The Debate on Torture

Ever since the war on terrorism started, the US was forced to use torture to extract information from the opposing side. They kept it private for a while, but they couldn't keep it quiet forever. Once word got out, it started this debate between two sides of a coin. The first were people who thought it was necessary to keep the US safe, it is universally deplored, and we had no other options. While the opposing side was against it for numerous reasons. From it being immoral, being against the rules of war, and violating international treaties. The goal here is not to alienate or bicker between the two sides, but present both cases equally and maybe find a common solution.

One of the main arguments for torture is because we deemed it necessary to keep the US safe from terrorism. "Torture is permissible where the evidence suggests that this is the only means, due to the immediacy of the situation, to save the life of an innocent person" (Bagaric and Clarke, 233). While this isn't an official "rule of thumb" regarding torture, it is a strong argument for it being necessary. After nine eleven hit, the US was in panic. We knew little about the enemy, or why they had decided to attack us, except to cause pain. Against an enemy that you can't make peace with, reason with, or figure out why they attacked you in the first place; you are left with very little choices in that situation. As time wore on, torture was becoming our only option for success. It prevented future attacks, found where their hideouts were, and told us more about the enemy we were fighting against.

Another argument for it was it is our right to self defense; in turn making it our right to defend others. Bagaric and Clarke present the issue of a hostage situation. "A wrongdoer takes a hostage and points a gun to the hostage's head, threatening to kill the hostage unless a certain demand is met. In such a case it is not only permissible, but desirable for police to shoot (and kill) the wrongdoer if they have a 'clear shot'." (Bagaric and Clarke, 233). There isn't much of a difference between a case like this, and one where they have an innocent person kidnapped, and a co-offender will kill them if terms aren't met. If it came down to it, would we resort to torture in order to find where the co-offender and the hostage are? It is generally accepted that in order to save an innocent person, we can violate the right of life of
the offender. So why not apply that situation to torture in war? We have motive, confirmed that they are
the offenders, and no other options if we want to save that person's life.

"Torture in order to save an innocent person is the only situation where it is clearly justifiable. This
means that the recent high-profile incidents of torture, apparently undertaken as punitive measures or in
a bid to acquire information where there was no evidence of an immediate risk to the life of an innocent
person, were reprehensible." (Bagaric and Clarke, 234). There are very few people (if any) that support
torture without proper cause. The US thought it was necessary in order to prevent future attacks; as well
as attacks on other nations. Would it be better to not torture, but risk another attack or our troops getting
injured?

One of the main arguments against the hostage example presented above was the slippery slope
argument. If we started allowing it for limited cases, we would start increasing the situations where it
was allowed. The problem with that argument is the fact that it is already so widely used; even though it
is illegal."Amnesty International has recently reported that it has received, during 2003, reports of
torture and ill-treatment from 132 countries, including the United States, Japan, and France."(Bagaric
and Clarke, 234). Its unrealistic to have an absolute ban on torture when you have so many cases
presented. More laws and legislation against it would hardly reduce cases of torture.

Now for the cases against torture. Ross Douthat describes what the US has been doing as "lite
torture". Which is mostly stress positions and extreme temperatures compared to using branding irons
and other forms of torture. The problem with that is the line between torture and lite torture can get
blurry at some points. From the deaths suffered in American custody and the response to the
photographs from Abu Ghraib.

"They were almost all of practices closer to 'torture lite' than outright torture, but which met, justly I
think, with near universal condemnation nonetheless." (Douthat, 246).

Abu Ghraib is an Iraqi prison that the US shared use of with Iraq. "In November 2008, there were
photographs taken at the prison showing US soldiers inflicting pain and humiliation on Iraqi prisoners."
(Leung, Abu). The photos showed soldiers laughing and posing with the prisoners in humiliating ways.
One of the photos showed the mangled body of an Iraqi prisoner; who was found packed in ice inside a shower of the prison. "One case discovered after the investigation of the prison was where an Iraqi prisoner was told to stand on a box with his head covered and wires attached to his hands. He was told if he fell off the box, he would be electrocuted" (Leung, Iraqi).

There are dozens of reports of abuse and mistreatment at the hands of US soldiers. "The investigation started when one soldier got the pictures from a friend, and gave them to his commanders" (Leung, Iraqi). The photos range from US soldiers posing with naked Iraqi prisoners to male prisoners being positioned to simulate sex with each other; with US soldiers laughing and giving the camera a thumbs up. The outcome of the investigation has led to dozens of US soldiers being relieved of duty and some even being court martialed in Iraq, with the possibility of prison time.

Obviously both sides can agree that the abuse at Abu Ghraib is dispicable. That was clear abuse of torture without any real purpose besides to humiliate them. They weren't trying to find information or trying to prevent another attack; just a total abuse of power that caused deaths of the prisoners at the hands of the US. This is an example of the line between "lite torture" and excessive abuse of torture that Douthat mentioned. It's easy to see why people were against torture completely when they see abuse and deaths from the photos of Abu Ghraib.

Another point they could agree on would be that there might be a good motive for it. Abu Ghraib aside, there are some less extreme examples of lite torture; like the ones Douthat mentioned in his article. In some cases, the US had proper cause for it (in their view). Like the hostage situation mentioned above, it seems like a good last resort plan if there are lives in the balance of the decision. There are better ways of going about it compared to humiliation and physical abuse.

And finally, they could also agree on there isn't pleasure in doing it. No side should want to willingly cause pain to the offender without proper cause. And they shouldn't have to put the offenders life at risk either; simply because if he dies, all the information that he had dies with him. The two sides could find some less extreme (and non-life threatening) ways to go about getting the information than what has been described so far.
It's easy to see where the two sides come from on the argument. Whether believing they have proper cause to extract the information by any means necessary, if their motive has good intentions. Or being against it due to the harsh abuse torture receives, or that it’s against the rules of war. They both have compelling arguments to support their case, but there can be a solution that helps both sides find some form of agreement.
Works Cited


