claimed that he or she made a decision that did the least harm. Support for one type of harmful action (in this

case, torture) over another (not using torture) is justified because it is reckoned that not using

torture would potentially cost many lives, while the use of torture would harm only the torture

victim.

Six speakers, Ali, Caitlin, Jeff, Matt, Michelle, and Phil, claimed that if torturing a

suspect would garner useful information and save lives, it would be "'acceptable,' if not 'right'"

(Sykes and Matza, 1957, p. 667). The speakers still viewed torture as harm, and were reluctant to

describe torture as permissible: appealing to a greater good allowed them to neutralize their

support for torture. For example, Jeff claimed that for something (torture) to be justified,

something useful must come out of it:

> So, with torture, I mean – unless it – unless you trying to get some information like I see
> on TV. You know, they're trying to get information from the enemy or somethin' like
> that. Tccsh. I really – ya know – I can see that as being justified, because the ends
> justify the means type thing. But if it's just torture for the fun of it? That's – that's not
> cool.

Matt similarly claimed that the decision to torture someone is "a balance. It- the- it's like a

moral balance." Although "it's inhumane to torture somebody," Matt continued, "if they've been

involved in somethin' hideous and you're doing it to save hundreds of lives, you got to – to me a

moral debate of what's more humane: the hundreds of lives or. That to me is a balance." Such

phrasing, which couches approval in terms of numbers, is typical of the utilitarian neutralization.

Caitlin is another example of how individuals using a utilitarian calculus were careful to

draw the lines of their support: they would support the use of torture, but only a "very very small

number of times, maybe," and it "really depends – on the situation." Caitlin again mentioned the

possibility of obtaining "information about American people…" and echoes Matt's instinct to

give voice to some number of people that would justify the decision, "Like something that would definitely harm like a (light chuckle) ma- ya know, a lot of American people. Ya know, even – maybe smaller – ya know – smaller population, ya know. Then I think like that is maybe the one case in which it could be used."

Phil similarly mentioned the possibility of acquiring "information" as an underlying justification for using torture. Torture "can be justified," said Phil, if "you've got excellent reason to think that this torture will get you information that will save enough. I mean that will bring about in – that will – secure a high quality enough good. So – will save enough innocent people long-term." Several individuals seemed hesitant when using utilitarianism as a neutralization. Ali did not accept "just torturing for the sake of torturing," but ultimately allowed the use of the technique, maintaining, "I don't know how you would get information that you need without doing that."

The utilitarian neutralization is much like Sykes and Matza's appeal to higher loyalties, one of the two Sykes and Matza techniques not used by any of the interviewees. Appeal to higher loyalties is used by delinquents who find themselves caught between the conflicting demands of two groups, for example "the claims of friendship and the claims of the law" (Sykes and Matza, 1957, p. 669). While the delinquent does not necessarily reject society's norms, "other norms, held to be more pressing or involving a higher loyalty, are accorded precedence" (Sykes and Matza, 1957, p. 669) by the individual. At first glance the utilitarian justifications seem similar to this original technique, in that the individual prioritizes one consideration, the lives of an indeterminate number of potential "victims," over another, the welfare of the torture victim. In fact, though, the utilitarian determination prioritizes one consideration over another in an attempt to minimize the potential harm, not out of loyalty to one group over another.

Though this utilitarian calculus was the most common justification in the data analyzed, its parallel in Huggins et al.'s research, "citing a just cause" (Huggins et al., 2002, p. 198) was, as mentioned above, the least common justification seen. The difference in use may be a result of the difference in the identity of the speakers and the torturers. In the data analyzed in this paper, individuals are neutralizing the use of torture by other individuals, government agents acting on their behalf. In some cases Huggins and colleagues' interviewees are neutralizing harm they did themselves, and in some cases they are neutralizing harm done by their partners or fellow policemen. Further study is needed to determine why certain neutralization techniques prove more salient in a given circumstance than others.

None of the speakers used the Sykes and Matza neutralization technique of condemning the condemners, which involves changing the "focus of attention [from the speaker]…to the motives and behavior of those who may disapprove of his violations" (Sykes and Matza, 1957, p. 668). This may be a result of the interview environment: the speaker did not feel personally attacked by the interviewer's questions and had no "need" to respond aggressively. Research settings have a discernible effect on the accounts that speakers give (Presser, 2004).

Two of the speakers, Don and Ann, asserted that torture should never be used. Don stated immediately, "I don't believe in torture." When presented with a situation in which the potential torture victim "has information that will harm or kill many…if he's got – knows of a plan where many people are going to die – um – and he won't talk," Don replied, "I really really don't believe torture is the way to go...I mean yeah, you need to get the information but torturing is wrong. There's got to be other ways to do it than to torture." Ann, in the midst of a conversation concerning whether or not it was permissible to kill someone to prevent them from killing others, brought up of her own accord that such an individual, "If they were captured …should be

incarcerated. Um. Should they be tortured? No. I don't believe that. I don't believe that

torture in any form should be – tolerated. It's a hard emotional decision." A larger sample is

needed to determine the extent to which Don and Ann truly express a minority view.

Conclusions

From the interviews analyzed in this paper, several conclusions can be drawn. First,

individuals defer to other agents to justify the latter's use of torture. In many cases the speakers

claimed an absence of knowledge on the topic, and then fell back on a default position of trust in

the state. This default trust in decisions made by government agents reinforces both Arendt's

theory of the banality of evil and Weber's conception of the bureaucratization of moral decisions

in the modern state. Individuals permit the harm caused by torture both because of the

psychological distance between themselves and said harm (Arendt, 1963), and because, simply,

the state has a monopoly on violence (Weber, 1968). Because the state has a monopoly on the

use of legitimate violence, when the state uses torture, and individuals have no other framework

with which to judge the legitimacy of torture, torture is deemed to be a legitimate use of

violence. One question that deserves further study is why absence of knowledge of a topic - in

this case, torture - leads to initial endorsement of the harmful act, rather than its rejection.

More research is also needed to establish why certain neutralization techniques prove

more salient in a given circumstance than others. Such information would help determine

whether widespread education about the nature of torture could effectively prevent tolerance of

it. Would, for example, the information that torture is used most often as a tool of repression, not

information gathering, and that regardless, the information gained by use of torture is not

reliable, effectively preclude the use of the most common neutralizations seen, those involving a utilitarian calculus? Would more information on the exact techniques used, and personal information about the victims, prevent the use of denial of injury or denial of the victim? Gronke et al.'s (2010) analysis of public opinion data on torture seems to imply that it would. They found that the more vaguely a poll was worded, such as asking about "harsh interrogation techniques" rather than "torture," the higher the percentage (55% in favor) of the approval rating of use. When asked to approve specific techniques, though, such as "electric shock…waterboarding… sexual humiliation" or "punching/kicking," approval was much lower, between 19% and 40%, depending on the technique (Gronke et al., 2010, p. 440-441).

The speakers analyzed in this paper were neutralizing not just their actions- support for the use of torture- but also the actions of others- torture by government agents acting on their behalf. Most individuals do not have the time or reason to reflect on either the reliability of or the effects of torture. As Crelinsten (2005) writes:

> Torture thrives because those in power and those who execute their power within state bureaucracies, the military, the police and, ultimately, the media and the education system, condition people to believe certain things, to think in certain ways and hence to act towards others in certain ways- and to vote for like-minded people in general elections (p. 77).

The neutralizations found in my research support this claim: torture seems to thrive in liberal democracies in part because most citizens know very little about it and do not pursue knowledge.

This, though, is a situation that can be changed. In analyzing the relationship between political activity and individual cognitive schemas, David Kertzer (1988) related a point made by political philosopher Michael Walzer, that "with the increase in the size of the state and the growth of bureaucracy…politics is transformed 'from concrete activity into what Marx once

called the fantasy of everyday life'" (p. 8). If the problem identified here is that citizens are neither informed about nor critical of government interrogation techniques, it is reasonable to believe that a better informed citizenry could alter the state's use of torture. Critical education at all levels - and not just at the university - as well as a free media not beholden to corporate or state interests, are essential. The ambiguity of concepts like "torture techniques" or "suspect," combined with a lack of knowledge about the usefulness of torture for gathering intelligence, prevent citizens from thinking critically about torture. Were citizens educated about the "concrete activity" of torture, and information about its use by the state freely and easily accessible, it might no longer be tolerated.

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