

**DEFUSING THE
TICKING TIME BOMB:**
Arguments Against
Torture

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Arguments Against Torture**

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Abstract

One of the more popular thought experiments presented in order to justify the utilization of torture is the ticking time bomb scenario. This essay argues that no exception can be successfully employed to justify or in any way sanction the use of torture. This work demonstrates that torture does violence to the intrinsic dignity of humankind, abrogates justice, de-legitimizes governments, and dehumanizes the torturer himself.

Defusing the Ticking Time Bomb:**Arguments against Torture**

Startled from sleep at 6:00 in the morning by the sound of a clock radio on the bedside night stand, a young mother of two is informed by an extremely shaken news reporter that a nuclear device lay hidden somewhere within the city. The atomic device, masterfully cloaked away by an extremist terror group, is set to detonate within the next two hours. In sheer panic and half-thinking hurriedness the mother rouses her children from sleep, taking to the streets in an attempt to flee the coming doom.

However, thousands of other mothers have the same intention, turning the normally subdued neighborhood streets into a quagmire of confused humanity, streets enmeshed in gridlock, walkways jammed to capacity with terrified pedestrians. As thousands manage to escape, millions more, lacking the appropriate means of transportation,

will be consumed in the bright light of nuclear holocaust. All hope is lost, death is imminent.

At the very moment of utter corporate despair, a voice rings loudly through a car stereo speaker: "The Department of Homeland Security has the mastermind of this plot in custody. They will use any and all means at their disposal to wrest the whereabouts of the bomb from him." While those who can continue to flee the city, those who find themselves stranded simply wait patiently and prayerfully for updates. Many in the crowd comfort themselves with the hope that their government will not fail to protect the city, no matter what the cost.

A full hour later, only fifteen minutes before the scheduled explosion, the news reporter returns to the air with the news, "The bomb has been found and deactivated!" Those once filled with dread and fear can not help but feel indescribable elation and joy. The street erupts with jubilation because the tragedy is averted

and the city, saved.

As the celebration ensues, few people if any stop to think about how Homeland Security garnered the needed information. Frankly, most probably never gave it a thought. Many even delighted in the fact that all it took was one hour of torture on just one person to save the entire city!

This thought experiment, recently brought to the national spotlight as of late by *Weekly Standard* columnist Charles Krauthammer as well as Harvard Law School's Alan Dershowitz, is commonly referred to as the "ticking time bomb" scenario, and is used as a cornerstone in the argument that sometimes torture must be permissible. In his *Weekly Standard* article, "The Truth About Torture," Charles Krauthammer argues precisely for torture in this instance. He states that "Not only is it permissible to hang this miscreant by his thumbs. It is a moral duty (2005)." Dershowitz seems to agree with that

sentiment, arguing that the majority of Americans would expect nothing less than "that time tested technique for loosening tongues (2002)."

There is no doubt that many people will be moved, at least initially, to agree with Krauthammer and Dershowitz, viewing their respective comments in the light of the emotionally charged backdrop of despairing mothers and doomed children amidst the terror of the ticking time bomb. However, the business of morality can not be carried out through the auspices of mere emotion alone, regardless of how forcefully this kind of charged argument may resound throughout the populace. It is most evident that "intuition easily fails us, or is reduced to emotivism, where something is considered right or wrong based upon how we feel about it" (Magnuson 2006 p. 5). Emotions must be tempered with prudence if a society is to successfully govern itself in accordance with the rule of law.

The government should act in order to protect its citizenry. The government has the authority to apprehend, try, convict, and punish those who violate the law. This is the established reality, supported by the both the Judeo-Christian tradition as well as the majority of moral philosophers and political statesmen throughout the ages. From ancient times it has been the stated case that the rule of law is essential to a healthy citizenry. In the *Ethics*, Aristotle states:

The end of politics is the best of ends; and the main concern of politics is to engender a certain character in the citizens and to make them good and disposed to perform noble actions.

(1099b30)

One need only consider the thirteenth chapter of Romans for an unequivocal Christian statement concerning the role government must play in meting out punishment upon those who transgress

the law. Concerning those in political leadership, the Apostle Paul declares in Romans 13:4:

For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to [execute] wrath upon him that doeth evil.

It is a settled matter that governments must protect their citizenry. The question that must be addressed, however, is whether or not it is morally permissible for the state to engage in torture of individuals in order to fulfill this mandate. No exception, not even the hypothetical ticking time bomb scenario, can be successfully employed to justify or in any way sanction the use of torture. This is the case because the ticking time bomb scenario fails to take into consideration several factors, including the intrinsic dignity of the human being, the

abrogation of justice resulting from the mistreatment of the defenseless, the almost certain peril of trusting government with too much authority, and the dehumanization of the torturer (Gushee 2005). When these factors are considered, it becomes evident that torture simply is not an option for a society that prides itself in "liberty and justice for all."

In order to engage the issue, a proper definition of torture must first be established. According to Article One Section One of the 1985 *United Nations Convention against Torture*, torture is defined as "any act by which pain or suffering.....is intentionally inflicted on a person.....for the purposes of obtaining..... information or a confession." Cohen and Corrado provide a clear definition of state torture as well:

State torture is the infliction of physical or mental pain, or both, as a political act implemented with the

consent or tolerance of the state as part of a national policy to respond to real or perceived internal threats.

(2005, p. 104)

It is clear that, at least on an official level, the nations of the world have roundly denounced torture in all forms, physical, psychological, and emotional. For those who decry any attempt at utilizing international law as a means to judge the actions of a sovereign nation (in this case, the United States), it should be understood that the United States has traditionally understood these definitions of torture to be consistent with national policy. This is clearly substantiated by the 1983 U.S. Central Intelligence Agency's own Human Resource Training Manual:

[T]he use of force, mental torture, threats, insults, or exposure in inhumane treatment of any kind as an aid to interrogation is prohibited by law,

both international and domestic; it is neither authorized nor condoned. (Hooks and Mosher, 2005, p. 1637)

Torture is not permissible because human beings possess intrinsic dignity. According to German philosopher Immanuel Kant, human beings are "rational agents," capable of setting their own goals, and are therefore "above price" and of "infinite worth" (Rachels, 1993, p.129). Because, according to Kant, human reason is the ultimate arbiter of moral truth, no human can be treated simply as a means. Immanuel Kant's second formulation of the Categorical Imperative speaks directly to this issue:

Act so that you treat humanity, whether in your person or in that of another, always as an end and never as a means only. (Rachels, 1993)

At no time can a human being be treated simply as the path or road to an end result. To do so is to deny humanity's intrinsic dignity.

There is, according to the Judeo-Christian view, a Higher Authority which can be employed as well. Human beings are, as Kant rightly stated, "above price." However, humanity earns this distinction not because of any specific ability to think or reason, but because they are created in the image of the Creator. According to Judeo-Christian philosopher David Gushee, "The human person is a creation of God. Every inch of the human body and every aspect of the human spirit come from God and bear witness to his handiwork" (2006). Genesis 1:26-28 makes it plain to those who embrace the Judeo-Christian worldview that humanity is altogether superior to and separate from the animal kingdom, a special creation of God:

And God said; Let us make man in our image, after our likeness: and let them have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and

over every creeping thing that creepeth upon the earth. So God created man in his [own] image, in the image of God created he him; male and female created he them. And God blessed them, and God said unto them, be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.

According to the Judeo-Christian tradition, humanity exists on an entirely different plane than that of the other animals of creation. Humans are unique. This facet of our being is trampled underfoot each time a human being is tortured.

For many within the Judeo-Christian community of faith, any policy which affirms torture as a viable means of information extraction simply cannot be reconciled with the reality that the

very communicable attributes of God reside in each and every human being¹. To inflict torture on a human being is to deny the very uniqueness of humanity among creation, thereby inching society ever so slightly toward the eventual dehumanization of our kind. It would not be unreasonable to assert that a society which fails to grasp at very least an elementary understanding of what makes humankind different from slaughtering fodder is a society whose future seems darker, less human.

Why not torture? Kant would say that humankind is an end not a means, entitled to the dignity that such a complete good requires. Those of the Judeo-Christian community of faith will affirm that humanity possesses the Imago Dei, the very image of the First Cause indelibly grafted upon the soul of man. If for these reasons alone, torture must never be employed.

¹According to Classical Protestant Christian thought, the communicable attributes of God are those which, to a limited degree, He can also bestow upon His creatures. Such are power, knowledge, wisdom, love, and holiness. The incommunicable, on the other hand, are those which cannot thus be bestowed, but which, of necessity, exist only in God. Such are self-existence, immutability, and infinity including immensity and eternity (Boyce, 1887).

Torture is impermissible not only because of the intrinsic dignity of humanity, but because it is an abrogation of justice in that it is the mistreatment of the defenseless. Krauthammer sees no problem with this with regard to the ticking time bomb terrorist because, "A terrorist is by profession, indeed by definition, an unlawful combatant: He lives outside the laws of war because he does not wear a uniform, he hides among civilians, and he deliberately targets innocents." Krauthammer concludes, "He is entitled to no protections whatsoever" (2005). Agreed, a terrorist is fair game to be dispatched with extreme prejudice on the battlefield. But however disgraceful a terrorist's battlefield tactics may be, (wearing civilian clothing, hiding amongst townsfolk, targeting innocents) in no way does this give a government the moral right to engage in torture once the terrorist is captured.

Indeed by definition, a terrorist becomes a

prisoner once captured. The machine-gun or bomb wielding terrorist thug is at once transformed into a defeated, weaponless foe, incapable of fighting back, and at the mercy of his captors. Will it be left up to the captor to decide what is fair or equitable with regard to treatment? Certainly not! "Justice requires attempting to balance the scales so that defenseless people are not overpowered or abused by governments" (Gushee, 2005). As an objective and non-partisan observer, Justice itself must set the standard for treatment.

However, it has been noted that it is possible to view a captured terrorist, who is believed to be holding vital information that he refuses to share the same with his captors, as an enemy combatant. By refusing to give up the needed information, the terrorist has, according to the pro-torture argument, refused to lay down his arms in surrender (Bellamy 2006). This would allow the use of torture because the combatant is

still "in the fight." However, this type of reasoning is most dangerous, because "it could logically be expanded to cover soldiers taken captive during a continuing operation" (Bellamy, 2006, p. 130). Because a soldier would possess knowledge about the operation that could save lives, Bellamy asserts that "he could plausibly be labeled a combatant for the duration of the operation and tortured" (2005, p. 130).

Terrorism is a moral evil. Torture is a moral evil. Is it possible to satisfy the moral requirements of justice by conquering a moral evil with yet another moral evil? According to Christian standards, as set forth by the Apostle Paul, "Be not overcome of evil, but overcome evil with good" (Romans 12:21). "Torture is an injustice and must be protested as such" (Gushee 2005). Justice is abrogated each and every time the defenseless are tortured.

A third major reason torture is impermissible is that it opens the door to the peril of

trusting government with too much authority. Yes, even good intentions have unforeseen consequences. Trusting government with the power to torture, even in the most extreme cases today, could very well result in an expanded policy regarding torture tomorrow. How many times has a government relinquished a right once it has obtained it? The truism follows that governments tend to grow in power as the years progress. Granting a government the power to torture, under any circumstance, simply places too much trust in government to do the 'right thing.' This is dangerous for a very simple reason: Governments are comprised of human beings, very capable of making miscalculations and mistakes. "No government is so virtuous to be able to overturn the too often verified law of human nature" (Gushee, 2005). Humanity's inclination to abuse power is a force that must be considered.

One need only look at Operation Iraqi Freedom in order to substantiate this assertion. The

world intelligence community was virtually unanimous in the belief that Iraq had chemical and biological weapons prior to the invasion. France, Britain, Germany, Russia, and the United States were all convinced of this (CNN, 2001). However, to this date, no chemical or biological weapon stockpiles have been found. It is now U.S. Administration policy not to speak of Iraq's weapons of mass destruction, but rather to speak of how the United States Armed Forces entered Iraq to free the people from a ruthless dictator. This illustrates that when a government realizes that it has overstepped its mandate, it can easily come up with an alternative rationale for its actions. To admit error is to relinquish the grip on authority, a grip not easily loosened by those in power.

Debates concerning Iraq war policy aside, the point is evident: governments are fallible. This assertion is above reproof. After all, as Glancy explains, even the Lord Christ was brutally

tortured (Roman flagellation) and finally viciously executed all because Rome believed that he was a security threat to the empire (2005). Rome's "war on terror" was nothing short of what many people of faith would consider the greatest crime in history: the killing of the very personification of innocence. Again, the assertion that governments are fallible is above reproof, history being replete with telling examples.

Krauthammer and Dershowitz are among those who believe that society can trust government with the torture card. However, only the highest-ranking and most highly trained specialists should be able to engage in torture. Says Krauthammer, "They [captured terrorists] would be reserved for highly specialized agents who are experts and experienced in interrogation, and who are known not to abuse it for the satisfaction of a kind of sick sadomasochism" (2005).

Dershowitz is a proponent of the so-called

"torture warrant" issued by a judge "based on the absolute need to obtain information in order to save lives." (Dershowitz, 2002).

However, both of these ideas (specially trained torturers and torture warrants) are fraught with peril. Exactly how do we find "highly specialized agents" who are known not to engage in torture for sick satisfaction if the practice is currently not in use? The only way a government can ensure that an interrogator is not achieving some sort of sick satisfaction in the torturing of a human being is to first legalize the practice and catch someone in the act, thereby implicating the government's policy as the precipitant of the abuse!

With regards to Dershowitz' torture warrants, what will stop the state from their misuse? Ken Roth, Executive Director of Human Rights Watch, a progressive humanitarian organization, provides a sound rebuttal, referencing the state of Israel's recently overturned torture warrant policy in his

response:

Israel tried that [torture warrants]. Under the guise of just looking at the narrow exception of where the ticking-bomb is there and you could save the poor school children whose bus was about to be exploded some place. They ended up torturing on the theory that-- well, it may not be the terrorist, but it's somebody who knows the terrorist or it's somebody who might have information leading to the terrorist. They ended up torturing 90 percent of the Palestinian security detainees they had until finally the Israeli Supreme Court had to say this kind of 'rare exception' isn't working. (CNN, March 3, 2003)

Chillingly, Roth continues by saying that if the United States ever attempted to legitimize torture, that other more unsavory nations would follow suit. Says Roth, "You can imagine that

there are...unsavory regimes...just dying to say, 'Well, the United States is doing it, we're going to start doing it as well'" (CNN, March 3, 2003).

As far as Krauthammer's safeguards are concerned, were not "highly trained and specialized" intelligence officers on the lookout for terrorist plots prior to September 11th, 2001? Did not the "highly trained and specialized" world intelligence community warn the governments of the world of Saddam's arsenal of chemical and biological weapons? Yet, in both cases, the towers came down and the weapons of mass destruction were not there. Trusting government with torture is simply beyond reason, because governments are so prone to abuse, misuse, misinterpretation, and cover-up. A free people simply cannot grant their government the right to engage in this reprehensible practice- a practice so inhuman, that the government would have to guard its own specialists from the tendency to delve into, in Krauthammer's own words, "sick

sadomasochism.”

To trust government with the right to torture “corrosively de-legitimizes” the governmental system itself (Morgan, 2006, p. 193). Morgan continues:

Moreover, even if popular prejudices initially support the proposition that there is a definable other against whom the state may legitimately deploy extreme measures, the other is ultimately never capable of precise definition and identification in practice. Once the venom is unleashed ultimately all begin to feel vulnerable. (2006, p.193)

Torture is impermissible because the torturer becomes the tortured in the end, dehumanizing the very agent of the abuse (Gushee, 2005). Given that men are something different, something better than the animals, given that governments are fallible and prone to major missteps and

misjudgments, how can a government request one of its own citizens to engage in such a dehumanizing and potentially error-prone practice? Certainly, the torturer becomes the tortured, having imagery of a hellish nature burned into his very soul.

While it is true that perhaps desensitization will eventually rule the day, allowing the agent to engage in the practice without thought, what does it say about a society which is so concerned with self-preservation that it is willing to perhaps permanently warp many of its own citizens? "Alexander Solzhenitsyn, reflecting on the Soviet Gulag, said that 'our torturers have been punished most horribly of all: they are turning into swine, they are departing downward from humanity'" (Gushee 2005).

Many witnessed this departure from humanity in utter disgust as the allegations of prisoner abuse at Abu Ghraib Prison culminated in the publication of the now infamous prisoner abuse photos. The photographs, depicting U.S. Soldiers

posing with battered, bloody, nude, and frightened Iraqi prisoners, brought international shame and reproach not only to the Administration and U.S. military, but also to the very heartland of America.

These atrocities, intricately detailed by Hooks and Mosher, including dog attack, rape, sexual humiliation, urination, and sodomy (of a 15 to 18 year old boy) served to tarnish the image of our forces at home and around the world (2005). This is the kind of ill-will and moral destruction left in the wake of institutionalized torture.

While the events that transpired at Abu Ghraib were denounced by senior Administration officials, few can or will forget the faces of U.S. prison guards, cigarettes arrogantly protruding from their lips, standing on top of nude, dog leashed, prisoners. While supposedly fighting the "war on terror," those guards became the epitome of terror itself. Truly, torturers become the tortured, being warped by the practice

itself.

It is at this point that a return to the ticking time bomb scenario elucidated earlier in this essay becomes necessary. It must be conceded that any one who dares argue that torture is always and everywhere impermissible, given the political climate of the post-9/11 world is seen, at least on the emotionally-charged surface, to be arguing for terrorists' rights. After reading the many reasons given in opposition to torture, one may still find him/herself thinking, "So what! Should millions of Americans die merely to assuage the consciences of a handful of moral philosophers, peace activists, and theologians? We are in a war!" Many feel this way indeed.

With regard to the Abu Ghraib scandal, many U.S. politicians and political pundits openly defended the guards! For example, Senator Zell Miller (D-Georgia) argued that the sexual degradation of the prisoners was nothing worse than what he experienced during medical exams as

a teenager in gym class (Hooks and Mosher, 2005). Secretary of Defense Donald Rumsfeld also downplayed the prison abuse, saying that it was a type of abuse that differed from that of torture (Hooks and Mosher, 2005). Others, like Senator James Inhofe (R-Oklahoma), were "more outraged by the outrage than... by the treatment of detainees" (Hooks and Mosher, 2005, p. 1630).

There has even been a concerted effort by the Bush Administration to minimize and work around the very definition of torture, thereby allowing for greater utilization of "moderate to severe physical pressure." Jay Bybee, U.S. Assistant Attorney General, in a memorandum to Alberto Gonzales regarding the UN Convention against Torture and US Code Sections 2340-2340A of title 18, stated that, "those acts [of inflicting physical pain] must be of an extreme nature to rise to the level of torture" (Bybee, 2002, p. 1). He goes on to say:

It is clear that while many of these

techniques may amount to cruel, inhuman, or degrading treatment, they do not produce pain or suffering of the necessary intensity to meet the definition of torture. For there reasons, we conclude that there is a wide range of such techniques that will not rise to the level of torture.

(Bybee, 2002, p. 1)

It is no surprise then, in a charged atmosphere inundated with those who seek to minimize, trivialize, and rationalize the use of torture, that many citizens feel justified in allowing the government to wage the "war on terror" by any means necessary. And, admittedly, the ticking time bomb argument for torture packs a mighty punch in such an atmosphere, evoking emotion perhaps at the expense of reason.

Suppose the ticking time bomb thought experiment were presented in a different light. Let us say that the Department of Homeland

Security did not capture the terrorist plotter, but rather, abducted his wife and two children, ages four and five. The terrorist's family knew nothing of the bomb plot, let alone the location of the bomb itself. Would it now be morally permissible to torture them in an effort to flush out the terrorist who knew the needed information? After all, torturing one family is a small price to pay to save the lives of millions? Admittedly, one could say that the family is innocent because of their ignorance of the plot, and therefore should be spared torture. However, by making this decision you are dooming millions to die in a nuclear explosion! Surely, one family's sacrifice upon the altar of convenience and expediency would be worth it, right? Would not the greatest human happiness result from the action? By framing his argument in this way, Professor Magnuson of the Southern Baptist Theological Seminary argues that:

Krauthammer introduces problematic

issues that accompany a Utilitarian account of morality: it becomes too easy to justify doing evil things in the name of something good. It is not too difficult to imagine the possibility of concluding that if we can save a million lives by torturing the terrorist's family, we must do that as well. It is the lesser of two evils. (2005)

Columnist Rod Morgan also points out that both Israel and Turkey have in the past practiced varying degrees of torture against their perceived terror groups (the Palestinians and the Kurds, respectively). Yet their actions have "not given peace and security to the Israeli and Turkish peoples. Nor will it" (Morgan, 2006, pg. 194).

Should a government ever utilize torture for any reason? Again, the United Nations' *Convention against Torture* is here employed:

No exceptional circumstances whatsoever,

whether a state of war or a threat of war or a threat or war, internal political instability or any other emergency, may in invoked as a justification or torture.

(1985, Article 2, Section 2)

Truly, torture is a moral evil, even called by Krauthammer, "a terrible and monstrous thing, as degrading and morally corrupting to those who practice it as any conceivable human" activity (2005). While he then goes on to argue for a place for torture within the government's arsenal of options, it is best that governments leave this reprehensible, dehumanizing, potentially error-prone, morally warping, practice in Pandora's box where it belongs. To torture is to signify a kind of moral bankruptcy, destroying the confidence of a nation's allies and reinforcing the credibility of the enemy (Pfaff, 2005). To unleash this practice is to sully the humanity of those who are created in the Imago

Dei. It is to abrogate justice through the mistreatment of the defenseless. It is to trust fallible human governments with excessive power over the lives of humankind. To torture is to dehumanize the torturer, and perhaps, to dehumanize the very society that would permit such an atrocity. Roth's direct warning to Dershowitz serves well as a sobering admonition concerning the matter:

Torture is not needed. If you start opening the door, making a little exception here, a little exception there, you've basically sent the signal that the ends justify the means, and that's exactly what Osama bin Laden thinks. He has some vision of a just society. His ends justify the means of attacking the World Trade Center. If we're going to violate an equally basic prohibition on torture, we are reaffirming that false logic of

terrorism. (2003, p.2)

As people seriously weigh the consequences of allowing torture to be employed by governmental leadership for reasons actual or pretended, consideration of the aforementioned warnings should go a long way toward defusing the ticking time bomb that is torture itself. In the end, "if [torture] isn't evil, then evil has no meaning (Bush, 2003).

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Full-Text Outline

THESIS: No exception can be successfully employed to justify or in any way sanction the use of torture.

I. Many people find the "ticking time bomb" scenario to be a fitting exception to the societal prohibition against the use of torture:

- A. A Terrorist is discovered in a major city, confessing that he has planted a nuclear device that will detonate in two hours.
- B. With no time to evacuate the population, should government officials utilize torture in an attempt to garner the needed information concerning the whereabouts of the device?
 - 1. Conservative commentator Charles Krauthammer believes that torture becomes the government's moral duty in this instance.

2. Progressive thinker Alan Dershowitz concurs, believing torture to be a "time tested technique for loosening tongues."
- C. The government must retain the ability to apprehend, try, convict, and punish those who transgress the law.
- D. Many philosophers and the Judeo-Christian faith community adamantly defend these ideals as being part of the bedrock of Western Civilization.
- E. Given that government has an historic, philosophic, and religious mandate to protect citizens, is torture morally permissible under certain restricted circumstances? No.
 1. Torture is not permissible under any circumstances because it violates the intrinsic dignity of humanity.
 2. Torture is not permissible under

any circumstances because it results in the mistreatment of the defenseless.

3. Torture is not permissible under any circumstances because governments can not be trusted with such authority.

4. Torture is not permissible under any circumstances because the practice dehumanizes the torturer, and ultimately warps the society that engages in such practice.

F. Torture defined: any act by which pain or suffering is intentionally inflicted on a person for the purposes of obtaining information or a confession.

II. Human beings are rational agents (Kantian) created in the Imago Dei (Mosaic), capable of setting their own goals, and are therefore "above price" and of "infinite worth."

- A. Kant's categorical imperative: "Act so that you treat humanity, whether in your person or in that of another, always as an end and never as a means also."
- B. "And God said; let us make man in our image, after our likeness" (Genesis 1:26a).
- C. Humanity is altogether superior to and separate from the animal kingdom, a special creation of God.
 - 1. Any policy that affirms torture as a viable means of information extraction cannot be reconciled with the reality that the very communicable attributes of God reside in each and every human being.

2. To inflict torture on a human being inches society ever so slightly toward the eventual dehumanization of our kind.
3. In light of the unique nature of humanity amongst the created order, torturing one another would make the collective future of the species darker and less human.

III. Torture abrogates justice by purposefully mistreating the defenseless.

- A. It is agreed that combatants on a battlefield have the right to dispatch the enemy.
- B. However, no matter how disgraceful a terrorist's tactics may be (wearing civilian clothing, hiding amongst townsfolk, targeting innocents) in no way does this give a government the moral right to engage in torture once the terrorist is captured.

1. By definition, a terrorist becomes a prisoner once captured.
 2. The machine-gun or bomb wielding terrorist is at once transformed into a defeated weaponless foe, incapable of fighting back, at the mercy of his captors.
 3. Justice must set the standards for treatment, not vengeance or retribution.
- C. It is not possible to satisfy the moral requirements of justice by conquering a moral evil (terrorism) with yet another moral evil (torture).
- D. St. Paul: "Be not overcome with evil, but overcome evil with good" (Romans 12:21).

IV. Torture is impermissible because it opens the door to the peril of trusting government with too much authority.

- A. Allowing torture sets the precedent for future, more expanded utilization tomorrow.
- B. David Gushee: "No government is so virtuous to be able to overturn the too often verified law of human nature."
- C. Governmental missteps in the "war on terror" demonstrate the fallibility of government.
 - 1. Although the intelligence community watched vigilantly prior to September 11, 2001, the terrorists struck nonetheless, taking down the World Trade Center and over three thousand souls.
 - 2. Operation Iraqi Freedom was launched to rid Iraq of Saddam's stockpiles of nuclear and

biological weapons, yet none were ever discovered.

C. Because of governmental missteps, cover-ups, scandals, and hidden agendas, torture de-legitimize the government, as people grow ever more paranoid that their particular social, political, religious, or ethnic group might be identified as "the problem."

1. Ironically, even the Prince of Peace (Christ) was labeled a threat to the state and brutally murdered by Rome in their "war on terror."

2. If the state can play the torture card, it will do so swiftly and often.

V. Torture is impermissible because the torturer becomes the tortured in the end, dehumanizing the very agent of the abuse (Gushee, 2005).

- A. What does it say about a society which is so concerned with self-preservation that it is willing to perhaps permanently warp many of its own citizens?
- B. Alexander Solzhenitsyn: "'our torturers have been punished most horribly of all: they are turning into swine, they are departing downward from humanity'" (Gushee, 2005)
- C. The Abu Ghraib prisoner abuse scandal further demonstrates that torture dehumanizes the torturer.
 - 1. This scandal brought shame and reproach upon the military and the country in general.
 - 2. While supposedly fighting the war on terror, those guards became the epitome of terror itself.

VI. Many politicians and everyday people remain unconvinced, seeing torture as a viable

means to extract information thereby saving lives (perhaps millions of lives).

- A. Those within the administration as well as the United States Congress have attempted to downplay any incident of possible torture or abuse.
- B. Additionally, the Administration has attempted to redefine the very meaning of torture in an effort to expand its power.
- C. However, the ticking time bomb, with a few changes becomes ominous, even for those who would readily support the scenario given earlier.
 - 1. The Government has learned that a nuclear device lay hidden in a major city. It will detonate in two hours.

2. The terrorist is nowhere to be found. However, his wife and two children have been taken in for questioning.
 3. Should the children and wife be tortured in order to drive the terrorist out of hiding?
- D. The Ticking Time Bomb scenario relies on Utilitarian notions of the "greatest happiness for the greatest number."
1. If one believes that the sacrifice of a few is worth the salvation of an entire city, then only one action can be taken.
 2. However, if humans are truly "above price" and a special creation of God, then no one has the right on this side of eternity to decide which human lives are worth saving, or which ones are worth sacrificing.

VII. It is best that governments leave this reprehensible, dehumanizing, potentially error-prone, morally warping, practice in Pandora's Box where it belongs.

- A. To torture signifies a kind of moral bankruptcy
- B. To torture is to sully the humanity of those who are created in the Imago Dei.
- C. To torture is to abrogate justice by mistreating the defenseless
- D. To torture is to dehumanize the torturer, and perhaps the very society that would permit such an atrocity.
- E. George Bush: "If [torture] isn't evil, then evil has no meaning" (2003).

About the Author

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