

# Telling the Truth About Torture

**Shirley Goldberg**

*The interesting thing about torture is that it's both simple and complicated. At its simplest, it can seem like the only way – you know, we've got to strike back, look what these bastards did to us – but the more you learn about it, the more you realize not only how unreliable it is but also how corrupting it is. It corrupts everything in its path.*

– Alex Gibney, director *Taxi to the Dark Side*

The eight long years of the George Bush administration – which gave us a concocted “War on Terror” in order to justify a military invasion as well as rendition, black sites, waterboarding, stress positions and a whole new vocabulary of “enhanced” interrogation techniques – have at last come to an end. And we can only hope that newly elected President Barack Obama, who on his first day in office ordered the closure of the notorious Guantanamo detention facility, will be able to dig the United States out of the human rights quagmire it now lies submerged in.

Yet another tectonic shift rumbled through the Bush years. As the critical faculties of corporate news media (replete with their government-approved embedded reporters) withered, the entertainment industry (specifically films) stepped up to do the job left vacant by network newscasters. And to do it while the war and torture agendas were still unfolding – something that hasn't happened during previous conflicts. The now-classic anti-war films like *Apocalypse Now*, *Born on the Fourth of July*, *Full Metal Jacket*, *Coming Home*, *The Deer Hunter* and *Platoon*, were all made well after the fighting had ended and the troops were back home.

Canadian filmmaker Paul Haggis (best known for his Oscar-winning *Crash*) was explicit about why he made his 2007 film, *In the Valley of Elah*, a disturbing thriller about violence-prone servicemen returning from Iraq: “Because journalists have failed, feature filmmakers have to tell the truths the public doesn't want to know.”

Many other filmmakers have been making similar statements about the artist's responsibility. The Global War on Terror, as played out in Iraq, Afghanistan and elsewhere, has spawned an unprecedented new sub-genre of angry, dissenting war films. Whether using a documentary approach or the fictional narrative of a feature film, this current group of politically engaged filmmakers is experimenting with the challenge of waking audiences up, making them confront the nightmare of this misguided crusade, feel the outrage, and face their own responsibility.

The documentaries, with their dedicated audience of activists and news junkies, have done brisk business. However, feature films on this subject have bombed at the box office. Bombed in spite of critical praise and the contributions of major directors, writers, and stars. Why? Because, as Haggis has pointed out, these films are speaking truths that the public doesn't want to know.

Of the “War on Terror” exposés, five of the best and most important are *Ghosts of Abu Ghraib*, *Standard Operating Procedure*, *Taxi to the Dark Side*, *Rendition* and *Waltz With Bashir*. With honesty, artistry and intellectual depth they probe the flashpoints of human rights abuse: torture, rendition, denial of habeas corpus, genocide – asking the question that we have been asking ourselves: How could this have happened?

Despite dealing with the same subject matter (prisoner abuse at Abu Ghraib), using the same images, and interviewing many of the same people, the first two films differ radically from



each other – one made for television, the other for theatrical distribution; one conventional in its cohesive design to inform and persuade; the other post-modern in its obsessive focus upon the meaning of the infamous photos and the elusiveness of truth

*Ghosts of Abu Ghraib* (HBO, 2007), won the Emmy Award as the best nonfiction TV feature for the year. Director Rory Kennedy, a prolific, independent filmmaker who has dealt with a range of human rights issues in her previous work, had set out to focus on genocide, questioning how ordinary people can commit extraordinary acts of cruelty or evil. But in the midst of her research, the appalling snapshots from Abu Ghraib became public and demanded attention.

Part of the answer to her central question is embodied in the fundamental structure of her documentary, which opens and closes with 1960s film footage from the controversial Stanley Milgram experiments, conducted at Yale, in the shadow of the Holocaust and the Nuremberg trials. Although the real purpose of Milgram's work was to assess obedience to authority, the participants thought they were involved in a study on the effect of punishment upon learning. Test questions were asked of an unseen subject in a booth. When the answer was wrong, the participant was told to administer a 150-volt

electric shock. And with each subsequent wrong answer, he was instructed to increase the voltage no matter how much the subject pleaded or screamed. Without knowing that the electricity was not live and the subject was merely an actor, over 80% of the participants were willing to raise the voltage to 450, suggesting that a substantial majority of ordinary people are willing to commit acts of great cruelty toward their fellow human beings if so directed by an authority figure.

Perhaps because of Abu Ghraib and Kennedy's film, Milgram's experiment has been replicated recently, this time by Jerry Burger at Santa Clara University in California. He assumed initially that our compliance with authority had eroded over the intervening years due to the major anti-war and civil rights movements and our increasing interest in individual empowerment. However, Burger's updated version of the test revealed that 70% of the participants were willing to administer the maximum voltage if so instructed.

Were the young perpetrators on the night shift at Abu Ghraib really borderline psychopathic "bad apples" as the government wants the public to believe? Or were they simply the "kids next door behaving badly?" All the guards Kennedy was able to interview told her: "I did it because I was told to do it." Most seemed

to have experienced some level of moral dissonance. One said: “That place turned me into a monster. Another: “Until you’ve been there, let’s be realistic - you don’t know what you would have done.”

She draws a menacing picture of Abu Ghraib, a former prison for Saddam Hussein’s regime, as a living hell for the guards as well as the prisoners, with long, dark, morose halls full of ghosts and past horrors. Located near Falluja, it sits on the most dangerous road in the world and was the most attacked position in Iraq. Surrounded by enemies and untrained as prison guards, the 300 soldiers stationed there were expected to control up to 10,000 prisoners.

Hordes of men, who happened to be in the wrong place at the wrong time, were swept up at random. Others were victims of the greed or malice of fellow citizens who had turned their names in for American bounty. The fact that they had no information to give about the location of Saddam Hussein created an enormous build up of frustration, which in turn led to memos from Defense Secretary Donald Rumsfeld detailing harsher techniques of interrogation and to the transfer of General Miller (the “guru of interrogation”) from Guantanamo for the purpose of “gitmo-izing” Abu Ghraib. Kennedy doesn’t supply a complete blueprint, but she sketches in many of the fuzzy spaces. She also captures some remarkably candid interviews with a broad cross-section of relevant people – guards, military officers, politicians, and journalists – as well as five Iraqi ex-prisoners (whom she met in a hotel in Istanbul after their release). Using the damning disclosure of the humiliation and torture of prisoners at Abu Ghraib, she sheds light on the larger issues of state power and its abuse.

By contrast Errol Morris, who has always

used the documentary form as an innovative medium for personal, often idiosyncratic explorations, is far less interested in the larger political issues. From his first film *Gates of Heaven* (about pet cemeteries), to the mishandled police work of *Thin Blue Line* (which actually secured the release of an innocent man from a false murder conviction), to the responsibility of Robert McNamara for Vietnam in *Fog of War*, he has always been driven – almost obsessively – to dig into some questions that, at their slippery edges, are ultimately unanswerable.

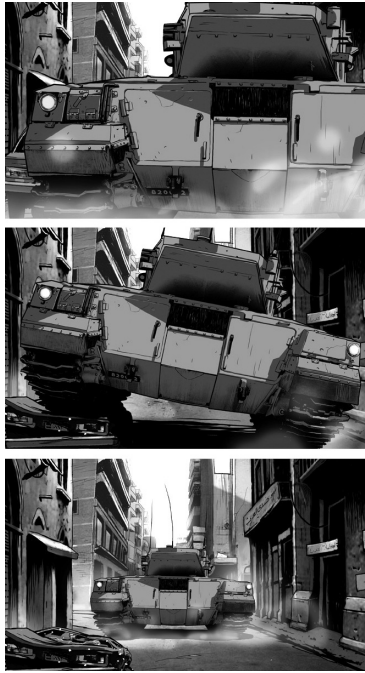
In *Standard Operating Procedure* (2008), he puzzles and probes into the Abu Ghraib snapshots – thousands and thousands of snapshots. Who took them? Why were they taken? What do they tell us? What aren’t they telling us? What happened before or after? What lies outside the frame? If there hadn’t been any photos, would there have been an Abu Ghraib? To these questions he devoted two years of investigation and interviews.

Some call it interrogatory cinema; he calls it a “non-fiction horror movie.”

His basic style involves a cropped close-up of the interviewee staring directly at the viewer while telling his or her story. Most of the time Morris stays out of the frame, visually and verbally. Instead of the single, authorial point of view that dominates most traditional documentaries, we hear many points of view – many facets and shards of subjective reality.

Of those interviewed, the most interesting and revealing is Sabrina Harman who took hundreds of the snapshots and who posed in a particularly shocking one in which she hovers with a big party-girl smile and thumbs up over the body of a prisoner who had died under torture.

Why were these thousands of pictures taken? Many more than ever became public.



Some were undoubtedly trophy shots. Some were taken to enhance the humiliation of the prisoners. But others were taken intentionally for record keeping. Sabrina, whose father and brother were policemen, had wanted to become a forensic photographer but, without the funds to continue her education, joined the army instead. From the very beginning she had bad feelings about the prison and the brutal night shift games. Realizing that in the future no one would ever believe what had happened in this place, she decided to collect images. She also documented her unease in diaries and letters written at the time. In the case of the dead prisoner, she had been especially concerned about the need for proof.

The irony of the situation, however, is that the army regarded the act of taking these pictures and appearing in them to be a greater crime than the inhumane treatment of the prisoners. Consequently, as Morris points out, Sabrina was sentenced to a year in a military brig for actions that could have won a Pulitzer Prize under other circumstances.

Those looking for a confrontational diatribe against the Bush administration have found *Standard Operating Procedure* a disappointment. But there are different ways to deliver a message. Morris' inconclusive meditation leaves us with big, disturbing questions that will not be answered by the discovery of more secret memos or the legal maneuvers of a court prosecutor. As Morris concludes: "The underlying question that we still have not resolved, four years after the scandal, is how could American values become so corrupted that Abu Ghraib could happen?"

The most comprehensive of these films - in terms of historical record, political intervention and moral indignation - is Alex Gibney's *Taxi to the Dark Side* (2008), which deservedly won the Oscar as the best documentary of the year. The title comes from Dick Cheney's ominous remark that in the new "War on Terror," the U.S. would have to work through the "dark side." To shock us into the brutality of that dark

side, Gibney frames his film with the tragic story of Dilawar, a small, 22-year-old Afghan taxi driver, who was described as a good and honest man by the residents of the poor, mountain village from which he came. One day he picked up three men who needed to go to a nearby village, and he was never seen again. He and his passengers had been swept up by U.S. forces on a bounty-seeking tip from a member of the local militia. Taken to the old Soviet air base at Bagram, he died five days later under torture, a death that was officially designated as homicide by the medical examiner. What makes his fate especially horrendous is his innocence. The militia member who had originally fingered him was himself guilty of the rocket blast that he attributed to Dilawar. His three passengers were shipped to Guantanamo, held for over a year under torture and wretched conditions, and released without charges.

According to a recent review of *Taxi to the Dark Side* on the World Socialist Website, U.S. forces had incarcerated 83,000 people since the War on Terror began, 93% of whom had been incriminated by local militia for bounty. At that time, 105 had died in captivity, of whom 37 were officially victims of homicide.

As Gibney investigates the chain of events, complicity, and cruelty that led to Dilawar's death, his canvas expands to include Abu Ghraib, Guantanamo, renditions, ghost prisoners, and black sites in countries that sanction torture. He also gives a brief history of the major national and international anti-torture conventions, and the history of the C.I.A.'s use of torture beginning in the 1950s during the Cold War and including the use of high-level university research to determine the most effective techniques.

Gibney's research leads clearly to the conclusion that the orders for enhanced techniques of interrogation came directly from U.S. Vice President Cheney's office, and that John Yoo in the Justice Department (with his designation of the Geneva Conventions as "quaint" and his infamous redefinitions of torture) had undertaken the task of creating such a fog of ambiguity



about what constitutes torture that future prosecutions of current perpetrators for war crimes would be difficult.

As with Morris and Kennedy, Gibney – who had previously directed *Enron: the Smartest Guys in the Room* and executive produced *No End in Sight* – felt a strong personal need to explore these issues. His father, who had been an interrogator for the Navy in World War II, was enraged by the Bush administration’s corruption of values and urged his son to make this film.

Gibney gives eloquent voice to the whistleblowers and dissenters within the ranks – and to the practical, as well as the moral, arguments against torture. He dismisses the popular TV series 24 for glamorizing torture and giving a false picture of reality with its phony ticking time bomb scenarios. In the real world, torture only produces false information and corrupts the whole culture. As Gibney says in his *Cineaste* interview: “it doesn’t stay out there – our boys come back having tortured these people. Furthermore, we end up making enemies out of friends, and we end up creating injustice instead of leading the search for justice.”

The tragic, real story was summed up by Roger Cohen in a *New York Times* Op Ed last November: “Of the 770 detainees grabbed here and there and flown to Guantanamo, only 23 have ever been charged with a crime. Of the more than 500 so far released, many traumatized by those “enhanced” techniques, not one has received an apology or compensation for their season in hell.”

The feature film *Rendition* (2007) offers an entertainment-oriented alternative to the various styles of documentaries under discussion. It is an intelligent film with a major director (South African Gavin Hood, who won the Best Foreign Language Film Oscar for *Tsotsi* in 2005) and major stars (Reese Witherspoon, Jake Gyllenhaal and Meryl Streep). In a plot clearly inspired by the harrowing real-life experiences of Canadian Maher Arar, it tells the story of an Egyptian-born chemical engineer on his way home to Chicago from a conference in South Africa,

who is picked up by the CIA at the airport in Washington on suspicion of involvement in a North African suicide bomb plot. Subsequently he is disappeared, his name erased from the plane’s passenger list, and bundled off – hood over head – for interrogation in an unidentified North African country.

Knowing something is wrong, his pregnant American wife, toddler in tow, rushes off to Washington where she eventually confronts the head of U.S. Intelligence (Meryl Streep) who icily mouths Bush Administration rhetoric about thousands of lives that have been saved in London and elsewhere by the practice of rendition.

Hood and his writer (Kelley Sane) respect the complexities of the story they are telling. Terrorism is treated as a response to U.S. practices – particularly the support of corrupt, authoritarian regimes. Even with the duplicities and self-deceptions of Washington, the touch is light, and the viewer is allowed to draw his own moral conclusions. One of the most chilling details is the sense of isolation that each character is operating within. No one wants to be perceived as aligned with the wrong side. Consequently, people may be convinced of the victim’s innocence, but he continues to be imprisoned and tortured because no one has the courage to make the case.

In a statement to *The Guardian* in 2002, Dan Rather – shortly after losing his long time position as CBS News anchorman – called attention to this post-9/11 pressure to conform: “There was a time in South Africa that people would put flaming tyres around people’s necks if they dissented. And in some ways the fear is that you will be necklaced here, you will have a flaming tyre of lack of patriotism put around your neck.”

Of these films that delve into the darkest recesses of the human spirit, the most original and haunting is an animated documentary from Israel, *Waltz With Bashir* (2008), which deals with genocide in the Palestinian refugee camps Sabra and Chatila during the 1982 Lebanon War - an episode of the terror war that resonates uncom-

fortably after the recent invasion of Gaza. Its opening assaults the audience with a pack of rabid dogs at night, yellow eyes ablaze, charging straight toward the viewer. The end, featuring real-life archival footage of the aftermath of the massacre, is even more traumatic.

In between, director Ari Folman weaves his own autobiographical account of being sent to that war as a nineteen-year-old recruit and realizing more than twenty years later that he had no memory of where he was or what he was doing at the time of the massacre. Nagged by a need to recover his lost memory and settle accounts with the past, he seeks out old army buddies, whose memories are as spotty and surreal as his own, and consults a couple of psychiatrists. The result is an amazingly rich and aesthetically exciting film: part history lesson, part psychological investigation into the unreliability of memory, part war story – cutting back and forth between talking head interviews, dream sequences and surreal bursts of memory - his own and other's.

As fragments of memory creep back, many involve disturbing incidents in which the young recruits succumb to uncontrollable fear and “shoot like lunatics,” killing a family in a Mercedes and a boy in an orchard. In another particularly evocative scene they speed through a forest at night spraying ammunition in all directions against unknown, unseen, imagined enemies.

But the deeply buried memory, the debilitating secret wound (to Israel as well as Folman), is the massacre in the densely populated Palestinian refugee camps, which had existed in Beirut since 1948 when their inhabitants had been driven from their homes and villages in what is now present-day Israel. The historical circumstances are well known. Israel had allied itself with the Lebanese Christian Militia (the Phalangists) in conflict with Muslim Lebanese, Syrians and Palestinians (the PLO under Yassir Arafat).

When Gemayel Bashir, the much beloved Phalangist leader who was about to become the president of Lebanon, was assassinated, his

enraged followers gained permission from the Israelis to enter the camps. For three days and nights gunfire could be heard within the camps leaving two Phalangists and some three thousand Palestinians dead. Sharon resigned from his position as Defense Minister the following year after the Kahane Commission of Inquiry found him indirectly responsible for the massacre.

In his recovered memory Folman learns that his platoon had been stationed on a hill overlooking the camps and that during the massacre their job had been to fire off flares from the roof at night to help the Phalangists see what they were doing - playing the role, as Folman's therapist friend comments, of Nazi accomplice. Several times he notes a disturbing (and to many, unthinkable) comparison between the Nazi/Jewish and Israeli/Palestinian narratives. The most chilling parallel is made by an Israeli journalist who is reminded of the Jews surrendering in the Warsaw Ghetto when he sees the surviving Palestinians being herded out of the camps with their hands on their heads.

Errol Morris, Alex Gibney, and Ari Folman all highlight personal responsibility. In *Waltz with Bashir*, the psychiatrist describes circles of responsibility that flare out from those who order and perpetrate the atrocities, to those who witness and assist, to those who know and do nothing, to those who suspect but don't even want to know. Every member of a society engaged in a war of aggression bears some responsibility.

In answer to the question of why he made his film, Folman speculates: “Maybe I am doing all this for my sons... .When they grow up and watch this film, it may help them to make the right decisions, meaning not to take part in any war, *whatsoever*.”

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