

Is torture ever justified?

The war on terror is a fight against a very different kind of enemy. Does that justify different rules of engagement?

YES

Imagine this scenario: A terrorist has planted a nuclear bomb in New York City. It will go off in one hour. A million people will die. You capture the terrorist. He knows where it is. He's not talking. If you have the slightest belief that hanging this man by his thumbs, or some other method of torture, will get you the information to save a million people, are you justified in doing so? Not only is it permissible; it is an ethical duty.

However rare the cases, there are circumstances in which torture would be required to acquire life-saving information. And once you've established the principle, the argument is not whether torture is ever permissible, but *when*—in other words, how big, how soon, how preventable does the threat have to be to justify it?

In 1994, 19-year-old Israeli Corporal Nahshon Waxman was kidnapped by Palestinian terrorists. The Israelis captured the driver of the car used in the kidnapping and tortured him in order to find where Waxman was being held.

Faced with a similar choice, an American President should do the same thing. To do otherwise—to give up the chance to find your soldier just so that you can say you don't torture people — is a deeply immoral betrayal of a soldier.

There is much to admire in those who refuse to torture people under any conditions. We should be grateful for those saintly people among us. And we should be careful to ensure that they do not get to make the decisions upon which the lives of others depend.

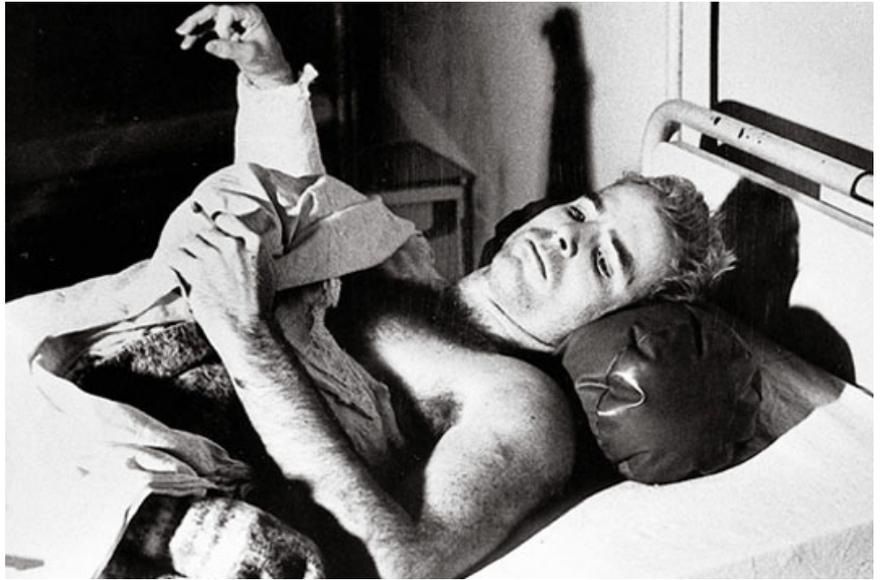
—Charles Krauthammer

Washington Post columnist



NO

To fight terrorism we need intelligence. But the intelligence we collect must be reliable and acquired humanely, under clear standards understood by all. Using torture, even for the best of reasons, is wrong and should not be legal. To do differently not only offends our values as Americans but undermines our war effort, because abuse of prisoners harms—not helps—us in the war on terror.



First, subjecting prisoners to abuse leads to bad intelligence, because under torture a detainee will tell the interrogator anything to make the pain stop. Second, mistreatment of our prisoners endangers U.S. troops who might be captured by the enemy, if not in this war, then in the next.

Third, prisoner abuses exact a terrible toll in the war of ideas, because inevitably these abuses become public. When they do, the actions of a few darken our reputation in the eyes of millions. American values should win any war of ideas, and we can't let prisoner abuse tarnish our image.

We are Americans, and we hold ourselves to humane standards of treatment of people—no matter how evil they may be. America stands for a moral mission, one of freedom and democracy and human rights at home and abroad. We are better than these terrorists, and we will win. The enemy we fight has no respect for human life or human rights. They don't deserve our sympathy.

But this isn't about who they are; it's about who we are. These are the values that distinguish us from our enemies, and we can never, never allow our enemies to take those values away.

—**Senator John McCain** Republican of Arizona