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Philosophy 501/CCT 603

October 5, 2014

Paper on Torture

After engaging with the readings this week, I found that I wanted to write about whether torture is ever permissible. Before this week, I had not thought terribly deeply about whether torture is morally permissible. I had concluded that Sen. John McCain proposed the Detainee Treatment Act of 2005 because of his own experiences as a prisoner of war for five years in North Vietnam. But, I didn’t connect the various reasons why torture cannot be justified – even in cases of terrorism.

Charles Krauthammer found torture of a terrorist justifiable in the case of a ticking time bomb, or a “slower fuse high-level terrorist.” He recommended that torture by all military personnel everywhere be banned. He wrote that the ability to torture should be reserved for highly specialized agents who are experts and experienced in interrogation.

I find that I agree with Henry Shue, who argues that all torture is inexcusable. He dissembled Krauthammer’s arguments in explaining how hypothetical cases of catastrophe are idealized. Such cases always rely on the “right man” having been identified, and that the people conducting torture use enough restraint not to kill the suspect, and further, that torture will lead the suspect to divulge the location of the “ticking bomb.” Claudia Card’s essay is very helpful, because she examines definitions surrounding terrorism. Card asks, “what must one’s relationship to acts of terrorism be in order for one to count as a terrorist?” So, this leads to the slipperiness and difficulty in identifying the “right” suspect, the “right man” in cases of terrorism. The scary thing is that a person can be accused of being a terrorist because of his appearance and ethnicity – and that person can be detained, tortured – and even “disappeared” before a trial even takes place.

Shue also explains how abstraction is used to describe torture, making it seem rather dreamy or hazy, and removing dirt, blood, and the body from discussions. His thoughts on abstraction led me to Elaine Scarry, a professor at Harvard University and the author of *The Body in Pain*. Scarry asserts that permitting the infliction of physical pain through torture leads to destruction and the unmaking of the human world. Shue shares the same thesis as Scarry. He says that when we ban all torture, the catastrophe we avoid may not be a car bomb. Rather, the catastrophe we avoid is brutalizing civilization.

I fear that torture, a practice that the U.S. military and special operations teams engage in, is more commonplace than we know. The practice demeans the U.S. as a world leader. I fear that the practice also creeps into local law enforcement in the U.S. in the form of police brutality against arrested suspects. I recognize, as Shue wrote, that we may have to pay a price for our conviction that torture is never, never OK. But, by banning torture, we will preserve moral civilization for generations to come.