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Support for torture over time: Interrogating the American public about coercive tactics

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ABSTRACT

In this study, we examine what influences public attitudes toward torture and whether the public's attitude affects or is affected by shifts in presidential policy on torture. We employed ten surveys over five years that looked at approval of torture, as well as two surveys that asked questions about specific methods. We find that public support for torture has risen mildly, but a resilient ambivalence best describes the public's attitude. The public was not affected by the change in government from an administration that strongly supported enhanced interrogation techniques to one that opposed them, and labeled them torture. Public opinion also seemed unaffected by the increased criticism of torture generally. Large majorities oppose most specific methods of interrogation, while at times a majority supports torture in general. We also find support for torture and specific methods is affected most strongly by partisanship and ideology.

1. Introduction

Researchers are only now beginning to systematically investigate American public opinion toward torture for the obvious reason that the issue of torture and "enhanced interrogation techniques" only emerged in American politics in the aftermath of the terrorist attacks of September 2001.[1] Torture and the broader question of mistreatment of POWs and other detainees during wartime have arisen during earlier American conflicts but these were not matters of public engagement or discussion, and there is no record of polling on the topic. By contrast, since the breaking of the Abu Ghraib prisoner abuse scandal in 2004, the American public is regularly polled in the name of national security about its views on torture and the harsh interrogation techniques applied by US officials to alleged terrorists.

President Obama declared that these enhanced techniques constitute torture, and has prohibited their use (Executive Order 13491). However, the question of whether the public supports these methods, and to what degree, remains an important question for scholarly research. The Bush policies represented a dramatic shift from the historic conduct of American forces at war.[2] Detailed data on public opinion about a major shift in

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[1] In this article, we will not resolve the legal, moral, or practical questions involving torture. Because our core survey question employs the word "torture" we will frequently use that term to describe practices authorized under the Bush administration. We do not in this article, resolve the question of how torture should be defined or interpreted as a legal matter.

[2] They do not represent a dramatic shift in the conduct of our intelligence agencies, which during the Cold War used or taught many of the interrogation techniques that are now the subject of public debate (McCoy, 2006). Still, harsh interrogation techniques have never become presidential policy before.

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government practice during war has rarely been available. Moreover, the threat that caused the shift remains present, and in the aftermath of future attacks, the use of torture or harsh interrogation techniques would certainly be reconsidered.

2. Theoretical background

For the most part, we can categorize the question of torture after 9–11 as a foreign policy and national security issue. Almost all the interrogations occurred overseas, whether at Guantanamo Bay, Bagram Airbase, other detention facilities in Iraq and Afghanistan, or in secret CIA prisons around the world. They occurred in the context of the Global War on Terror, not only a foreign policy issue but far and away the largest issue in American politics for almost a decade. A great deal has been written about public opinion on foreign policy in the last 60 years. A broad array of early scholars adhered to the Almond–Lippman consensus, that opinion about foreign policy in the mass public was volatile, uninformed, and/or otherwise unfit to guide the nation's leadership (Almond, 1950; Holsti, 1992). A revisionist school emerged which argued that public opinion about foreign policy was more sophisticated, and that it either did or should play a large role in national policy (Alterman, 1998; Bartels, 1991; Holsti, 1992, 2004; Monroe, 1979; Mueller, 1973; Nie, Verba, & Petrocik, 1976; Oldendick & Bardes, 1982; Page & Shapiro, 1983, 1992; Russett, 1990; Wittkopf, 1990). While much remains contested, it is clear that the average citizen has less information about foreign policy matters, and that they are of a lower level of salience, than is the case with domestic political issues. Opinion about foreign policy is characterized by dramatic events, centralized and often secret information, and higher levels of common values among citizens when compared to domestic politics (Page & Shapiro, 1992, p. 283).

In the context of public opinion, opposition to torture is surely one of the values common to postmodern societies, along with general concern for civil liberties and rights of the accused (Abramson & Inglehart, 1995). Prior research establishes that there is a negative correlation between a society's wealth and tolerance for torture by governments (Kull et al., 2008). Writing more than 30 years ago, Henry Shue argued that torture, from the perspective of moral philosophy, evokes "a peculiar disgust" because it touches on "primitive moral prohibition against assault upon the defenseless" (Shue, 1978, p. 125). It is far more problematic than war, since the doctrine of just war requires that combat cease upon surrender. Torture seems to occupy a special position within modern liberal thought. Political philosopher Judith Shklar notes that for classical moral thinkers, cruelty is not a serious issue, and its current status as one of the most serious vices in liberalism represents a key turning point in history, when Montaigne "put cruelty first" (Hoffman, 1993; Shklar, 1984).

Terrorism, though, may increase support for torture among many citizens. Law professor Stephen Holmes, a fierce critic of the Bush policies, perceives a widespread American acceptance of torture in the aftermath of 9–11:

> The 9/11 hijackers violated an absolute prohibition. What possible reaction could be adequate to what they did? A response that trespasses on equally sacred ground. . .because it violates an absolute prohibition, torture sends a message that there is nothing the United States is not willing to do. . ..We can respond to their lawlessness with our own lawlessness. (Holmes, 2006, pp. 129–130)

Holmes argues that supporters of torture endorse it precisely because it is illegal and extreme, and he also provides a partisan interpretation to the torture debate:

> George W. Bush may even have been re-elected, in part, because he was widely perceived as having fewer scruples than his opponent and therefore as being more willing to give the terrorists a taste of their own medicine. . ..Democrats risk making Americans feel guilty about defending themselves ferociously in an increasingly dangerous world. (Holmes, 2006, pp. 131–132).

Commentator Andrew McCarthy, a supporter of the Bush interrogation methods, also believes that most citizens were secretly relieved that torture was taking place (McCarthy, 2006). Thus, on both sides of the torture debate some claim that the American public, or at least a sizable portion of it, endorses those policies. Are Americans actually tolerant of torture? Do they see it as the ugly but condign response to terrorism? Is torture as deeply partisan as Holmes views it?

The most current examination of American attitudes toward torture finds partisan divides deepening since 9–11, and finds a small trend upward in support for torture since the inauguration of Barack Obama (Gronke et al., 2010). Interestingly, they find a false consensus in support of the Bush interrogation policies, in which the public tended to oppose torture, but thought that the average American had a different view.

We also predict two significant ideological and demographic divides. Interrogation is both a use of force issue and civil liberties/rights of the accused question. Traditionally, use of force questions, whether domestic, such as the death penalty and foreign divide along gender lines (Shapiro & Mahajan, 1986; Wilcox, Hewitt, & Allsop, 1996) and often on ideological ones. Attitudes about civil liberties are also highly ideological, and tend to be affected by socioeconomic status. More educated respondents tend to strongly endorse Miranda rights and other protections against government violations of civil liberties. We do not make a prediction about the role of religion in the torture debate. While many religious authorities from a variety of faiths criticized various aspects of the Bush interrogation policies (Dubensky & Lavery, 2006), prior research suggests that at least some Christian faiths, particular evangelicals and fundamentalists, are less sympathetic to Arabs (likely subjects of harsh interrogations in the war on terror) than would non-Christians (Mayer, 2004).