

UNDERSTANDING TORTURE

law, violence, and
political identity

John T. Parry



Understanding Torture Law Violence And Political Identity

Philip N.S. Rumney



Understanding Torture Law Violence And Political Identity:

Understanding Torture John Parry, 2011-02-16 John Parry's *Understanding Torture* is an important contribution to our understanding of how torture fits within the practices and beliefs of the modern state. His juxtaposition of the often indeterminate nature of the law of torture with the very specific state practices of torture is both startling and revealing. Paul W. Kahn is Robert W. Winner Professor of Law and the Humanities at Yale Law School and author of *Sacred Violence*. Parry is effective in building, deploying, and supporting his argument that the law does not provide effective protections against torture but also that the law is in itself constitutive of a political order in which torture is employed to create and to destroy or re-create political identities. Margaret Satterthwaite, Faculty Director of the Center for Human Rights and Global Justice and Associate Professor of Clinical Law, NYU School of Law, a beautifully crafted, convincingly argued book that does not shy away from addressing the legal and ethical complexities of torture in the modern world. In a field that all too often produces simple or superficial responses to what has become an increasingly challenging issue, *Understanding Torture* stands out as a sophisticated and intellectually responsible work. Ruth Miller, Associate Professor of History, University of Massachusetts Boston. Prohibiting torture will not end it. In *Understanding Torture*, John T. Parry explains that torture is already a normal part of the state coercive apparatus. Torture is about dominating the victim for a variety of purposes, including public order, control of racial, ethnic, and religious minorities, and critically, domination for the sake of domination. Seen in this way, Abu Ghraib sits on a continuum with contemporary police violence in U.S. cities, violent repression of racial minorities throughout U.S. history, and the exercise of power in a variety of political, social, and interpersonal contexts. Creating a separate category for an intentionally narrow set of practices labeled and banned as torture, Parry argues, serves to normalize and legitimate the remaining practices that are not torture. Consequently, we must question the hope that law can play an important role in regulating state violence. No one who reads this book can fail to understand the centrality of torture in modern law, politics, and governance. John T. Parry is Professor of Law at Lewis Clark Law School.

Opposing the Rule of Law Nick Cheesman, 2015-03-12 The rule of law is a political ideal today endorsed and promoted worldwide. Or is it? In a significant contribution to the field, Nick Cheesman argues that Myanmar is a country in which the rule of law is lexically present but semantically absent. Charting ideas and practices from British colonial rule through military dictatorship to the present day, Cheesman calls upon political and legal theory to explain how and why institutions animated by a concern for law and order oppose the rule of law. Empirically grounded in both Burmese and English sources, including criminal trial records and wide-ranging official documents, *Opposing the Rule of Law* offers the first significant study of courts in contemporary Myanmar. It sheds new light on the politics of courts during dark times and sharply illuminates the tension between the demand for law and the imperatives of order.

The Politics of Prisoner Abuse David P. Forsythe, 2011-05-26 When states are threatened by war and terrorism, can we really expect them to abide by human rights and humanitarian law? David P. Forsythe's bold

analysis of US policies towards terror suspects after 9 11 addresses this issue directly Covering moral political and legal aspects he examines the abuse of enemy detainees at the hands of the United States At the center of the debate is the Bush Administration which Forsythe argues displayed disdain for international law in contrast to the general public's support for humanitarian affairs Forsythe explores the similarities and differences between Presidents Obama and Bush on the question of prisoner treatment in an age of terrorism and asks how the Administration should proceed The book traces the Pentagon's and CIA's records in mistreating prisoners providing an account which will be of interest to all those who value human rights and humanitarian law

Torture, Psychoanalysis and Human Rights Monica Luci, 2017-04-28 Torture Psychoanalysis and Human Rights contributes to the development of that field of study called psycho social that is presently more and more committed to providing understanding of social phenomena making use of the explicative perspective of psychoanalysis The book seeks to develop a concise and integrated framework of understanding of torture as a socio political phenomenon based on psychoanalytic thinking through which different dimensions of the subject of study become more comprehensible Monica Luci argues that torture performs a covert emotional function in society In order to identify what this function might be a profile of torturous societies and the main psychological dynamics of social actors involved torturers victims and bystanders are drawn from literature Accordingly a wide ranging description of the phenomenology of torture is provided detecting an inclusive and recurring pattern of key elements Relying on psychoanalytic concepts derived from different theoretical traditions including British object relations theories American relational psychoanalysis and analytical psychology the study provides an advanced line of conceptual research shaping a model whose aim is to grasp the deep meaning of key intrapsychic interpersonal and group dynamics involved in torture Once a sufficiently coherent understanding has been reached Luci proposes using it as a groundwork tool in the human rights field to re think the best strategies of prevention and recovery from post torture psychological and social suffering The book initiates a dialogue between psychoanalysis and human rights showing that the proposed psychoanalytic understanding is a viable conceptualisation for expanding thinking of crucial issues regarding torture which might be relevant to human rights and legal doctrine such as the responsibility of perpetrators the reparation of victims and the question of truth Torture Psychoanalysis and Human Rights is the first book to build a psychoanalytic theory of torture from which psychological social and legal reflections as well as practical aspects of treatment can be mutually derived and understood It will appeal to psychoanalysts psychoanalytic psychotherapists and Jungians as well as scholars of politics social work and justice and human rights and postgraduate students studying across these fields

Torturing Terrorists Philip N.S. Rumney, 2014-11-13 This book considers the theoretical policy and empirical arguments relevant to the debate concerning the legalisation of interrogational torture Torturing Terrorists examines as part of a consequentialist analysis the nature and impact of torture and the implications of its legal regulation on individuals institutions and wider society In making an argument against the use of torture the book engages in a wide ranging

interdisciplinary analysis of the arguments and claims that are put forward by the proponents and opponents of legalised torture This book examines the ticking bomb hypothetical and explains how the component parts of the hypothetical are expansively interpreted in theory and practice It also considers the effectiveness of torture in producing ticking bomb and infrastructure intelligence and examines the use of interrogational torture and coercion by state officials in Northern Ireland Algeria Israel and as part of the CIA s High Value Detainee interrogation programme As part of an empirical slippery slope argument this book examines the difficulties in drafting the text of a torture statute the difficulties of controlling the use of interrogational torture and problems such a law could create for state officials and wider society Finally it critically evaluates suggestions that debating the legalisation of torture is dangerous and should be avoided The book will be of interest to students and academics of criminology law sociology and philosophy as well as the general reader

Women and the Abuse of Power Helen Gavin, 2022-01-27 With themes ranging from the personal consideration of female bodies to the supernatural hidden realm to the public condemnation of women who fall foul of either the law or of a male dominated world this collection of interdisciplinary essays provides an in depth look at the fate of women who abuse or are abused by power

Law's Wars Richard L. Abel, 2018-08-16 The US war on terror which Bush declared and Obama continued repeatedly violated fundamental rule of law values Law s Wars The Fate of the Rule of Law in the US War on Terror is the first comprehensive account of efforts to resist and correct those violations It focuses on responses to abuses in Abu Ghraib efforts by Guantamo Bay detainees to improve conditions of confinement in and win release expos s of and efforts to end torture and electronic surveillance and civilian casualties on the battlefield including targeted killings Abel deploys a law and society perspective to construct and analyze detailed narratives of the roles of victims whistle blowers the media NGOs lawyers doctors politicians military personnel foreign governments and international organizations in defending the rule of law Only by understanding past errors can we hope to prevent their repetition in what promises to be an endless war on terror

Doing Harm Roy J. Eidelson, 2023-09-05 Doing Harm pries open the black box on a critical chapter in the recent history of psychology the field s enmeshment in the so called war on terror and the ensuing reckoning over do no harm ethics during times of threat Focusing on developments within the American Psychological Association APA over two tumultuous decades Roy Eidelson exposes the challenges that professional organizations face whenever powerful government agencies turn to them for contributions to ethically fraught endeavours In the months after 9 11 it became clear that the White House the Department of Defense and the Central Intelligence Agency were prepared to ignore well established international law and human rights standards in prosecuting the war on terror It was less clear however that some of Eidelson s fellow psychologists would become part of the abusive and torturous operations at overseas CIA black sites and Guantanamo Bay Nor was it initially clear that this ruthless enterprise would garner acquiescence and support from the APA s leadership Doing Harm examines how and why the APA failed to join human rights groups in efforts to constrain the US government s

unbridled pursuit of security and retribution It recounts an ongoing struggle one that has pitted APA leaders set on preserving strong ties to the military intelligence establishment against dissident voices committed to prioritizing do no harm principles

The Truth Machines Jinee Lokaneeta, 2020-02-26 Using case studies and the results of extensive fieldwork this book considers the nature of state power and legal violence in liberal democracies by focusing on the interaction between law science and policing in India The postcolonial Indian police have often been accused of using torture in both routine and exceptional criminal cases but they and forensic psychologists have claimed that lie detectors brain scans and narcoanalysis the use of truth serum Sodium Pentothal represent a paradigm shift away from physical torture most state high courts in India have upheld this rationale The Truth Machines examines the emergence and use of these three scientific techniques to analyze two primary themes First the book questions whether existing theoretical frameworks for understanding state power and legal violence are adequate to explain constant innovations of the state Second it explores the workings of law science and policing in the everyday context to generate a theory of state power and legal violence challenging the monolithic frameworks about this relationship based on a study of both state and non state actors Jinee Lokaneeta argues that the attempt to replace physical torture with truth machines in India fails because it relies on a confessional paradigm that is contiguous with torture Her work also provides insights into a police institution that is founded and refounded in its everyday interactions between state and non state actors Theorizing a concept of Contingent State this book demonstrates the disaggregated and decentered nature of state power and legal violence creating possible sites of critique and intervention

Law and Justice on the Small Screen Peter Robson, Jessica Silbey, 2012-08-01 Law and Justice on the Small Screen is a wide ranging collection of essays about law in and on television In light of the book s innovative taxonomy of the field and its international reach it will make a novel contribution to the scholarly literature about law and popular culture Television shows from France Canada the United Kingdom Germany Spain and the United States are discussed The essays are organised into three sections 1 methodological questions regarding the analysis of law and popular culture on television 2 a focus on genre studies within television programming including a subsection on reality television and 3 content analysis of individual television shows with attention to big picture jurisprudential questions of law s efficacy and the promise of justice The book s content is organised to make it appropriate for undergraduate and graduate classes in the following areas media studies law and culture socio legal studies comparative law jurisprudence the law of lawyering alternative dispute resolution and criminal law Individual chapters have been contributed by among others Taunya Banks Paul Bergman Lief Carter Christine Corcos Rebecca Johnson Stefan Machura Nancy Marder Michael McCann Kimberlianne Podlas and Susan Ross with an Introduction by Peter Robson and Jessica Silbey

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