

The Illogical Logic of Music Torture

M. J. Grant MA, PhD*

Abstract

This article draws on research into the use of music in the context of torture – both as a technique of torture and as a means of rehabilitation – to ask what types of musical activities and practices may constitute ill-treatment, up to and including torture. As well as providing information on the ways music is used in the context of torture and cruel, inhuman or degrading treatment or punishment (hereafter: CIDT), the article discusses responses to this issue in the scholarly, legal and therapeutic communities. Pointing to a widespread link between musical practices and humiliation of the prisoner and celebration of the power of those in charge over those held in detention, the author argues that coerced musical practices of any sort in detention are a cause for grave concern. She draws on research into post-traumatic stress disorder (hereafter: PTSD) and the torture-CIDT distinction to argue for an approach to the use of music in detention that places primacy on the dignity of the detained person.

Key words: Music, torture, CIDT, forced listening, forced singing/playing

*“Du holde Kunst, in wieviel grauen Stunden,
Wo mich des Lebens wilder Kreis umstrickt,
Hast du mein Herz zu warmer Lieb' entzunden,
Hast mich in eine beßre Welt entrückt!”*

*[Thou fairest art, in how many grey hours
Ensnared by the savage cycle of life
Hast thou ignited warm love in my heart
Hast borne me into a better world!]^a*

“Torture, an ugly word for an ugly act, evokes in most of us unpleasant, visceral reactions [...] Instinctively we turn away from the evil of torture lest it contaminate our beings (souls?) in some fundamental way.”¹

Musicians and music-lovers alike no doubt breathed a sigh of relief when President Barack Obama resolved to end the so-called ‘enhanced interrogation’ techniques used against detainees in the ‘War On Terror’.² These techniques famously (or infamously) included the use of constant loud music, with ex-detainees’ reports of this music’s impact upon them leaving no doubt that it amounted to torture. Responses to the use of music to torture were manifold in the community of musicians, music-lovers and others. The U.K. Musicians’ Union, for example, together with the NGO Reprieve, initiated the Zero DB campaign to mobilise people against this form of torture. Another example is the Stone Flowers project implemented by Musicians Without Borders in conjunction with Freedom From Torture. Stone Flowers is a music group made up of survivors of torture which has gone on tours and released a CD, hoping in this way both to give voice to survivors of torture and to raise vital funds for rehabilitation services. According to those behind the project, however, the idea arose as a response to the use of music in torture.³ This is in some ways typical of the way that people react when they hear that music has been used in

* University of Goettingen

Correspondence to: mjgrant@mjgrant.eu

^a From Franz von Schober’s (1796–1882) poem *An die Musik*. Translation: M. J. Grant.

torture: they retreat into other forms of music and thus try to confirm to themselves and others that the use of music in torture is but an exception to a general rule that music is, first and foremost, a redemptive art. Such is often the case, for example, when it comes to reflections on how music was used in Nazi concentration camps: despite extensive evidence to the contrary, there is a tendency to latch on to the sense of hope and dignity and the promise of survival that music may have brought to victims of Nazi persecution and atrocities, as indeed in some cases it did. The only problem is that this reading of music's role in the camps conveniently pastes over the other aspects: its use to humiliate and psychologically and physically destroy people, sometimes in the form of daily routines and formalised procedures, sometimes in the form of sadistic practices that had not even a pretend function other than the amusement of those who commanded them.

Studies of music in Nazi concentration camps, and scholarly investigations into exposure to music in U.S. detention camps – as outlined in the introduction to this issue of *Torture* – form the backbone of an increasing number of investigations into the connection between music and cruel, inhuman and degrading treatment and punishment. While work inspired by the recent U.S. cases has often situated the topic within the idea of 'sonic warfare', focusing on music as heard and sonic aspects of musical practices^{e.g. 4-5}, work on the U.S. cases lays more focus on music as an activity and on ritual practice in the camps, and music as a means of resistance and survival. Recent and ongoing studies have begun to widen the historical and geographical remit of work on music and torture with research relating to Greece (including in the present volume) and Chile during periods of dictatorship and war, as well as historical

case studies on the British military.⁶⁻⁸

A further study in its initial stages, conducted by members of my research group, will look in depth at cases from the Middle East. Often, such investigations emerge from more general musicological investigations into the role of music in military strategy, or under certain political regimes, but in so doing they frequently draw on information gathered by legal advocates and campaigning organisations: Physicians for Human Rights, for example, was one of the first organisations to recognise the harm caused by musical practices used in Guantánamo.⁹ There have been some considerations of music and torture from the standpoint of legal theory, with increasing recognition that different forms of music can constitute torture: such recognition comes, *inter alia*, in concluding observations from the United Nations Convention Against Torture (hereafter: UNCAT)¹⁰, and in an unequivocal statement from the President of the European Court of Human Rights, in a published essay, that 'Music can amount to torture, and lyrics can be the vehicle of human rights abuses'.¹¹ (p. 371) Even the increased willingness to submit as evidence testimony relating to the use of musical practices against prisoners, as for example demonstrated in documentation from the International Criminal Tribunal for Yugoslavia, points to a change in perceptions of the role of musical practices in the maltreatment and torture of prisoners when compared, for example, to how such evidence was treated during the *Torturers' Trials* in Greece in the 1970s and 1980s.⁶ In part, such changes can be attributed to improved understanding of the impact of psychological torture, though the boundary between psychological and physical torture is arguably nowhere more grey than in the case of practices involving music.

Despite this progress in recognising and

responding to the use of music in the context of torture, the sheer scope and historical longevity of these phenomena have only rarely been reflected in scholarly discourse. As a result, the importance of this topic for work to prevent torture has not always been given due consideration. The articles in this issue of *Torture Journal* provide further case studies on just some of the ways music has been and is used in contexts of punishment and detention, for both positive and negative ends. My aim in this article is to focus on a central question that arises from them, namely, when the use of music in detention can be considered a form of CIDT up to and including torture. Given the widespread therapeutic use of music during and after periods of detention, but also a significant body of evidence pointing to the frequent conjunction of music with forms of ill-treatment and torture of detainees, answering this question must be seen as a matter of some priority.

Music as Therapy and as Torture

Discussions of music and torture tend to focus on exposure to constant loud music, something which is more widespread than is often assumed. However, the use of music in the context of torture and CIDT also includes several practices involving actual or simulated singing/playing, and/or activities conducted to music created by oneself or others. Such practices include, but are not limited to: forced singing/playing either as a form of degradation and humiliation, or as an act of physical violence where the activity of singing is prolonged or carried out in such a way as to cause exhaustion and/or damage to the body; forcing prisoners to dance or to carry out extensive physical exercises to music; forcing people to sing while they are exposed to physical beatings.¹²⁻¹³ Like exposure to loud music, these practices are

generally used in conjunction with others, and their impact can thus only be understood by looking at the whole context, a point to which I will return later. The physical and psychological damage caused might vary significantly in each case (the lack of studies looking specifically at musical forms of torture and ill-treatment make it difficult to establish this with any degree of reliability at the present time). In the case of forced singing/playing/movement to music, damage may be caused by the physical effort involved; the damage in the case of being forced to listen does not stop at the ears but may inflict further physical damage either directly or indirectly, for example through loss of sleep. The psychological damage is dependent on a number of factors and therefore difficult to predict; what we do know is that for some survivors, forms of torture involving music were viewed by them as amongst the worst they had experienced, while for others, it offered them a way to cope.

Though the ways that music has been used, and the contexts in which such uses arise, is varied, there is one common denominator aside from the fact that all these practices have to do with music at one level or another. In all these cases, participation in a musical activity is not entered into voluntarily: one is forced to listen, or one is forced to play or sing or dance. This also differentiates from the outset these practices from others which ostensibly may take the same form, but do not involve coercion. This distinction is of prime importance not only for developing safeguards, but also if we want to understand how music can, in the most extreme cases, function as an instrument of torture.

Ironical though it may seem, case study reports from music therapists who have worked with survivors of torture and ill-treat-

ment or other traumatic experiences present us with a useful way-in to understanding the logic that operates when music is used for the polar opposite reason: not to rebuild, but to destroy. A common characteristic of such case study reports is that they trace a journey from initial sessions in which the patient's improvisations are marked by repetition, lack of development, and lack of response to the therapist's attempts to accompany, to musical responses that are not only more inventive and varied but, crucially, demonstrate an ability to interact musically with the therapist.¹⁴⁻¹⁶ In the context of a discussion which used one such case study to explore larger questions of the relationship between music and violence, Matthew Dixon suggested the following:

"Music expresses the whole range of human feelings and relationships, including those that are violent [...] As far as possible, the therapist must ensure that the music proceeds from the expressive needs of the client, and never loses touch with those needs. However, the primary agent of change in music therapy is a process of creative interaction, inherent in the act of making music, whose nature is the polar opposite of violence. Thus music can encompass a range of violent feelings, urges and instincts, but as a process it will naturally tend towards intimate and creative personal engagement. This explains its particular relevance and usefulness as a treatment for the traumatic effects of political violence, and also suggests its limitations."¹⁴ (pp 128,129)

I would not agree with Dixon's conclusion that music implicitly tends towards intimacy and creativity, at least to the extent that these are viewed as being situated at the opposite end of the spectrum of human emotions from violence; I know too many examples of people being very creative in their destructive use of music, including

using it in ways that very effectively breach the intimate sphere of the subject. Nevertheless, Dixon's explanation of what happens in the therapeutic setting underlines again the crucial difference to the ways music is used against prisoners and not with or for them. He also highlights an important fact often overlooked in many scholarly discussions of music, but increasingly explored in more recent scholarship into what has been called communicative musicality. This newer scholarship underlines that many of the most significant aspects of musical communication cannot be understood solely via the idea of music as a form of expression (with its underlying implication of one voice transmitting in one direction) but by understanding human musicality as involving particular processes of interaction, response, and coordination of movements, sounds and gestures.¹⁷

Nevertheless, it does us no harm at all to consider what is being expressed when music is forced on detainees, regardless of what the music is, what type of practice is involved, or what the larger context is. It has often been recognised that terror generally, and torture specifically, has a communicative function – that torture, for example, is not about gaining information or establishing guilt, but sending a message. The use of music in such contexts is no exception to this. Fundamentally, and whatever else may be implied by the exact repertoire of music used coercive practices, what is always being expressed through music is the nature of the relationship between the torturer and the victim. This is a relationship characterised by the complete power of one over the other – an unequal relationship which obviously always exists between the jailer and the jailed. But there are ways to conduct this relationship which do not call into question the basic humanity of the detainee, and which do not

celebrate the dominance of one over the other. Such a celebration of power, which not infrequently has sadistic elements, is rarely far away when people deprived of their liberty are forced to make music, and in many cases it is a key element of the way such musical practices are designed. This is what makes all forms of forced musical activity worthy of our utmost vigilance.

Forced Participation in Music: Cruel, Inhuman and Degrading

Recent years have seen a growing tendency to critiquing the distinction often drawn between torture and other forms of CIDT. Attempts such as that undertaken by the Bush administration to classify certain methods of torture as constituting ‘only’ CIDT have led several human rights advocates to reiterate that the distinction between the two must not be read as, in any way, condoning or allowing the latter. As Manfred Nowak and Elizabeth McArthur described in this journal in 2006:

“The distinction between torture and less serious forms of ill-treatment, all of which are absolutely prohibited under Article 7 CCPR, other international and regional treaty provisions as well as customary international law, was introduced because some of the specific State obligations laid down in CAT were meant to apply to torture only (above all, the obligation to criminalize acts of torture and to apply the principle of universal jurisdiction in this regard). Other obligations aimed at prevention, in particular by means of education and training, by systematically reviewing interrogation rules and practices, by ensuring a prompt and impartial ex officio investigation, and by ensuring an effective complaints mechanism, as laid down in Articles 10 to 13, must be equally applied to other forms of ill-treatment as well.”¹⁸ (p 148)

In other words, those governments who revel too much in their good track record in the case of torture nevertheless have continuous responsibilities in monitoring and taking proactive steps to prevent all other forms of ill-treatment as well, and generally have no grounds for complacency in this regard.¹⁹

This issue comes into particularly sharp focus when we consider that some of the distinctions drawn between torture and apparently less harmful practices very often transpire to be ill-founded. Research undertaken over almost twenty years by Metin Başoğlu and colleagues into the connection between different forms of torture and CIDT and incidences of PTSD has provided strong evidence for looking again at the distinctions often drawn between different practices generally regarded as more or less severe. Başoğlu’s research has consistently shown that distress levels experienced during torture, and levels of PTSD after detention, are often linked not to physical methods of torture but to particular forms of psychological ill-treatment, with the most important factor in contributing to stress during detention being the subject’s perception of helplessness and loss of control in the face of extreme fear.²⁰⁻²² (This finding is corroborated by and helps explain the impact of exposure to music among some of the U.S. detainees, who talked specifically about the horror of not knowing when the music would start again, or if and when it would stop).²³ Başoğlu’s research, which involved analysis and comparison of testimony from almost five hundred survivors of torture from Turkey and the former Yugoslavia, is interesting for the present topic not only for providing further evidence for the widespread use of exposure to loud music (about one half of survivors of torture in the case of Turkey, and around a third in the case

of the former Yugoslavia, reported being exposed to loud music), but for the conclusions he draws about the connections between different forms of ill-treatment in contributing to severe trauma.^b He argues that firstly, there is compelling evidence that some types of practices in detention which themselves are not normally classified as torture may in fact exacerbate the stress and pain felt by the detainee to the point at which such a distinction is academic at best; and secondly, and in consequence, that more attention needs to be paid to the interaction between certain types of treatment (or, in his discussion, certain types of stressor), and the context of captivity itself. For the traumatic impact of particular stressors, he argues:

“... is also dependent on contextual processes. Thus, contextual factors need primary attention in any consideration of what constitutes torture. A focus solely on particular methods not only detracts scientific, legal, and public attention from this important issue, but also misleads many people into thinking that it is possible to single out a particular captivity event and decide on whether or not it constitutes torture simply by imagining its impact or extrapolating from own life experiences with ostensibly similar events. Indeed, even experimental evidence, to the extent that it exists, might be misleading in this respect, as controlled experimental conditions do not wholly reflect far more complex real life situations.”²² (p 142)

The type of disaggregation of practices that Başoğlu is criticising here, principally referring to general debates and also jurisprudence on what does and does not constitute torture, bears an uncanny resemblance to the way that music is often approached when the subject of music in detention and captivity is raised. As Suzanne Cusick also noted at the conference “Music

in Detention” in Göttingen in March 2013, those of us researching this topic are well used to being asked (or provoked) to explain what it is about music ‘itself’ that can be used to torture, and what kinds of music are used – a question that often presupposes that the suitability of music for torture is based on structural characteristics of the music used, whereas most evidence from actual cases currently points instead to the choice of music being politically motivated. We are also used to the kinds of excuses raised that, since musical forms of torture and ill-treatment are never used on their own, it is not the music, but something else, which is doing the real damage. Another excuse often heard is that any type of sound could be used, ergo, it is not the specifically musical qualities of music that are important in torture, but other things, such as the volume at which it is played. But taking the music out of the music torture simply does not explain its impact, or why it is used at all. On the contrary, as I have explored in more detail elsewhere, understanding the history and

^b Exposure to loud music is the only type of musical ill-treatment specifically listed in the categories used by Başoğlu; there is, however, evidence from other sources relating to both contexts of extensive use of forced singing (in the case of former Yugoslavia) and of forced singing and the use of extensive periods of military-style drill to music in the case of Turkey. To understand the contexts and impact of music in these cases, it would be necessary to further differentiate the data on some of the other types of torture and ill-treatment discussed, and possibly to specifically include forced singing and other types of coerced musical activities in future studies. For information on former Yugoslavia see Annex VIII of the Final report of the United Nations Commission of Experts established pursuant to security council resolution 780 (1992), currently available from: <http://www.ess.uwe.ac.uk/comexpert/anx/VIII-01.htm> [19 August, 2013]. For information on Turkey see e.g. Amnesty International. Turkey: Testimony on Torture. London: Amnesty International; 1985.

uses of music in military discipline and in political communication, not to mention the plurality of practices that link musical communication with shaming, mockery and humiliation, is essential to understanding why musical practices so often arise in the context of torture and CIDT.¹²

It is here, too, that the seemingly illogical use of music in connection with torture starts to become very logical indeed. If we understand musical activities from the point of view of the type of relationships they express or help emerge, we are also led to very different conclusions about the use of music in detention and, specifically, the use of any form of enforced musical practice in a situation where people are deprived of their liberty. While there are some forms of enforced participation in music that constitute torture, and some that do not constitute torture, I am increasingly convinced that all forms of enforced musical practice in conditions of detention need to be treated seriously. As celebrations of power over the detained person, as attempts to 're-educate' her or him, and, as is so frequent, as practices that are often humiliating by design, they point to an underlying disregard for the detainee's dignity which is a symptom of a much larger evil indeed, and which in turn is practically a prerequisite for tolerating or inflicting more serious forms of ill-treatment, whether or not such do in fact transpire.

The Way Forward

If I were to draw conclusions from the analysis above, they would be two-fold. Firstly, attention to the ways music can be used against prisoners in detention is important not least because of significant evidence from some survivors of the distress and damage this caused them. The evidence supplied by Başoğlu's studies suggests that, approached statistically, exposure to loud

music may not evince such bad average responses as a number of other methods of torture: his published data does not however allow for differentiation between different types of exposure to loud music, nor does it explicitly name other types of maltreatment where music is known to have been a factor, including forced singing and playing. Secondly, however, even if the number of the severest cases of music torture were found to be limited, or the negative impact of music to be less on the majority of survivors than other forms, the very fact of resorting to the use of forced participation in musical acts, and the use of music to humiliate prisoners, is a sufficiently serious sign to warrant our attention to, and our condemnation of these practices, for the very reason of what they reveal about the attitude towards the detainees on the part of those responsible.

These remain preliminary analyses and preliminary conclusions, but they do point the way forward for more research on these issues, and indicate how this research could be of use in improving safeguards for all people in situations of detention, up to and including the prevention of torture. We will never prevent torture solely by stopping exports of weapons used, be they batons, electric shock devices, or loudspeakers, no matter how important such steps may be. We will however make torture increasingly difficult if we validate, time and again, the basic and inviolable principle of the dignity of every single human being. If this inherent dignity of all people is accepted as the single most important benchmark for the treatment of others, it quickly becomes clear that all uses of music to humiliate or poke fun at people held in institutions and other contexts of shorter- or longer-term detention are not to be tolerated. All musical activities, whether listening or performing or moving in time with music, which are not entered into

on a voluntary basis and do not incorporate basic safeguards for the physical and psychological health of the detainees, must be seen as an issue of great concern.

Preventing the worst abuses of physical and mental integrity that can be inflicted through music begins with the much more simple act of removing the sheen from musical activities as in some way intrinsically beneficial and morally good. We need to face up to both the possible negative health effects of different musical practices and the long-standing conjunction between music and processes of humiliation and shaming. As a minimum standard, it may be useful to promote a general guideline that any musical activities and practices in a context of detention must be non-coercive, temporally limited, and must not constitute an attack at any level on the detainee's dignity. Setting out and ensuring the application of such principles should not occur at arms' length from other initiatives to promote the human rights of detainees and in particular to protect them from all forms of CIDT. Indeed, it is my personal conviction, not least on the basis of several years' research on music and torture, that human rights advocates would do well to place greater emphasis on the primacy of human dignity not only as a convincing moral and legal argument against torture, but as a value which is under attack in many other forms of punishment and treatment in detention as well.

Such an approach to prevention does not absolve us from the responsibility of recognising that music can be and is used as an instrument of torture in the stricter sense as well. Given that torture is recognised as a particularly brutal attack on human dignity, and thus as a category of great importance with regard to legal redress, prosecution of the perpetrators, asylum procedures and the

right to rehabilitation, to name just a few areas, demonstrating that the damage wrought by music can be at least as great as other methods of torture is essential if we are to promote the rights of survivors and to prevent future abuses. The media attention given to this issue through the techniques used in U.S. detention camps and prisons in the 'War on Terror' has highlighted a practice established as a contravention of the absolute ban on torture no later than the 1990s, in the UN CAT's concluding observations on the periodic report submitted by Israel.¹⁰ By the same token, this media attention is also in danger of overseeing the much more widespread and long-standing use of music in this and in many other ways in the context of torture. This is most critical where organisations and musicians who initially spearheaded the public outcry against music torture have increasingly laid down their banners in the period since Obama came to power. At best we can blame this on a lack of knowledge and understanding about the general scale of the problem. The more cynical view would be that for many who were so outraged, it was the perceived attack on music rather than on the tortured individual which was the real motivation for their actions. But cynicism does not get us far in the fight against torture, and we can only hope, instead, that a re-energised fight against music torture will emerge that will help disseminate knowledge on the nature and impact of torture and CIDT as a whole, and, not least through this, will attract more and more constituencies into this fight.

And it is sadly not that case that music no longer features in the punishment of those men still illegally detained in Guántanamo Bay, four years after Obama made his commitment to justice and an end to torture there. Papers released between work on the first and second drafts of the present article

reveal a number of practices used against those Guántanamo captives who commenced a hunger strike earlier this year to protest at their continued incarceration although they had been cleared for release. Testimony presented in the form of an animation developed by British newspaper *The Guardian* in conjunction with the organisation Reprieve, which represents many current and former inmates of Guantánamo, details practices including but not limited to forced feeding intended to break the will of those on hunger strike. One prisoner refers to the concerted use of noise to harass the hunger strikers in Camp V: 'They are stumbling up and down the tiers, talking, singing. They have brought in a big fan to make noise'.²⁴ Given the public outcry surrounding exposure to loud recorded music as a method of torture, such recourse to other methods of sonic terror against prisoners is highly cynical as well as demonstrably illegal.

One final point needs to be stressed. Başoğlu's research underlines the importance of looking at torture and CIDT in context, focusing less on the supposed impact of individual methods as such and more on the combination of conditions and practices. By this analysis, it might seem that focusing on what has been called music torture is problematic since here, too, we are focusing on one method (or group of methods) alone. This would be true if the research were to stop at the issue of music and if musical scholars were to do what they have too often done in the past, namely, conduct their affairs in such a way that interaction with scholars from other disciplines is neither possible nor truly desirable. But musicologists, or at least musicologists of a particular kind, do have one great advantage. We see the world musically; musical activities and practices stick out at us and draw our

attention in a way that they don't for many other people, with the exception of musicians and some other music professionals. Moreover, by virtue of our professional background, we have access to resources that can help us understand and contextualise what is happening in different musical situations.

By extension, however, this is not research we can conduct on our own. What we know about how music affects people in the context of torture and other forms of cruel, inhuman and degrading treatment, is wholly dependent on survivor testimony. If we are to build a convincing case for taking this issue seriously we need to gather more information and we need to make public the scale of the problem. This is where we are so dependent on readers of this journal and the wider community of all engaged in the fight against torture and ill-treatment. Post-Bush, there is a real danger that the issue of music torture could disappear from the radar, simply because of the misplaced idea that this method is more or less unique to the case of the 'War on Terror'. The essays in this volume, and others already published or in print by these authors and some others besides, are just one indication that almost the opposite is true. I would not want to overstate the incidence of music used in the context of torture, or to generalise, but my experience to date has been that once we scratch the surface all manner of examples emerge. From the point of view of musicologists, we have opened a Pandora's Box. There are too many people eager to close that box and all that it reveals. But as in the myth, what we would leave inside if we did so, would be hope: the hope of finally recognising this form of ill-treatment and torture for what it is, and taking action accordingly. This is a duty we bear to all those who have experienced it.

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