Some Psycho-Social Correlates of US Citizen Support for Torture

David L Richards, Mandy M Morrill and Mary R Anderson

David L Richards, Associate Professor, Department of Political Science & Human Rights Institute, University of Connecticut. Email: david.l.richards@uconn.edu.

Mandy M Morrill, Assistant Professor, Department of Psychology, Valparaiso University. Email: Mandy.Morrill-Richards@valpo.edu.

Mary R Anderson, Assistant Professor, Department of Government and World Affairs, University of Tampa. Email: mranderson@ut.edu.

Abstract: We use an original survey to both ascertain US citizens' attitudes about the use of torture, and to begin to explore why they have these views. While there exists widely-agreed-upon findings regarding the state-level determinants of government respect for human rights such as torture, much less is understood about either the distribution or formation of individual citizens' attitudes about human rights. Our investigation of the formation of citizen attitudes about torture goes beyond the overly-simple explanation of respondents' party identification used in the media by examining how respondents' exposure to violence, and their levels of empathy, tolerance, as well as general conformity-related attitudes might affect their views about torture. Further, we go beyond asking abstract questions about torture and, instead, ask respondents about their attitudes towards particular torture techniques. We use this information to construct the Torture Acceptability Index (TAI) to measure individuals' overall level of acceptance of torture. Our findings from empirical analysis confirm our hypotheses that there exists a statistically significant relationship between several psycho-social factors and individual attitudes towards torture, even accounting for one's party identification.
Keywords: Human Rights; Torture; Public Opinion; Cycle of Violence; Scaling.

I. Introduction

Starting with revelations of detainee abuse at Abu Ghraib prison in Baghdad, public debate over the use of torture as part of the broader war on terrorism has become a major part of mainstream political debate in the United States. Political discourse and debate on the subject has included the limits of executive privilege and executive powers as commander-in-chief, the origins of and legality of latitude provided to CIA and military interrogators, the selection criteria for a US Attorney General, a Senate investigation into the treatment of US detainees, and the redefining of US law as it relates to torture.

Yet, we really know little about citizen attitudes towards torture. What we do know comes from opinion polls conducted by major media organisations. These polls typically ask an abstract question about torture, not about specific activities that might constitute torture. These abstract questions essentially ask 'Torture: Yes or No?' This is disappointing, as much of the national debate about torture since 2004 has included specific activities such as waterboarding, threatening with dogs, and hooding, among others.

The results of these polls have been mixed, with some finding the majority of the US public opposed to the use of torture as wholly unjustified, and others suggesting that the public-at-large believes torture to be justifiable, either wholly or under particular circumstances. The dominant media explanation of variance in this opinion is the political party identification of respondents. This practice creates a *de facto* thesis about why citizens hold these attitudes for or against torture; because they are Democrat, Republican, or Other. At face value, we find this thesis wanting internally, and insufficient externally, to cover the rich variety of possible explanations for variance in citizen attitudes about torture.

Thus, in this paper, we begin to push beyond abstract questions about torture and use an original survey instrument to gather information about US citizen attitudes towards *particular torture techniques*. In addition to examining attitudes towards these practices in a disaggregated manner, we use this information to construct what we call 'The Torture Acceptability Index' to measure individuals' overall level of acceptance of these activities. Further, we examine some possible psycho-social associates of citizen attitudes towards torture, with a particular interest in how respondents' exposure to violence, empathy, tolerance, and general conformity-related attitudes may affect views about torture. Our findings demonstrate a significant relationship between several psycho-social factors and attitudes towards torture, even accounting for partisan identification.

II. Torture

Article 1 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as:

> …any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimi-

dating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.[1]

The practice of torture is condemned in the United Nations Universal Declaration of Human Rights[2] and the US government is legally prohibited from engaging in the practice of torture by, among other things, the Eighth Amendment to the US Constitution;[3] the 1949 Geneva Conventions, including common article 3 and article 75 of the 1977 Protocol I of those Conventions;[4] the International Convention on Civil and Political Rights, ICCPR;[5] the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the 1996 US War Crimes Act.[6]

The legal prohibition against torture also belongs to a special class of international legal guarantees known as *jus cogens*. These guarantees are considered universally inviolable; that is, extending to all persons everywhere at all times, no matter whether the country is a party to a treaty germane to a particular right/prohibition, or the situation in that country at any particular time. These are also known as 'non-derogable' rights – rights from which there can be no derogation, regardless of provisions in international law allowing state derogation from respect in order to control sovereignty

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1   Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85 (Torture Convention) art 1.
2   Universal Declaration of Human Rights (adopted 10 December 1948) UNGA Res 217 A(III) (UDHR).
3   US Constitution Amendment XXVIII (1791).
4   Geneva Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 31; Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 85; Geneva Convention (III) relative to the Treatment of Prisoners of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 135; Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287; Protocol Addition to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflict (Protocol I) (adopted 8 June 1977, entered into force 7 December 1879) 1125 UNTS 3.
5   International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171.
6   18 USC. § 2340 and 2340A.

and/or establish order. The ICCPR lists seven non-derogable rights, including torture.[7] From this perspective, torture is legally indefensible, by definition.

Despite these numerous legal prohibitions against it, government agents in the great majority of states in the world engage in torture. According to the CIRI Human Rights Data Project, in 1981 about 25% of the world's governments engaged in widespread torture against their own citizens and 61% had no reported instances of torture.[8] By 2006, 43% engaged in widespread torture and about 18% had no reported instances of torture. The use of torture by the US government and its agents, in specific, has become more prevalent over time. On the CIRI scale of torture, ranging from 0 to 2, where 0 represents widespread torture and 2 represents no reported use of torture by government agents against its own citizens, the US has fallen from a mean level of 1.5 during the 1981 to 1991 decade, to a mean of 1.0 from 1991 to 2001, to a mean of 0.67 from 2001 to 2006.[9] The world averages for these three periods are .93, .74, and .73, respectively.

III. Social-Psychological Explanations of Attitudes Towards Torture

Why would citizens, when asked, support the use of torture? Conventional wisdom has dictated that partisan identification is the key to understanding US citizen attitudes towards torture, such that Republicans should be more likely to support torture and Democrats less likely. Some reasons for this are the fact that the Republican Party was in control of government when events at Abu Ghraib took place, that the Administration of a Republican president went to great lengths to justify the use of torture techniques such as waterboarding, and traditional Republican support for the military, whose members stood accused of engaging in these activities despite their prohibition in the US Army Field Manual on Interrogation (FM 34-52, replaced by FM 2-22.3 in 2006).

We do not argue that partisan identification has no relation to one's attitude towards torture. However, we do find this 'simple-party thesis' explaining citizen atti-

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7   Some regional agreements include a significantly longer list of rights from which no derogation in respect is allowed.
8   David L Cingranelli and David L Richards, *The Cingranelli-Richards (CIRI) Human Rights Data Project* (24 February 2009) <http://www.humanrightsdata.org>; David L Cingranelli and David L Richards, 'The Cingranelli and Richards (CIRI) Human Rights Project' (2010) 32 Human Rights Quarterly 401-424.
9   Ibid.

tudes to be wanting on its own, given the importance of the issue of the role of torture in a modern democracy. In moving towards a deeper understanding of attitudes towards torture, we feel the literature on environmental factors shown to affect attitudes towards violence and propensity for violence itself to be a promising avenue of inquiry. Below, we survey a few of the many possible psycho-social environmental factors that we believe could reasonably be associated with attitudes towards torture.

Exposure to Violence

There exist a number of possible social-psychological explanations for individual-level support for torture. Our first, and primary explanation is one's exposure to violence/aggression – as a perpetrator, victim, and/or witness, and especially when a child. This is based on the concept of transmission of violence, or what is popularly called in psychology, the 'cycle of violence'. Cycles of violence occur when 'individuals or groups become trapped in a circular or escalating process that perpetuates violence or leads to repetition of violent acts'.[10] This is similar in logic to the term 'cycle of violence' as used to describe the recurrence of violence in still-warring and non-rehabilitated post-war societies.[11]

There is well-established social-psychological literature demonstrating that exposure to violence/aggression as a perpetrator, victim, and/or witness increases the chances of engaging in and/or justifying violence/aggression.[12] The theoreti-

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10   Work Group of the International Work Group on Death, Dying and Bereavement, 'Breaking Cycles of Violence' (2005) 29 Death Studies 585-600, 586.

11   Malvern Lumsden, 'Breaking the Cycle of Violence' (1994) 34 Journal of Peace Research 377-383; See also, Suzanne K Steinmetz, *The Cycle of Violence: Assertive, Aggressive, and Abusive Family Interaction* (Praeger, Oxford 1978).

12   See Dana L Haynie and others, 'Exposure to Violence in Adolescence and Precocious Role Exits' (2009) 38 Journal of Youth and Adolescence 269-286; Brian Allen, 'An Analysis of the Impact of Diverse Forms of Childhood Psychological Maltreatment on Emotional Adjustment in Early Adulthood' (2008) 13 Child Maltreatment 307; Carlton D Craig and Ginny Sprang, 'Trauma Exposure and Child Abuse Potential: Investigating the Cycle of Violence' (2007) 77 American Journal of Orthopsychiatry 296; Christopher M Adams, 'The Consequences of Witnessing Family Violence on Children and Implications for Family Counselors' (2006) 14 The Family Journal 334; Erika L Lichter and Laura A McCloskey, 'The Effects of Childhood Exposure to Marital Violence on Adolescent Gender-Role Beliefs and Dating Violence' (2004) 28 Psychology of Women Quarterly 344-357; Ervin Staub, *The Psychology of Good and Evil: Why Children, Adults, and Groups Help and Harm Others* (Cambridge University Press, New York 2003); Lucy Salcido Carter, Lois A Weithorn, and Richard E Behrman, 'Domestic Violence and Children: Analysis and Recommendations' (1999) 9 The Future of Children 4; John W Fantuzzo and Wanda K Mohr, 'Prevalence and Effects of Child Exposure to Domestic Violence' (1999) 9 The Future of Children (Domestic Violence and Children) 21; Javad H Kashani and Wesley D Allan, *The Impact of Family Violence on Children and Adolescents* (Sage Publications, Thousand Oaks California 1998).

cal framework behind the majority of these studies is known as 'intergenerational transmission theory'.[13] That is, because of the tremendous psychological legacy of exposure to violence/aggression, what is experienced by one generation is passed on to a further generation; or, abuse begets abuse. Children's exposure to domestic violence has been consistently shown to be associated with aggression, low self-esteem, depression, high risk behaviours and low levels of empathy, and each year millions of US children are exposed to domestic violence.[14] Forrest states that, 'there are patterns of regular violence in the American home', particularly as used against children in the form of punishment.[15] Moreover, it has been reliably found that the more one experiences physical punishment as a child, the greater the probability one commits spousal and/or child abuse later on in life,[16] – even when controlling for other factors such as socioeconomic status, age, gender, and others.[17]

The long-term consequences of secondary trauma, or trauma created as the result of exposure to or witnessing violence rather than experiencing the violence directly, may also be severe. Ballif-Spanvill, Clayton, and Hendrix reinforce a widely-agreed-upon literature by demonstrating that witnessing violence can be as

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13   Carlton D Craig and Ginny Sprang, 'Trauma Exposure and Child Abuse Potential: Investigating the Cycle of Violence' (2007) 77 American Journal of Orthopsychiatry 296.

14   See Brian Allen, 'An Analysis of the Impact of Diverse Forms of Childhood Psychological Maltreatment on Emotional Adjustment in Early Adulthood' (2008) 13 Child Maltreatment 307; See also Lucy Salcido Carter, Lois A Weithorn, and Richard E Behrman, 'Domestic Violence and Children: Analysis and Recommendations' (1999) 9 The Future of Children 4, 5-6.

15   Duncan Forrest (ed) *A Glimpse of Hell: Reports on Torture Worldwide* (New York University Press, New York 1996) 96-97.

16   Mark Kiselica and Mandy Morrill-Richards, 'Sibling Maltreatment: The Forgotten Abuse' (2007) 85 Journal of Counselling & Development 148-161; Vernon R Wiehe, 'Sibling abuse' in Helene Henderson (ed) *Domestic Violence and Child Abuse Resource Sourcebook* (Omnigraphics, Detroit 2000); Renae Duncan, 'Peer and Sibling Aggression: An Investigation of Intra- and Extra-Familial Bullying' (1999) 14 Journal of Interpersonal Violence 871; Jean Giles-Sims, Murray A Straus and David B Sugarman, 'Child, Maternal, and Family Characteristics Associated With Spanking' (1995) 44 Family Relations 170; Debra S Kalmuss, 'The Intergenerational Transmission of Marital Aggression' (1984) 46 Journal of Marriage and the Family 11-19; Richard J Gelles, *The Violent Home: A Study of Physical Aggression Between Husbands and Wives* (Sage, Beverly Hills 1974); Murray A Straus and Richard J Gelles, 'How Violent are American families? Estimates from the National Family Violence Resurvey and other studies' in Murray A Straus & Richard J Gelles (eds), *Physical Violence in American Families: Risk Factors and Adaptations to Violence in 8,145 Families* (Transaction Publishers, New Brunswick, NJ 1990) 95 -112.

17   Murray A Straus and Glenda Kaufman Kantor, 'Corporal Punishment by Parents: A Risk factor in the Epidemiology of Depression, Suicide, Alcohol Abuse and Wife Beating' (1994) 29 Adolescence 543-561.

strong an indicator of future violence as being an actual victim of violence. They even find that 'witnesses were significantly more violent in conflicts involving aggression and exclusion'.[18] This is important to this paper, as the events of 9/11 made almost all US citizens witness to significant violence. That is, while few US citizens (relative to the entire US population) were directly personally affected by the 9/11 attacks as victims, most all US citizens spent days watching images of the planes crashing into the World Trade Center, the Pentagon burning, the burning field in Pennsylvania, and the twin towers collapsing.[19] Schuster et al., notes that a disaster can have a significant effect on adults and children 'who are not physically present' at the event.[20] Furthermore, these effects can last up to two years, are not ameliorated by geographical distance and, in the case of 9/11 are associated with the extent of one's television viewing.[21] In a survey done three to five days after 9/11, Schuster et al., found that 44% of adults surveyed reported 'one or more substantial symptoms of stress' and that 90% had 'one or more symptoms to at least some degree'. They also found that 35% of children 'had one or more stress symptoms' and 47% 'were worried about their own safety or the safety of loved ones'. [22]

There are several routes via which one's exposure to violence/aggression might end up affecting one's propensity to engage in and/or justify the use of violence/aggression by others. One such route is through 'desensitisation'.[23] Mohammed et al., notes that '[a]nytime we are exposed to grievous things, the shock threshold is raised. We have a tendency to adapt to our conditions. If you have seen enough pain, your level of adaptation to pain will also increase, and your threshold for perceiving and dealing with pain will be high'.[24]

The principle of desensitisation has been long-understood by those seeking to train individuals for tasks which are extremely violent and/or aggressive in nature.

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18   Bonnie Ballif-Spanvill, Claudia J Clayton, and Suzanne B Hendrix, 'Witness and Non-Witness Children's Violent and Peaceful Behavior in Different Types of Simulated Conflict With Peers' (2007) 77 American Journal of Orthopsychiatry 206-215, 206.

19   We give the term 'victims' great latitude, including those who lost their lives in the attacks, those who survived the attacks, and their family members and personal friends.

20   Mark A Schuster and others, 'A National Survey of Stress Reactions After the September 11, 2001 Terrorist Attacks' (2001) 345 New England Journal of Medicine 1507-1512, 1511.

21   Ibid.

22   Ibid 1507.

23   Deborah Ellen Gipple, Sang Min Lee, and Ana Puig, 'Coping and Dissociation Among Female College Students: Reporting Childhood Abuse Experiences' (2006) 9 Journal of College Counselling 33.

24   Fida Mohammed and others, 'Understanding Torture and Torturers' (2002) 131 Journal of Evolutionary Psychology 131-147, 133.

That is, it is well-understood that environmental conditions can be responsible for making a potential torturer out of an otherwise psychologically healthy individual. Huggins, Haritos-Fatouros and Zimbardo use a study of violence worker trainees in Brazil, 1964-1985, to make their case that 'violence workers' (those who commit torture and murder on behalf of a government) are made, not born. Trainees were 'humiliated, cursed, slapped, hit, knocked down, stepped on…' as part of a 'general training model' that 'prepares police to become more effective at carrying out atrocities'.[25] Their own threshold for pain is raised to make them less sensitive to the pain they experience or that they inflict on others.[26]

This example also illustrates the fact that exposure to violence need not only happen when one is a child for it to affect one's tendencies towards the use or justification of violence/aggression as an adult.[27]

Further reinforcing the environmental argument that torturers are made, not born, Zimbardo details what is popularly known as 'The Stanford Experiment', an extension of Milgram's classic study of 1963.[28] Simulating a prison, Zimbardo randomly separated a group of pre-screened, psychologically 'healthy' adults into two groups, inmates and guards. Rather than examining what 'normal' persons would do when pressed onward by authority, Zimbardo's experiment examined what such people would do when *offered* authority. Originally scheduled for two weeks, Zimbardo shut down the study after six days due to the level of prisoner abuse by those playing the role of guards. This 1971 experiment foreshadowed later abuses at Abu Ghraib, as guards in the experiment began 'stripping [prisoners], hooding them and ultimately forcing them to simulate sodomizing one another'.[29]

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25   Martha K Huggins, Mika Haritos-Fatouros, and Philp G Zimbardo, *Violence Workers: Police Torturers and Murderers Reconstruct Brazilian Atrocities* (University of California Press, Berkeley, 2002) 248.

26   Sean Field, 'Violence Workers, Police Torturers and Murderers Reconstruct Brazilian Atrocities (Book Review)' (2005) 32 The Oral History Review 67, 67.

27   Robert Binford, 'Interpersonal Consequences of Secondary Traumatic Stress: Sexual Harassment Among Therapists Treating Perpetrators and Survivors of Sexual Assault' (2008) 68.8-B Dissertation Abstracts International: Section B: The Sciences and Engineering 5558; *Cycles of Violence Work Group* (n 10); Malvern Lumsden, 'Breaking the Cycle of Violence' (1994) 34 Journal of Peace Research 377-383.

28   Phillip Zimbardo, *The Lucifer Effect: Understanding How Good People Turn Evil* (Random House, New York 2007); See also S Milgram, 'Behavioral study of obedience' (1963) 67 Journal of Abnormal and Social Psychology 371–378.

29   Matthew B Stannard, 'Stanford Experiment Foretold Iraq Scandal' *San Francisco Chronicle* (May 8 2004).

Desensitisation need not only come from human-only experiences. A wide array of studies show a relationship between violence towards animals and other forms of violence/aggression.[30] Flynn surveys a large literature demonstrating links between violence against animals during childhood and the likelihood of violence/aggression towards other humans, and the use of, or threat of the use of, violence against animals 'by abusive parents and partners, almost always male' to 'control, intimidate, and silence their victims'.[31]

Experiencing violence/aggression can do more than desensitise, however. Mimetic theory incorporates both Bandura's social learning theory ('victims learn from modelled behavior') and conflict theory ('the struggle and need for power and control drives human behavior') to explain violent behaviour which imitates 'the actions of others whom a victim either admires or views as powerful'.[32] That is, when violence/aggression comes from a source of authority and/or respect, it can legitimise such behaviour, increasing the odds that a witness/victim will his/ herself actually engage in this behaviour. Straus finds a connection between authorised physical punishment in schools and increased rates of assault by children on other children in the same schools.[33]

The special character necessary to carry out or approve of human-on-human violence may also be a mix of desensitisation and mimicry. Indeed, Staub lists one qualification for participation in a 'reserve police battalion' (used to kill Jews) in Hitler's Germany as being 'prior participation in violence and killing in the service of the Nazi system'.[34] The prior participation in violence desensitises, while

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30   Stewart E Cooper, David L Rowland, and Jody A Esper, 'The Relevance of Family-Of-Origin and Sexual Assault Experience to Therapeutic Outcomes with College Students' (2002) 39 Psychotherapy: Theory, Research, Practice, Training 324; Vernon R Wiehe, 'Sibling abuse' in Helene Henderson (ed) *Domestic Violence and Child Abuse Resource Sourcebook* (Omnigraphics, Detroit 2000); Robert Ammerman and Michel Hersen, *Case Studies in Family Violence* (Plenum Press, New York 1991).

31   Clifton P Flynn, 'Why Family Professionals Can No Longer Ignore Violence toward Animals' (2000) 49 Family Relations 87-95, 87.

32   Carlton D Craig, and Ginny Sprang, 'Trauma Exposure and Child Abuse Potential: Investigating the Cycle of Violence' (2007) 77 American Journal of Orthopsychiatry 296-305, 296-297; See also Albert Bandura, 'Self-Efficacy: Toward a Unifying Theory of Behavioral Change' (1977) 84 *Psychological Review* 191.

33   Murray A Straus, 'Discipline and Deviance: Physical Punishment of Children and Violence and Other Crimes in Adulthood' (1991) 38 Social Problems as cited in Duncan Forrest (ed.) *A Glimpse of Hell: Reports on Torture Worldwide* (New York University Press, New York 1996) 133-154.

34   Ervin Staub, *The Psychology of Good and Evil: Why Children, Adults, and Groups Help and Harm Others* (Cambridge University Press, New York 2003) 18.

the fact that it was done in service to a powerful entity known for such deeds is mimicry akin to that described by mimetic theory.

Obedience/Respect for Authority

As the introduction to this section of the paper sets out, there is a lengthy list of legal prohibitions against torture. Yet, support for these practices exists. It is possible that one's level of obedience to authority has a role. Staub reviews research demonstrating that, for example, in Greece, obedient persons were specially selected by police for training as torturers, and that there was substantial self-selection into the Nazi SS of obedient personalities.[35]

Milgram's classic study in obedience demonstrates that ordinary people are capable of justifying and administering tangible harm to others, should they feel that doing so is in accordance with rules issued and enforced by an authority figure.[36] In his study, 65% of participants delivered the maximum shock (a fatal 450 volts) to subjects when pressed onward by the authority figure.[37] Yet, at some point, almost all participants manifested some misgiving about the appropriateness of the task. Milgram concluded this pointed towards 'strong tendencies towards harmful obedience in society at large'.[38] Milgram also noted that persons who are 'under the influence of authority' can enter what is known as 'agentic mode', where they 'no longer evaluate the morality of an action independently, but see themselves as agents carrying out the commands of superiors'.[39]

What messages/commands did the US public receive from authority (governmental) figures regarding prohibitions against torture? There are a few possibilities. First, there was a clear message from the Bush Administration that anything done in the service of winning the War on Terror was permissible and/or desirable. Indeed, one reason to obey authority is to exchange the personal responsibility of decision-making for ensuring one's security. Certainly, the Administration made very repetitious and public use of the mantra 'we will fight them over there, so we don't have to fight them here' as well as the 'ticking time-bomb' scenario, where torture is justified to discern from a would-be terrorist the location of a

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35   Ibid 302.
36   *Milgram* (n 28).
37   Ibid.
38   Steven C Patten, 'The Case that Milgram Makes' (1977) 86 The Philosophical Review 350-364, 351.
39   Ervin Staub, *The Roots of Evil: The Origins of Genocide and Other Group Violence* (Cambridge University Press, New York 1989) 43.

hidden explosive device set to explode in some crowded and/or important place. Thus, safety-seeking obedients may well justify the use of torture for that reason.

Second, there is the real chance that the message to the public from the Administration could have been confusing; for example, information about the Administration's actual policy views on the legality of torture were combined with statements either flatly denying that the US engages in torture, or combined with statements like this June 2004 message from then-White House spokesman Scott McClellan that 'while we will seek to gather intelligence from al Qaeda terrorists…the president expects that we do so in a way that is consistent with our laws'.[40]

There may even be a pattern of confusion. This seemingly repeated scenario works as such: first, an executive branch official makes 'get tough' statements asserting wide US latitude regarding interrogation, followed by a statement from some other executive office official, sometimes even the President himself, asserting that torture is neither condoned nor practiced. That is, the practice may be for one part of the executive branch to contradict the other publicly, while maintaining consistency in terms of actual policy. For example, in October 2006, a month before the Congressional midterm elections, Vice-President Dick Cheney gave a radio interview where he endorsed water-boarding, an interrogation technique that simulates drowning for the victim, despite the practice being widely regarded as torture,[41] and its use prohibited by the US Department of Defense in its 2006 Army Field Manual. Immediately after Cheney's remarks were widely publicised, the President publicly stated that the US does not engage in torture.[42]

In addition, intentionally labelling the same practice 'interrogation' rather than 'torture' can have real effects. Bandura states that 'euphemistic language is used widely to make harmful conduct respectable and to reduce personal responsibility' and describes how 'people behave much more cruelly when assaultive actions are given a sanitised label than when they are called aggression'.[43] Huggins notes that 'torturers develop euphemistic names for torture devices…in an attempt to normalize their conduct'.[44]

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40   Mike Allen and Dana Priest, 'Memo on Torture Draws Focus to Bush' *The Washington Post* (Washington 9 June 2004).
41   Human Rights Watch, 'Open Letter to Attorney General Alberto Gonzales' (6 April 2006) <http://hrw.org/english/docs/2006/04/06/usdom13130.htm> accessed 20 April 2012.
42   Associated Press, 'Bush says US doesn't torture after Cheney flap' (28 October 2006) <http://www.msnbc.msn.com/id/15453452> accessed 4 February 2010.
43   Albert Bandura, 'Selective Moral Disengagement in the Exercise of Moral Agency' (2002) 31 Journal of Moral Education 101, 104.
44   Martha K Huggins, 'Moral Universes of Brazilian Torturers' (2003) 67 Albany Law Review 527, 531.

We might expect the very-informed obedient citizen to manifest even greater support for torture, as information and decisions coming out of the Bush Administration would seemingly give a clear picture that practices generally construed by legal scholars and other experts as constituting torture are permissible and possibly even desirable. For example, in January 2002, then-White House Counsel Alberto R Gonzales famously called Geneva Convention protections against prisoner mistreatment during interrogation 'obsolete' and otherwise, 'quaint'.[45] In August 2002, Assistant Attorney General Jay Bybee stated that 'even if an interrogation method might violate (the 1996 War Crimes Act prohibiting torture based on extant international law), necessity or self-defense could provide justifications and that application of extant international prohibitions against torture to interrogations 'may be unconstitutional'.[46] The Bush Administration publicly maintained that actions taken with respect to 'the President's inherent constitutional authority to manage a military campaign, 18 USC. § 2340A (the prohibition against torture) must be construed as inapplicable to interrogations undertaken pursuant to his Commander-In-Chief authority'.[47]

Dehumanisation/Prejudice/Stereotyping

Stereotyping of groups leads to the devaluation/dehumanisation of persons who are members of those groups. When a person has been devalued or dehumanised, it is generally easier for another person to harm him or her, or to justify such harm. Scapegoating or dehumanisation may occur for many different reasons. Often, in times of crisis/conflict, people seek increased attachment to the group they identify as 'theirs'. Witness, for example, the immense number of bumper stickers, t-shirts, car magnets, hats, and other paraphernalia of the post-9/11 period stating 'United We Stand'. Citizens of the US sought increased identification as a 'we', or group, after this traumatic event. Staub notes that such behaviour strengthens feelings of security, gives a positive identity, and may give the illusion of effectiveness and/or control.[48] He continues by stating that 'elevating

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45   Alberto R Gonzalez, 'Decision Re: Application of the Geneva Convention on Prisoners of War to the Conflict with Al Qaeda and the Taliban' *Memorandum for the President* (25 January 2002).

46   Jay S Bybee, 'Standards of Conduct for Interrogation under §§2340-2340A' *Memorandum for Alberto R. Gonzalez Counsel to the President* (1 August 2002).

47   American Bar Association, 'American Bar Association Report to the House of Delegates, August 2004' in Karen J Greenberg and Joshua L Dratel, *The Torture Papers: The Road to Abu Ghraib* (Cambridge University Press, New York 2005) 1137.

48   *Staub,* 'The Psychology of Good and Evil' (n 34).

the group through the devaluation of others…further fulfils these needs'. What more, 'scapegoating, which identifies some group as the cause of life problems, is nearly universal in such times'.[49]

Also, the experience of violence by either individuals or groups of persons can lead to a sense of victimisation and to a worldview where one feels vulnerable and sees strangers and unknowns as dangerous, perhaps leading to a need to lash out defensively, perhaps at scapegoats.[50] Scapegoating may also come from authorities. Staub quotes a passage from a study on the 'psychological conditions for guilt-free massacre' indicating that 'the most general condition for guilt-free massacre is the denial of humanity to the victim. You call the victims names like gooks, dinks, niggers, pinkos, and japs. The more you can get high officials in government to use these names and others…the more your success'.[51]

Indeed, should one be able to find applicable scapegoats, one may be able to justify torture as being a deserved punishment for some transgression on the part of the victim from the scapegoat group. One justification used by torturers for having done their duties is blaming the individual being tortured.[52] Stereotyping and profiling create guilt by association, rather than by evidence.

In the post-9/11 US, there has been considerable debate about the profiling of persons of Middle Eastern, North African and/or Southwest Asian descent/origin in particular, and of the Muslim faith, in general. The days and weeks following September 11, 2001, saw many attacks on these persons within the United States. Hassan notes that, 'in the case of Arabs, racial profiling is premised on equating an "Arab-looking" person with terrorism'.[53] Stubbs compares the aftermath of 9/11 with the aftermath of the 1995 Oklahoma Bombing, among other incidences, and finds differential treatment based on race. For example:

> In the aftermath of September 11, the United States government essentially resorted to racial and linguistic profiling to exclude many Muslims from immigrating to this country; the government has not however, taken any discernible steps to end foreign reinforcements to neo-Nazi ranks by racially or

49   Ibid 55.
50   See *Staub* 'The Psychology of Good and Evil' (n 34); Judith L Herman, *Trauma and Recovery* (Basic Books, New York 1992); Lisa I McCann and Laurie Anne Pearlman, *Psychological Trauma and the Adult Survivor: Theory, Therapy, and Transformation* (Bruner/Mazel, New York 1990).
51   *Staub,* 'The Roots of Evil' (n 39) 61.
52   *Huggins,* 'Moral Universe of Brazilian Torturers' (n 44).
53   Salah D Hassan, 'Arabs, Race and the Post-September 11 National Security State' (2002) 224 Middle East Report 16, 17.

linguistically profiling immigrants from countries with growing neo-Nazi organizations like the United Kingdom, Canada, Germany, Russia and the Czech Republic.[54]

He concludes that the path taken by the US thus far has led to a new 'nebulous racial category consisting of Arabs, Muslims, and "Arab looking people"…being treated as though they have no rights that those who "look American" or have "American names" are bound to respect'.[55]

Groupthink/Diffusion of Responsibility

The term 'groupthink' describes situations where a group exhibits poor decision-making because the tendency to engage in 'premature concurrence-seeking' erodes 'mental efficiency, reality testing, and moral judgment'.[56] Janis notes that 'powerful social pressures are brought to bear by the members of a cohesive group when a dissident begins to voice his objections to a group consensus'.[57] Janis and Mann describe eight symptoms of groupthink, several of which could affect views about torture, including excessive stereotyping, an illusion of morality (group members ignore the ethical consequences of decisions, viewing their decisions as morally correct), an illusion of invulnerability (the group is overly-optimistic and engages in risk-prone behaviour), and 'mindguarding' (where some members of the group become guardians of the information to which the group is exposed).[58] Mohammed et al., notes that the feeling of 'perceived invincibility' from group-think 'makes torturers more ruthless in their profession' as 'individuals involved in an inhuman practice can easily protect themselves from self-prohibition', thus weakening 'the self restraints of a (potential or actual) torturer'. This is often called 'diffusion of responsibility', another relation to groupthink.[59]

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54   Jonathan K Stubbs, 'The Bottom Rung of America's Race Ladder: After the September 11 Catastrophe Are American Muslims Becoming America's New N…s?' (2003-2004) 19 Journal of Law and Religion 115-151, 126.

55   Ibid 148.

56   Won-Woo Park, 'A Comprehensive Empirical Investigation of the Relationships among Variables of the Groupthink Model' (2000) 21 Journal of Organizational Behavior 873-887, 873. See also Irving L Janis, *Victims of Groupthink* (Houghton Mifflin, Boston 1972) 9.

57   Irving L Janis, 'Groupthink among Policy Makers' in Nevitt Sanford and Craig Comstock (eds) *Sanctions for Evil* (Jossey-Bass, San Francisco 1971) 71.

58   Irving L Janis and Leon Mann, *Decision Making: A Psychological Analysis of Conflict, Choice, and Commitment* (Free Press, New York 1977).

59   *Mohammed and others* (n 24).

In an earlier section, we described the 'nurture' point of view about how torturers are made not born, in the context of exposure to violence. Groupthink provides another path, through diffusion of responsibility. Bandura points out that:

> The conversion of socialized people into dedicated fighters is achieved not by altering their personality structures, aggressive drives, or moral standards. Rather, it is accomplished by cognitively redefining the morality of killing, so that it can be done free from self-censuring restraints. Through moral sanction of violent means, people see themselves as fighting ruthless oppressors…protecting their cherished values and way of life… (and) saving humanity from subjugation to an evil ideology.[60]

For torturers, diffusion of responsibility disconnects the cause (eg torture) from the effect (death or suffering of the victim). A widely-known example was that of many Nazis who offered the 'I was only following orders' defence at the Nuremberg trials. This was not only a legally-oriented defence, but indicative of a way to absolve themselves of the moral responsibility for the consequences of their own actions as individuals. Huggins illustrates this point using material from interviews with torturers. Here an interviewee explained 'it is shocking the first time you see someone hanging on the Parrot's Perch (a method of torture) with a water hose in his mouth.' (Actually a water hose is usually in the anus and the mouth, with electric wires hooked to the person's testicles, breasts, and/or vagina). This perpetrator declared, 'I didn't agree with that but I was inside the room and the other guys were torturing him. I was just there. I didn't do it'. Another diffusion of responsibility justification was used by an assassin who stated 'some guys died when we were shooting but I don't know who killed him. There were many guys shooting, I couldn't tell who hit the guy and who didn't. You just know that somebody died. Fortunately it was the other side'.[61]

IV. Empirical Examination

To test all the possible hypotheses that could be generated from the previous section's review is beyond the scope of an initial, single study such as this. Thus, in

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60   *Bandura*, 'Selective Moral Disengagement' (n 43) 103.
61   *Huggins,* 'Moral Universe of Brazilian Torturers' (n 44) 531-532.

this paper we provide simple tests of the relationship between a few psycho-social factors and attitudes towards torture. In particular, we focus on: experience with violence, both as a child and/or adult, and as a victim and/or witness; empathy; groupthink/conformity/tolerance; and attitudes towards the corporal punishment of children.

Survey and Study Design

In this study we examine public opinion data from an original survey. This survey included questions about 18 different interrogation techniques, all of which we believe constitute torture under any reasonable interpretation of international law. The sample was randomly drawn from the population of all matriculated students at the University of [removed] during the fall 2006 term and administered via the internet. The survey contained 90 items and took roughly 20 minutes to complete. The survey was in the field from 9 October 2006 to 15 December 2006. There were 853 completed surveys, for a completion rate of 12 percent.

Like many scholars before us, we elected to draw our sample for the study from a randomly selected group of college students. Reliance on college students as subjects is not only standard practice in psychological studies, but is also common in research among political scientists.[62] In addition, to guard against some degree of criticism on the generalisability of our sample, we take into account Sears' suggestion of using persons from different stages of the life cycle in the analysis rather than merely focusing on young adults.[63] The respondents in our sample vary a great deal in age, with the mean age being 28 and the range from 15 to 82.

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62   See Stanley Renshon, 'Psychological Needs, Personal Control, and Political Participation' (1975) 8 Canadian Journal of Political Science 107-116; Shawn W Rosenberg and Patrick McCafferty, 'The Image and the Vote Manipulating Voters' Preferences' (1987) 51 Public Opinion Quarterly 31-47; Neil Nevitte, Herman Bakvis, and Roger Gibbins, 'The Ideological Contours of "New Politics" in Canada: Policy, Mobilization, and Partisan Support' (1989) 22 Canadian Journal of Political Science 475-503; Patricia A Gwartney-Gibbs and Denise H Lach, 'Sex Differences in Attitudes toward Nuclear War' (1991) 28 Journal of Peach Research 161; Lee Sigelman, Carol K Sigelman, and David Bullock, 'Reconsidering Pocketbook Voting: An Experimental Approach' (1991) 13 Political Behavior 129-149.
63   David O Sears, 'College Sophomore in the Laboratory: Influences of a Narrow Data Base on Social Psychology's View of Human Nature' (1986) 51 Journal of Personality and Social Psychology 515-530.

Indeed, the basic demographics of our sample are close to national census figures. Among our respondents, 60 percent are female (it is 50 percent nationally) and 40 percent are male. Using the age groups designated by the US Census Bureau, the modal age category in our poll was 25-34 years old, with 235 respondents (or 31.4 percent) falling into this group. Nationally, 43.6 percent of the population falls between the ages of 25 and 54. In the national census 75 percent are white and 25 percent are non-white, in our sample just over 70 percent are white and 30 percent are non-white.

Findings

Attitudes Towards Torture: Some Basic Descriptives

General questions about torture are the norm, in polls by major organisations such as Pew and ABC. These polls use the word 'torture' in the abstract, and respondents rate the acceptability of 'torture' within some frame. The problem with this approach is that different respondents are very likely to have different conceptions of what constitutes 'torture', so we do not know to what practices respondents to general questions on torture are referring to in their answers. Thus, the results of these surveys lack the ability to inform a national debate about particular practices.

In this paper, we provide an improvement on this situation by asking respondents to share their views on the acceptability/unacceptability of 18 particular interrogation techniques, all of which constitute torture as defined by international law.[64] A May 2004 ABC News/Washington Post asked respondents about their attitudes towards three specific types of 'getting information from prisoners' – sleep deprivation, denial of clothing, and hooding – but each of these were only given to one-third of respondents. This random short set of means of torture is not representative enough of a list to deduce anything meaningful about respondents' attitudes towards particular forms of torture. Also, so far as we are aware, this information from the ABC poll was never publicly reported and/or analysed.[65] In the cur-

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64   Our assertion of 'constitute' relies dominantly upon decisions made by The Committee Against Torture, a ten-expert panel charged with deciding what constitutes torture as defined in the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Some might argue that a few of the 18 items on our list, such as hooding and restraint, are not torture, per se, per article 16 of CAT. However, this is an overwhelmingly minority view, and the Committee Against Torture has ruled these items to be such (See Concluding Observations of the Committee Against Torture: Israel, 18th Sess., U.N. Doc. A/52/44 (1997) [257]).

65   ABC News/Washington Post Poll, May 2004. ICPSR version. PA Horsham: Taylor Nelson Sofres Intersearch, 2004. Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2004.

rent study, items were not framed for respondents as 'torture' so as not to impose that rather loaded label – we merely wished respondents to judge items on the merits of their individual acceptability. Table 1 shows the opinion breakdown for those 505 respondents who answered all 18 items, with the items listed in the order in which they were placed on the survey, from top to bottom.

Table 1: Attitudes Towards Particular Interrogation Techniques (N=505)

	Technique Acceptable In some cases	Technique Unacceptable In all cases
Not allowing the suspect to sleep	56	44
Not allowing the suspect to sit or lie down	61	39
Withholding food and/or water	40	60
Threatening to harm suspect's family members	24	76
Applying electric shocks to the suspect	24	76
Making the suspect go naked	26	74
Loud noise for long periods of time	53	48
Holding the suspect's head under water	24	76
Threatening to shoot the suspect	42	58
Hooding the suspect for long periods of time	56	44
Sexually humiliating the suspect	12	88
Exposing the suspect to extreme heat or cold	36	64
Punching or kicking the suspect	34	66
Threatening the suspect with a dog	43	57
Making the subject face a mock execution	33	67
Beating short of breaking bones, but bruising	29	71
Humiliating the subject via degrading language	56	44
Sexually assaulting the subject	03	97

Note: Items are shown in the order in which they were presented to respondents, from top to bottom. All rows may not add to 100% due to rounding.

We see majority support for only five of the 18 items: not allowing the suspect to sleep, not allowing the suspect to sit or lie down, loud noise for long periods of time, hooding the suspect for long periods of time, and humiliating the subject via degrading language. The common thread among these is that they are all

'leaves no marks' type of interrogation. However, there is no such majority support for other items in this category such as threatening the suspect with a dog, mock execution, making the suspect go naked, threatening to shoot the suspect's family members and sexually humiliating the suspect (although threatening to shoot and threatening with a dog came close to 50% support).

We found it interesting that while only 24% found the threatening of a suspect's family members to be appropriate, 34% supported punching or kicking, 36% supported exposure to extreme temperatures, and 29% supported beatings that would cause bruising.

The two categories gaining the least support were both sexual in nature, sexually assaulting the subject (3%) and sexually humiliating the subject (12%). We see some gender-based difference in these items, with males being overrepresented towards acceptability of sexual-based interrogation relative to their share of the respondent pool. Only 15 persons felt that sexual assault is acceptable – 14 of which were males. That is 93% of respondents in that category, although males comprised only 39.6% of the 505 respondents. The sexual humiliation item had a similar gender differential, but there was none such regarding the 'make the suspect go naked' item.

The Torture Acceptability Index

Table 2: Mokken Scaling Analysis of Attitudes towards Particular Interrogation Techniques: The Torture Acceptability Index (N=505, Scale H coefficient = 0.67)

Item	Item Mean	Std. Dev	Item H
Not allowing the suspect to sit or lie down	.610	.488	0.75
Not allowing the suspect to sleep	.564	.496	0.71
Humiliating the subject via degrading language	.564	.496	0.64
Hooding the suspect for long periods of time	.558	.497	0.68
Loud noise for long periods of time	.525	.500	0.70
Threatening the suspect with a dog	.434	.496	0.67
Threatening to shoot the suspect	.422	.494	0.66
Withholding food and/or water	.404	.491	0.58
Exposing the suspect to extreme heat or cold	.360	.481	0.68
Punching or kicking the suspect	.339	.474	0.65
Making the subject face a mock execution	.335	.472	0.66
Beating short of breaking bones, but bruising	.291	.454	0.69
Making the suspect go naked	.259	.439	0.64
Holding the suspect's head under water	.242	.428	0.72
Applying electric shocks to the suspect	.238	.426	0.67
Threatening to harm suspect's family members	.235	.425	0.62
Sexually humiliating the suspect	.117	.321	0.79
Sexually assaulting the subject	.030	.170	0.90

We used a probabilistic cumulative scaling technique known as Mokken Scaling Analysis (MSA) to test whether the 18 interrogation items are homogenous enough to be used together as an index of torture acceptability in our later analyses, as well as whether there is any ordering in the acceptability of these particular techniques among respondents.[66] Table 2 summarises the results of our MSA of these 18 items. In MSA, the 'H' statistic represents the homogeneity, or scalabil-

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66   For an excellent methodological introduction to MSA and a discussion of its capabilities, see Wijbrandt H van Schuur, 'Mokken Scale Analysis: Between the Guttman Scale and Parametric Item Response Theory' (2003) 11 Political Analysis 139-163.

ity coefficient for the scale as a whole. The H statistic is the most important statistic in a Mokken scale analysis, and tells us about the potency of a scale. Since MSA is stochastic, the overall H statistic calculated for our scale takes into account scaling errors in the data.

According to Mokken's rule, .3 < H < .4 constitutes a weak scale, .4 < H < .5 demonstrates medium scalability, and .5 < H < .6 shows a strong scale. We see from Table 2 that our scale has an H of .67, demonstrating very strong scalability. Because of this strong scalability, we can confidently sum the scores of these 18 items into an additive scale measuring one's level of torture acceptability. We did so and constructed an index ranging from 0 (all items are found to be unacceptable) to 18 (all items are found to be acceptable). We call this the Torture Acceptability Index (TAI).[67]

The mean TAI score was 6.53 (sd = 5.68; N=505). Males had a significantly higher mean score on the TAI (7.67) than did females (5.78), at p≤.03. Whites had a significantly higher mean score on the TAI (7.08) than did blacks (4.53), at p≤.01.[68] There was not a significant difference in TAI mean scores between military veterans (7.43) and non-veterans (6.34), at p≤.61. There was a significant difference in TAI mean scores between those strongly identifying as Republicans (11.30) and those not identifying as such (5.81), at p≤.00.

If the criterion of double monotonicity is satisfied, the items in that scale can be ordered by their means to represent a cumulative sequence.[69] Table 2 is ordered as such and here the sequence is the degree to which respondents found these items acceptable. Thus, the sequence in Table 2 reads from acceptable/low aversion (top with low means) to unacceptable/high aversion (bottom with high means), in that order.[70]

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67   The 'Item H' statistic reported for each of the scale items can be interpreted similarly to the overall scale H statistic, and indicates the homogeneity of each item with the rest of the items in the scale. All items have an H statistic greater than .58, and thus, according to Mokken's (1971) rule of thumb, are strongly homogenous with each other. See *van Schuur* (n 66).

68   There were insufficient numbers of respondents in the other racial categories to report reliable associations.

69   That is, the item response functions (IRFs) can touch or overlap, but not cross. Because Mokken's model is stochastic, some allowance is made for this to happen, however. The extent of allowance for crossing IRFs as affects determination of the double monotonicity criterion can be set by a research or dictated by software such as Van Schuur's MSP program.

70   Despite, for example, the difference in mean levels of acceptability for threatening to shoot and withholding food/water being a mere .018, tests of double monotonicity assure us that there is enough difference between these two items to justify this ordering.

We see the technique found to be most acceptable was not allowing the suspect to sit or lie down, while the least acceptable technique is sexually assaulting the subject. Alternatively, we could say with some confidence that, were a random person from our respondent pool made to approve/reject these activities one-by-one, the most likely technique of which they would approve of first would be denial of sitting/lying. The last approved item would be sexual assault, and only after approval had been granted for the previous 17 items (thus, the cumulative nature of the index).

Exposure to Violence

The Conflict Tactics Scale (CTS) is the dominant instrument used in psychological research to assess an individual's exposure to violence.[71] To examine the relationship between one's exposure to violence and attitudes towards torture, we used a modified version of the physical assault subsection of the CTS. Our version of this scale asks respondents to *twice* respond to a nine-item battery of questions– once for events happening to them as a child, once for events experienced as an adult. The two separate batteries ask '[As a child]/[After you became an adult] did any other [parent, stepparent, or guardian]/[adult, male or female], ever', followed by a list of violent events:

- Throw something at you that could hurt?
- Push, grab, or shove you?
- Slap or hit you?
- Kick or bite you?
- Hit you with some object?
- Choke or attempt to drown you?
- Beat you up?
- Threaten you with a gun, knife, or other weapon?
- Use a gun, knife, or other weapon against you?

Most of our respondents reported experiencing at least one form of CTS violence, either as an adult (57%) or as a child (62%), with rich variation across types of violence and age frames (child/adult).

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71   Murray A Straus, 'Measuring Intrafamily Conflict and Violence: The Conflict Tactics (CT) Scales' (1979) 41 Journal of Marriage and the Family 75-88.

Table 3: Mean Torture Acceptability Index Values by Exposure to Conflict as a Child and as an Adult

	YES	NO	P of Difference
As a CHILD, did you ever witness a violent crime such as a shooting or stabbing?	6.81	4.79	0.09
As a CHILD, did any parent, stepparent, or guardian ever:			
Throw something at you that could hurt?	5.44	7.10	0.01
Push, grab, or shove you?	6.50	6.77	0.53
Slap or hit you?	6.45	6.99	0.38
Kick or bite you?	6.25	6.71	0.30
Choke or attempt to drown you?	4.50	6.70	0.21
Hit you with some object?	6.91	6.46	0.33
Beat you up?	5.12	6.77	0.16
Threaten you with a gun, knife, or other weapon?	5.85	6.70	0.35
Use a gun, knife, or other weapon against you?	9.00	6.62	0.58
	YES	NO	P of Difference
After you became an ADULT, have you witnessed a violent crime such as a shooting or stabbing?	6.72	6.53	0.29
After you became an ADULT, did any other adult, male or female, ever:			
Throw something at you that could hurt?	7.02	6.48	0.40
Push, grab, or shove you?	6.47	6.76	0.60
Slap or hit you?	6.34	6.81	0.42
Kick or bite you?	6.52	6.68	0.47
Choke or attempt to drown you?	6.53	6.67	0.45
Hit you with some object?	6.63	6.64	0.58
Beat you up?	7.72	6.50	0.38
Threaten you with a gun, knife, or other weapon?	7.89	6.34	0.07
Use a gun, knife, or other weapon against you?	8.65	6.48	0.06

Note: "P of Difference" values indicate the probability of Type I error in rejecting H0 that the population means of these categories are identical. Reported values are from W Tests, which return robust results under violations of the variance homogeneity assumption.

Table 3 shows mean TAI scores of respondents by their exposure to violence both as a witness and/or victim and as child and/or adult. Those respondents having

witnessed violence as a child (7% of respondents who answered all 18 TAI items) showed a significantly higher mean TAI score (more acceptant of torture) than those who did not. There was no such effect for violence witnessed as an adult (14% of respondents who answered all 18 TAI items). Among the specific types of violence experienced as a child, only those having experienced something potentially hurtful to them showed a significant difference on the TAI from those who had no such experience. Here, though, those experiencing violence had a lower mean TAI score (less-acceptant of torture) than those who did not. Two forms of adult-experienced violence had significantly different TAI means. Both those that had been threatened with a knife, gun, or other weapon, and those who actually had one used against them had higher mean TAI scores than those who had not been through these experiences.

These results might suggest that the effects of *witnessing* violence on attitudes towards violence are most powerful during one's formative years. This is because witnessing violence during key times of cognitive development has an impact on coping skills and how one frames what is acceptable and unacceptable. Interestingly, among those items showing significant difference among groups, in terms of *experiencing violence as a victim*, childhood experience is associated with less acceptance of torture and adult experience is associated with greater acceptance. This could point towards resilience in younger persons helping them break the cycle of violence. Another reason might be that experience as a victim during development may be more likely to generate empathy or moral reciprocity. Alternatively (or, in addition), perhaps the *degree of violence* experienced affects how exposure translates into torture acceptability/aversiveness. The types of violence respondents experienced as an adult (knife/gun-related) that had significantly different TAI means were much more aggressive than the childhood type experienced (thrown objects).

Spanking

Table 4: Mean Values of Respondent Attitudes Towards Particular Interrogation Techniques by Attitude Towards Spanking

TAI Item	Spanking is an appropriate punishment for a misbehaved child…						
	Strongly Agree	Agree	Somewhat Agree	Somewhat Disagree	Disagree	Strongly Disagree	P of Difference
Not allowing the suspect to sit or lie down	.752	.667	.532	.318	.500	.387	0.00
Not allowing the suspect to sleep	.705	.581	.557	.410	.475	.226	0.00
Humiliating the subject via degrading language	.682	.547	.582	.500	.450	.323	0.00
Hooding the suspect for long periods of time	.760	.521	.532	.318	.450	.194	0.00
Loud noise for long periods of time	.705	.573	.506	.273	.325	.258	0.00
Threatening the suspect with a dog	.605	.496	.380	.227	.225	.194	0.00
Threatening to shoot the suspect	.636	.487	.342	.227	.150	.194	0.00
Withholding food and/or water	.558	.453	.316	.363	.275	.129	0.00
Exposing the suspect to extreme heat or cold	.628	.368	.266	.182	.150	.097	0.00
Punching or kicking the suspect	.574	.308	.278	.091	.200	.161	0.00
Making the subject face a mock execution	.558	.350	.241	.182	.125	.194	0.00
Beating short of breaking bones, but bruising	.519	.282	.215	.091	.125	.065	0.00
Making the suspect go naked	.364	.299	.228	.182	.125	.097	0.00
Holding the suspect's head under water	.457	.231	.152	.045	.075	.065	0.00
Applying electric shocks to the suspect	.426	.214	.177	.091	.075	.065	0.00
Threatening to harm suspect's family members	.388	.282	.152	.091	.075	.129	0.00
Sexually humiliating the suspect	.170	.180	.076	.091	.075	.065	0.02
Sexually assaulting the subject	.039	.026	.013	.045	.050	0.00	0.75
Torture Acceptability Index Mean for Column	9.53	6.86	5.54	3.64	3.93	2.84	
(N)	129	117	79	22	40	31	

Note: 'P' values indicate the probability of Type I error in rejecting H0 that the population means of these categories are identical. Reported values are from W Tests, which return robust results under violations of the variance homogeneity assumption.

Our survey used a six-point Likert scale to gauge respondents' attitudes towards spanking as an appropriate punishment for a misbehaved child. Sixty-one percent of our respondents either strongly agreed or agreed it to be appropriate, whereas 16% disagreed or strongly disagreed with the practice. The relationship between one's attitude towards spanking and one's attitude regarding torture was found to be statistically significant for each of the 18 items except sexually assaulting the

suspect. The direction is such that the stronger one's support for spanking as a punishment for a misbehaved child, the more acceptable one finds torture. Reading the rows in Table 4 left to right, there is a noticeable drop-off in torture acceptance once one reaches column four ('Somewhat Disagree'). The most remarkable drop-off in acceptance, however, is probably between columns one ('Strongly Agree') and two ('Agree'). This is particularly true for the most-acceptable items in the scale such as restrictions on sitting, sleeping, hooding, and threats with dogs and guns.

We wondered whether these findings may be biased by the region in which the survey was administered; as our sample comes from a southern city where, until recently, corporal punishment was permissible in city schools. Indeed, Giles-Sims, Straus, and Sugarman find the southern United States to be, far and away, the US region with the highest prevalence of spanking.[72] However, a national poll also taken in the fall of 2006 found a relationship between torture and spanking. Kyle Pruett, a psychiatrist at Yale University's Child Study Center surmised:

> We know that when parents spank, it's a way to manage the frustrations of parenthood. It's usually done when there are a lot of emotions, generally when parents are at the ends of their ropes… I can see why people would think that terrorists have frustrated us enormously, to the point that we struggle to see them even as human beings…We feel we can violate them because they have so frustrated us. So we say it is all right to spank. It is all right to torture.[73]

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72   Jean Giles-Sims, Murray A Straus, and David B Sugarman, 'Child, Maternal, and Family Characteristics Associated With Spanking' (1995) 44 Family Relations 170.

73   Thomas Hargrove and Guido H Stempel III, 'Support for torture is linked to attitudes on spanking' *Scripps Howard News Service* (31 October 2006) <http://www.newspolls.org/articles/19606> accessed February 5, 2010.

Empathy

Table 5: Empathy and Torture Acceptability

Empathy Scenario One

Imagine you have just watched a movie in which a parent who cannot find work is driven to the unarmed crime of stealing some food to feed her hungry children. She is confronted by the shopkeeper who, to protect his property against theft, shoots and kills the woman. Which of the following best describes your reaction to this scenario?

   3 The woman was a criminal and got what she deserved

   2 The woman may not have deserved to die for the crime, but she did commit a crime and her death is mostly her own fault

   1 The woman did not deserve to die for the crime, especially since she had to choose between becoming a criminal and letting her children go hungry.

W Statistic: (3, 19.12) = 6.999
p= 0.0023

Empathy Scenario Two

Imagine you just saw a violent crime committed against an elderly man on the other side of a public street. There is no one else around. Which of the following best describes your most likely reaction after the criminal has left the scene?

   4 You ignore what you saw and keep going on your way

   3 You keep going on your way, but call the police and/or an ambulance for help

   2 You stay where you are on your side of the street, but stay and call the police and/or an ambulance for help

   1 You cross the street to check on the man's condition and call the police and/or an ambulance for help

W Statistic: (4, 61.27) = 0.344
p= 0.8472

Note: "P" values indicate the probability of Type I error in rejecting H0 that the population means of these categories are identical. Reported values are from W Tests, which return robust results under violations of the variance homogeneity assumption.

To gauge respondents' level of empathy, our survey instrument presented them with two scenarios where the respondent would have to make a choice to act or not act on something they witnessed. The options given to respondents also presented a variety of possible actions should they decide not to walk away from what the scenario presented them. Table 5 presents these two scenarios and the options for each presented to respondents. Aside from these option, respondents had the typical 'Don't know/Don't care' and open-ended response options.

Scene one could be called the 'Les Miserables' scenario as it places the respondent as a witness to what is clearly a crime, although one rooted in poverty-based physical needs. This item clearly measures empathy rather than pity, as it asks the respondent to judge the appropriateness of an outcome from a crime where a mitigating motivation is clear. This is because, unlike pity, empathy requires the understanding of another's feelings/emotions, including motive.

In our sample of respondents, there was a statistically significant relationship between empathy and torture acceptance ($p \leq 0.00$) such that those who were more empathetic were more averse to torture. Only 5% of respondents felt the woman 'got what she deserved'. Twenty-one percent felt she may not have deserved to die, but her death was her fault because she chose to commit a crime. Seventy-eight percent felt she did not deserve to die because of the circumstances motivating the crime.

Scene two is a relatively standard 'good Samaritan' scenario. Here, empathy rather than pity is measured, as pity would just require feeling sorry for the victim, not understanding their pain enough to act (ie to demonstrate some degree of moral reciprocity). However, unlike in scenario one, there is no statistical relationship ($p \leq 0.85$). This could be because scenario two introduces into the mix a concern of the respondent for his/her own safety. Also, it requires a higher-level demonstration of empathy, action, in order to register as empathetic on the measure. Thus, there may be a threshold effect in play as empathy affects torture acceptability. This doesn't seem to be the case upon inspection of the data, as, overwhelmingly 85% of respondents indicated they would cross the street to check on the man. However, those respondents distributed themselves relatively well over the whole range of the Torture Acceptability Index. This is different than the distribution for scenario one, where those who could not blame the woman were dominantly clustered in the lower half of TAI score values.

Groupthink/Conformity/Tolerance-Related Attitudes

Table 6: Mean Torture Acceptability Index Values by Groupthink/Conformity and Tolerance-Related Attitudes

	Yes	No	P of Difference		
Would you marry someone of a different race/ethnic background than your own?	5.75	10.50	0.00		
Would you accept someone of a different race/ethnic background than your own as a next door neighbour?	6.55	13.00*	0.99		
	Strongly Disagree	Dis-agree	Strongly Agree	Agree	P of Difference
A group that tolerates too many differences of opinion cannot survive for long	5.14	6.62	8.41	9.52	0.00
In the long run, the best way to live is to choose friends and associates that have similar tastes and beliefs as your own	5.58	6.19	7.67	7.51	0.04
I believe in free speech for all, no matter what their views might be	6.31	8.19	7.34	6.00	0.07
No matter what a person's political beliefs, he or she is entitled to the same legal rights and protections as anyone else	8.69	11.46	8.27	5.89	0.00

Note: 'P of Difference' values indicate the probability of Type I error in rejecting H0 that the population means of these categories are identical. Reported values are from W Tests, which return robust results under violations of the variance homogeneity assumption.
* Only one respondent answered 'No'. More respondents abstained from answering this item (289) than answered 'Yes' (206).

Table 6 shows respondents' mean TAI scores as related to their answers to six survey items related to groupthink/conformity/tolerance-related attitudes. Probably the most interesting among these is the item asking whether a respondent would accept someone of a different race/ethnicity as their next door neighbour. First, this is the only item among the six where the relationship between its responses and mean TAI values is statistically insignificant (p≤0.99). As noted in the table, only one respondent answered 'no'. This quite amazing result, when coupled with the fact that more respondents abstained from answering this item (289) than

answering 'Yes' (206) might point strongly to their wanting to abstain than give what could be seen as the socially-unacceptable answer.

Despite the N of one in the negative category of the 'race/ethnicity & next door neighbour' item, the direction and magnitude of the relationship with mean TAI scores is in line with the prior item asking whether a respondent would marry someone of a different ethnicity/background . There, respondents unwilling to marry across ethnic/race lines had, on average, significantly higher (nearly double) TAI scores than those willing to do so ($p \leq 0.99$). We suspect respondents felt not being accepting of marriage across these lines is more defensible than not wanting a next door neighbour different from them. We say this certainly recognising that marriage is a more intimate subject than neighbours. In the subsequent national poll we hope to do, we would do well to ask a marriage question examining attitudes about the inter-racial/ethnic marriage of a child or relative, in order to depersonalise the experience somewhat and reduce the aesthetic sexual-preference bias that could be present.

The next battery of items in Table 6 has a different response structure (Likert scale of agreement) than the first two items. In the first two items, those respondents who indicated a strong preference for conformity and intra-group agreement had significantly higher mean TAI scores than those more comfortable with diversity of opinion/preferences ($p \leq 0.00$, $p \leq 0.04$ respectively). The third item also measures tolerance of opinion, but is placed in a frame of constitutional civil rights guarantees. Higher intolerance of legal protections for diverse views is associated with higher torture acceptance ($p \leq 0.00$), in the 'disagree' rather than 'strongly disagree' category. Perhaps the 'strongly disagree' category is troublesome for some conservatives/'patriots' faced with the dilemma of the Constitution's principle of free speech (which invokes both 'American values' and freedom from government interference) and the protection of speech they feel is 'un-American/dangerous'. Thus, they back off one category to 'disagree'. The same would hold for the final item, which is very similar in form and outcome.

Regression Results

Table 7: Standardised Estimates from a Regression of Psycho-Social Attitudes on the Torture Acceptability Index

	Beta Coefficient	P
Would *not* marry someone of different race/ethnicity	2.77	0.01
Empathy for the Hungry Stealing Food	-2.23	0.01
Respondent had something thrown at them as a child	-2.02	0.03
No matter one's beliefs, they are entitled to the same legal rights and protections as everyone else	-1.09	0.10
Party Identification	.778	0.00
Spanking appropriate behaviour for misbehaved child	.682	0.01
Threatened with gun, knife, or other weapon as a child	.975	0.40
Had gun, knife, or other weapon used against as adult	2.31	0.16
Witnessed violent crime such as shooting or stabbing as a child	.471	0.78
Group that tolerates differences of opinion can't last long	.603	0.16
Best way to live is have friends and associates with similar tastes and beliefs	.573	0.23
Free speech should *not* be for all…	.354	0.54
Constant	8.56	0.58
N (160) F (12, 147) = 8.29 Prob > F = 0.000		

Note: For purposes of interpretability, the spanking item was rescaled so that higher values equal higher support for spanking. Thus, positive values in this table are associated with increased torture acceptability and negative values with decreased torture acceptability. The word 'not' has been added to the first and twelfth items to make it more intuitive in its coefficient direction.

Table 7 reports the results from a regression, pitting some of the aforementioned factors against one another in attempting to explain variance in respondents' Torture Acceptability Index scores. We report standardised coefficients, as we were primarily concerned with the relative predictive power of these factors. Those factors (aside from the constant) returned as significant predictors of torture acceptability are boldfaced and listed from top to bottom in decreasing order of the strength of their association with torture acceptability. Positive coefficients indi-

cate association with greater torture acceptance. To the mix of psycho-social factors, we added a standard ordinal partisan identification measure, where higher values indicate greater 'Republican-ness'.

Empathy, experiencing violence as a child, and belief in equality of legal rights regardless of speech content, were all associated with *less acceptance* of torture. Not wanting to marry across racial/ethnic lines and agreeing with spanking as an appropriate punishment for a misbehaved child were associated, along with greater 'Republican-ness', with *greater acceptance* of torture.

Interestingly, several of our statistically significant psycho-social items were more -robust associates of torture acceptance than was partisan identification. This is particularly important given the role the media gives partisan identification in explaining differences in citizen attitudes towards torture. The findings here suggest that the simple-party thesis indeed merely scratches the surface in trying to explain the roots of US citizen attitudes towards torture.

V. CONCLUSION

The goal of this study was to explore whether factors other than party identification could be shown to be reliably associated with US citizens' attitudes towards torture. To do this, we created what we call the Torture Acceptability Index (TAI), a 19-point ordinal additive scale where higher scores indicate greater acceptance of torture. The TAI is composed of one's attitudes towards the acceptability of 18 separate interrogation techniques constituting torture under international law.

We found several psycho-social factors to be reliable associates of one's acceptance of torture. Further, several were more-robustly associated with torture acceptance than was partisan identification. This is significant, as partisan identification has been, overwhelmingly, the dominant explanation of citizen differences regarding torture since 2004 in the US. Thus, an important national debate has been missing a full understanding of its underpinnings. We found those respondents evidencing less empathy and displaying a desire for greater conformity to be more-acceptant of torture than respondents who scored highly on empathy and tolerance.

We found mixed evidence regarding the cycle of violence. Countering the framework's expectations, we found exposure to violence as a child *victim* to be associated with less acceptance of torture. On the other hand, exposure to vio-

lence as a child *witness* may have some reliable association with greater acceptance of torture, and exposure to knife and gun-related violence as an adult appears to be associated with greater acceptance of torture. The mixed evidence may have something to do with differences in resilience of particular respondents and/or particular age groups.

The very strong association between one's attitudes towards the appropriateness of spanking as a punishment for a misbehaved child and one's acceptability of torture is certainly worth further investigation, as it opens the door to larger questions about torture and US national values and policies. As Dr Pruett implied, the relationship between torture acceptability and spanking acceptability could be a manifestation of how respondents deal with frustration.[74] Further study could examine whether there is something in the US character in which US citizens deal with frustration in ways different than do Canadian or Norwegian citizens, and that this may ultimately affect different policy positions and/or practices in the value-laden realm of human rights.

The findings in this study demonstrate that, operationally, 'torture' is neither an abstract nor a monolithic concept to US citizens. Thus, policymakers would be wise to pay attention to the fact that citizen attitudes towards torture are nuanced and that even existing support for the use of torture has thresholds, most likely at the 'leaves no marks' demarcation. Further, policymakers would do well to be aware that some portion of support for the use of torture has nothing to do with politicians' stated justifications for its use but, rather, what US citizens believe about how they should treat one another, what values they owe one another, how they should treat children, and what violence they have experienced as adults and children – and not just who they vote for or what justification they are given – that guides their attitudes towards the acceptability of their government employing torture.

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74   *Hargrove and Stempel III* (n 73).