

Torture is ethically wrong: analysis



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Serving in a combat centered career in the military for almost two decades I have many experiences with the topic of torture. I have attended classes on how to apply and resist, both with varying results. But one of the topics that always come up is “ Is torture ethically right”. I believe argument can be broken down into categories, how it affects the person and how it affects the states, which will reveal how it is fundamentally wrong. Let’s look at two sides of the debate.

Argument:

Premise 1: Provides information in time sensitive situations.

Premise 2: The ends justify the means.

Premise 3: The enemy uses it, so there isn’t a reason we shouldn’t.

Conclusion: Torture is legally and morally right.

Counterargument:

Premise 1: By dehumanizing someone you can collect information easier, but this also dehumanizes you.

Premise 2: Human rights are suspended by the torturer to get what he wants.

Premise 3: Information received validity can’t be trusted.

Conclusion: Torture is legally and morally wrong.

The first premise of the counterargument is centered on the acts of violence inflicted by the torturer. To be affective as a torturer you have to think of your victim as less than human, in order to justify the human rights violations you have to commit to get any useful information. This process have been seen throughout history, the most notable is the Nazis treatment of the Jews in World War II. These actions can led to not only war crimes, human rights violations but also legal ramifications which will have long term effects on the person i. e. criminal charges and psychological damage.

For the second premise you have to look at human rights on a global scale. The United Nations, in 1948, wrote the Universal Declaration of Human Rights. One of the Articles contained in it is Article 5, which states “ No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.” (UDHR, 1948). The United States of America was one of the members who helped draft and signed this collections of rights. By denying to fall it and allowing personnel within its government or military to use torture as a mean to get information the United States government as a whole is guilty of human rights violations.

The last premise can be summed up from the Army Field Manual 34-52 Chapter 1, “ Experience indicates that the use of force is not necessary to gain the cooperation of sources for interrogation. Therefore, the use of force is a poor technique, as it yields unreliable results, may damage subsequent collection efforts, and can induce the source to say whatever he thinks the interrogator wants to hear.” (AFM 34-52, 1992) This statement comes from an organization, the U. S. Army, which has been at war no stop with

terrorism for over a decade and they don't even believe torture is an effective way to get information. It is hard to get a better first hand source than that.

All of these lead to the conclusion that the argument is fundamentally flawed.

If you look at the main points you can see how they don't support the conclusion, whereas the counter argument not only supports but validates its conclusion. One, provides time sensitive information, which can't be trusted. Two, the ends justify the means, the same argument the Nazis use, which didn't make it right. Finally, our enemy use it so we should. This mindset was ban by the UN, which the US is part of, which makes the premise invalid.

By looking at the evidence provided, which shows that torture dehumanized a person, but is globally wrong based off of articles of the UN, there is no other conclusion than torture is wrong. Not only on a personal standard, from what it does to someone. But since the USA has already signed an agreement banning it, it is legally wrong at the state level as well.

References

Universal Declaration of Human Rights (10 December 1948) retrieved from http://www.claiminghumanrights.org/udhr_article_5.html

FM 34-52 (1992, September 28) retrieved from <https://fas.org/irp/doddir/army/fm34-52.pdf>