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Countershock: challenging pushbutton torture

by Brian Martin and Steve Wright

Torture, by its nature, can be expected to trigger revulsion. On the one side is the torture victim, who is unable to resist, much less hurt the torturer. On the other side is the torturer, inflicting pain and harm with impunity. Many people perceive the situation as inherently evil. This helps explain why no government acknowledges using torture and why Amnesty International and other human rights organizations have such high levels of participation and credibility. To be exposed using torture can backfire, as in the case of Abu Ghraib, so extraordinary efforts are made to cover up and deny the practice.

As well as opposing torture itself, it is possible to raise concerns about the tools of torture. However, unlike arms production and sales, which have long been a focus for peace activists, technologies used for restraint, surveillance, assault, and torture have received relatively little attention. Yet the scale of production and trade in such technologies is enormous.¹ They include everything from thumb cuffs and leg irons through crowd control weapons such as riot shields and stun grenades to sophisticated computer surveillance systems.² Much of the research and development on so-called non-lethal weapons contributes to the capacity for human rights

abuses.³ The thriving market for such technologies is revealed through the many sales fairs around the world where the latest repression technology is touted; representatives from countries with repressive governments are frequently present, as vividly revealed in the British television documentary *The Torture Trail*.⁴

There is growing evidence that “non-lethal weapons” are not benign — indeed, they can be lethal — and are forming a new arsenal used primarily against the exercise of freedom rather than in defense of it.⁵ At an expert briefing in October 2002 between Amnesty International, European Commission officers, the Omega Foundation, police and medical experts, and the UN Special Rapporteur on Torture, participants were told there are 230 known manufacturers, distributors, suppliers, or brokers of electroshock weapons and 69 of leg irons, shackles, or thumb-cuffs. The United States has the largest number of companies providing restraint technology (43) followed by Western Europe (10); similarly, the United States has the most companies providing electroshock equipment (81), followed by the Asia-Pacific (56), Western Europe (41), Eastern-Central Europe (23), Africa (11), the

1. Mike McBride, ed. *Janes Police and Security Equipment 2002–2003* (Surrey: Jane's Information Group, 2002).

2. Steve Wright, Omega Foundation, *An Appraisal of Technologies for Political Control*, Report to the Scientific and Technological Options Assessment (STOA) Panel of the European Parliament, 6 January 1998. <http://www.uhuh.com/laws/euopar3.htm> (accessed 29 June 2006).

3. Steve Wright, “The Role of Sub-lethal Weapons in Human Rights Abuse,” *Medicine, Conflict and Survival* 17 (2001): 221–33.

4. Martyn Gregory, *The Torture Trail*, Channel 4 (UK), *Dispatches*, 11 January 1995.

5. Omega Foundation. *Crowd Control Technologies (An Appraisal of Technologies for Political Control)*. Report to the Scientific and Technological Options Assessment (STOA) Panel of the European Parliament, June 2000.

Middle East (10), and Latin America (8).⁶ Thus the West provides the largest share of the torture technology supply pipeline with most of the companies actively involved in the provision of restraint technology and over half of those involved in the proliferation of electroshock weapons. Of course, the number of companies is only one part of the story: in China, where production is enormous, a single company might be making scores of thousands of electroshock weapons.

These weapons provide means for restraint and torture, yet there are powerful corporate, government, and public relations forces seeking to present them in a favorable light and, despite rhetoric about human rights, to carry on business as usual. In such circumstances, it is important for researchers to expose what is going on and investigate how these weapons can best be opposed.

Therefore, we start with the assumption that it is important to oppose the production and trade in the technology of repression. The question is how to go about it. One approach is through government regulation. This can be valuable, but has seldom proved effective on its own. Nor do international agreements about torture, simply by their existence, appear to achieve very much. After all, no government admits to using torture, yet it is known that dozens use or tolerate it as a matter of policy. Our focus is on independent campaigning. A number of non-government organizations (NGOs), such as Amnesty International and Campaign Against the Arms Trade, play an important role in exposing and opposing the trade and use of repression technologies.⁷ Our aim here is to assess what types of intervention are likely to be most effective in generating support and action.

6. Omega Foundation, "Stun Weapons and Their Effects," A draft paper to the International Meeting of Experts on Security Equipment and the Prevention of Torture, London, 25–26 October 2002.

7. Amnesty International, *Stopping the Torture Trade* (London: Amnesty International Publications, 2001).

Much campaigning on these issues is heuristic and repetitive when each new campaigning generation has to forge its tools anew: institutional learning in peace activist communities is still embryonic. One useful approach to the problem is through exploration of the psychological and political processes by which atrocities can be denied at the level of the individual and the state. This provides insight into why human rights organizations have such difficulty gaining support and what they can do to cut through denial.⁸

Electroshock weapons can be used to inflict torture in a conscious fashion but they can also be used for other purposes, such as crowd control. Even so, use of these weapons can backfire if people believe serious pain or harm is being inflicted in a highly unequal situation. We adopt the term "countershock" for backfire against torture: because we focus on electroshock weapons, we let the part stand for the whole.

In the beating of Rodney King, outrage was from the beating itself. In the case of torture technology, in contrast, outrage is directed at both the torture and the tools used to carry it out. King was hit by two tasers — electroshock weapons — and by metal batons, but little attention was given to these weapons. In the case of torture, the weapons are a primary focus, due to the efforts of human rights groups.

When people witness or hear about the existence of torture technology — even such unsophisticated technology as restraints and apparatus for causing electrical shocks — many are appalled. They can imagine such technology being used and are disgusted by the very thought. Increasing people's awareness of torture technology and preparations for torture thus can help build a network of support for human rights defenders. This is vital, because few victims of torture have the psychic resources to foster public anger during the time of their incarceration without the

8. Stanley Cohen, *States of Denial: Knowing about Atrocities and Suffering* (Cambridge: Polity, 2001).

assistance of NGO networks. Even afterwards, individuals may be too damaged to immediately speak out.

One powerful exception was the Tibetan monk Palden Gyatso, who endured 33 years of imprisonment by the Chinese authorities for supporting the independence of Tibet and was tortured every day. He told Steve Wright he was so hungry he ate his boots. On his release, he traveled to Northern India to seek the permission of the Dalai Lama in Dharamsala to go back to his prison and buy the electroshock and other torture instruments used upon him. In one of the most powerful literal examples of countershock, this incredibly brave monk has subsequently toured the world to tell his story. By displaying the implements used to torture him, he acts politically against the perpetrators of these human rights crimes and their Chinese masters. His story⁹ has received widespread publicity and illustrates two powerful effects. One is the role of NGOs like Amnesty in freeing political prisoners, which Gyatso acknowledges in his own case. The other is the role of exemplars in achieving political change: Amnesty used Gyatso's case in its own effective "Stop Torture Campaign."

Those involved in torture systems include the people who inflict torture themselves (torturers), governments that knowingly sponsor or tolerate torture, scientists and technologists who research and develop technologies that can be used for torture, and companies that manufacture and sell torture technologies. Our focus here is intervention at the point of production and sale, so the key players are corporate and government leaders and related apologists and public relations agencies. We look at the ways these players seek to inhibit outrage using the five standard categories: (1) hiding torture; (2) devaluing the opponent; (3) reinterpretation, including denying that technologies are being used for repressive purposes and denying that technologies can or do cause harm; (4) claiming proper procedures are being followed; and (5) attempting to

intimidate those who expose participants in the torture system. For each method, we look at ways for activists to counter these tactics.

Hiding and Exposing Torture

If outsiders are not aware of events, then the potential for outrage is minimized. Some regimes cause dissidents to "disappear," which is harder to mobilize against than open or acknowledged killings. Minimizing outrage explains why torture is nearly always carried out in secret: if done openly, it would generate widespread revulsion. For the same reason, very few torturers try to justify their actions in public.

Exposure is a powerful tool against torture. As described in chapter 3, the filmmaker Max Stahl videotaped the 1991 Dili massacre and smuggled the tapes out of East Timor. Broadcasts of the images he recorded were instrumental in triggering a huge increase in international support for the East Timorese liberation struggle. There was an extraordinary follow-up to this.

Stahl was later the cameraman for the British comedian Mark Thomas, who posed as a public relations consultant to torturing states at an arms exhibition in Defendory, Greece in 1998. There he came face to face with General Widjojo who had authorized the Dili massacre. It might have been understandable if Stahl had been provoked to an attack, but instead he watched Thomas convince the General and his staff to do ridiculous calisthenics on the pretext that they needed to relax for the camera.

Thomas advised the General that their government's credibility was being affected by Amnesty's publicity about their human rights abuses and that if they denied everything no one would believe the regime. He gave a list of atrocities the regime had been guilty of in East Timor and said to the General, if you admit one, people will believe you're being honest and willing to change. Stahl was then in the position of filming the first admission of torture by the Indonesian military authorities — and in an astonishing twist, Thomas was offered the job as their public relations

9. Palden Gyatso, *The Autobiography of a Tibetan Monk* (New York: Grove Press, 1997).

consultant in follow-up talks in London. The resulting program — including the calisthenics — was later broadcast on British TV.¹⁰ It caused public indignation and ridicule and played a role in firming up opposition to the illegitimate Indonesian military role in East Timor.

Devaluing the Target

Not everyone sees torture as a crime in itself. Some people identify with torturers; others assume victims must have done something to deserve their treatment. As discussed later in chapter 13, many people implicitly believe the world is just; because torture of an innocent victim is a brutal challenge to this belief, some will assume the victim must be guilty of something.

Devalued groups are easier targets for use of torture technologies. In many societies, prisoners have a very low social status. Some members of the population believe prisons should be places for punishment rather than rehabilitation. Such attitudes help to inhibit the backlash from using electroshock weapons against prisoners.

For torture to cause the maximum repugnance, then, the victim must be believed to be worthy of respect, simply as a human being or even better as a defender of freedom. This helps explain why Amnesty adopts as prisoners of conscience only those who have not used violence. Not all prisoners of conscience are victims of torture, but the rationale still applies.

Various methods can be used to counter devaluation of victims of torture, including highlighting their good points, emphasizing common bonds of humanity and the universality of human rights, and providing personal information about and pictures of victims.

Reinterpretation 1: Denying Use for Repressive Purposes

Companies producing electroshock weapons commonly deny that their products are used for repression. What is the problem with producing a technology if it used for “legitimate” purposes? In the Alice in Wonderland of definitions where words mean exactly what a company spokesperson says they do, no one actually admits to making torture technology or ever confesses to using it: ergo it does not exist. Many of the technologies used in torture have other names. To get around restrictions on exporting leg irons, they are called “jumbo cuffs.” Electroshock prods — what Helen Bamber, the founder of the UK Medical Foundation for the Care of Victims of Torture, has called the “universal tool of the torturer” — are in other security quarters simply called non-lethal weapons for facilitating “compliance through pain.” For example, they might be sold to women as anti-rape devices. Indeed some companies have only sold them for such purposes and can back up that claim with evidence. Any effort to make a universal claim about the undesirability of such technology will undoubtedly draw legal fire from such “legitimate” businesses.

The obvious counter to such claims is to present evidence that specific weapons are sold to named repressive regimes and used for torture. It is especially powerful when victims are willing to come forward and bear witness. If a company’s denial can be unmasked, people will be angered. In the UK, investigative journalists have played a critical role in exposing corporate collusion. Revelations surrounding *The Torture Trail* program were incredibly damaging to companies such as ICL Technical Plastics, Royal Ordnance, and Hiatt, and led eventually to political reform, including changes in British export regulations and a new trade regulation by the European Commission.¹¹

10. “The Mark Thomas Comedy Product: The Third Series,” Channel 4, January 1999, Shows 1 and 2. <http://www.fnord.demon.co.uk/mt/third/> (accessed 29 June 2006).

11. Steve Wright, “The New Trade in Technologies of Restraint and Electroshock,” in *A Glimpse of Hell: Reports on Torture World-*

Official data sources can make for dry reading but often contain valuable campaigning data. In 1993, the Omega Foundation made a Freedom of Information request via the Federation of American Scientists for the following export administration codes:

(OA82c) * saps, thumbcuffs, thumb-screws, leg irons, shackles and handcuffs, specially designed implements of torture, straight jackets etc; and

(OA84c) * Stun guns, shock batons, electric cattle prods and other immobilization guns.

The statistics from 1991-1993 revealed that the U.S. Department of Commerce had approved over 350 export licenses under category OA82c and 2000 licenses under category OA84c. The material released was highly embarrassing. Although the latter category also included shotgun shells, people just assumed all the licenses were for electroshock weapons. The negative media coverage and subsequent Amnesty reports¹² persuaded the Department of Commerce to further disaggregate these categories.

Reinterpretation 2: Denying Damage from the Technology

Companies producing electroshock weapons commonly say their products are “safe”: there is no lasting harm from their use, and any pain or other effects are minimal, transient, or otherwise acceptable. Such claims can be countered by revealing the actual consequences of the weapons, which often cause lasting damage to susceptible individuals or due to improper use. Furthermore, even when

weapons do not cause lasting physical damage, their use can constitute torture.

A case in point is electroshock belts and restraint chairs in U.S. prisons. Amnesty gathered evidence of prisoners who were tortured to death in restraint chairs in U.S. jails. Subsequent legal cases used the discrepancies between actual use and manufacturers’ warnings. In one key case the warning said,

The purpose of the Prostraint Violent Prisoners Chair is to provide law enforcement and correctional officers with the safest, most humane and least psychologically traumatizing system for restraining violent, out-of-control prisoners ... The chair is not meant to be an instrument of punishment and should not be used as such.¹³

Similarly, Amnesty has challenged the use of remote control induction of electric shock via the use of body belts that use kidney-proximate probes to pulse 50,000 volts through a prisoner, by arguing that devices psychologically damage, humiliate, and degrade prisoners.¹⁴ Amnesty’s campaign against this weapon used a highly successful poster of Muhammad Ali that said

25 times in his career, Muhammad Ali fought for a belt. Now he’s fighting against one. Even “the greatest” couldn’t stand up to today’s stun technology. Around the U.S., police and prison guards are using electro-shock weapons of up to 50,000 volts on suspects and prisoners as young as 17.

Within Europe, stun belts now form part of the European Commission proposed list for banning or regulating technology that can be

wide, ed. Duncan Forrest (London: Cassell, 1996), 137–52.

12. Amnesty International, *Arming the Torturers: Electro-shock Torture and the Spread of Stun Technology* (London: Amnesty International, March 1997).

13. Ann-Marie Cusac, “The Devil’s Chair: Intended as a Restraint, It Has Led to Torture and Death,” *Progressive* (April 2000): 22–28.

14. Amnesty International, *United States of America: Use of Electro-shock Stun Belts*, 12 June 1996.

used for torture and other human rights violations.¹⁵

Activist researchers need to use a variety of approaches to challenge dubious assumptions. These include participant observation investigations such as those of Dr Brian Rappert who joined a taser instructors' course over two days and wrote up his findings that only one trainer was willing to take the full five-second jolt — the taser default setting — and not one was willing to repeat the experience.¹⁶ Such material may become even more important in the future once taser technology is used in anti-personnel mines. Refugees might be captured at borders via such devices that paralyze them, potentially for hours, until troops arrive. The effects are likely to induce severe post traumatic stress syndrome in anyone who is unfamiliar with such weapons, especially in the elderly, the infirm, and vulnerable persons such as children.¹⁷

Activist researchers need to be familiar with the literature in order to challenge claims of harmlessness, for example by highlighting the effects of stun weapons on pacemakers, and the delayed neurological consequences of

electrical injuries¹⁸ including the possibility of motor neuron disease.¹⁹ It is also essential for activist researchers to have the requisite scientific approach to deconstruct the claims of manufacturers who have continued to use data gathered for much less powerful devices to justify the safety of new generations of this technology.²⁰

It can be helpful to use counter-experts to challenge denials of damage. For example, it may not seem very damaging to restrain prisoners, put hoods over their heads, and turn on mild white noise. Experts, though, concluded such a regime can be highly damaging. Given a convenient label, "sensory deprivation," this form of treatment became widely acknowledged as a form of torture.²¹ Until the early 1960s, disparate elements of sensory deprivation such as denial of sleep had been used in pre-interrogation softening-up procedures. By the 1970s, new methods were being explored by states wishing to refine these techniques using the social, psychological, and pharmacological sciences. The focus of these modern methods is to cause sufficient suffering to intimidate and break the will of the prisoner, without leaving any embarrassing physical evidence of brutality. Some of these individual techniques were originally melded into a technology by the British in the 1970s²²

15. Article 6 of the "Proposal for a Council Regulation concerning Trade in Certain Equipment and Products which Could Be Used for Capital Punishment, Torture or other Cruel, Inhuman or Degrading Treatment or Punishment" EC, COM (2002) 770, 30 December 2002. http://europa.eu.int/eur-lex/en/com/pdf/2002/com2002_0770en01.pdf (accessed 29 June 2006).

16. Brian Rappert, "Shock Tactics," *New Scientist* 177 (15 February 2003): 34–37.

17. Landmine Action, *Alternative Anti-Personnel Mines: The Next Generations* (London: Landmine Action, 2001): 46–47; Brian Martin and Steve Wright, "Looming Struggles over Technology for Border Control," *Organisational Transformation and Social Change* (2006).

18. Donald F. Farrell and Arnold Starr, "Delayed Neurological Sequelae of Electrical Injuries," *Neurology* 181 (June 1968): 601–6.

19. Michael D. Sirdofsky, Rollin J. Hawley, and Herbert Manz, "Progressive Motor Neuron Disease Associated with Electrical Injury," *Muscle and Nerve* 14 (October 1991): 977–80.

20. Omega Foundation, "Stun Weapons and Their Effects."

21. G. Gudjonsson, "Custodial Confinement, Interrogation and Coerced Confessions," in *A Glimpse of Hell: Reports on Torture Worldwide*, ed. Duncan Forrest (London: Cassell, 1996), 36–45.

22. John McGuffin, *The Guineapigs* (Harmondsworth: Penguin, 1974).

and are reported as being used on al-Qaeda suspects being processed by the U.S. government in Afghanistan, Guantánamo Bay, and Iraq.²³ The military utility of these techniques is to fool the public that they were not technically torture.

When scientific evidence and authority can be used to identify and explain what measures are actually being applied, this can promote popular concern. In the 1970s, scientists from the then British Society for Social Responsibility in Science introduced a new framework they called the “technology of political control.”²⁴ One of them, Dr Tim Shallice, recognized that these techniques had roots in the studies of sensory deprivation and wrote them up for the scientific journal *Cognition*. Shallice said the techniques, whilst not pure sensory deprivation, mimicked its effects causing visual, auditory, tactile, and kinaesthetic deprivation.²⁵

To maximize outrage, then, it is vital to mobilize scientific evidence and expertise to reveal the harmful effects of electroshock weapons.

Official Channels: Claiming to Follow Procedures

Companies producing and selling electroshock weapons often justify their actions by the claim that they are obeying the law, following official procedures, and only doing what has been approved. They say complaints should be made to the proper authorities. This takes the focus away from a highly unequal and unjust

situation, namely the use of damaging weapons against defenseless victims, and redirected to an arena seen as fair and balanced, namely courts and bureaucratic regulations. Activist researchers are beginning to challenge the “following-procedures line” by directly learning what standard operating procedures are being advocated in training. For example, Dr Brian Rappert, following his training experience, warned of the danger of these weapons being used routinely as instruments to ensure compliance through pain.

Indeed, company literature advocates the “early, aggressive use” of the Taser in order to minimise injuries to everyone involved. But that means the Taser could easily be employed as a convenient way of gaining compliance, rather than as a last resort for dealing with people who pose a threat.

Rappert also spoke of the training based on the practice in the United States of using the taser to get unruly individuals into police cars.

Give a shock to the side of the knee, for instance, and a suspect quickly folds. You don’t have to fire the barbs to do this: remove the barb cartridge, and the Taser becomes a stun gun that can deliver a shock directly to the body.²⁶

The emergence of such ad hoc procedures undermines the claim that the weapons are only used as substitutes for lethal force and opens up the debate about street punishment routines.

Without such direct-access field research by articulate experts, the alternative may be that of attempting to act through courts and bureaucracies, which is slow, expensive, procedural, and very unlikely to produce justice or action. Furthermore, these channels put a premium on insider knowledge of courts and bureaucracies, so most activists have little role to play, further reducing the potential for popular action against torture. Meanwhile

23. Duncan Campbell, “US Interrogators Turn to ‘Torture Lite,’” *Guardian*, 25 January 2003, p. 17.

24. Carol Ackroyd, Karen Margolis, Jonathan Rosenhead, and Tim Shallice. *The Technology of Political Control* (Harmondsworth: Penguin, 1977).

25. T. Shallice, “The Ulster Depth Interrogation Techniques and Their Relation to Sensory Deprivation Research,” *Cognition* 1 (1972): 385–405.

26. Rappert, “Shock Tactics.”

serious harm continues, but many people perceive laws and regulations to be fair. Thus, the potential for generating public concern through legal and bureaucratic interventions is very low if followed in isolation.

In the first empirical study of the effect of joining an international human rights agreement, Linda Camp Keith looked at the connection between a government signing the International Covenant on Civil and Political Rights and the government's subsequent human rights behavior. She found there was no correlation whatsoever. She concluded cautiously that "it may be overly optimistic to expect that being a party to this international covenant will produce an observable impact," noting that enforcement mechanisms are so weak that governments know they can join, gain good public relations, but not actually have to change their human rights behavior.²⁷

This assessment of official channels is supported by the fact that it is hard to find a case where laws and regulations provided a prompt and effective counter to the production and trade in torture technologies. In principle, laws and regulations should offer a potent avenue for dealing with the problem but in practice there is a litany of shortcomings and failures.

These problems with official channels highlight the importance of mobilizing outrage as a crucial factor in campaigns. With outrage dynamics as a foundation, it is possible for some legal actions initiated by knowledgeable human rights groups to form a complement to activist action rather than a substitute for it.

For example, recent European Union (EU) efforts to control the proliferation of such technologies only came about because NGOs such as Amnesty vigorously lobbied governments worldwide to stop the trade in torture. Their catalyst was the previously mentioned 1995 Channel 4 program that revealed a

British-sponsored *Torture Trail*. Senior sales staff from BAe-owned Royal Ordnance were shown offering electroshock batons for sale and admitting they had sold 8000 to Saudi Arabia as part of the Al Yamamah deal. A director of Scottish firm ICL Technical Plastics, Frank Stott, also admitted on the program that he had sold thousands to the Chinese authorities, "who had copied them." The European Parliament responded by calling on the Commission to incorporate these technologies within the scope of arms export controls and ensure greater transparency.

In a June 2000 report to the European Parliament's Scientific and Technological Options Assessment Committee, the Omega Foundation formally requested that the EU introduce "severe restrictions on the creation, deployment, use and export of weapons which cause inhumane treatment, superfluous injury or unnecessary suffering."²⁸ Following further campaigning by Amnesty, the European Commission, in a landmark move at the end of 2002, published a draft regulation to ban member states trading in "certain equipment and products which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment," including gallows, guillotines, electric chairs, gas chambers, lethal automatic drug injection systems, electric shock belts, leg irons, and individual shackles exceeding 190mm.

The last measure is important: British companies supplied medieval ironmongery to the slave trade, and they continue to manufacture similar material. Although the export of leg shackles was outlawed in the UK in 1997, the government granted six licenses for equipment within this category in 2001. In December 2002, Birmingham journalists reported they had bought leg irons in the United States that looked identical to oversized handcuffs made in the UK, with a chain attached.²⁹

27. Linda Camp Keith, "The United Nations International Covenant on Civil and Political Rights: Does It Make a Difference in Human Rights Behavior?" *Journal of Peace Research* 36 (1999): 95–118, quote at 112.

28. Omega Foundation, *Crowd Control Technologies*, ix.

29. Caroline Wheeler, "Torture Shackles Made in Brum: Leg Cuffs Traced to Midlands," *Sunday Mercury*, 15 December 2002, pp. 1, 6.

The draft regulation would have controlled a second class of equipment, including portable electroshock devices, restraint chairs and shackleboards, as well as certain riot control devices using the disabling chemicals CN, CS, OC, Pava, and CR, by requiring prior authorization by an EU committee. Since equipment of this type has been used in human rights abuses and push-button torture, there should be a presumption that supply should be denied if there are reports of human rights violations in the receiving country.

Unfortunately, vested interests lobbied against this measure to make the EU territories torture-technology-free zones. A watered-down version was finally passed in mid 2005: European Commission oversight of the trade was eliminated, so control of torture technologies remains in the hands of member states, with various possibilities for getting around the regulation.

More generally, it is likely that technological innovation will spawn new tools for torturers, designed to get around any controls, and new descriptions of them designed for the same purpose. In particular, many so-called non-lethal weapons can be used for torture and can even enable human rights abuse to be more automated, moving from one-on-one procedures to a situation where a single operator can induce pain and paralysis on a mass scale. Non-lethal weapons symposia in 2003 in the United States, Britain, and Germany discussed weapons using microwaves to heat humans up to unbearable temperatures, using wireless or plasma tasers to head them off at borders, and using painful electric shock to paralyze muscle function.³⁰

Therefore activists should not see legal instruments as ends in themselves. They are merely milestones, albeit important ones.

What really matters is the changing situation on the ground rather than what should be happening procedurally. In this regard, countershock has a vital role to play in calling malefactor companies and state agencies to account.

Attacking Critics

The nature of torture is so horrifying that any public association with it is seen as contaminating and is both politically and economically potentially disastrous for the agencies involved. For these reasons, those who expose and oppose torture, and challenge perpetrators — including governments and companies involved in the torture trade — can come under attack. Company and government lawyers will actively punish any NGO that gets critical facts wrong, can't properly back up a story, or inadvertently libels associated individuals and related companies in published allegations. Legal attacks can be potentially a major diversion of effort, so great care needs to be exercised to make sure the process is as legally fireproof as possible.

In the aftermath of *The Torture Trail* program broadcast in 1995, the Campaign Against the Arms Trade (CAAT), a major British-based NGO, carried a less-than-precise editorial mentioning the collusion of COPEX in promoting electroshock. The company threatened legal action. The wider NGO research community provided further evidence from field research that not only prevented the legal action for libel proceeding but, in a powerful boomerang process, earned CAAT many thousands of pounds in damages, used for further campaigning.

Indeed it might be argued that one of the aims of the countershock technique is to draw the opponent into unwise actions. Often this currently happens by accident in follow-up defense actions. For example, following the furor after the broadcast of *The Torture Trail*, the program makers, who had operated a complex and daring series of “stings” on British suppliers of electroshock technology, were accused by then Deputy Prime Minister Michael Heseltine of contriving the evidence.

30. Steve Wright, “Future Sub-lethal, Incapacitating and Paralysing Technologies — Their Coming Role in the Mass Production of Torture, Cruel, Inhumane & Degrading Treatment,” *Statewatch News* (November 2002). <http://www.statewatch.org/news/2002/nov/torture.pdf> (accessed 29 June 2006).

Most program makers would have just shrugged this off, but Martyn Gregory sued in the High Court, won £50,000 in damages, and used this money to make a successful follow-up program, *Back on the Torture Trail*, which highlighted how brokers of such weapon deals can get around government restrictions by operating extra-territorially.

Legal action is just one of many means of attacking critics, which include rumor-mongering, harassment, ostracism, and dismissal; the form of attack depends primarily on the resources available to the attacker. The general sorts of tactics used against torture technology also can be used against attacks on the critics of such technology.

Conclusion

On many issues — such as dismissal of an employee — there is considerable disagreement about whether an action is or isn't an injustice, because so much depends on the particular circumstances. Torture is different. It is universally condemned, both by governments and most citizens. This was not always true: torture used to be much more acceptable, at least in specific situations. Today's rejection of torture is an achievement of campaigners for human rights.

But despite this condemnation, torture is all too common in dozens of countries. So it is not surprising that perpetrators deploy the usual range of techniques to prevent outrage. Cover-up is the first and most effective tool of all those involved in torture and the torture trade, along with intimidation of victims. But sometimes cases escape cover-up, so other techniques are brought into play. Devaluation is found in virtually every case of torture or alleged torture, with the victims being labeled as terrorists, subversives, enemies, apostates, or some other category associated with danger or evil. Reinterpretation is used regularly to say that what happened wasn't actually torture or, if the evidence is too obvious or overwhelming, to deny responsibility by blaming someone else.

Because torture is so universally condemned, official channels do not provide

nearly as much protection and support for perpetrators as with some other injustices. International human rights agreements and courts do not provide much of an escape avenue. However, using official channels can still reduce outrage simply by moving the issue to a venue that is procedural, dependent on experts, slow, and out of the public eye, as the Abu Ghraib story shows.

Another special feature of torture, as an injustice, is that victims are seldom able to play a major role in opposing it. This is unlike male domination, against which women have played the leading role, but instead similar to environmental destruction, against which humans (rather than the environment itself) necessarily have taken the lead. For torture victims, it is a major achievement simply to survive and try to regain a semblance of ordinary life. The task of opposing torture falls largely on others, including human rights campaigners and people from all walks of life who care about what happens to their fellow humans.

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