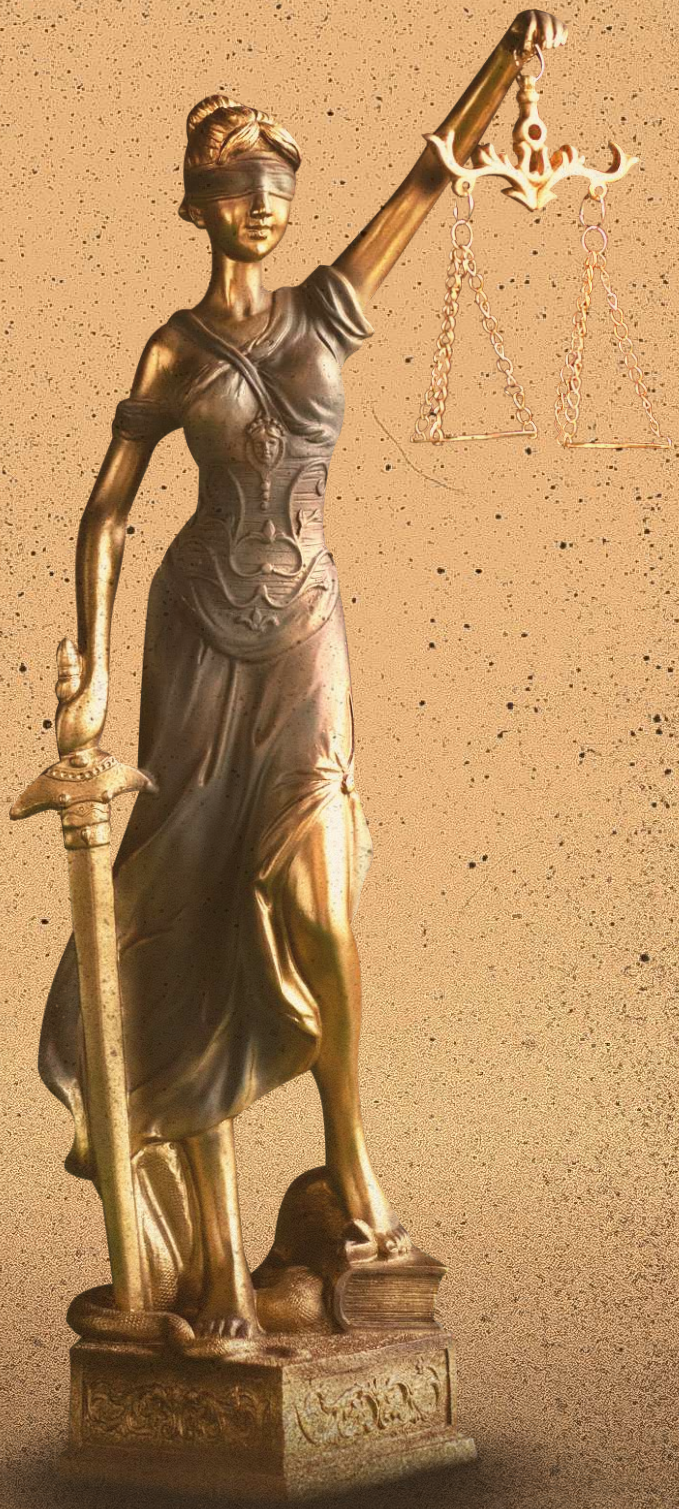
ILE JOURNAL OF EQUITY AND JUSTICE



VOLUME 1 AND ISSUE 1 OF 2023

INSTITUTE OF LEGAL EDUCATION

ILE Journal of Equity and Justice

(Free Publication and Open Access Journal)

Journal's Home Page – https://jej.iledu.in/

Journal's Editorial Page - https://jej.iledu.in/editorial-board/

Volume 1 and Issue 1 (Access Full Issue on - https://jej.iledu.in/category/volume-1-and-issue-1-of-2023/)

Publisher

Prasanna S,

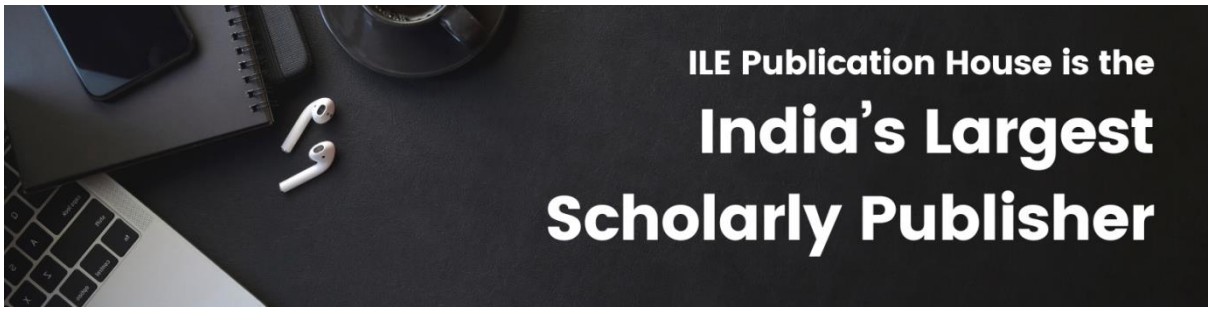
Chairman of Institute of Legal Education (Established by I.L.E. Educational Trust)

No. 08, Arul Nagar, Seera Thoppu,

Maudhanda Kurichi, Srirangam,

Tiruchirappalli – 620102

Phone : +91 94896 71437 - info@iledu.in / Chairman@iledu.in



ILE JOURNAL OF EQUITY AND JUSTICE

Volume I and Issue I of 2023

ISBN - 978-81-961791-3-7

Published by

Institute of Legal Education

https://iledu.in

Comparison of Torture In India And The USA

Author - Shraddha Rai, Faculty of Law, Banaras Hindu University

Best Citation - Shraddha Rai, Comparison of Torture In India And The USA, *ILE Journal of Equity and Justice*, 1 (1) of 2023, Pg. 58-65, ISBN - 978-81-961791-3-7.

ABSTRACT

Jean-Paul Sartre stated that "torture is senseless violence, born in fear… torture costs human lives but does not save them. We would almost be too lucky if these crimes were the work of savages: the truth is that torture makes torturers."

Thus, this paper begins by elaborating the general transcendental and pervasive nature of torture. Further it aims to specifically analyze the existence of torture in the USA and in India. Penultimately, it provides a critical assessment, probing similarities and differences. Lastly, extending concluding remarks post an in-depth analysis.

I. The Pervasiveness of Transnational Torture

In modern times, the term 'torture' exists mainly as a floating word of condemnation - in colloquial informal language many things are referred to 'as torture.' In contrast to the mainstream usage of the term, torture is defined as systematic infliction of physical torment on detained individuals by state officials for police purposes, for confession, information, or intimidation. (Rejali, 2007). Modern torture - carried out by states - of which clean tortures are a subset and differ from classical torture in the way they harness pain. They seek the denial of the personhood - which Haim Gordon termed as the 'legalized' and 'concealed' sadism evident in the system for the realization of political goals. Hereinafter, guilt is assumed, and innocence must be proven, ends become means and means become ends, the actions of the sadist - hitherto concealed can now be performed with the blessing of the law.

Torture like genocide, is a crime of the state - and as with other human rights abuses, its greatest contradiction lies in the fact that the authority responsible for punishing crimes is guilty of the worst violation. Michel Foucault had written that the spectacles of torture, which were integral to public modes of punishment and characteristic of the dominative and coercive state have given way to modern regimes of punishment. Published in 1985, Elaine Scarry's book, 'The Body in Pain', relocated the practice of torture as being constitutive of and affirming power relations in society.

More recently, after the commencement of the war on terror in the aftermath of the 9/11 attacks in the US, studies have revealed that the development of a visual culture around pain have located the tortured body within a politics of looking. (Anupama Roy, 2013). In her article the 'Politics of Pain', Liz Phillipose shows how the circulation of the photos of the series of torture carried out against detainees in Abu Ghraib prison in Iraq have contributed to the "cultural production" of the Muslim terrorist and the "solidification of the new racial grammar rooted in the regime of visibility." The indefinite detention and the use of torture to force feed in the Guantanamo Bay, for example similarly produced the "abject- racial object", through what is sometimes seen as a suspension of law but is more often than not the product of a legitimate application of law. These images of legally approved and legitimated torture are transmitted to the American mainland, argues Phillipose to 'mainstream mechanisms of visuality'. Significantly, while the pictures of detention and torture are intended to invoke outrage, which they do, they are also tied

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

historically to the specific history of public lynching in the US. Thus, Phillipose argues and Roy concurs that the practice of looking at the pictures of tortured bodies from the Abu Ghraib and Guantanamo Bay, while resonating with the earlier images of torture, produce the effect as before of white supremacy and social control, amidst the anxieties of vulnerability produced after the 9/11 events. To a large extent, similar mechanisms are at play in India where "Torture has hence become a means of controlling the civilian populations" and the Indian state clearly falls among those that practice it on a daily "administrative basis". (Sluka, 2000)

Numerous conventions against torture exist, notable among which is the United Nations Conventions - The ICCPR (1966) had been UN's first assertion against torture which had sought to the extend the definition of torture to include corporal punishments. The Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment followed in 1984 mandates a global prohibition on torture and other acts of cruel, inhuman, or degrading treatment or punishment and creates an instrument to monitor governments and hold them to account and went on to assume the status of customary international law. The US has both signed and ratified this convention whereas India has yet to ratify it. Rather than viewing the modern policies on interrogation as anomalous or exceptional, J. Lokaneeta effectively argues that efforts to accommodate excess violence are long standing features of routine interrogations in both the United States and India, concluding that the infliction of excess violence is more central to democratic governance than is acknowledged in western jurisprudence. This assignment will endeavor to compare and contrast the practice of torture in the legal and political discourses present in India and the United States—two common-law based constitutional democracies and attempt to critically analyze the same.

II. The Practice of Torture In The United States

The use of Torture in Iraq by the US forces constitutes a primary example of the continuation and intensification of practices developed in the US prisons to control minorities, dissidents, the poor and the immigrants. US prisons and immigrant detention centers have long been notorious for the abusive conditions. (Dow, 2004) These practices were pushed up several notches in the treatment of post 9/11 in detainees - thousands of Arab, South Asian and Muslim men, mostly immigrants, who were arrested in sweeps, on the assumption of 'guilt by association' overseen by US Attorney General John Ashcroft. These detainees were subject to beatings by prison guards, violence and threats of violence by other inmates, solitary confinement for 10-11 months continuously, racist abuse and insults to their religious beliefs. In violation of their right to due process, they were held without being brought before a judge in many cases for as long as 8 months. They were subjected to humiliating strip searches, sometimes carried out by female guards and denied medical treatment and the right to call their lawyers and families. Guards often spat on their food, and of the thousands of men detained, nearly all were eventually deported on minor immigration charges.

The treatment of Muslim detainees is only the extreme end of a continuum that includes hate crimes, discrimination, profiling by law enforcement agencies and the persecution of Muslim clerics and lawyers. The creation of what has been called an 'offshore concentration camp' at Guantanamo Bay was the next step in the erosion of civil liberties and international law. While the policy of indefinite detention adopted by the US and the UK in the pursuit of the 'War on Terror' has been declared as unlawful by both the US Supreme court and the Law Lords, the highest court in the United Kingdom, reports from Guantanamo and Iraq indicate that the abuse of prisoners continues. Though police torture and brutality have often

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

occurred in every American war, 9/11 proved distinctive in the sense that it involved the President and his council of top advisors to decide upon the pain and torment inflicted on some detainees. Officially, i.e. on paper, the US government criticizes and prohibits the use of torture to extract information, confession and induce humiliation etc. however, they often make a distinction between the use of torture on suspects of domestic crimes and those of 'suspects of terror'.

The narrative of Islamophobia and America being a perpetual target of terrorist network has been popularized by politicians through their speeches as well as TV shows which instill a fear and feeling of continuous sense of a paranoia that they are going to be attacked, within the minds of Americans at all times. It has been noticed that the number of times torture shown on television has increased vehemently post 9/11 terror attacks. The most famous imagery of torture in US popular culture has been a show named '24' with Jack Bauer wherein in each season of the show he is shown as saving the city, the nation and the world, often relying on torture to attain this goal. This can be juxtaposed with the language of the US officials for using coercive techniques. When addressing the practice on torture on TV, officials have attempted to sanitise terms associated with torture. Although the term 'ticking bomb scenario' is never used but the meaning attached to it remains the same. Multiple memos written in 2002 and 2005 (that resurfaced in 2009) showcase the use of 'enhanced interrogation techniques' (EITS) by CIA that mentioned water boarding technique which according to them was only used due to the following reasons:

1) When the CIA has credible intel that a terrorist attack is going to happen
2) When there are 'substantial and credible indicators the subject has actionable intelligence that can prevent, disrupt or delay this attack'
3) Other interrogation methods have failed and/or are unlikely to yield better results

In addition to this, CIA slammed the prisoners into walls, chained them in uncomfortable positions for hours, stripped them off their clothing and kept them awake for days on end. Furthermore, in response to the accusations of inhuman practices carried about at Guantanamo Bay by ex-detainees and FBI officials, the US government constituted two committees and produced two reports namely – the Schmidt and the Church Report. These were however, not a product of an independent investigation but rather falsified the claims of the tortures being practiced by US.

The Church Committee focused on a very narrow and hyper-legalistic definition of torture implying mostly on the bodily harm and injury while undermining the acts of mental torture. The administration has always interpreted instances of severe torture as grievous harm to bodily organs leading to life threatening consequences or death but not a 'bloody nose' or a 'black eye'. It used the SERE interrogation as a justification for their use against detainees with the argument that if such techniques could be used against American soldiers then if it was justified to use it against detainees.

The Schmidt Report, like the Church Report, too came to the conclusion that no torture or cruel and inhuman treatment took place at Guantanamo. The allegations by the FBI officials included the use of "military working dogs during interrogation sessions to threaten detainees", extremes of heat and cold, yelling loudly etc. Instead of questioning the legality of the interrogation techniques they only turned their attention to the aspect of 'inhuman treatment'. By the same token, they presented sanitized terms for these horrendous techniques, for example, techniques like water-boarding were compared to 'swimming', the act of not letting prisoners sleep for 5-6 days which resulted in hallucinations, was compared to sleep deprivation to negate the intensity of the

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

process and present these actions in a dignified manner.

III. The Practice of Torture In India

Like any liberal democracy, the Indian state claims either that torture does not occur in India or that it is never authorized as a policy. It backs this claim by pointing to the strong legal safeguards against the use of torture that prevail in the Indian Constitution. Yet, in India the number of custodial torture and deaths is extremely high to the point of inviting serious for human rights activists and scholars.

The Indian state has largely responded to these criticisms by alluding to the formal legal safeguards on torture that are enshrined in the Indian constitution - largely citing article 21 and 20 (3) in Part III. While Article 21 notes the importance of not depriving persons of life and liberty except in accordance with the procedure established by law; Article 20(3) is indicative of the right against self-incrimination or a right of a person not to be "compelled to be a witness against himself." This is additionally substantiated by statutory provisions in the Indian Penal Code (IPC), Criminal Procedure Code (CrPC) and the Indian Evidences Act (IEA). Taken together, these constitute a uniform criminal code throughout most of the country.

Despite these overt assurances as well as those advanced in international forums such as the UN wherein the Indian state has made statements condemning the practice of torture- In practice, torture remains an entrenched and often routine law-enforcement strategy, despite India's status as the world's largest democracy. In the name of investigating crimes, extracting confessions, and punishing perpetrators, torture is inflicted not only upon the accused, but also upon bona fide petitioners, complainants, in formants and innocent bystanders. Frequent police practices include assault, physical abuse, custodial death , rape , threats, psychological humiliation, and deprivation of food, water, sleep, and medical attention. Torture is also inflicted on women in the form of custodial rape, molestation and other forms of sexual harassment. The fear among victims, institutional paralysis, and legislative inaction – have fostered the creation of a culture of impunity - such impunity ensures that police torture remains prevalent across India.

The Indian state had signed the UN Convention Against Torture in 1997. However, using the excuse of state sovereignty, it refrained from ratifying the convention despite repeated demands and recommendations from outfits such as NHRC and NGO's. The following enlist some of the routine practices of torture that occur in the Indian state: -

- **Custodial Violence**

A custodial death is the event of demise of an individual, who has been detained by the police on being convicted or being under trial. They can be classified into three broad categories: death in police custody, death in judicial custody, and death in custody of defence/paramilitary forces. As police and public order are state subjects, the brunt of the allegations of institutional murder must be borne by the governments of the respective states, where the police commit such crimes. Historically, Uttar Pradesh have had the worst record with respect to custodial deaths. During January to August 2017, 204 such deaths were reported in UP, and by February 2018 the numbers had almost doubled. The National Human Rights Commission (NHRC), a statutory institution created under the Protection of Human Rights Act (1993), recorded 31,845 incidents of custodial deaths in the period between 1993- 2016. Furthermore, it is important to note that these reflect the actual number of incidents that have been reported to the NHRC. Similarly, the Asian Centre for Human Rights (ACHR) recorded a total of 1,674 custodial deaths — 1,530 in judicial custody and 144 in police custody — between 1 April 2017 and 28 February 2018.

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

The ACHR has noted that the India is in a state of worrying denial - while the Home Ministry attributes custodial deaths to "illness/natural deaths escaping from custody, suicides, attacks by other criminals, riots, due to accidents and during treatment or hospitalisation", the real reasons for these deaths lie in the inadequacy of India's actions to combat torture in the legal, political and institutional domain. In the analysis of notable scholars such as B. Hydervall, what emerges is an interesting account of how even in post-colonial independent India, despite the apparent change in the role of the police from colonial instruments to "servants of the people," there was neither a radical break from the colonial origins of police institutions nor a transformation of the legal system as a whole. Thus, the current police still suffer from the impact of their origins, as repressive instruments of the police raj. As a result, the "police mindset" is steeped into colonial era when the police were supposed to treat every Indian as an enemy of the state. Similarly, others argue that the colonial origins of police help explain the persistence of torture - scholars such as Ranajit Guha have cited that since colonial policy oscillated between an assumed 'liberal ideology' and repression, all modern notions of liberal democracy, liberty and rule of law are grounded in a bourgeois culture which has 'its historic limit in colonialism '- and hence modern policing institutions present a tussle between supporting the need to retain state power and as well as upholding the rule of law. Upendra Baxi writes that while recognising the colonial-repressive nature of the police, one has to acknowledge that the continuity with colonial policies has remained primarily due to the desires of the governing elites - hence, rather than prescribing a lack of initiative on the part of the police to reform, in a post-colonial context, the institution's resistance to change is reflective of the desire of the elites to preserve the status quo.

The Supreme Court has repeatedly noted that with custodial crimes, producing evidence against the police is very difficult. As the judges said in one such ruling, the police feels, "bound by its ties of brotherhood." In both police custody and in jails, the accused are afraid to report mistreatment because of reprisals. Families of custodial death victims, who choose to pursue criminal complaints, often face intimidation. Police torture isn't the only cause of unlawful custodial death. NCRB statistics show 1,584 deaths in prison in 2015, pointing to a death every six hours.

- **Notable Incidents Of Torture Under AFSPA, UAPA, NSA etc.**

Even though, the Prevention of Terrorism Act (POTA) 2002 was widely criticised and repealed and its successor the Unlawful Activities (Prevention) Act faces intense scrutiny, other 'national security' laws such as Armed Forces Special Powers Act of 1958, the Disturbed Areas Act and the Public Safety Act continue to operate in Jammu and Kashmir and parts of the north-east. The AFSPA gives the armed forces wide powers to shoot to kill, arrest on flimsy pretext, conduct warrantless searches, and demolish structures in the name of "aiding civil power." Equipped with these special powers, soldiers have raped, tortured, "disappeared," and killed Indian citizens for five decades without fear of being held accountable. The Act violates provisions of international human rights law, including the right to life, the right to be protected from arbitrary arrest and detention, and the right to be free from torture and cruel, inhuman, or degrading treatment. It also denies the victims of the abuses the right to a remedy.

The recently amended Unlawful Activities Prevention Amendment (UAPA) Bill is an anti-terror legislation that seeks to designate an individual as a "terrorist". On July 24, Lok Sabha cleared the changes to the existing law, but Opposition parties and civil liberties lawyers criticised the Bill, arguing it could be used to target dissent against the government, and infringe on citizens' civil rights. On August 2, the Rajya Sabha passed the bill paving the way for it to become law.

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

The original Act dealt with "unlawful" acts related to secession; anti-terror provisions were introduced in 2004. At present, in line with the legal presumption of an individual being innocent until proven guilty, an individual who is convicted in a terror case is legally referred to as a terrorist, while those suspected of being involved in terrorist activities are referred to as terror accused. The proposed amendment Bill does not clarify the standard of proof required to establish that an individual is involved or is likely to be involved in terrorist activities. Moreover, the existing UAPA law requires an investigating officer to take prior permission of the Director General of Police of a state for conducting raids, and seizing properties that are suspected to be linked to terrorist activities. The amendment Bill, however, removes this requirement if the investigation is conducted by an officer of the National Investigation Agency (NIA). The investigating officer, under the Bill, only requires sanction from the Director General of NIA. This could further pave the grounds/ sanction perverse human rights violations by the state.

- **Existing Jurisprudence On Custodial Violence**

Despite many formal safeguards and judicial initiatives against torture, there is no single definition of torture that exists in Indian jurisprudence. Yet, there have been occasional attempts by the Indian Supreme Court to specify their understanding of illegal violence, for instance - In Nandini Satpathy vs. P.L. Dani case (1978), the former CM of Orissa i.e Nandini Satpathy, accused of corruption was facing trial and she refused to answer certain questions, claiming a constitutional and statutory right to silence. The Supreme Court recognised this right on grounds that the methods of interrogation used by the police are intended "to create an atmosphere of domination" The Supreme Court further noted that "`Police sops and syrups of many types are prescribed to wheedle unwitting words of guilt from tough or gentle subjects. The end product is involuntary incrimination, subtly secured."

Moreover, the Indian judiciary has also ruled on the validity of confessions extracted under custody. In Sawant Singh vs State of Punjab (1957), the Court established that the mechanical fulfilment of procedural safeguards is not enough, and the accused should be kept in jail custody away from the police for some time to enable self-reflection on confession. However, this provision got diluted in Shankaria vs State of Rajasthan (1978) where the accused was not given due time to self-reflect (merely 15 mins) post confession. At the same time, the rules for confession have been routinely relaxed for confession under TADA and POTA. The Supreme Court's approach in the 1990's with respect to custodial violence had been largely status quoist whereby it refused to blame the police even after visible external or internal injuries were presented before court. This became problematic as a lot of the accused tended to belong to poor and migrant groups and did not have the luxury of resources to continue appeal in higher judiciary.

However, the attitude of the Supreme Court changed significantly post 1990's owing to consolidation of civil and democratic rights movements in India. Hence, in Nilabati Behra vs State of Orissa (1993) where a 22-year-old accused of theft was picked up by the police and was later reported to have died in police custody with signs of multiple injuries. The Court recognised that the police had violated Article 21 and thereby elaborated on the provisions of compensation for custodial death cases. In DK Basu vs State of Bengal (1996), The court acknowledged the peculiar nature of custodial violence, power relation between accused and police, and helplessness of victim in custody. In this landmark judgement, the court described custodial violence as a naked violation of human dignity and degradation which destroys to a very large extent the individual's personality. It reiterated law commission recommendation to the Parliament that the

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

burden of proof in custodial violence cases should be shifted from complainant to the police.

- **Legislative Inaction and Apathy**

In 2008, a Prevention of Torture Bill was brought in Parliament, but due to its weak provisions it was sent to a select committee. The select committee draft was presented in the upper house in 2010, but it remained stuck ever since. In 2016, the former Union minister of law filed a petition in the Supreme Court for India's compliance to UNCAT. During the hearing of the case, the Law Commission of India submitted its 273rd report recommending government to ratify the UNCAT and also proposed the Prevention of Torture Bill 2017. However due to lack of legislative attention and political will to ratify the UNCAT, this bill lapsed in Parliament.

India has witnessed a strange discourse on torture. On the one hand, there is an overt and covert public denial of existence of torture by the state actors, and on the other there is a silent acceptance of torture in the society. Thus, torture has become a "public secret," (Jinee Lokaneeta 2014). There's another tendency that should alarm us, which is that in the post 9/11, "war on terror" regimes, in the name of prevention of terrorism, society has accepted any kind of treatment towards people of certain identities that are part of the "dangerous other" (Julia Ekert 2008). And this terrorism discourse has added Muslims and other minorities into this category. In addition to this, the state has always resorted to stigmatise followers of different ideologies and those participating in people's movements—to create an "unruly miscreants"— image in the larger society.

IV. Critical Analysis- Probing Similarities and Differences

Anupama Roy, when addressing the revelations of torture practiced by the US military at Abu Ghraib prison in Iraq, concludes that "We run the risk again today of singling out the perpetrators of torture, while ignoring the structural brutality, the profound redefinition of humanity which characterises the 21st century emergence of a new imperial formation."She calls the transnational use of torture especially by states such as India and US as the 'public secret' thereby highlighting it's pervasiveness. She also makes the statement that "the treatment of prisoners in the course of the US 'War on Terror' mirrors the arbitrary detention, torture, custodial rape and killings that are endemic in Indian prisons."

As a part of the strategy to establish social, political and symbolic domination over a civilian population, it is only the final step in a process that begins with the demonization of those subjected to such treatment. These practices form part of the long term strategy for dealing with individuals and groups - political organisations, ethnic and religious minorities- who have been defined as the enemies of the nation. This process of 'otherisation' has been at play in both the India and the US for decades. Hence, it is not surprising that India's human rights abuses in Kashmir (for instance, among others) and the United State's likewise policy followed in Middle East, particularly in Iraq follow a similar pattern.

The only notable contrast being that in the case of India, this is largely exercised domestically whereas in the USA, practice of torture on domestic citizens is banned by their federal law on torture (not extending to immigrants in lieu of the Bush's administration's Patriot Act) and thereby most of the torture that the USA practices to acquire "information" is carried out on those whom the USA suspects to be "international terror accused". Mathur in 2005 pointed out that interestingly that the punishment block at Guantanamo was spontaneously nicknamed 'India Block' by the detainees. This is an indication of the notoriety of Indian detention and interrogation practices and of India's position in the league of scorched-earth counter terrorism policies. This constitute a remarkable point of similarity between the two states.

ILE JOURNAL OF EQUITY AND JUSTICE
Volume I and Issue I of 2023
ISBN - 978-81-961791-3-7
Published by
Institute of Legal Education
https://iledu.in

Even the intended effects of both US and India's consisted use of torture has presented itself in the form of repression produced insurgency. Decades of experiences of repression measures in Kashmir has strengthened their resolve for freedom. Similarly, in response to US policy in the middle east, there has only been an increase in terrorist outfits- the latest being ISIS. Gautam Navlakha in his 2000 study of the lived experiences of those who underwent torture has brought about the following point - In '"Kashmir, the word 'azadi' subsumes their experience of humiliation, abuse, indignity and the callous indifference of the 'good' people of India for 11 years." This sentiment perhaps resonates in all cultures of violence which have been suppressed for long by states, for whom torture as a means to extract information has become an 'administrative' affair. (Sluka)

V. Conclusion

Roy further points out that torture does not constitute random violence but rather a carefully graded series of acts designed to break the will if it's victims and to act as a warning to others. More disturbingly, Tausig reminds us that "it is obvious that torture and institutionalised terror is like a ritual art form, and that far from being spontaneous, and far from being the abandonment of what are often called the 'values of civilization', such rites have a deep history of deriving power and meaning from those values" (1984) Finally, we should remember that in the ability of a subject to resist and transform the meanings of torture lies the failure of institutionalized terror as a means of control. (Mahmood, 2000). States have to recognize that torture, like genocide constitutes a crime against humanity.

VI. References

1. O'Byrne,D(2007)'Torture',inHumanRights:AnIntroduction,Delhi:Pearson,pp.164- 197.
2. Lippman, M. (1979) 'The Protection of Universal Human Rights: The Problem of Torture' Universal Human Rights, Vol. 1(4), pp. 25-55.
3. Lokaneeta, J. (2011) 'Torture in the TV Show 24: Circulation of Meanings'; 'Jurisprudence on Torture and Interrogations in India', in Transnational Torture Law, Violence, and State Power in the United States and India, Delhi: Orient Blackswan.
4. Mathur, Shubh (2005). Torture, Empire and Nation.Economic and Political Weekly, 40(10), 993-995.
5. Rejali,D(2007).TortureandDemocracy.PRINCETON;OXFORD:PrincetonUniversity Press
6. Roya(2013).TortureandModernLiberalDemocracyintheUSandIndia.Economic and Political Weekly, 48(47), 33-36.