

U.S. Public Rejects Nearly All Forms of Torture or Coercion Even in Face of Possible Terrorist Attack

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Says International Laws on Detention Should Apply to Al-Qaeda Members

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In a new PIPA/Knowledge Networks nationwide poll, 66% said that the US should abide by the international law that “governments should never use physical torture,” while 29% found that standard “too restrictive.”

Even if the US believes that a detainee is withholding information that could prove critical to stopping a terrorist attack on the US, majorities rejected most forms of coercion. These include methods formally approved by the Department of Defense, including using threatening dogs (rejected by 58%) and forcing detainees to go naked (75% rejected). Other forms rejected by even larger majorities included sexual humiliation (89%) and holding a detainee’s head under water (81%).

Presented a number of scenarios in which interrogators are seeking information related to possible terrorism, the only coercive technique (out of 14 options) consistently endorsed by a majority was sleep deprivation. If, however, the US is highly confident that a detainee has critical information that could prevent a terrorist attack on the US, then modest majorities also accepted hooding (56%), bombardment with loud noises (56%), and stress positions (52%).

International Law on Detention

Here are some legal requirements for the treatment of detainees that are part of international laws the US has agreed to.

The names of all detainees must be registered and made available to the detainee’s government.

Favor **93%**

An international humanitarian organization like the Red Cross should have access to the detainee to make sure he or she is being properly treated.

Favor **92%**

Detainees have a right to a hearing in which the government makes its case for why the detainee should be held and the detainee can challenge the government’s right to hold him or her.

Favor **81%**

Detainees have the right to communicate their whereabouts to a family member.

Favor **77%**

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Steven Kull, director of PIPA comments, “Basically, the public supports the system of international laws restricting torture and coercion, though it would consider making some limited exceptions if there was high confidence that a catastrophic outcome would be prevented.”

Eighty-eight percent favored having international laws governing detention. Large majorities endorsed requiring registration of all detainees (92%), providing access by the Red Cross (93%), allowing communication with family members (77%) and the right to a hearing (81%).

Told that recently there has been a debate about whether the international treaties governing detainee treatment should apply to combatants who are not conventional soldiers, “such as members of the al-Qaeda terrorist group,” 60% took the position that the US should still give them the rights provided by the treaties.

Respondents were also told that the Bush administration has taken the position that if the President determines it is necessary for the war on terrorism, the US has the right to refuse to give a detainee a hearing in front of a neutral judge, but that the Supreme Court had ruled otherwise. Asked for their position, 68% said the President should not have the authority to deny a detainee the right to a hearing.

Respondents were also informed about Justice Department memos that argued the war on terrorism made international laws against torture and abuse, such as the Geneva Conventions, no longer fully applicable. Fifty-one percent took the position that the memos “set a tone that filtered down into the military and contributed to the abuses that occurred in the Abu Ghraib prison.” Only 37% agreed with the Bush administration’s assertion that “these memos were simply opinions and did not impact policy” and “did not contribute to what occurred at the Abu Ghraib prison.”

Despite these perceptions, it appears that the Bush administration is only suffering modest political damage. Asked, “How do you think the way that President Bush has handled the issue of the treatment of detainees in Iraq and Guantanamo Bay will affect the likelihood that you will vote for him in November,” 37% said that it would make them less likely to vote for President Bush, while 22% said more likely—a net negative of 15%. Asked whether Donald Rumsfeld should resign or be removed, only 35% said that he should, while 59% said that he should not.

For the Bush administration, the political damage from the Abu Ghraib prison scandal appears to have been mitigated by a number of misperceptions. Many Americans are unaware that Defense Secretary Rumsfeld approved some of the controversial interrogation techniques used at Abu Ghraib. Only 35% were aware that he had approved of making detainees go naked, 45% that he approved of using threatening dogs and 55% that he had approved of hooding and stress positions.

Those who were aware that Rumsfeld had approved these interrogation techniques were much more likely to say that the President’s handling of the detainee issue diminished their likelihood to vote for the President. Among those who knew that Rumsfeld had approved all of these measures, 59% said they were less likely to vote for the President while just 9% said they were more likely to vote for him. Conversely, among those who believed that Rumsfeld had not approved any of these techniques, only 25% said they were less likely to vote for the President while 36% said they more likely to vote for him.

Among those who knew that Rumsfeld had approved of these measures, 60% favored his removal. Among those who thought that he had not approved any of them, just 26% favored his removal.

Large majorities support holding individuals responsible for their actions related to torture and abuse. Asked whether “government officials who engage in, or order others to engage in, torture or cruel and humiliating treatment as a way to get information should be tried and punished” 71% said they should. Asked whether a soldier “ordered to take an action against a detainee that the soldier believes is in violation of international law should or should not have the right to refuse to follow the order” 77% said that the soldier should have the right to refuse.

The PIPA/KN poll was conducted with a nationwide sample of 892 respondents from July 9-15. The margin of error for the total sample is plus or minus 3.3%.

The poll was fielded by Knowledge Networks using its nationwide panel, which is randomly selected from the entire adult population and subsequently provided Internet access. For more information about this methodology, go to www.knowledgenetworks.com/ganp.

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