

The Wrong Torture Question

By [David Swanson](#)

Theme: [Law and Justice](#)

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When Americans get “ethical” these days they ponder the great moral mysteries, like “Is public health coverage fair to insurance companies?” or “If we increase the military budget but reduce one section of it, can the whole world still be safe?” or “Would you still oppose torture if it worked?”

Let me suggest a few reasons why I think that last question is the wrong one.

First, torture DID work. It forced false agreement with war lies, helping to launch a long-desired illegal war. And it persuaded many Americans that some very scary and very foreign people were out to get them, people so scary that they had to be tortured in order to talk with them, people whose every false utterance, aimed at stopping the pain, instead generated color-coded horror warnings.

Second, torture has boosted recruitment for anti-U.S. organizations tremendously, horribly damaged the United States’ image, stripped U.S. diplomats of the power to address human rights abuses abroad, as well as stripping U.S. citizens of a clear moral right to protest being tortured, and set an example that has spread far and wide. Torture has brutalized participants and witnesses, and we are all witnesses, and it has destroyed lives both through torture to the point of death and through torture to the point of unbearable life.

Third, if you’re going to violate particular laws and treaties, you can either repeal them and leave all the other ones intact, or you can simply proceed criminally, thereby assaulting the whole structure of law, leaving everyone in doubt whether ANY laws will be enforced against important people. Our government has taken the latter approach and redefined crimes as “policy differences,” which is why torture is ongoing and no criminal penalty will deter its future expansion or the commission of other crimes of whatever sort by high officials.

Fourth, if torture had produced life-saving information, we would have long since heard that fact shouted from every television studio. In fact, we did hear such claims made. They just all turned out to be fictional. In the latest claim of this sort, torture supposedly produced information on the planned bombing of a building in Los Angeles, and this information was transported back in time to the moment at which investigators had already discovered that proposal and laughed heartily at the then-debunked claim that a serious plot had ever developed. The fact that Dick Cheney is pushing this nonsense on us is not actually a compelling reason to believe it unquestioningly.

Fifth, if torture ever produced life-saving information it would be through sheer luck and not intention. Nobody tortures with that intention, because expert interrogators believe other methods are more effective than torture. And if that lucky day ever came, there would be no basis on which to surmise that other methods would not have been at least as effective as

the torture was. So, even if a real ticking time bomb situation could be created, there would be no reason to believe torture to be the best tool. And if you could magically design a situation in which, by definition, torture was the ethical choice, you still would not have created a situation in which ignoring the crime of torture would do less damage than pardoning the torturers.

So, do ends justify means? Is torture just plain wrong even in those cases when it would save more lives than it cost? These are intensely ignorant questions. Ends must always be made to justify any means, but the ends must be understood in their entirety. If one result of an action is damage to the rule of law or exacerbation of international hatred or promotion of senseless fear, that must be part of the calculation. Of course torture would not be wrong in a situation in which, all things considered, it did more good than harm; but that situation cannot be found. Whether you claim to simply adhere to a blanket rule, or you consider all the consequences of your actions, you arrive at the same conclusion: torture must be abolished.

But so must the debate over whether torture must be abolished. Torture is illegal. Our laws must be enforced. Torture's recent prominent use by the United States came about in an attempt to promote a far worse crime than torture, the crime of aggressive war. We should not be asking ourselves whether torture was an acceptable means toward that end. We should be asking ourselves how we can best rid the world of wars of aggression.

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David Swanson is the author of the upcoming book "Daybreak: Undoing the Imperial Presidency and Forming a More Perfect Union" by Seven Stories Press and of the introduction to "The 35 Articles of Impeachment and the Case for Prosecuting George W. Bush" published by Feral House and available at Amazon.com. Swanson holds a master's degree in philosophy from the University of Virginia. He has worked as a newspaper reporter and as a communications director, with jobs including press secretary for Dennis Kucinich's 2004 presidential campaign, media coordinator for the International Labor Communications Association, and three years as communications coordinator for ACORN, the Association of Community Organizations for Reform Now. Swanson is Co-Founder of AfterDowningStreet.org, creator of ProsecuteBushCheney.org and Washington Director of Democrats.com, a board member of Progressive Democrats of America, the Backbone Campaign, and Voters for Peace, a convenor of the legislative working group of United for Peace and Justice, and chair of the accountability and prosecution working group of United for Peace and Justice.

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