

# Torture essay



In Michael Lewis' article entitled "The Case for Torture," he observed that in the modern world "torture is impermissible, a throwback to a more brutal age." It is seen as a tool used by the backward states or terrorist organizations that have no respect for international conventions. The reigning question though is whether and when it is really permissible? Are there situations that could justify the torture? As Lewis asks, "if the only way to save lives is to subject the terrorist to the most excruciating possible pain, what grounds can there be for not doing so?" Moreover, Lewis argued that the use of torture can be easily misinterpreted. Because of this, he reiterated that torture should only be imposed on the guilty perpetrators of terror and also for salvaging the lives of the innocent. This thin line is what goes to separate the terrorist or lawless elements from their victims.

This was the predicament that has dominated the public discourses particularly during the wake of the events of the September 11 terror attacks and the subsequent allegations of alleged incidents of torture at Guantanamo Bay. For him, torture is not always wrong especially when the lives of innocent citizens are at stake during threatening situations. To determine whether torture is justifiable, the pros and cons should be intensely evaluated.

On the other hand, terrorists engage in devious acts which suggest that they "renounce civilized standards." Also, they initiate their cruel intentions with clear knowledge of the consequences. If it would be evident that an individual's actions are detrimental to the lives of thousands, then torture should be administered. For Lewis, Western democracies are losing sight of such possibilities at their own perils.

Torture is an issue that has continued to draw mixed reactions with the human rights groups and activists pledging to eradicate the practice while states are increasingly reluctant to implement such legislations always leaving a window to permit it if the need arises. The Guantanamo Bay incident was a clear example of how the United States government employed torture in an unproductive manner that had resulted to the violation of some human rights. In relation to the current events, the two presidential candidates for the coming November elections, John McCain and Barack Obama, the subject of torture have been discussed by these high-profiled personalities. The issue continues to be quite sensitive and controversial. Both the Democratic Party Presidential nominee Barrack Obama and his Republic counterpart John McCain have voiced their reservations on the issue. Obama has been vocal on the issue accusing the current Bush regime of overstepping the boundaries and betraying American values by sanctioning and authorizing torture for terrorist suspects local and abroad. The attack was as a result of the Bush sponsored bill called the Military Commissions Act of 2006.

This bill was intended to give discretionary powers to the president to determine the scope of torture or when it could be permissible. Criticism has continued to be leveled against the administration without the examination of whether such torture may be necessitated for the protection of the nation's security. On the other hand, John McCain has also an outstanding criticism over the issue of torture. He can clearly relate with the issue because he became a prisoner war during the Vietnam conflict. Though he has been widely criticized for favoring with the Bush administration in giving

the CIA with the freedom to conduct the necessary means to combat terrorism, he has for long been in the forefront criticizing the administration for its approval of torture. He argues that some techniques used by the CIA such as sleep deprivation should be abolished. He states that, " water boarding to me is torture" and adds that during his presidency " I obviously don't want to torture any prisoners" (Goldfarb). Bush's use of water boarding is a major issue and has continued to paint the administration in a bad light.

McCain is in record as having sponsored the Detainee Treatment Act which legislated against the use of water boarding by the military. Indeed, despite the criticism of torture, controversy persists on its justification. Many people condemn torture with the picture of psycho killers in mind. Though torture under all guises is torture, it is important to take a look at the motivations behind such actions to indicate whether it warrants justification. Torture driven by pleasure or to fulfill illegal missions should not be allowed. Torture based on necessity as Lewis argues should be permissible (Fairall). Most studies on torture have been focusing on wars and the justice system. Activism concentrated on banning the use of torture by state agencies mostly focuses on the process to adjudication of justice or pursuit of terror suspects.

This is still torture only that the motivations behind that torture are different. While some individuals may advocate for the justification of torture due to necessity, human rights activists insist that torture should be outlawed in all its form without discrimination; whether commissioned by state or carried out by terrorists. This point has become of great emphasis as it has been widely revealed that " the notion that the ends justifies the means may (has <https://assignbuster.com/torture-essay/>

been taking) take precedence in considering a matter as offensive as state sanctioned torture” (Fairall). In an interview of Carlos Mauricio, a surviving victim of torture by the Salvadoran Army in 1983, he disclosed his experiences and reactions towards the White House new policies regarding the use of torture.

At that time, Mauricio was working as “ professor at the University of El Salvador.” His agony began when he was abducted by men wearing civilian clothes while he was at the school premises. He was forced to go inside a vehicle and was brought at the headquarters of the National Police in San Salvador.

There he was detained for several days. According to Mauricio, “ he was tortured and interrogated as a suspected FMLN (Farabundo Marti National Liberation Front) commander.” He experienced being cuffed up “ with his hands behind his back over his head and repeatedly hit him with a metal bar covered with rubber, inflicting injuries to his face and torso.

” Even more inhumane treatment from his captors, he was not given any for two to three days leaving him weak and weary. Also, he was not given the privilege to “ use the bathroom throughout his confinement in the torture center.” Fortunately, he was able to overcome this ordeal without him giving up his life. By 2002, Mauricio and other victims of torture sued “ two retired Salvadoran generals” for their cruel deeds.

Their case won and they received \$54 million for the damages that the incidents caused on them. Since then, Mauricio have been actively “ speaking out against torture and other human rights abuses” (Revolution

2006). Torture can acquire different interpretations depending on the prevailing circumstances. According to the United Nations High Commissions for Human Rights, torture refers to “ any act by which severe pain or suffering, whether physical, mental is intentionally inflicted on a person for such intention as obtaining from him or a third person information or a confession” or punishing an individual for a crime that he or someone else has committed with an intention of acquiring information. This is so “ when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity” (United Nations Department of Public Information.

). The basic definition of torture hence has to incorporate the intentional infliction of pain or suffering to an individual with an intention of obtaining information that will be useful to the person inflicting the pain. The history of torture dates back to the foundation of the political institution itself.

It can either be mental or physical. Mental torture results to psychological trauma without physical injuries. Physical torture on the other hand is the infliction of physical injuries to an unconsenting suspect. Debate has raged over whether the two bear the same weight and whether they should be outlawed.

The resultant research has urged for the lumping together of both the physical and mental torture in the laws outlawing torture. According to Metin et al, “ mental and physical tortures cause the same amount of harm and are indistinguishable in their long term impact on psychological health.”

Moreover, the word torture evokes images of the dark ages when prisoners

of war would be subjected to grievous bodily harms by their captors on the bid to extract useful information. It probably elicits memories of the atrocities carried out by the infamous Nazi regime in the Second World War period.

It is associated with all negativities and is seen as a grave violation of individual rights. Many perceive torture as an act carried by the perpetrators for their won evil and sadistic gratification. This will continue unless the public come out and the open and raise the issue on a wide-scale scope. Everyone, whether they are public officials or ordinary citizens, should give their inputs regarding the regulation of the use of torture. Through this, unnecessary drawbacks and the loss of lives will be prevented thus a safer and more humane environment can exist. Works Cited Barenblatt, Daniel.

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