Atrocity and Interrogation

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To enter the headquarters for the United Nations High Commissioner for Refugees in Turkey, you must pass through barbed wire gates and a security checkpoint. If you are applying for asylum (because you have escaped Iraq after being raped and tortured or because you will be executed if forced to return to Iran), you will be escorted through these gates and then taken downstairs into the holding chambers of the basement. There you will be required to answer a series of questions to determine whether you meet the specific conditions for refugee status under international law. If your answers do not suffice, you will be deported back to your country of origin. The interview rooms are small with poor ventilation. Larry Bottinick, eligibility officer for the UNHCR, explains that they will be moving to a new building soon. “Whenever you ask an Iraqi to describe the conditions of their detention,” he says of refugees from Saddam Hussein’s Iraq, “they answer: ‘It was like this room.’”

But this article is not about what it feels like to be interrogated. It is about what it feels like to interrogate someone. I visited the UNHCR in Turkey as part of a larger research project on organizations that intervene in humanitarian crises by using language instead of food, medicine, or weapons, organizations whose most important act is, finally, not delivering supplies but asking questions. Through a series of formal and informal interviews I documented the organizational dynamics and communicative practices of some of the world’s most recognizable humanitarian inquisitors: the UNHCR, the International Committee of the Red Cross (ICRC), and the Human Rights Association (HRA). I focused in particular on the everyday
practices of activists in the field, hoping to better understand not only how we can use language to alter the operations of violence but also to see how, by using language in such ways, we might be altered.

Each of these three organizations seeks to eliminate physical suffering by using words. They do certain types of language work (personal interviews, investigation of document trails) that enable them to perform certain types of speech acts (the UNHCR announces: “This person is now officially a refugee”; the ICRC declares: “You are guilty of violating international norms”). The daily work of rescue is a matter of words instead of deeds or, rather, of words as deeds. As one delegate in the ICRC explained: “For outsiders, and to get money from sponsor governments, what you have to show is airplanes, and big trucks full of food, and field hospitals filled and packed with wounded people—because this type of work can be shown. But most of the work that we do is just talking. Really what is at the heart of the ICRC is to make representations.”

The fundamental representational task of the ICRC, like that of the UNHCR and HRA, is to document harm. The work ranges from compiling comprehensive reference indices culled from secondhand data to making firsthand visual confirmations. One UNHCR legal officer described an interview she conducted with a woman whose face had been so severely burned during her torture that the only recognizably human features that remained were the holes where her eyes and lips should have been. It was hard to know if and where she should look. Another worker from a different organization gave me a list he had created of the torture techniques his nation currently uses, with frequency variations. It reads: psychological coercion and physical deprivation while in detention (insults, isolation, blindfolding, mock-executions; forcing prisoners to declare obedience to the state, to kiss boots, to shout slogans, to obey nonsensical orders, to listen to the screams of tortured persons; depriving prisoners of food, water, sleep, needed medicines, heat, bedding; forbidding urination or defecation or confining prisoners in holes full of human urine and feces), physical assault (beating and punching the head, the hands, the soles of the feet; beating with hoses or other implements, wrapping in wet blankets and beating; spraying with cold or pressurized water, forcing the head under water, pulling out hair, pushing down stairs or dropping from heights, suspending upside-down from parallel hangers; electrocution, freezing, burning, strangling), and sexual abuse and assault (forcing prisoners to strip naked, to

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have sex with spouses in the presence of security officers, to perform sexually taboo practices including sex with friends of the same sex or with one’s own children; beating the genitals and squeezing and twisting testicles and nipples; rape by single or multiple assailants, rape with blunt or sharp objects).

This essay is about what it is like to be the person who maintains such a list, the person whose job it is to document pain, to bring it into language. One of the most striking things about such work is that, in the organizations that use language as rescue, some of the most damaging stress results not from the necessity of witnessing suffering but from what the organization’s rules and goals are for communication. What uses are these surrogate voices designed to serve? How do inquisitorial organizations train their officers to structure dialogue, to document, to report? How are the words of the survivor translated into the officially sanctioned vocabulary of the institution? In other words, what for the organization counts as language in the first place? The different tactics of these three organizations (the UNHCR, ICRC, and HRA) represent the full spectrum of the representational strategies available to human rights activists and humanitarian workers, from using language as a precise tool of objective, agent-neutral measurement to using it as a form of emotional exhortation and moral coercion. And, as we shall see, the moral risks and strategic compromises these organizations make in finding their place along that spectrum are embodied most dramatically in the psychic double-binds that structure the daily working lives of their workers.

The UNHCR as a global organization provides temporary relief for countless thousands of refugees each year, from Bosnia to Rwanda, and resettles a smaller number of these for permanent freedom in host countries like Sweden and the United States. At the UNHCR in Turkey, legal officers are responsible for determining the status of men, women, and children who have fled from one of the world’s most troubled regions: Iraq, Iran, and Afghanistan. The work they do is difficult; the hours are long, the stakes are high, and the mission is excruciatingly specific. The job of people like Larry, who gave up a lucrative position as a corporate lawyer because he wanted to do good in the world, is to weed people out. He explains: “You have people who need protection but cannot receive it according to refugee law as we must apply it in Turkey. We have to be fairly strict: we are the guardians of a specific convention. There are people who tear at your heart but who you just cannot help. You get people who are in miserable, miserable conditions, but who are not refugees. Those are the hardest cases.” And then there are those you are required to help. The combination can be
difficult to accept. One legal officer recalled being forced to deny protection to victims of brutal rape and unceasing domestic violence even as she was granting asylum to a brothel owner.

The criteria for determining who is a refugee are laid out in the 1951 United Nations Refugee Convention and in the extensive case law that has developed around it. The definition is relatively simple. A refugee is a person who has a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.” But interpreting the definition is difficult; the phrase “well-founded fear” alone has generated countless pages of legal commentary. While officers study the details of cases and struggle with problems of legal interpretation—Does “well-founded” mean likely or just possible? What constitutes “persecution”? How do you define a “particular” social group?—asylum seekers wait. Cases can take several months to decide. Seda Kuzucu, a young Turkish woman with seven years of experience as a legal officer (a lifetime in this position, given the burnout rate) explains the problems this can cause: “When decision periods increase violence at home increases also. They cannot work so they are working illegally. Children cannot go to school. We are trying our best to enroll them. Women cannot work because of the home culture sometimes, or they become forced prostitutes. We have limitations on the assistance we are able to give.”

Legal officers like Seda and Larry are the gatekeepers to the freedom of refugee resettlement. Manipulation and misinformation is, therefore, the background of their job. There is, indeed, a market of goods and services to help claimants deceive legal officers. Larry recalled one case in particular:

During a break in the interview the interpreter asked if he could borrow the asylum seeker’s newspaper. The person said “yes” but in the folds of the newspaper was a sheet with the questions we would ask and the answers they should give. It said for one: “You should hesitate and tell them you don’t want to say because you are afraid your family will be hurt back in your country of origin. They will promise confidentiality, and then you tell them the following.”

Larry smiled. “And the man had been doing exactly what it said.” Even those who truly merit asylum will lie if they believe another story will be more likely to succeed, if they believe they will harm somebody else by telling the truth, or if they wish to hide how they managed to enter the country. “Human nature being what it is, when someone lies to us we think they are a liar,” Larry comments. “You have to put that aside. Someone can lie and still be a refugee.” Legal officers, Larry explains, have several strategies for cross-checking facts and gauging the consistency of stories during inter-
views, and he emphasized that they work carefully to determine which lies are irrelevant and which are material to the final asylum decision. It is slow work.

But sometimes the problem in getting the information needed for a decision is not lying. Sometimes it is silence. People fail to tell their stories for many reasons: shame, confusion, the willed forgetting that comes with trauma. One man was nearly denied asylum because an undetected hearing problem brought about by torture and head injuries interfered with his ability to respond to questions. Another was almost denied asylum because his response was distorted. The dates and facts of his story did not match up, and officers assumed he was lying—until a translator’s mistake was discovered and corrected. Many torture survivors become resistant and hostile when interviewed. Eye contact that lasts a fraction of a second too long, a sudden shift in bodily posture, the sound of a door opening unexpectedly—any number of small cues can trigger fear reactions and defensive silence. Whatever the cause, the consequences are extreme: if they do not tell their stories as they must, they will be deported. You must get them talking. “If they are not cooperative in the interview,” says Seda, describing a last resort pressure tactic for getting people to talk, “I can tell them I have the right to end the interview.”

The shape of the interview is the shape of a triangle, jointed by legal officer, asylum seeker, and translator. The legal officer asks a question, the translator translates it to the asylum seeker, the asylum seeker replies to the translator while the legal officer enters notes into a computer, and then the translator turns to the legal officer and translates. The system is not designed to foster intimacy. Emotion can be dangerous. As one translator explained: “It is hard. You should not show any sympathy to the ICs [individual claimants]. They will say what they think is affecting you and you will not get to the facts. They will try to make pressure on you. They will try to manipulate you, they will hold you responsible. People cry and you must sit there.”

When I asked this translator how she handled it, she told me that for now she is able to bear it. She works with a legal officer who is very sensitive—when she needs to stop the interview to go cry in private the legal officer can tell just by looking at her. “I had nightmares in the beginning, really nightmares. My hands shake like that,” the translator said, holding out her hands and laughing. “With time this is better. But my son still complains. He says how now all the time I am sleeping.”

The interviews give victims a chance to tell their story, but they are not therapy sessions. During the interview it is the job of legal officers to get the information necessary for an accurate evaluation. And they must be strict. Countries providing asylum will only continue to do so if they have faith
that the UNHCR is applying the law objectively, as it has been agreed upon internationally, instead of using the law to help people for whom they have sympathy. “This is a norm we must defend,” says Meltem Çiçeklim, a legal officer with a mournful alto voice who was once a refugee herself. “It is a right and we must not confuse the concept.” Not confusing the concept means deporting many. But for the legal officers there are serious consequences to weeding people out. People who have fled their home countries live without assistance in Turkey while their cases are considered; after a decision has been announced they remain for some time before they can be deported. This means they can strike back. One man denied asylum protested the decision by sewing his mouth shut with a crude needle and thread. Another waited for his legal officer to appear outside the building and then threw his own infant child under the wheels of a speeding taxicab. “This is your fault,” he cried. Larry has been followed to his car at night. Seda cannot post her name on the doorbell panel of her apartment complex. Threats are frequently made against the office. Walking through the building I saw many security alerts posted on the walls, photographs of men with descriptions beneath and warnings to contact security.

But this also is background. “They are sometimes threatening our lives,” Seda says flatly. “But I am used to this.” When asked to recall their most difficult experiences the legal officers did not talk about danger or fear of reprisal. They talked about the daily challenge of remaining objective; when pressed, each had one particular experience that they were still struggling with. Seda’s story was typical, insofar as any of the stories could be typical. It was a case of sexual torture.

It was three years ago. She is a young woman. She did not want me to write anything. I take my hands from the computer and even my interpreter is not writing anything. And she told everything, every detail—I can’t stop her—she is screaming, shouting, crying, laughing. I can’t do anything, I was just watching her. And she told all the story, and it was really bad. It was on Friday, I remember. The next day all of my body is full of bumps, these red bumps.

She attempted to suicide two times while I have to decide the case. I put the case aside; I can’t decide. I can’t. I am so much emotionally attached to this woman. I gave it to one of the senior officers. Finally we reject the case, but on reopening it was accepted.

She’s accepted so I’m happy. Maybe it is not with me, but I’m happy one of our officers saw it. But I can’t do it. I know if I will accept it is because I am emotionally attached. It was my first case of divorce and domestic violence.
In Geneva later that month I spoke to Barthold Bierens de Haan, psychiatrist for the ICRC, about the psychological pressures of humanitarian work. He described it through the metaphor of disease. “The suffering of the victims brings secondary traumatization to the witness,” he explained. “Trauma is an infection which is going from one person to the other.” But to understand the depression that commonly afflicts humanitarian workers, he continued, it is perhaps best not to think of individual traumatic exposures; to focus solely on the single terrible story is to misunderstand the chronic psychic friction of the work. The most damaging stress is often cumulative. The psychological problems hardest to address, he explained, are matters of repetitive strain.

Work at the UNHCR is repetitive strain. “At some point as an interviewer you get very cynical,” says Larry. “You hear the same stories again and again.” To address this problem the UNHCR allows international staffers to rotate positions. After a difficult post in Indonesia, Larry was moved to Guantanamo Bay and then to Prague. In some cases, such rotations only change geography. But even though a “new” post may essentially be the same job, it is still an important fresh start: the regional information is new, the populations are new, and the stories are new. Just as significant, rotation can offer periods of respite in first-world living conditions. “Microwave, CNN, ocean,” is how Larry summarized Guantanamo Bay.

“It’s essential to rotate positions, particularly between easy and difficult posts,” Larry asserted. “Sometimes people should be forced to do this. I can think of one person who went from difficult assignment to difficult assignment and ended up killing himself.” However, avoiding burnout through periodic rotation to less stressful sites also means workers are continually unfamiliar with their basic environments; just as a home becomes comfortable and familiar, it is time to leave. Bierens de Haan calls this sort of environmental alienation “basic stress” and emphasizes that its effects can be serious and long-term. The disorientation can be severe to the point of comedy. Larry lived in a tin shack while conducting Vietnamese status-determination interviews, and one morning a rooster entered his hovel and began to crow. The noise reverberated wildly and Larry thought to himself yearningly: “This would never happen if I were back in D.C.—that rooster would never get by my secretary.”

Some workers for UNHCR, however, cannot even rotate. The organization relies upon two pools of employees in any field office: international careerists typically from industrialized nations in Europe and North America who occupy leadership roles (like Larry, who is an eligibility officer) and the locals, typically functioning as subordinate legal officers and translators. In Ankara, the Turks lucky enough to find such work seldom rise high
enough in the organization to rotate out to other countries and often cannot possibly think of giving up their job despite any cumulative stress, because these positions offer stable, well-paying work in a nation where neither is widely available.

At dinner late one night with several legal officers, mostly Turks, I asked what they did to get by. They laughed and said they had their alcohol, cigarettes, and sex. Sometimes, it has been said of humanitarian work, there is more passion than protection. But they also talked about the respectful friendships that developed in field offices. Marco, a young Italian junior professional, worked in a remote rural field post with Meltem. They had nothing in their village but their work and each other. Each night they would meet together and discuss cases and legal theory, Meltem cynically but compassionately mocking Marco’s idealism. They would argue and drink and smoke and laugh and cry. “You’re responsible for the health of your colleagues as well as your own,” Larry had said earlier that day, in response to a question about periods of extreme work stress. “You make sure you all have regular meals, you have a buddy system.” The camaraderie of Marco and Meltem clearly helped them to bear their stress and isolation, but it also seemed to me that it created a closed network: there was no aspect of their life that was not refugee work. They had nowhere to go that was outside. Their solution to stress, like the solution of the rotation system itself, created its own unique degenerative cycles, and this mirrored the double-bind of the organization as a whole: to protect the vulnerable from injury you must treat them as opponents, but in treating them as opponents you subject them to injury. So I asked again: What helped them to continue? What was their way out?

Seda pointed her thumb to Meltem, who had recently taken a break from work. “She has had a tough month,” Seda said. Meltem’s last two cases had ended badly. She had to reject both. One then mutilated himself and the other attempted suicide.

“Meltem had a nervous breakdown,” Seda said, touching her shoulder and looking in her eyes as she spoke about her in the third person. Meltem nodded her head and smiled.

“Finally,” she said.

Pascal Daudin for many years interviewed detainees for the ICRC. He is now a man of middle age with a muted, gravelly voice and a well-rehearsed, world-weary cynicism that masks what his colleagues describe in asides as a “heart of gold.” I visited him at the ICRC’s quiet hilltop headquarters in bustling Geneva, reaching him by passing between the rental cars of placid
vacationers looking for famous European museums and the trucks dis-
playing the Red Cross and Red Crescent that were in my mind inseparable
from images of starvation and warfare. The strange coupling of opposites
in the headquarters’ physical landscape seemed an appropriate symbol for
the strange paradoxes of all the ICRC’s humanitarian work: resist war by
accepting it; overcome tyrants by cooperating with them. Pascal’s work with
nonmilitary detainees was no exception. Like Larry and Seda, he described
the process of interviewing victims of abuse as a terrible balancing act. To
protect those who have been tortured and interrogated, you must inter-
rogate them. “You must get information on conditions of detention,” he
said firmly. “You have to interrogate people—as softly as possibly—but you
must.”

The ICRC has an international mandate to operate in a variety of ways
in humanitarian crises all over the world. The ICRC is everywhere. Other
relief organizations fled Rwanda during the genocide, but the ICRC re-
mained. When the ICRC left Afghanistan, the world held its breath. The
stage was set for catastrophe and now nobody would be there to minimize
suffering. Whatever dramatic international crisis happens to be at the center
of Western media attention, the ICRC is typically the first, last, and some-
times only humanitarian group there. But one of the ICRC’s most impor-
tant and enduring missions is also the one that receives the least media
attention (unless it happens at a U.S. military base): the daily work of vis-
iting civilians detained on security grounds in crisis zones across the globe.

ICRC visits to prisons have several basic purposes. ICRC delegates keep
records of those detained to prevent disappearances and to restore contact
with families; in extreme cases they provide material relief such as medicine
or food; and most important they interview prisoners to obtain information
about conditions of detention. Evidence of neglect or abuse is then collected
in reports that are passed on to higher authorities within the government
along with demands for redress. This is the final objective.

The ICRC’s ability to get access to prisons in nations where torture is
policy and disappearances the goal depends upon a series of chastening
compromises and a complicated balance of interests. Governments acquire
some degree of international legitimacy by being able to say they have al-
lowed ICRC delegates into the country. And the ICRC makes two basic and
reassuring promises. First, they will not operate as moral judges or as the
partisans of prisoners. They will remain neutral and listen to arguments
from both sides, recognizing that prisoners, like guards, are capable of lying
to promote their interests. ICRC delegates, in short, are advocates for hu-
mane standards, not for particular humans. “Judgment is not a term very
much used in the ICRC,” Pascal explains. “The key word is dialogue, not
judgment.” The second promise the ICRC gives has been described as a deal with the devil: they will never reveal information about what they discover to anyone outside of the government they are investigating. Evidence of atrocities is for the government whose security forces are perpetrating the atrocities, and for them alone.

Listening to Pascal’s first descriptions, I expressed skepticism about the ICRC’s ability to achieve anything of real value under such conditions. But Pascal had no doubts. “I am not a tourist of prisons,” he said. The work, he explained, is very upsetting and traumatic, and if he did not believe it could make an important difference he would not undertake it. Pascal’s colleague, Jean-Jacques Fréard, described how the ICRC brought about dramatic changes in the treatment of prisoners throughout Iraq over a period of several years. But in reports compiled by Pascal, Hermán Ryes, and Marina Staiff, the list of accomplishments seemed much more humble. Negotiating to allow prisoners to keep small personal possessions. Submitting requests for longer visits from families. Alleviating a male prisoner’s concerns that his beatings have rendered him permanently impotent. Making sure Muslim detainees have frequent access to water for ritual ablutions. Assuring a prisoner that his torture has not broken him, has not made him incapable of forming relationships and functioning in society if he is ever released. Simply listening.

The victories did indeed seem humble when measured against a backdrop of thousands upon thousands of sessions of torture. But Pascal and others insisted that these small victories brought incalculable psychic benefits to prisoners. They had seen it. It is sometimes the change that seems least dramatic, the help that seems most humble, that enables victims engulfed in fear and despair to survive. And, after release, to recover.

Nobody I met at the ICRC seemed troubled by questions of scale. The help they give is always small in comparison to the horrors they face. Nevertheless, they all believed firmly that what the ICRC makes possible is a value beyond measure: the emergence of care and the preservation of our small human dignities in worlds of violence and treachery. What did trouble Pascal and his colleagues was the possibility that these good intentions might somehow, in some cases, become integrated into the system of treachery itself. Pascal described to me the detainee from his past who haunted him the most. It was a case of psychological rather than physical torture: a prisoner was isolated and, through a variety of indoctrination tactics, forcibly “converted” to a particular sect of Islam. On good days Pascal believes his visits helped because they provided a break for the prisoner, a door to the outside world. On bad days he wonders if these openings only made the prisoner perceive more keenly the extent of his victimization and
degradation. The breaks, as Pascal put it, could have been part of what broke him. “We visit people under interrogation in certain countries after two weeks.” Pascal corrected himself: “We have the right to visit them after two weeks. Usually we have the conviction that our visits contribute to an improved psychological state.” But, he explained,

we had some doubts at certain points—we conducted a study. Somehow we had the impression we were involved in the detention process in a negative way. People were resilient for two weeks, resistant to interrogation, and then they got a break with the ICRC, which softened them up. And then back to interrogation. It’s a hypothesis only, but it seemed that possibly our visits were integrated into the interrogation process itself.

The ICRC is unique among organizations for its extreme willingness to question itself and its assumptions, and Pascal’s question goes to the very heart of the ICRC. Can the compromises they make to gain access make them complicit? The anxiety and depression that affects ICRC delegates is not only the result of traumatic contagion and environmental stress. It is the result of a system that requires respecting the confidentiality of executioners, that requires defending the rights of imprisoned “genociders” with the same implacable energy as innocent victims of rape and torture. It is the result of a system that requires integration into the larger structures of injustice and war that produce the very suffering they have dedicated themselves to alleviating.

While in Geneva I heard many stories. None captured my feelings about the ICRC’s complicated cooperations with the merchants of violence more succinctly than Brigitte Troyon’s account of her work as a relief worker in Liberia. She and her staff had food and medicine to deliver, and to gain access they were willing to work with whomever they met and to respect the authority of whatever system they encountered.

“Often you had small boys of seven or eight years manning the checkpoints and wishing to be quite brave,” she began. Her voice was so gentle I at first interpreted it as timid.

Children are the most dangerous because they do not know that they can die so they fear nothing. And they are trained to kill. They usually had adults behind them watching them, and they had to prove something to these adults. We had as well some older ones: eighteen, nineteen. They were often high on alcohol or drugs.

When we came to the checkpoints we usually tried to avoid defying them. That was a basic rule. Try to avoid direct eye contact, as if you are
judging them, and just agree with them. They want to humiliate you; they want to feel that you are lower than they are, so you put yourself in that position. You say “I agree with you, I respect what you are saying,” and so on.

You had to remain very calm. The children could shoot you without understanding what they were doing. The older ones would sometimes want to keep you as hostage. So you try to calm down the situation and make them see that you appreciate them as human beings. With children, for example, it was quite easy because you just had to play with them. Children there were playing quite easily. So we just mentioned a nice T-shirt they had or nice shoes they had, or we’d say, “How fast can you run?” and things like this. After a while they would even smile at you. They would let you go through if you treated them gently as children but at the same time you respected them.

With adults, it was a bit more complicated. We always told them that we respect them. To protect you need to be able to come again. It’s no use coming in and out once, as if then it is finished. You have to build a relationship of trust. So if they tell you to open up the trucks, you do it. If they tell you they want to see things, you let them. It takes time, of course. Once in the middle of nowhere they had three checkpoints in ten meters: the customs, the police, and the army. For a trip that would take two hours, it took about ten days. But we worked, and they let us pass.

With such workers and such determination, the ICRC can reach victims in almost any crisis zone anywhere on the globe. No other organization has achieved such universal access.

But in Turkey, unlike most countries in the world, the ICRC has not been allowed to pass. Throughout the 1980s and 1990s they were denied access to security detainees and to all civilians affected by the civil war in the south-east.

After one month in Switzerland, I returned to Ankara.

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There is no sharper contrast to the communication practices of the ICRC and UNHCR than what I found in the Human Rights Association in Turkey. The HRA sees itself not as an organization that mediates, judges, or translates the language of the survivor, not as an organization that gives language specific approved channels, but rather as an organization that is dedicated essentially to the uncontrolled proliferation of survivor language.

Bülent Peker was the HRA’s Speaker for Refugees when I met with him.
Bülent is a young, restlessly energetic, and sleepless man; in a nation that is 99 percent Muslim, he has recently converted to Christianity and has come out of the closet as a bisexual. He is also an enemy of the state. The night we met he smoked ceaselessly and nervously.

Like the ICRC, Bülent explained, the HRA is involved in a wide variety of humanitarian crises, but it is a local, grassroots organization—neither well-funded nor well-organized—and it limits its activities to Turkey. The range of crises the small group claims to address is truly startling: torture of prisoners and detainees, extrajudicial killings by the police and gendarmerie, censorship of the media and detention of journalists, and forced displacement (three million Kurds allegedly been displaced by the Turkish military over the years). Until recently it had been beyond the HRA’s capacity to care for refugees and illegal immigrants as well. But for Bülent they are a special concern. “The stateless live on the margins of humanity,” he says simply. “Indeed, they are outside of humanity. They have no one to help them.”

It is Bülent’s job to interview refugees and immigrants who claim to have been victims of state-sponsored abuse and to corroborate their allegations against the government. His job, like Larry’s or Pascal’s, is to gather information, but his interviews are nothing like those of the UNHCR or ICRC. His first interviews with refugees often occur in their homes or what are serving as their homes. He is brought to those in hiding by a mutual friend, who usually remains for the interview. Bülent tells these survivors to say only what they want to say and to stop when they wish, but reminds them that he can be more helpful the more information he receives. “My colleagues are always very compassionate with survivors. Almost everybody involved in our organization was a victim once—torture, detention, rape. We did not join because we were idealists. So the survivors are welcomed as guests, as brothers and sisters.” The interviews often occur in a series. “At some point they will arrive in our offices. The interviewer himself serves them tea. We don’t interrogate them. They are helpless, but when they enter the borders of the association they become strong. They have a special feeling when they come to our offices.” I asked Bülent how he was sure to get accurate information during interviews without reproducing the conditions of interrogation that accompany the original scenes of torture. My time with the UNHCR and ICRC had convinced me that victims, like anybody else, can exaggerate and lie. How do they balance compassion with accuracy? “In general our principle is that the survivor in that moment is speaking the truth.” Their language is, so to speak, treated as a fact in the world to which people must adapt—a reversal of the process of torture that, as Elaine Scarry has demonstrated, twists the language of the victim to
match the deliberately arbitrary facts of the torturer’s world. We do not, Bülent explained, try to catch them in lies with cross-checking procedures in the interview. And we do not, he stressed, waste much energy eliciting arguments from the “other side.” “The statements from the police are always the same: ‘This person was not detained.’” But if we wish to take legal action, Bülent quickly qualified, we must verify our information through any other channel we can use, for instance, by talking to victims’ lawyers, doctors, and families.

Unlike the UNHCR, the HRA has no official legitimacy and on its own can offer nothing more than the promise of voice. What has happened will not be forgotten; what has happened will be reported to somebody, somehow. But in certain cases, with the help of coalitions, the HRA can do more. It is frequently able to mobilize its networks to obtain medical and legal assistance. The work of doctors is miraculous, reliably; the work of lawyers has been astonishing, of late—but this cannot last. In recent years the HRA has brought to the Council of Europe’s Human Rights Court dozens of cases of abuse allegedly perpetrated by Turkish security forces. And the HRA has won. But legal successes here depend upon an unstable conflict of interests in Turkey that must soon, one way or the other, be resolved. Turkey’s elected political leaders are now caught between the European Union, with its elusive promises of full membership and the economic regeneration this could bring to Turkey, and the powerful military and security apparatus that operates semiautonomously in Turkey, unaccountable to the Turkish parliament (according to critics) and unacceptable to Europe because of its allegedly systematic human rights violations. Turkey’s elected representatives lack both will and capacity to radically challenge their army and their police, but for now they are also unwilling to cut their ties to the Council of Europe. So they must abide by both the decisions of the Human Rights Court and the demands of their security forces: each year the Turkish government spends the equivalent of millions of U.S. dollars of public funds paying fines and giving court-ordered restitution to its own victims. The government would, in Bülent’s words, rather pay for torture than try to prevent it. One activist calls this the torture tax.

The Ministry of Internal Affairs and the National Security Council of Turkey, citing what are widely perceived as legitimate security concerns in a country long troubled by terrorism, have declared that the HRA is cooperating with internal and external enemies of the Turkish Republic and is only disguising itself as a human rights organization. Giving money to the HRA has, therefore, been illegal in Turkey since 1997. The HRA must resort to collecting funds illegally from the 20,000 supporters it claims to have. Few have anything to give. Excluding a small staff of administrators
who receive wages low even for Turkey, all the workers are volunteers. All legal and medical work is pro bono. Bülent, like many, works full-time. He survives by doing translations in his spare time and receiving help from his ex-wife, a banker who has also volunteered for the organization.

The state operates against us in a variety of ways. Their list includes the prevention of field activities and missions, prevention of media coverage—which is very successful—distribution of anti–human rights propaganda—which is very successful—and “other measures.” This last is not specified. We are fifteen years old; fifteen of our executives have been killed. Many of our executive members are or have been imprisoned. We have more than 600 court cases against us. Every month we pay very high fines to the state.

Lacking all official credibility limits the HRA’s effectiveness. Its workers are unable to disseminate information effectively because of mainstream media blackouts, and many Turks—perhaps a majority—thus are inclined to accept the government view that the HRA is cooperating with terrorists. Moreover, because the HRA does not have a clearly defined public mandate (unlike the UNHCR or the ICRC, which are, respectively, guardians of the Refugee Convention and the Geneva Conventions), the organization can sometimes suffer from institutional dispersion. In other words, because policy is not constrained by a limited mission it is also not focused, and the consequent uncertainty over the scope and nature of operations can promote infighting and factionalism. The example Bülent offered was of a running conflict with a disruptive minority in the organization that views the work of human rights as secondary to the goals of a broader, leftist political struggle. The subgroup’s insistence that advocacy and resources should be distributed according to the dictates of radical politics rather than the principles of human rights has at times threatened to fracture the organization.

As this case shows negatively, however, the HRA’s official illegitimacy can also be the source of a powerful freedom. At the ICRC and UNHCR, humanitarian work is defined by its limits: we must accept that we can only help this kind of victim; we must accept that war and government detentions can only be ameliorated, not eliminated. HRA volunteers have accepted no such limits. They are not there to adjudicate the distribution of a scarce resource, like Seda Kuzucu, or to reduce the barbarism of barbaric situations, like Pascal Daudin. They are there to bring about the total transformation of the regime, case by case, according to the principle that a state’s existence is justified only as the guarantor of human rights.

HRA volunteers need make no moral compromises to protect their public image, to guarantee access, or to respect a limited mandate. They have
no public image, and their mandate, if it can be called that, is to help anyone in any way they can. They do not need to protect the confidentiality of inhuman authority or sift through the deceit of abusive security forces in their search for an inclusive truth; the ICRC’s struggle to remain neutral is alien to them. They do not need to exclude some victims in order to uphold a legal standard; the UNHCR’s struggle to remain objective is alien to them. HRA volunteers are not neutral and not objective. They are partisans. In most cases they are survivors of the very abuses they are now fighting, and having once before crouched beneath the blows of police batons they live each day with the promise that they will never again bow to the force of the state. Brigitte Troyon’s painstaking deference to local authority is as inconceivable for them as courtesy to a fist.

In the end, HRA partisanship affects not only how survivors are interviewed but also how their stories are translated to the outside world. Whereas the goal of the UNHCR is to achieve an evidentiary threshold and sustain legal legitimacy through descriptive precision, the HRA’s primary goal is to achieve persuasion and sustain emotional commitment through dramatic, morally coercive descriptions (the ICRC fits somewhere in between, depending upon the local context). It should be noted that the language work of each of these three organizations, consequently, has not only a different level of moral complexity but also a different power capacity. The spectrum starts on one extreme with the maximally effective UNHCR, where legitimacy derived from the rule of law makes UNHCR communications into textbook examples of speech acts; in other words, saying, “you are now officially a refugee” is equivalent to the act of making the person a refugee. The middle range is occupied by the ICRC. Because the norms of international humanitarian law often function more like moral claims than like enforceable law, ICRC declarations are speech acts only in the way all utterances are speech acts; that is, saying, “You are violating IHL” does not make that person into a criminal officially, but because the utterance is preceded implicitly by the phrase “we state that” then it is true that the utterance makes it the case that somebody is being officially condemned by the ICRC—and this carries some normative weight, both for the security forces thus condemned, given that its supervising officials have bestowed legitimacy upon the ICRC by granting them access, and also for the state itself, given that most nations have consented to the Geneva Conventions or to similar moral and legal norms. At the other extreme, then, is the HRA, whose utterances have neither official internal legitimacy nor normative weight, except for what it can borrow from other international organizations. As a consequence, the HRA attempts to give its utterances weight and to attract international attention to its utterances through force of language.
itself. Rhetorical practice, in other words, is in large part a product of organizational capacity.

Unsurprisingly, HRA press releases against the government for many years were relentless, severe, and sometimes reckless. They made little effort to temper their rhetoric and sometimes failed to make distinctions between allegations and facts. And they offered their information to any organization they could reach, from local to international media outlets and nongovernmental organizations, without worrying that they might thus jeopardize their ability to gather information in the future. Their work was both a form of release and revenge and an experiment in the power of shaming. The effectiveness of this aggressive strategy remains an open question.

Bülent, for one, was skeptical. “The focus on international criticism was counterproductive. The more the international community criticized Turkey for gross violations, the more the Turkish politicians, the media, and increasingly the civil society adopted a defensive nationalist position.” For many, he explained, patriotism became intertwined with support for the embattled security forces. All our talk, he said, may only have given a cloak to the torture. Like Seda and Pascal, Bülent had begun to formulate his mission as a psychically crippling double-bind: the more aggressively we work to protect the individual, the worse it might be for the whole over time. Bülent emphasized that the HRA, as a result, had recently begun to try to change its tactics, and perhaps unintentionally he quoted words I had often heard from the Red Cross. “Our job is not to condemn human rights violations. It is to prevent violations before they happen. So a rhetoric which is more careful, more diplomatic, more constructive, more positive—this would make the authorities more cooperative.” With cooperation from authorities, Bülent explained, we might be able to reach detainees, to protect them. For now, however, mutual hostility is too extreme. It would be unimaginable, for instance, for members of the HRA to meet with paramilitary forces to educate them on humane tactics of detention, or to negotiate with their contacts among police officers to obtain access to or release of prisoners. They have no contacts, only enemies.

It was late at night when we finished our interview. Over our hours together Bülent’s accounts of police and paramilitary torture and killings had accumulated like thick smoke in the air. By 2 a.m. I was exhausted but Bülent was still full of nervous energy; he had a number of calls to return and documents to prepare and planned for only a few hours of sleep before taking an early morning flight to Istanbul. I asked him what kept him going. To the cigarettes, alcohol, and sex of the UNHCR legal officers he added one word: anger. Tomorrow was a fresh outrage. Bülent was flying to Istanbul to investigate reports that a group of Africans who had entered the country
illegally and not received refugee status had been tortured by the police and left, disabled and starving, in a remote border zone. Denied entry into the neighboring country, the victims had struggled to find their way back to Istanbul and had gone into hiding. Bülent had seen many such crises. “It is arbitrary and illegal,” he said, finishing his last cigarette. “But the police do it to tens of thousands of immigrants and refugees a year. Those not under the protection of the UNHCR are especially vulnerable.” Bülent for once showed fatigue.

I had been in Turkey one month. The stories were endless. I asked Bülent if he had any hope.

“Of course I have hope,” he said, without hesitation. “I have hope because I am working.”