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Roger Williams University School of Law

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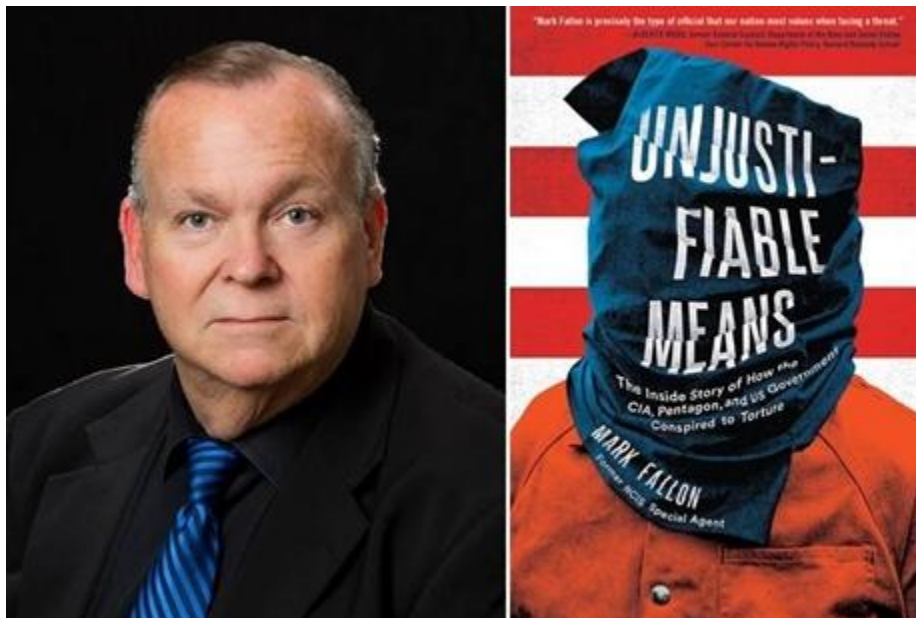
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February 2, 2018

Newsroom

Interrogation Expert Warns Against Use of Torture

Mark Fallon, RWU '78, author of "Unjustifiable Means," will speak at RWU Law on Feb. 8, explaining why torture is illegal, immoral, ineffective and counterproductive



Mark Fallon, RWU '78, author of “Unjustifiable Means,” will speak at RWU Law on Feb. 8.

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In a new book, Roger Williams University graduate Mark Fallon draws on his deep experience investigating terrorist operations to present a searing indictment of the interrogation techniques used by President George W. Bush’s administration – and to offer a stark warning to President Trump’s administration about the perils and pitfalls of employing torture.

Fallon, a 1978 RWU graduate who studied the administration of justice and received the 2016 Distinguished Alumnus Award, will speak at RWU Law on Thursday, Feb. 8, as part of the School of Justice Studies Speaker Series. The talk will begin at 6 p.m. in the Honorable Bruce

M. Selya Appellate Courtroom at the RWU Law, 10 Metacom Ave., Bristol. It's free and open to the public.

Fallon's visit follows President Trump's announcement during his State of the Union address that he will keep the controversial U.S. military prison at Guantánamo Bay open. Fallon called that "reckless," saying, "Guantanamo serves as a symbol of torture, injustice and oppression, and the indefinite detention without trial denigrates the Constitution, defies the rule of law and is a violation of international law."

Why Torture is Wrong

Regan Arts published Fallon's book – *Unjustifiable Means: The Inside Story of How the CIA, Pentagon and US Government Conspired to Torture* – in October. By then, the government had held up publication for 233 days, prompting the American Civil Liberties Union and the Knight First Amendment Institute to write to senators asking them to intervene. While it now has been published, the book includes entire sections that the government has blacked out for reasons Fallon considers suspect.

"The book the government doesn't want you to read," the book jacket declares. "President Trump wants to bring back torture. This is why he's wrong."

Fallon served 27 years as a special agent in the Naval Criminal Investigative Service, probing the terrorist bombing of the World Trade Center and the attack on the USS Cole. He also was deputy commander of the Criminal Investigative Task Force created to probe the al-Qaida terrorist network.

"Bottom line," he wrote, "I've been on the front lines of the terror war every step of the way and for as long as almost anyone else can claim."

From that vantage point, Fallon witnessed the impact of the Sept. 11, 2001, terrorist attacks, observing that "a darker strain of America emerged at Guantanamo Bay, Abu Ghraib and too many other stark prisons and dank interrogation rooms," he wrote. "In the pursuit of 'intelligence' coups that were never there to be scored in the first place, we employed interrogation methods borrowed from the Nazis and North Korean POW camps of a half-century earlier."

Fallon felt compelled to write the book.

"The torturers and their apologists have made a concerted effort to rewrite history and shape the perception of the American public with dubious claims of heroic actions, but there's nothing heroic about abusing a defenseless human being," he wrote. "Those who committed such acts will have to live with the shame of what they did and the knowledge that their actions undoubtedly cost lives."

A Faulty Foundation

The book details how government leaders ignored and overrode the expertise and advice of interrogation professionals and lawyers. “Those in power, it seemed, were hell-bent on the notion that torturing prisoners was the way to do business,” he wrote. “Somehow, the Global War *on* Terror had become the Global War *of* Terror. We had turned into the very adversary we feared.”

Now, Fallon is concerned President Trump’s administration will resort to torture. As a candidate in 2016, Trump said, “Torture works. OK, folks? Believe me, it works. And waterboarding is your minor form, but we should go much stronger than waterboarding.” After becoming president, Trump said, “When ISIS is doing things that no one has ever heard of, since medieval times, would I feel strongly about waterboarding? As far as I’m concerned, we have to fight fire with fire.”

“That’s the talk of an arsonist,” Fallon said in an interview. “You fight fire by depriving it of oxygen. So what we need to do is to deprive terrorist recruiters and financiers – and those who would be future violent extremists – from the oxygen that fuels them and brings them to the battlefield.”

Torture produces false information and tainted evidence, Fallon said. “So from an investigative standpoint, it’s useless,” he said. “It’s like a faulty foundation for a home: Everything that’s built on top of that is going to crumble.”

On Feb. 8, Fallon will discuss the leadership challenges of trying to bring terrorists to justice while protecting and defending the Constitution. He will offer his perspectives on the tactical and strategic consequence of national torture policies, and on the moral and ethical challenges he faced executing his mission.

“I truly believe that if someone reads my book – reads the truth about torture – they will realize that not only realize that is it illegal and immoral,” Fallon said, “but that it is ineffective and actually counterproductive.”