

The long history of American torture

November 15, 2011 12:00 PM Cody Wild

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In a bracing analysis of the role of torture in America's past, visiting lecturer W. Fitzhugh Brundage contemplated the prickly issue of “the recurrence of torture in a society founded on values antithetical to it.” In a recent talk on the Tulane uptown campus, he reflected on how the practice of torture is often excused because of America's perception that it is a country that does not torture.

Brundage, the William Umstead Distinguished Professor at the University of North Carolina, said policies sanctioning torture under certain circumstances stem back to the birth of the republic. He cited examples such as prison abuse in Philadelphia in the 1820s, Cold War era CIA manuals on counterintelligence interrogation and, more recently, treatment of “enemy combatants” that is outside the strictures of the Geneva Convention.

President George W. Bush inherited contradictory policies in the wake of 9/11, Brundage said, and the president chose to follow certain policies and ignore others. “He didn't have to invent a policy so much as refine and formalize extant policies. His real innovation was the legal justification of torture.”

[Brundage](#) said that this justification hinged on the categorization of subjects as “enemy combatants,” a strictly prescribed definition of torture, and the fact that for an act to legally be torture, torture must be the specific intent of the perpetrator. He commented that this “nearly defined torture out of existence, as long practiced by the 'right' people with the 'right' intentions.”

Bush considered the United States as “truly exceptional,” Brundage said, thereby justifying “exceptional methods” because they protected the United States, its form of government and its role in the “struggle between the civilization and its enemies.”

His talk on Nov. 9 in the Freeman Auditorium was sponsored by the Center for Scholars, the history department and the [New Orleans Center for the Gulf South](#).

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