<u>M)U(</u>

Algiers, Abu Ghraib, and the Persistence of Torture

Kristine Gift Coe College

"Torture was imposed here by circumstances and by racial hatred. In some ways it is the essence of the conflict and expresses its deepest truth."

The French-Algerian War of the 1950s and 1960s and the recent American war in Iraq were, at their root, Western powers fighting against a racially and ethnically different urban-guerrilla, terrorist enemy—the Front de Liberation Nationale in Algeria and al Qaeda and Taliban members in Iraq. Both wars began in a time of violent upheaval for both France and the United States, with France still suffering the loss of a war and their colony in Indochina and the United States reeling from the terrorist attacks of September 11, 2001.

The introductory quote was written in 1958 by Jean-Paul Sartre as part of the introduction to the famous book *The Question* by Henri Alleg. Most of what Sartre writes to introduce Alleg's account of his time as a prisoner in Algeria, during which time Alleg was subjected to extreme methods of interrogation and torture, can also be applied to the actions of the American military in Iraq, specifically at Abu Ghraib prison. In Algeria, prisoners were subjected to electric-shock torture and simulated drowning, strung up in painful positions for long periods of time, and often denied clothing for days or even weeks on end.² Detainees at Abu Ghraib prison were also subjected to electrical torture, were led around blind-folded and naked, handcuffed to doors or furniture in uncomfortable or painful positions for long periods of time, and in some cases, threatened with barking dogs, death to themselves, or death to their family members.³ Then there were leaked photographs from Abu Ghraib depicting naked male detainees being forced to simulate oral sex with each other, arrange themselves in a naked pyramid, or being led around like a dog by prison guards. By their respective governments, these behaviors were labeled as "abuses" or "maltreatment," but never what they truly were—torture.

A great number of books and articles address only torture in Algeria or in Iraq, rather than looking at them together, because the war on terror in Iraq is such a relatively new topic of study. Many works that I have used in my research discuss only one war and have been referenced by the small number of scholars who have compared and contrasted the conflicts in Algeria and Iraq. Renowned books in their field of study that have significantly influenced this research are *Torture: The Role of Ideology in the French-Algerian War* by

Rita Maran⁵, *Torture and the Twilight of Empire* by Marnia Lazreg⁶, and *Torture and Truth* by Mark Danner.⁷

The comparison of the justification and ideology behind the use of torture in Algeria and at Abu Ghraib is not something which has gone unexplored in recent scholarship. Neil MacMaster, in the article "Torture: from Algiers to Abu Ghraib," directly links the two conflicts in his discussion of modern torture. Brian Lawatch, in the article "Legitimizing Torture," compares and contrasts the ideological attitudes behind the two conflicts from the accounts of the soldiers involved and the military and government officials, as well as their use of an ideological mission in both conflicts which fostered an acceptance of torture among the troops.

My research takes a slightly different approach to the joint analysis of the justifications of torture by the French in Algeria and Americans at Abu Ghraib. By using government documents and newspaper articles from both relevant time periods, I analyze the way that the French and American governments and militaries discussed the use of torture in a way that they could avoid the prohibition of torture (banned in 1949 by the Geneva Conventions) and justify torture to themselves. Newspaper articles, predominately from the *New York Times*, and translations from Maran's book and Alistair Horne's *A Savage War of Peace*¹⁰ provided sufficient translations of French commentary on the use of torture in Algeria. *New York Times* articles and documents found in Danner's collection, as well as *The Torture Papers*, edited by Karen J. Greenberg and Joshua Dratel, ¹¹ include several documents that provide insight into the attitudes of the American government and their condoning of torture in Iraq.

The paper will discuss the origins of the conflicts in Algeria and Iraq and analyze the attitudes of the French and American governments and militaries. I will then compare and analyze the similarities between the French and American government attitudes and ideologies because, while there are differences in the origins of the conflicts, there are surprising similarities in the justifications of the officials who condoned torture and their response to accusations of torture in the media. Through this paper, I will also emphasize the illegality of the actions of the French and Americans in their respective conflicts.

By revealing the similarities between the actions and reactions of the French and American governments relating to torture, I will demonstrate a trend of governmental attitude regarding torture in the modern world. This attitude is one that governments adopt to make themselves seem exempt from international laws prohibiting torture. This includes ideas of unprecedented circumstances of warfare and an enemy that does not fit the bill for protection by international regulations. The persistence of the ideas that allowed torture to be utilized by France and the United States, as demonstrated by this paper, presents an unsettling trend in modern warfare. France and the US are two major players on the world stage, and when other countries see them bending and breaking international laws, it allows for them to "look for technical"

'loopholes' in future conflicts" which only allows for torture to continue as a tactic in today's wars.¹²

Conflict, Revolution, and Counterinsurgency in Algeria

From the time that the governor of Algiers surrendered to French forces on July 5, 1830, until Algeria won its independence from France on July 3, 1962, there was fairly constant conflict between the French colonizers and native Algerians. Between 1830 and 1871, the French had to rule Algeria predominately by force due to strong resistance from native Algerians, religious sects calling for holy war, and indigenous leaders forming strong, armed opposition to their occupier. This was exacerbated by social issues that emerged between 1840 and 1870 that created a gulf between the native Algerians and their European neighbors.¹³

First there were changes to land ownership laws which allowed the French to seize desirable land in the most fertile areas of the country and redistribute these lands to wealthy Europeans. This destabilized both the national economy and the lives of native Algerians. Eventually the rural population of Algeria became "dependent on moneylenders and credit merchants in times of scarcity." With only seven acres of inferior terrain per farm to feed a family and make a living, times were continuously hard. Then, to add insult to injury, in 1870 Muslims were denied naturalization to France while Jewish-Algerians were allowed to become citizens. The Muslim-Algerian population felt that the French government had belittled them by denying them French citizenship. 15 From 1870 until 1920, Algerians, like many others in occupied Arab states, clung to the hope of an Arab nation, but these hopes were crushed with the disintegration of the Ottoman Empire after World War I. This led to the "birth and development of a consciousness of national independence, then of solidarity among Arabs against a common enemy: the foreign powers that dominated them."16

These nationalist aspirations were put on hold when World War II came to the nation on March 7, 1944. For the remainder of France's involvement in World War II, Muslim-Algerians were given access to all civilian and military positions, their representation in local assemblies was increased, and measures of exclusion against the native population were abolished. But these changes came to an end with the armistice ending WWII, signed on May 8, 1945. This led to an uprising of Muslim-Algerians against European-Algerians and French authorities. The French began a war of reprisals on May 10 which became a massacre lasting for several days, during which fifteen to forty-five thousand Muslim-Algerians died. This brief conflict between Muslim-Algerians and the French led to a palpable tension between the two populations that persisted for the next nine years, culminating in the French-Algerian War.

The French-Algerian War began between midnight and two o'clock a.m. on November 1, 1954, when the Front de Liberation Nationale (FLN) initiated thirty near-simultaneous explosions, fires and commando attacks

across Algeria, targeting the French police and military. By the morning, French authorities had realized "the existence of a concerted, coordinated movement" of resistance. In March, 1955, the French National Assembly declared the situation in Algeria a state of emergency. The French government gave the army and its appointed police force the power to remove "contaminated populations to settlement camps" as well as control over police and judicial powers. The French military police suspended local elected officials whose views contrasted with those of the French government, censored the press, radio and television, and instated curfews on Muslim neighborhoods and placed checkpoints between Muslim and European regions of the city of Algiers. According to Marnia Lazreg, it was this "surrender of police and administrative powers to the military [that] was a crucial step in establishing torture as a central component of the war" because it seemed to be the only way to promote their own mission while demolishing that of the terrorist revolutionaries.

The French military began utilizing torture during the battle for Algiers in 1956 as a way to prevent hit-and-run style terrorist attacks and future bombings targeted at the French police and European citizens. Because they were fighting a subversive guerrilla force, anyone could be the enemy. Thus torture "became a standard method for screening individuals picked up during roundups, identity checks, or operations" conducted by the French police.²² In the end, torture won the French several battles, but ultimately lost them not only Algeria, but some credibility on the world stage, as they denied and censored evidence of their use of torture.

The American War on Terror in Iraq

Unlike the French-Algerian War, which took over a century to come to fruition, the war on terror began almost overnight after the infamous attacks of September 11, 2001. The terrorist attacks on the World Trade Center and the Pentagon shook an entire nation out of complacency and into fear, terror, and outrage. This led to a speedy invasion of Afghanistan in early October, 2001, because it was harboring al-Qaeda and Taliban members. Almost as a kneejerk reaction to the calamitous events of September 11, President Bush introduced to the American people what was known as the "Bush Doctrine." The Bush Doctrine was in part a national security defense mechanism that gives the U.S. government unprecedented authority to "preemptively" attack any perceived enemy or force, be they "terrorist organizations with global reach, weak states that harbor and assist such terrorist organizations, [or] rogue states," including al-Qaeda, the Taliban, and the "rogue state" of Iraq. 24 The Bush Doctrine also stressed the importance of recognizing the imminent threat of these foreign forces and the need to respond quickly and fully to their opposition to the United States. They claimed that this unparalleled authority of the government was a justifiable response to an unprecedented threat to American national security.²⁵ Under this doctrine, the American military invaded Iraq in

March, 2003, to look for weapons of mass destruction. Suspected terrorist organization members were arrested and taken to American facilities within Iraq, including Abu Ghraib prison.

The American government quite seriously considered how to treat prisoners of war in Afghanistan, and these policies transferred to the conflict in Iraq two years later. President Bush's legal advisor, Alberto R. Gonzales, advised the president that the Third Geneva Conventions regarding the treatment of prisoners of war did not apply to the conflict with al-Qaeda and the Taliban. 26 Gonzales justified the disqualification of these two organizations from being protected by the Geneva Conventions because both were militant, terrorist organizations without a dedicated state, and so the Geneva Conventions could not apply because they were not High Contracting Parties.²⁷ In his memo to the president, Gonzales said that this stance would help preserve the flexibility of the military in this new type of war in which the U.S. found itself involved. He said this new type of war "renders obsolete Geneva's strict limitations on questioning of enemy prisoners and renders quaint some of its provisions..."28 However, Gonzales did note that a negative aspect of taking this stance would be that it would "provoke widespread condemnations" and "encourage other countries to look for technical 'loopholes' in future conflicts," just as the United States was doing.²⁹ Despite this negative and possibly far-reaching consequence, on February 7, 2002, President Bush accepted "the legal conclusion of the Department of Justice" and determined that "none of the provisions of Geneva apply to our conflict with al-Qaeda in Afghanistan or elsewhere throughout the world...."30 As will be discussed later, this decision to disregard the Geneva Conventions regarding the treatment of prisoners of war opened the doors for later maltreatment, abuse, and torture of prisoners in Abu Ghraib prison.

France, America, and Torture

Though the French used torture in Algeria years before the Americans used torture in Iraq, they can still be paired together to observe what has—or more often, has not—changed in post-Geneva Conventions warfare in regard to the justification of torture by prominent governments. By looking at the way the French and American governments discussed or avoided discussing torture and used censorship or denial to avoid admitting to using torture, it is possible to see tactics of maneuvering around "torture" rhetorically. And by looking at the type of warfare, enemy, and national mission that was involved, we can identify the types of circumstances that governments decide do not qualify as a war or enemy that falls under the provisions of the Geneva Conventions, and how those decisions are affected by a national perspective on what is most necessary to be protected: national aims or international rights. Many of these things did not change between the war in Algeria in 1954-1962 and the war in Iraq beginning in 2003. Because of this, it is possible to draw comparisons between the French war in Algeria and American war in Iraq to analyze the

persistence of certain perspectives that lend themselves to the governmental justification of torture in modern warfare.

One way that the French and Americans justified their use of torture was by avoiding admitting to torture altogether with the use of euphemistic words and phrases instead of the word "torture," or by changing the definition of torture itself. "Torture" was strategically avoided in French rhetoric about their actions in Algeria. Because Algeria was legally annexed to France, the French did not want to claim the conflict in Algeria as a war because that would mean there was a civil war within France.³¹ Instead, they referred to their actions as "police operations aimed at maintaining order on French territory. They were depicted, thus, as an internal matter."³² By claiming the war in Algeria was an internal conflict, the French tried to bypass the relatively new international laws put into place by the Geneva Conventions in 1949 which prohibited torture as part of the "legal conduct of war." However, torture was "already prohibited under peacetime French penal code." Thus France was stymied; if it was an internal matter, they were breaking their own laws, but if it was an international war, they were breaking international laws. Thus France avoided the word "torture" in favor of less condemnable words and phrases.

One of the best examples of the French avoidance of the word "torture" is the Wuillaume Report. This report was commissioned in 1955 by the French Minister of the Interior, Francois Mitterand, and contains the investigation conclusions of government worker Roger Wuillaume, who was sent to Algeria to look into claims of torture being conducted by the French in Algerian prisons.³⁵ Though Wuillaume was sent to report on torture, the word "torture" only appears in the report twice. Instead, admission of the use of torture was "circumvented through the use of euphemisms." Wuillaume used phrases like "certain acts of violence," "police procedures," "excesses," "methods," "violence" and "physical maltreatment of the nature of torture" rather than simply the word "torture."

Additionally, the French government sought to restrict knowledge of torture among the French public and to silence criticism of the French army in Algeria. The French government prosecuted those who published information about torture. In one case from March of 1957, the Ministry of Defense claimed that some published articles were part of a "campaign of systematic disparagement' of the army's behavior in Algeria," with their "widely published reports... of torture of prisoners under questioning... as part of the military repression of the rebellion."³⁹ They then discredited such reports by saying that "such charges had been investigated and found false or greatly exaggerated."40 The practices of discrediting and censoring lasted through most of the war. In January of 1960, the French government "seized copies of four newspapers... in France and Algeria because they published commentaries on the International Red Cross Committee's recent report... [that were] critical of signs of continued torture and brutality in prison camps..."41 France's increased censorship of information about torture seemed like the behavior of a government which knew full well that their actions were wrong, but who

would rather transgress the law than give up their war in Algeria.

The United States took a somewhat different approach to using rhetoric to their advantage in denying the use of torture in Iraq. First, the American government had to decide what constituted "humane" versus "inhumane" treatment of detainees. Ultimately, the government decided that there had to be *severe* suffering put upon the detainee *intentionally*, which is incredibly difficult to prove without a doubt.⁴² Jay S. Bybee, Assistant Attorney General, came to the conclusion that "severe" pain should be medically defined as "the level that would ordinarily be associated with a sufficiently serious physical condition or injury, such as death, organ failure, or serious impairment of bodily function—in order to constitute torture," even though this goes above and beyond the definition set forth by the Geneva Conventions.⁴³

The U.S. government then provided a list of approved and frequently utilized interrogation techniques, such as isolation, sleep deprivation, removal of clothing, and increasing anxiety through the use of personal aversions, 44 as well as sensory deprivation, heat, light and dietary manipulation, and the use of stress positions. 45 There were also more extreme measures that were generally not okay, but should undergo legal review before use, such as "the use of scenarios designed to convince the detainee that death or severely painful consequences are imminent for him and/or his family" and "the use of a wet towel or dripping water to induce the misperception of suffocation."⁴⁶ These techniques, however, all qualify as torture under the Geneva Conventions (III), Article 17: "No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind."47 By this definition, the United States was breaking international law by allowing the types of interrogation techniques that go against the Geneva Conventions and cross the line into the realm of torture.

The U.S. government claimed ignorance about the military's use of torture in Iraq. Following the leak of the infamous Abu Ghraib abuse and torture photos in April, 2004, the Bush administration "repeatedly assured Americans that the president and his top officials did not say or do anything that could possibly be seen as approving the abuse or outright torture of prisoners" despite the public release of a memo which contained the president's advisors' legal advice claiming "the president was not bound by laws or treaties prohibiting torture," even though this was false. Government officials called the torture at Abu Ghraib abuse and maltreatment, but shied away from labeling it "torture." The soldiers involved in the torture at Abu Ghraib were charged only with disgraceful conduct, "a verbal sleight-of-hand that acquitted those troops of torture and found them guilty of the lesser crime of pornographic horse-play."

Unlike the French almost fifty years earlier, the American government did not silence or censor the media, and the media did not shy away from accusing the government of condoning and even encouraging torture. Newspa-

pers such as the New York Times published information about such documents as the August 1, 2002, memo from Alberto Gonzales that stated that the president "could circumvent domestic and international prohibitions against torture in the name of national security."⁵⁰ Just like the French government during their war in Algeria, the American government avoided the truth of what was happening with regard to torture in Iraq despite reports and documentation proving that the governments were concealing the whole truth from the public. This reveals that both the French and American governments knowingly broke international laws regarding torture and the treatment of prisoners of war. Both felt that their "unprecedented" war against a new, terrorist enemy overrode the laws which all contracting countries are meant to abide by. But to mask their sidestepping of the law, they avoided admitting to torture through euphemisms, denials, and censorship. The idea that one can just avoid laws that are inconvenient is one that lends itself easily to encouraging governments to break the law, make their own rules, and continue utilizing torture in modern warfare despite its illegality.

Part of the reason that both France and the United States chose to disregard the stipulations of the Geneva Conventions was because they were performing a key national mission abroad, in countries full of "racial, ethnic, and religious outsider groups"⁵¹ who were attacking this national goal.⁵² For the French, this was the *mission civilistratice*, an ideology which led them to believe that ruling their colonies was the "noblest mission they could perform" because they were able to spread the "benefits of French civilization [to the citizens of their colonies] whether they liked it or not."53 The mission civilistratice led French officials, authorities and soldiers to believe that the French way and the French cause was always best and always right. This belief is contained within the term mission civilistratice itself, meaning "civilizing mission," which implies that the French were not only colonizing but also bettering the lives of the natives of their colonized lands by imbuing French values and culture into colonial society.⁵⁴ In the case of the French-Algerian War, this ideology led the French to believe that Algeria should remain a colony of France for the betterment of the Algerian people, claiming that they were not going to war for France's sake, but to rescue the Algerians from themselves.

The United States' decision to disregard the Geneva Conventions stems from the introduction of the Bush Doctrine. The Bush Doctrine became the ideology of the Bush administration, putting American national security ahead of abiding by international laws. It encouraged acting on perceived rather than proven threats and emphasized preemptive strikes against these perceived enemies. The public and the military were told that this was to protect the American people, to keep American borders and citizens safe, and that there should be no limit on maintaining American safety. Though the Americans put much more emphasis on safety of a nation than the civilizing of another, both the French and the American governments put so much emphasis on one idea that it became an unrelenting focal point in their respective wars and an idea that had to be fought for by their soldiers by any means necessary—even torture.

Additionally, the type of war being fought by the French in Algeria and Americans in Iraq were very similar, and this contributed to each government leaning toward condoning the use of torture. In both wars, the French and Americans claimed the opposing force used subversive terrorist and/or guerrilla-style warfare. The type of combat used by the French and Americans against guerillas has been described by Robert Trinquier in his book Modern Warfare as warfare "against an armed clandestine organization whose essential role is to impose its will upon the population. Victory will be obtained only through the complete destruction of the organization."55 Trinquier's book was based on French experiences in the wars in Indochina and Algeria; and even though they had conducted war against terrorist armies in Indochina, the French claimed the war in Algeria had no precedent and this war was unique. Additionally, although the United States used Trinquier's book as a reference tool, they, too, claimed their war was unprecedented. In both cases, this was false; "unprecedented" became a loophole which could be used to render the Geneva Conventions "quaint" and "obsolete," as Alberto Gonzales phrased it. 56

Because of the terrorist/guerrilla types of wars being fought, both the French and Americans viewed their missions in the same way. They were fighting against a subversive organization bent on destroying the values of their country—the FLN by disrupting the fundamental rule of Algeria as a colony of France, and al-Oaeda and the Taliban by threatening the national security of the super-democracy of the United States. Due to these stances of the French and American governments, both countries fit in perfectly with Christopher Einholf's patterns of the use of torture, following the rule that "torture is more commonly used when a government or society perceives itself to be under threat."⁵⁷ Both coincide with one of Einholf's reasons for the increase of the use of torture in the twentieth century: "Torture against non-citizens (prisoners of war and enemy civilians) [occurs due to] increases in the quantity and intensity of military conflict between the 19th and 20th century, and changes in the nature of military conflict, [which] have led to an increased use of torture against prisoners of war and the civilian populations of occupied territories."58 The increase of terrorist, guerrilla-style warfare qualifies as changes in the nature of military conflict in the twentieth century. And in this type of warfare, civilians can also be part of the subversive, terrorist army. Thus, civilians become suspected as being part of the ubiquitous, ever-present, yet invisible foe. This is reflected in France's use of mass arrests of civilians and suspected terrorists alike, all of whom were tortured for potential information⁵⁹ as a "standard method of screening individuals picked up during roundups, identity checks, or operations" conducted by the French police.⁶⁰

Seeing all civilians as a potential enemy led to the general dehumanization of the enemy in the minds of soldiers, the military, and the government. Everyone who was not "us" became "the enemy," with the "facelessness of a collective noun." The enemy was lumped together as an anonymous, "undifferentiated mass, rather than as individuals." This can be seen in the attitude of high ranking officials, even national leaders, such as President Bush, who in an an address to the American people stated that "anyone who

seeks to harm our soldiers can know that our soldiers are hunting for them."63 The use of the word "hunting" emphasizes the otherness and inferiority of the enemy; in any other circumstance, we do not hunt humans, we hunt animals, which we perceive as inferior to humans. Yet both the French and Americans frequently talked about their enemy as if they were brainwashed drones who had to be unreservedly sought out and eliminated, with French soldiers talking about enemies as people who had to be neutralized, who clogged the "machine of justice" and had to be killed in summary executions to keep order. 64 American soldiers distanced themselves so far from their prisoners that they were unable to relate to them at all. One soldier admitted that "at one point we were informed that we could not do anything to embarrass the prisoners... if it would embarrass me do not do it," and yet he took away mattresses, sheets and clothing from detainees for long periods of time, as if that was not an embarrassing or even humiliating way to be treated. 65 Such dehumanizing of the enemy in the attitude and language of not only the military, but also the government of the French and Americans greatly lent itself to the subsequent verbal and physical dehumanization of prisoners that quickly crossed the line into the realm of torture.

Because both France and the United States are two huge world powers, their actions become models of behavior for other countries. Even Alberto Gonzales, who was greatly in favor of disregarding the Geneva Conventions regarding prisoners of war, admitted that by sidestepping the Conventions, other countries may look at the United States' actions and feel as if they, too, can find "loopholes" in international laws regarding torture. ⁶⁶ Over time, these loopholes and justifications have changed very little even though warfare and the world has changed in the meantime.

Hopefully, however, we can look at these justifications and rather than feel encouraged to condone torture, observe the persistence of the perspectives that led the French and American governments to accept and even encourage torture in Algeria and Iraq. These perspectives include: an idea that whatever war is being fought is unique and unprecedented, which then disqualifies a country from following international laws and guidelines; avoiding admitting the use of torture by using euphemisms for the act or by changing the definition of what constitutes torture entirely; a perspective that the government is fighting this war to continue a national mission or to protect their nation at the cost of another country's citizens' rights; and fighting a type of war in which anyone and everyone is an enemy, especially when the enemy is foreign and racially, religiously, and ethnically different. These perspectives and the examples given by France in Algeria and the United States in Iraq over time contributes to the persistence of torture as a tactic in modern warfare.

Bibliography

- **Primary Sources**
- Alleg, Henri. The Question. New York: George Braziller, Inc., 1958.
- "Article 15-6 Investigation of the 800th Military Police Brigade." Accessed February 8, 2012. http://www.npr.org/iraq/2004/prison_abuse_report.pdf>.
- Aussaressess, Paul. The Battle of the Casbah: Terrorism and Counter-Terrorism in Algeria, 1955-1957, trans. Robert L. Miller. New York: Enigma Books, 2002.
- "Convention against torture and other cruel, inhuman or degrading treatment or punishment, 4 February 1985." Accessed: March 1, 2012. http://www.hrweb.org/legal/cat.html.
- "Convention (III) relative to the Treatment of Prisoners of War. Geneva, 12 August, 1949." Accessed March 1, 2012. http://www.icrc.org/
 ihl.nsf/7c4d08d9b287a42141256739003e63bb/6fef854a3517b75ac125641e004a9e68>.
- Danner, Mark. *Torture and Truth: America, Abu Ghraib, and the War on Terror*. New York: New York Review of Books, 2004.
- "Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Adopted by General Assembly resolution 3452 (XXX) on 9 December, 1975." Accessed April 1, 2012. http://www2.ohchr.org/english/law/declarationcat.htm>.
- Greenberg, Karen J and Joshua L. Dratel, eds. *The Torture Papers: The Road to Abu Ghraib*. New York: Cambridge University Press, 2005.
- Trinquier, Roger. *Modern Warfare: A French View of Counterinsurgency*. Westport, CT: Praeger Security International, 1964, 2006.
- "Universal Declaration of Human Rights, 10 December, 1948." Accessed April 1, 2012. http://www.un.org/en/documents/udhr/index.shtml>.
- 42 articles from New York Times, 1955-1962, 1971-1972, 1977, 1986, 1992, 2003-2005
- Secondary Sources
- Amnesty International. "Iraq: One year on the human rights situation remains dire." June 14, 2004. http://www.amnesty.org/en/library/info/MDE14/006/2004/en>.
- Bass, Thomas A. "Counterinsurgency and Torture." *American Quarterly* vol. 60, no. 2 (June 2008): 233-240.

- Branche, Raphaelle. "Torture and Other Violations of the Law by the French Army during the Algerian War," trans. by Jo Jones. In *Genocide, War Crimes & the West*, edited by Adam Jones, 134-145. London: Zed Books, 2004.
- The Battle of Algiers (La bataille d'Alger). DVD. Gillo Pontecorvo. 1966. Rome: Igor Film, Algeris: Casbah Film. New York: Criterion Collection, rereleased 2004.
- Jones, Adam. "Afghanistan and Beyond," In *Genocide, War Crimes & the West*, edited by Adam Jones, 383-403. London: Zed Books, 2004.
- Einholf, Christopher J. "The Fall and Rise of Torture: A Comparative and Historical Analysis." *Sociological Theory* 25, no. 2 (June 2007): 101-121.
- Forsythe, David P. "United States Policy toward Enemy Detainees in the 'War on Terrorism." *Human Rights Quarterly* vol. 28, no. 2 (2006): 465-491.
- Horne, Alistair. A Savage War of Peace, Algeria 1954-1962. New York: Viking Press, 1977.
- Lawatch, Brian. "Legitimizing Torture: How Similar Ideologies of the United States in the War on Terror and the French in Algeria Led to Torture." *McNair Scholars Research Journal* 5 (Spring 2009): 10-28. http://scholarwords.boisestate.edu/mcnair_journal/vol5/iss1/>.
- Lazreg, Marnia. Torture and the Twilight of Empire: From Algiers to Baghdad. Princeton, NJ: Princeton University Press, 2008.
- MacMaster, Neil. "Torture: from Algiers to Abu Ghraib." Race and Class 46, no. 2 (2004): 1-21.
- Maran, Rita. *Torture: The Role of Ideology in the French-Algerian War.* New York: Praeger Publishers, 1989.
- Record, Jeffery. "The Bush Doctrine and War with Iraq." *Parameters* (Spring 2003), 4-21. http://www.carlisle.army.mil/USAWC/PARAMETERS/Articles/03spring/record.htm.
- Slaughter, Joseph. "A Question of Narration: The Voice in International Human Rights Law." *Human Rights Quarterly* 19, no. 2 (1997): 406-430.
- Stora, Benjamin. Algeria 1830-2000: A Short History. Ithaca, NY: Cornell University Press, 2001.
- Wall, Irwin M. France, the United States and the Algerian War. Berkeley, CA: University of California Press, 2001.

Notes

- 1.) Jean-Paul Satre in the introduction to Henri Alleg, *The Question* (New York: George Brazillier, Inc., 1958), 36.
- 2.) Alleg, 48-66.
- 3.) Mark Danner, *Torture and Truth: America, Abu Ghraib, and the War on Terror* (New York: New York Review Books, 2004), 227-248.
- 4.) Ibid., 217-224.
- 5.) Rita Maran, Torture: The Role of Ideology in the French-Algerian War (New York: Praeger Publishers, 1989)
- 6.) Marnia Lazreg, Torture and the Twilight of Empire: From Algiers to Baghdad (Princeton, NJ: Princeton University Press, 2008)
- 7.) Mark Danner, *Torture and Truth: America, Abu Ghraib, and the War on Terror* (New York: New York Review Books, 2004).
- 8.) Neil MacMaster, "Torture: from Algiers to Abu Ghraib," Race & Class 46 no. 2 (2004): 1-21.
- 9.) Brian Lawatch, "Legitimizing Torture: How Similar Ideologies of the United States in the War on Terror and the French in Algeria Led to Torture," *McNair Scholars Research Journal* 5 (Spring 2009): 10-28. http://scholarworks.boisestate.edu/mcnair_journal/vol5/iss1/>.
- 10.) Alistair Horne, A Savage War of Peace: Algeria 1954-1962 (New York: Viking Press, 1977).
- 11.) *The Torture Papers: The Road to Abu Ghraib*, ed. Karen J. Greenberg and Joshua L. Dratel (New York: Cambridge University Press, 2005).
- 12.) Danner, p. 85-86.
- 13.) Benjamin Stora, *Algeria 1830-2000: A Short History* (Ithaca, NY: Cornell University Press, 2001), p. 4-5.
- 14.) Stora, p. 6-7.
- 15.) Ibid, p. 10-11.
- 16.) Ibid, p. 12.
- 17.) Ibid, p. 16, 20-21.
- 18.) Ibid, p. 21-24. French sources claim fifteen thousand dead while Muslim-Algerian sources claim forty-five thousand.
- 19.) Ibid, p. 35-36.
- 20.) Ibid, p. 40.
- 21.) Lazreg, p. 253.
- 22.) Ibid.
- 23.) Ibid, p. 111.
- 24.) Jeffery Record, "The Bush Doctrine and War with Iraq," *Parameters* (Spring 2003), 4-21, p. 5.
- 25.) Ibid, p. 5-6.
- 26.) Alberto R. Gonzales, "Memorandum for the President, January 25, 2002, 3:30 p.m.," in *Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 83.
- 27.) Ibid, p. 84.
- 28.) Ibid, p. 84-85.
- 29.) Ibid, p. 85-86.
- 30.) George W. Bush, Jr., "Memorandum for the Vice President, the Secretary of State, the Secretary of Defense, the Attorney General, Chief of Staff to the President, Director of Central Intelligence, Assistant to the President for National Security Affairs, Chairman of the Joint Chiefs of Staff, February 7, 2002," in *Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 106-107.

- 31.) Irwin M. Wall, *France, the United States and the Algerian War* (Berkeley, CA: University of California Press, 2001), p. 10.
- 32.) Raphaelle Branche, "Torture and Other Violations of the Law by the French Army during the Algerian War," trans. Jo Jones, in *Genocide, War Crimes & the West*, ed. Adam Jones (London: Zed Books, 2004), 134-145, p. 135.
- 33.) Ibid, p. 136.
- 34.) Ibid.
- 35.) Lawatch, p. 18.
- 36.) Maran, p. 81-82.
- 37.) Lawatch, p. 18.
- 39.) Maran, p. 52, citing Vidal-Naquet, Raison d'etat, p. 64.
- 40.) Harold Callender, "Paris to try critics of army in Algeria," New York Times, March 15, 1957.
- 41.) Harold Callender, "Risks to France in Algeria cited," New York Times, March 17, 1957.
- 42.) "French ban papers for Algeria report," New York Times, January 6, 1960.
- 43.) John C. Yoo, "Letter: John C. Yoo to Alberto Gonzales, August 1, 2002," in *Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 108-113.
- 44.) Jay S. Bybee, "Memorandum for Alberto Gonzales, Counsel to the President, August 1, 2002," *in Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 119.
- 45.) "Working Group Report on Detainee Interrogations in the Global War on Terrorism: Assessment of Legal, Historical, Policy, and Operational Conisderations, April 4, 2003," in *Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 190-192.
- 46.) Mark Danner, "We Are All Torturers Now," *New York Times*, January 6, 2005. Stress positions are positions which become very painful or uncomfortable when held for a long period of time; these are normally maintained in prison conditions through tying or handcuffing a prisoner to furniture or a doorknob.
- 47.) Diane E. Beaver, "Subject: Legal Brief on Proposed Counter-Resistance Strategies, October 11, 2001," in *Torture and Truth* ed. Mark Danner (New York: New York Review Books, 2004), p. 170-177.
- "Convention (III) relative to the Treatment of Prisoners of War, Geneva, 12 August, 1949." http://www.icrc.org/
- ihl.nsf/7c4d08d9b287a42141256739003e63bb/6fef854a3517b75ac125641e004a9e68.>
- 48.) "The Roots of Abu Ghraib," New York Times, June 9, 2004.
- 49.) Frank Rich, "It Was the Porn that Made Them Do It," New York Times, May 30, 2004.
- 50..) David Johnston and Neil A. Lewis, "Bush's Counsel Sought Ruling About Torture," *New York Times*, January 5, 2005.
- 51.) Christopher J. Einholf, "The Fall and Rise of Torture: A Comparative and Historical Analysis," *Sociological Theory*, vol. 35, no. 2 (June 2007), 101-121, p. 105. Einholf says that "Torture is most commonly used against people who are not full members of a society, such as slaves, foreigners, prisoners of war, and members of racial, ethnic, and religious outsider groups," which definitely applies to white, Christian, French men in non-white, Muslim Algeria, as well as to white, Christian, American men in non-white, Muslim Iraq.
- 52.) Lawatch, "Legitimizing Torture," p. 12-14.
- 53.) Lawatch, p. 12.
- 54.) Ibid.
- 55.) Robert Trinquier, *Modern Warfare: A French View of Counterinsurgency* (Westport, CT: Praeger Security International, 1964, 2006), p. 7.
- 56.) Alberto R. Gonzales, "Memorandum for the President, January 25, 2002, 3:30 p.m.," in *Torture and Truth*, ed. Mark Danner (New York: New York Review Books, 2004), p. 83.

- 57.) Einholf, p. 106.
- 58.) Ibid.
- 59.) General Paul Aussaresses, *The Battle of the Casbah: Terrorism and Counter-Terrorism in Algeria, 1955-1957*, trans. Robert L. Miller (New York: Enigma Books, 2002), p. 15-17.
- 60.) Lazreg, Torture and the Twilight of Empire, p. 111.
- 61.) Robin Lakoff, "From Ancient Greece to Iraq, the Power of Words in Wartime," New York Times, May 18, 2004.
- 62.) Ibid.
- 63.) "In Bush's Words: 'We Will Do What is Necessary' in the Fight Against Terror," *New York Times*, Sept. 8, 2003.
- 64.) Aussaresses, p. 126-127.
- 65.) "Taguba Report, Sworn Statements: Jason A. Kenner," in *The Torture PaperS: The Road to Abu Ghraib*, ed. Karen J. Greenberg and Joshua L. Dratel (New York: Cambridge University Press, 2005), p. 495.
- 66.) Gonzales, "Memorandum for the President, January 25, 2002, 3:30 p.m.," p. 85-86.