



Written by [C. Mitchell Shaw](#) on November 24, 2015

Trump Promises to Bring Back Waterboarding

Donald Trump (shown) has promised that if he is elected, he will “Make America Great Again!” Apparently, that “greatness” includes the type of torture that was rejected by many Americans when it was practiced under the last Republican president.



On Sunday’s *This Week With George Stephanopoulos*, Trump — who is the leading Republican candidate right now — said he “would absolutely bring back interrogation and strong interrogation,” including [waterboarding](#). “You know, they don’t use waterboarding over there; they use chopping off people’s heads,” he said. “I would bring it back. I think waterboarding is peanuts compared to what they’d do to us.”

While it is not breaking news that “The Donald” is out of touch, this case is particularly egregious. The practice of various torture techniques — waterboarding in particular — have been both discredited and considered illegal. The front-runner for the GOP nomination has no excuse for being ignorant of those facts.

It is not as though this were a new issue still in need of being sorted out. It’s just that while it was being sorted out Trump was busy producing beauty pageants, firing “apprentices,” getting married to a model — again — and working on building his “brand.” While all of those things certainly qualify him as a media personality, he seems to have missed all of the news and legal affairs regarding the use of torture.

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The use of waterboarding by U.S. interrogators first came to light in 2004 and immediately came under fire by those concerned about civil liberties. Over the next few years, the practice was discredited and banned by both presidents Bush and Obama. In November 2005, [ABC News](#) reported on waterboarding and other “enhanced interrogation” techniques. John Sifton of Human Rights Watch said, “The person believes they are being killed, and as such, it really amounts to a mock execution, which is illegal under international law.” Besides being illegal, waterboarding extracts worthless confessions. A prisoner who thinks he is being killed will say anything out of panic. Former CIA officer Bob Baer said it is “bad interrogation. I mean you can get anyone to confess to anything if the torture’s bad enough.”

As ABC News reported:

The techniques are controversial among experienced intelligence agency and military interrogators. Many feel that a confession obtained this way is an unreliable tool. Two experienced officers have told ABC that there is little to be gained by these techniques that could not be more effectively gained by a methodical, careful, psychologically based interrogation. According to a



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classified report prepared by the CIA Inspector General John Helgerwon and issued in 2004, the techniques “appeared to constitute cruel, and degrading treatment under the (Geneva) convention,” the *New York Times* reported on Nov. 9, 2005.

Malcolm Wrightson Nance is a former member of the U.S. military intelligence community, and a retired U.S. Navy senior chief petty officer who “served honorably for 20 years.” In November 2007, *Salon* published a letter he wrote to Chairman John Conyers and the members of the House Judiciary Committee. He described the time he spent as an instructor at the U.S. Navy Survival, Evasion, Resistance and Escape (SERE) school in North Island Naval Air Station, California where he and other instructors taught students to resist “the techniques of brutal authoritarian enemies.” He described waterboarding as the “most severe of those employed.” He wrote:

SERE trained tens of thousands of service members of its historical use by the Nazis, the Japanese, North Korea, Iraq, the Soviet Union, the Khmer Rouge and the North Vietnamese.

SERE emphasized that enemies of democracy and rule of law often ignore human rights, defy the Geneva Convention and have subjected our men and women to grievous physical and psychological harm. We stress that enduring these calumnies will allow our soldiers to return home with honor.

Evan Wallach was a JAG in the Nevada National Guard and was responsible for training soldiers “about their legal obligations when they guarded prisoners.” In November 2007, he wrote for the [Washington Post](#) about the several techniques collectively known as waterboarding and said:

That term is used to describe several interrogation techniques. The victim may be immersed in water, have water forced into the nose and mouth, or have water poured onto material placed over the face so that the liquid is inhaled or swallowed. The media usually characterize the practice as “simulated drowning.” That’s incorrect. To be effective, waterboarding is usually real drowning that simulates death. That is, the victim experiences the sensations of drowning: struggle, panic, breath-holding, swallowing, vomiting, taking water into the lungs and, eventually, the same feeling of not being able to breathe that one experiences after being punched in the gut. The main difference is that the drowning process is halted. According to those who have studied waterboarding’s effects, it can cause severe psychological trauma, such as panic attacks, for years.

So Trump’s technique-of-choice for extracting confessions and information is not only cruel, barbaric, and ineffective, it is in reality not merely a *simulation* of drowning, but *controlled* drowning. Remy Mauduit writes about waterboarding with the conviction that comes from having experienced it. In an [article](#) he wrote for *The National Interest*, he details his experience. He does not consider his waterboarding to have simulated *anything*:

Waterboarding is often described as a simulated drowning or a technique “to convince the interrogated that he or she is drowning.” There is no way to simulate the lungs filling with fluid and the victim does not need to be convinced physiologically. They are in the process of drowning.

Waterboarding is difficult to understand absent first-hand experience. In order to fully appreciate the exquisite brutality of this human torture, a person must know what it is like to be totally at the mercy of his tormentors, his will broken, stripped of his dignity and humanity, feeling the horrendous pain of the nauseating liquid involuntarily filling his lungs, and the complete loss of hope. In this state, the tortured is assailed with reminders this near drowning will happen repeatedly and will eventually culminate with that promised slow and agonizing death. In spite of my frenzied fight to survive, I prayed so many times for death and the deliverance from pain.



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Waterboarding is a controlled death; I died multiple deaths, three times each day, for seventeen days.

Waterboarding, like other torture methods, makes you talk. You talk a lot; say anything, absolutely anything to get the torture to stop. You throw up a lot, you talk, you scream like a demented person whenever you can, and you throw up again. You give all the answers you think your torturer wants, and more, but not much is true, precise, actionable intelligence. Torture transforms the victim into a fanatical and fierce opponent. Torture taught me the most corrosive diseases of the soul: hatred and revenge.

Malcolm Wrightson Nance similarly wrote:

Waterboarding has the ability to make the subject answer any question with the truth, a half-truth or outright lie in order to stop the procedure. Subjects usually resort to all three, often in rapid sequence. Most media representations or recreations of the waterboarding are inaccurate, amateurish and dangerous improvisations, which do not capture the true intensity of the act. Contrary to popular opinion, it is not a simulation of drowning — it is drowning.

Let that sink in. People who have either experienced or witnessed waterboarding consistently describe it as *real drowning*. Considering these facts, it is no wonder that Evan Wallach wrote:

The United States knows quite a bit about waterboarding. The U.S. government — whether acting alone before domestic courts, commissions and courts-martial or as part of the world community — has not only condemned the use of water torture but has severely punished those who applied it.

In April 2005, Human Rights Watch wrote an [open letter](#) to then Attorney General Alberto Gonzales calling for the practice to be condemned as illegal since it violates both U.S. and international law. Part of that letter says:

Waterboarding is torture. It causes severe physical suffering in the form of reflexive choking, gagging, and the feeling of suffocation. It may cause severe pain in some cases. If uninterrupted, waterboarding will cause death by suffocation. It is also foreseeable that waterboarding, by producing an experience of drowning, will cause severe mental pain and suffering. The technique is a form of mock execution by suffocation with water. The process incapacitates the victim from drawing breath, and causes panic, distress, and terror of imminent death. Many victims of waterboarding suffer prolonged mental harm for years and even decades afterward.

Waterboarding, when used against people captured in the context of war, may also amount to a war crime as defined under the federal war crimes statute 18 U.S.C. § 2441, which criminalizes grave breaches of the Geneva Conventions (in international armed conflicts), and violations of Article 3 common to the four Geneva Conventions (in non-international armed conflicts). Waterboarding is also an assault, and thus violates the federal assault statute, 18 U.S.C. § 113, when it occurs in the “special maritime and territorial jurisdiction of the United States,” a jurisdictional area which includes government installations overseas. In cases involving the U.S. armed forces, waterboarding also amounts to assault, and cruelty and maltreatment under the Uniform Code of Military Justice.

Under the laws of the land, U.S. personnel who order or take part in waterboarding are committing criminal acts — torture, assault, and war crimes — which are punishable as felony offenses. The Department of Justice should clarify this to all U.S. personnel, and prosecute violations of the law.



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Perhaps if “The Donald” had bothered to make himself aware of these and other facts, he would be less likely to promise a reinstatement of this cruel, barbaric, ineffective, and illegal practice. Perhaps. Or perhaps he thinks that this type of thing will “Make America Great Again!” In either case, he is as far off the mark as he has ever been.



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