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The Case of Abdullah Ocalan: Interrogation, Torture, and Truth

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Abstract. This article presents arguments against conflating ethical, moral, and legal concerns with efficacy concerns regarding interrogation and torture.

Mass media coverage has highlighted a number of procedural law, ethical, and moral concerns from the moment the leader of the Kurdistan Workers' Party, Abdullah Ocalan, was captured by Turkish special operations forces. Some involve the alleged illegality of his capture, his being held in isolation and denied his choice of lawyers, and statements from the Turkish Prime Minister that suggest that the length of the trial is already prescribed and that outside observers from other governments and from non-governmental organizations will not be allowed to monitor the trial. Others focus on the likelihood of Ocalan being forcibly interrogated and tortured.

Concerns focusing on forcible interrogation and torture explicitly or implicitly assume that pain, injury, their threat, and other forms of intimidation are positively correlated with obtaining truthful information. Moreover, this truthful information is also assumed to be germane to the concerns of representatives of political authorities that are at least temporarily in control of an individual. These two assumptions can be seriously questioned.

Yes, it is the case that a certain segment of a population will yield truthful and germane information upon introduction of forcible interrogation and torture. Sometimes this information can lead to obtaining "smoking gun" data bearing on the information's credibility. Often, however, it cannot. The interrogator/torturer is then left with the options of accepting or not accepting truthful and germane information that seems to be of dubious value.

Of the population segment that does not yield truthful information, some--in a morbid play on the construct iatrogenic--end up in this category because of variables that can be intrinsic to the pairing of individual, social, cultural, and political characteristics with those of forcible interrogation/torture. These include (1) demand expectations that are contrary to the truth; (2) pain and pain avoidance that induces an individual to state whatever seems to avoid pain or turn the pain off; (3) pain, fatigue, fear, and the sequelae of physical injury that impede or even remove the capacity of an individual to identify and divulge the truth; and (4) social constructions of truth that may vary on dimensions of linear, teleological perspective versus one that is nonlinear and non-teleological.

Thus, the valid conflation of interrogation/torture with the truth is certainly not inevitable and may be most often contraindicated. And thus the representatives of the Turkish Government may be often wrong--if not in the Ocalan case, then in many other cases involving political opponents as well as common criminals--in formally or informally employing forcible interrogation/torture policies. The truth is that in doing so, these representatives are often subverting truth. Law, morals and ethics aside, a very strong case can be made that forcible interrogation/torture too often leads to untruth. Unfortunately, this still begs the question of the utility of forcible interrogation/torture and its threat as a deterrent to certain political oppositional behaviors and as a stylistic trait of a political regime--a topic for a future IBPP article. (See Kassim, S.M. (1997). The psychology of confession evidence. *American Psychologist*,

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52, 221-233; Leo, R.A. (1996). Miranda's revenge: Police interrogation as a confidence game. *Law and Society Review*, 30, 259-288; Memon, A., & Vartoukian, R. (1996). The effects of repeated questioning on young children's eyewitness testimony. *British Journal of Psychology*, 87, 403-415; Ray, R.B. (1997). Interrogations. *Psychoanalytic Review*, 84, 667-680; Wakefield, H., & Underwager, R. (1998). Coerced or nonvoluntary confessions. *Behavioral Sciences and the Law*, 16, 423-440.) (Keywords: Interrogation, Ocalan, Torture, Turkey.)