Imagine that a known terrorist has planted a bomb in the heart of a nearby city. He now sits in your custody. Rather than conceal his guilt, he gloats about the forthcoming explosion and the magnitude of human suffering it will cause. Given this state of affairs—in particular, given that there is still time to prevent an imminent atrocity—it seems that subjecting this unpleasant fellow to torture may be justifiable. For those who make it their business to debate the ethics of torture this is known as the “ticking-bomb” case.

While the most realistic version of the ticking bomb case may not persuade everyone that torture is ethically acceptable, adding further embellishments seems to awaken the Grand Inquisitor in most of us. If a conventional explosion doesn’t move you, consider a nuclear bomb hidden in midtown Manhattan. If bombs seem too impersonal an evil, picture your seven-year-old daughter being slowly asphyxiated in a warehouse just five minutes away, while the man in your custody holds the keys to her release. If your daughter won’t tip the scales, then add the daughters of every couple for a thousand miles—millions of little girls have, by some perverse negligence on the part of our government, come under the control of an evil genius who now sits before you in shackles. Clearly, the consequences of one person’s uncooperativeness can be made so grave, and his malevolence and culpability so transparent, as to stir even a self-hating moral relativist from his dogmatic slumbers.

I am one of the few people I know of who has argued in print that torture may be an ethical necessity in our war on terror. In the aftermath of Abu Ghraib, this is not a comfortable position to have publicly adopted. There is no question that Abu Ghraib was a travesty, and there is no question that it has done our country lasting harm. Indeed, the Abu Ghraib scandal may be one of the costliest foreign policy blunders to occur in the last century, given the degree
to which it simultaneously inflamed the Muslim world and eroded the sympathies of our democratic allies. While we hold the moral high ground in our war on terror, we appear to hold it less and less. Our casual abuse of ordinary prisoners is largely responsible for this. Documented abuses at Abu Ghraib, Guantanamo Bay, and elsewhere have now inspired legislation prohibiting "cruel, inhuman or degrading" treatment of military prisoners. And yet, these developments do not shed much light on the ethics of torturing people like Osama bin Laden when we get them in custody.

I will now present an argument for the use of torture in rare circumstances. While many people have objected, on emotional grounds, to my defense of torture, no one has pointed out a flaw in my argument. I hope my case for torture is wrong, as I would be much happier standing side by side with all the good people who oppose torture categorically. I invite any reader who discovers a problem with my argument to point it out to me in the comment section of this blog. I would be sincerely grateful to have my mind changed on this subject.

Most readers will undoubtedly feel at this point that torture is evil and that we are wise not to practice it. Even if we can’t quite muster a retort to the ticking bomb case, most of us take refuge in the fact that the paradigmatic case will almost never arise. It seems, however, that this position is impossible to square with our willingness to wage modern war in the first place.

In modern warfare, “collateral damage”—the maiming and killing innocent noncombatants—is unavoidable. And it will remain unavoidable for the foreseeable future. Collateral damage would be a problem even if our bombs were far “smarter” than they are now. It would also be a problem even if we resolved to fight only defensive wars. There is no escaping the fact that whenever we drop bombs, we drop them with the knowledge that some number of children will be blinded, disemboweled, paralyzed, orphaned, and killed by them.

The only way to rule out collateral damage would be to refuse to fight wars under any circumstances. As a foreign policy, this would leave
us with something like the absolute pacifism of Gandhi. While pacifism in this form can constitute a direct confrontation with injustice (and requires considerable bravery), it is only applicable to a limited range of human conflicts. Where it is not applicable, it is seems flagrantly immoral. We would do well to reflect on Gandhi’s remedy for the Holocaust: he believed that the Jews should have committed mass suicide, because this “would have aroused the world and the people of Germany to Hitler’s violence.” We might wonder what a world full of pacifists would have done once it had grown “aroused”—commit suicide as well? There seems no question that if all the good people in the world adopted Gandhi’s ethics, the thugs would inherit the earth.

So we can now ask, if we are willing to act in a way that guarantees the misery and death of some considerable number of innocent children, why spare the rod with known terrorists? I find it genuinely bizarre that while the torture of Osama bin Laden himself could be expected to provoke convulsions of conscience among our leaders, the perfectly foreseeable (and therefore accepted) slaughter of children does not. What is the difference between pursuing a course of action where we run the risk of inadvertently subjecting some innocent men to torture, and pursuing one in which we will inadvertently kill far greater numbers of innocent men, women, and children? Rather, it seems obvious that the misapplication of torture should be far less troubling to us than collateral damage: there are, after all, no infants interned at Guantanamo Bay. Torture need not even impose a significant risk of death or permanent injury on its victims; while the collaterally damaged are, almost by definition, crippled or killed. The ethical divide that seems to be opening up here suggests that those who are willing to drop bombs might want to abduct the nearest and dearest of suspected terrorists—their wives, mothers, and daughters—and torture them as well, assuming anything profitable to our side might come of it. Admittedly, this would be a ghastly result to have reached by logical argument, and we will want to find some way of escaping it. But there seems no question that accidentally torturing an innocent man is better than accidentally blowing him and his children to bits.
In this context, we should note that many variables influence our feelings about an act of physical violence. The philosopher Jonathan Glover points out that “in modern war, what is most shocking is a poor guide to what is most harmful.” To learn that one’s grandfather flew a bombing mission over Dresden in the Second World War is one thing; to hear that he killed five little girls and their mother with a shovel is another. We can be sure that he would have killed many more women and girls by dropping bombs from pristine heights, and they are likely to have died equally horrible deaths, but his culpability would not appear the same. There is much to be said about the disparity here, but the relevance to the ethics of torture should be obvious. If you think that the equivalence between torture and collateral damage does not hold, because torture is up close and personal while stray bombs aren’t, you stand convicted of a failure of imagination on at least two counts: first, a moment’s reflection on the horrors that must have been visited upon innocent Afghans and Iraqis by our bombs will reveal that they are on par with those of any dungeon. If our intuition about the wrongness of torture is born of an aversion to how people generally behave while being tortured, we should note that this particular infelicity could be circumvented pharmacologically, because paralytic drugs make it unnecessary for screaming ever to be heard or writhing seen. We could easily devise methods of torture that would render a torturer as blind to the plight of his victims as a bomber pilot is at thirty thousand feet. Consequently, our natural aversion to the sights and sounds of the dungeon provide no foothold for those who would argue against the use of torture.

To demonstrate just how abstract the torments of the tortured can be made to seem, we need only imagine an ideal “torture pill”—a drug that would deliver both the instruments of torture and the instrument of their concealment. The action of the pill would be to produce transitory paralysis and transitory misery of a kind that no human being would willingly submit to a second time. Imagine how we torturers would feel if, after giving this pill to captive terrorists, each lay down for what appeared to be an hour’s nap only to arise and immediately confess everything he knows about the workings of his organization. Might we not be tempted to call it a “truth pill” in the end? No, there is no ethical difference to be found in how the
suffering of the tortured or the collaterally damaged appears.

Opponents of torture will be quick to argue that confessions elicited by torture are notoriously unreliable. Given the foregoing, however, this objection seems to lack its usual force. Make these confessions as unreliable as you like—the chance that our interests will be advanced in any instance of torture need only equal the chance of such occasioned by the dropping of a single bomb. What was the chance that the dropping of bomb number 117 on Kandahar would effect the demise of Al Qaeda? It had to be pretty slim. Enter Khalid Sheikh Mohammed: our most valuable capture in our war on terror. Here is a character who actually seems to have stepped out of a philosopher’s thought experiment. U.S. officials now believe that his was the hand that decapitated the Wall Street Journal reporter Daniel Pearl. Whether or not this is true, his membership in Al Qaeda more or less rules out his “innocence” in any important sense, and his rank in the organization suggests that his knowledge of planned atrocities must be extensive. The bomb has been ticking ever since September 11th, 2001. Given the damage we were willing to cause to the bodies and minds of innocent children in Afghanistan and Iraq, our disavowal of torture in the case of Khalid Sheikh Mohammed seems perverse. If there is even one chance in a million that he will tell us something under torture that will lead to the further dismantling of Al Qaeda, it seems that we should use every means at our disposal to get him talking. (In fact, The New York Times has reported that Khalid Sheikh Mohammed was tortured in a procedure known as “water-boarding,” despite our official disavowal of this practice.)

Which way should the balance swing? Assuming that we want to maintain a coherent ethical position on these matters, this appears to be a circumstance of forced choice: if we are willing to drop bombs, or even risk that rifle rounds might go astray, we should be willing to torture a certain class of criminal suspects and military prisoners; if we are unwilling to torture, we should be unwilling to wage modern war.
Posted Comments (Page 1 of 2 > »):
I would go along with sodium pentathol or other so-called "truth serums." However, I don't think that the US has captured anyone worth the effort to this point. It's just been the foot-soldiers so far, and what do they know?

I think the best option is to ask John McCain about this. He's one of the few people who can testify to what torture will and will not accomplish.

Posted by: Larenzo on October 17, 2005 at 12:38am
Is this comment abusive? spam? [flag it]
You put torture on the same level as collateral damage. I think we can all agree that collateral damage is something that we should strive to avoid as much as possible. It seems logical therefore that we should also strive to avoid torture, not make it part of the policy.

Posted by: marcone on October 17, 2005 at 12:53am
Is this comment abusive? spam? [flag it]
You obviously make a compelling case for torture. And there are instances, as you persuasively elaborate, where there are possibilities of good coming from torture sessions. Each case of the need for torture must be treated on its own merits.
In the case of the so-called war on terror, I am yet to be personally persuaded that torture tactics have been (or are being) used to extract meaningful information. By and large, it seems to me, torture is being used to humiliate those being tortured, to put them in their place, as it were, to get even for what happened (for what their "colleagues" did). When such is the case - Abu Ghraib, Guantanamo - the net effect of torture is negative. For most of these people, there is no information that can be gleaned from them that hasn't already been gleaned from them. Torture only turns them into the victims and martyrs that many of them are not.

Posted by: BWhacker on October 17, 2005 at 01:25am
Is this comment abusive? spam? [flag it]
"...If we are willing to drop bombs, or even risk that rifle rounds might
go astray, we should be willing to torture a certain class of criminal suspects and military prisoners; if we are unwilling to torture, we should be unwilling to wage modern war."
I vote unequivocally for your final statement. I am not willing to permit the torture of anyone and I am incensed that this government is willing to start and to perpetuate a war.
As a Vietnam vet I believe I do have some knowledge about the atrocities and inhumanity that exists in war; even for the survivor. (No one wins a war. Some are just harmed less.)
I would like to note a few additional risks of war that my be closer to home than is realized by most people.
Within 25 miles of my home there is a town that was built where a military training camp existed during WWII. Residents still come across unexploded ordnance in the normal course of events. The federal government has promised to clean up the area; but has never managed to do it.
In Southern California there is a town which has a very high incidence of a rare childhood cancer. Before the suburbs expanded into the area a munitions manufacturer occupied the space. These are two examples. There are many more throughout the country. What do we do about the ground and air contamination in our own country that is a byproduct of manufacturing the products of war.

Posted by: JudeMitch on October 17, 2005 at 01:30am
Is this comment abusive? spam? [flag it]
Imitating force is wrong. Or as we say when settling quarrels among children: “Who started it?”.

Self-defense is justifiable, but to justify it, you need to establish that the party receiving the retaliatory violence really was guilty of initiating force.

These are some of the reasons we have habeas corpus, the right to confront an accuser, and the right to remain silent. Without these customs, society can easily spin out of control into a state of constant violence.
The Bushies started a war on evidence that would have been thrown out of any burglary trial.

Torture is a violation of the right to remain silent. It is almost always done without due process. A world where torture is allowed is a world that is spinning out of control with spreading violence.

As long as the majority of people are peaceful, constructive, and logical, crime is an aberration. But the rise of the propaganda state has suppressed peace, logic, and constructive pursuits and promoted government sponsored violent fantasies. We now are living with a criminal majority.

Those who support the torture of others are opening the door to their own encounter with the inquisitor.

**Posted by: Marion on October 17, 2005 at 01:57am**

Is this comment abusive? spam? [flag it]

OK, here are a couple of counterarguments. You just can't get good torturers these days, can you? You simply can't get them trained. Sure, there are people who'd really like the work, but mostly, we don't encourage them. You see, we just can't - don't want to - keep them busy, and we mustn't allow the torturers to practice on people diagnosed with "paranoid schizophrenia", "anti-social behavior" or involved in fraud cases. Or for expressing dissent. You know what I mean - I mean, unless you need to: unless terror is the business of the state in relation to its citizens or subjects. Then Stalin finds his Beria, and Saddam has his brother Uday.

In his argument, Sam walks towards an extreme, but how would we implement his solution? Once you have accepted a Torturer in Chief, this should mean (*cough*) you've established formal procedures for determining where the boundaries for suspects to be torturable or not-torturable are, and who moves them? The Attorney General? SECDEF? Rules which apply to foreigners today apply to immigrants tomorrow, and children of immigrants the day after. The actual bomb weakens to a threat, and then a conspiracy based on an anonymous tip-off, to people who just happen to be in jail (*cough*), to someone
reading about bombs in the library, to a pre-emptive strike based on
faulty intelligence. When do we find we've gitmoized arrests on main
street?

Let's keep that door closed. Thanks. Torture is never ethical, but at
best, temporarily expedient. You cannot contain it.

Finally, as an aside, if modern warfare inevitably involves "collateral
damage", this does not justify collateral damage: it damns modern
warfare. Isn't it illegal?

**Posted by: anwaya on October 17, 2005 at 02:47am**
Is this comment abusive? spam? [flag it]
Larenzo wrote: "I would go along with sodium pentathol or..."

You guys need to get up to date on your technology. We're working
on using brain scans to detect lies:

http://news.bbc.co.uk/cbbcnews/hi/newsid_4060000/newsid_4063300
/4063351.stm

And I've heard there are forms of brain surgery that can be used to
open up the information in people as if they were a book.

That stuff sounds more reliable than torture. Should we pursue it?

**Posted by: NormDoering on October 17, 2005 at 02:57am**
Is this comment abusive? spam? [flag it]
You can thank me later.

Collateral damage is a regrettable by-product of war. It is one of the
reasons, perhaps the main reason, that ethical people eschew war,
and pray that it will never come. But when these prayers fail, and war
comes, collateral damage is an unavoidable consequence.

If we accept that war is always a last alternative then we must
conclude that collateral damage is something we have no choice
over.
Torture, is different. In the most extreme example of the ticking bomb case, we still make a choice that I would rather suffer the ethical consequences of permitting torture than the real pain of losing my daughter. And, to speak bluntly, I would not need some "truth pill" to make the experience palatable.

You are correct that the paradigmatic case is not likely actually to arise, but you are mistaken when you glide over the point. The fact is that when we are talking about torture, we are talking about approximations of the ticking bomb case. This gives rise to the question, How close must an approximation be? If we would be honest, we must accept the fact that in the case of torture, there will always be cases in the grey area, where things are neither black nor white.

The experience of humankind teaches us that once we cross into the grey area, where torture is justified to prevent injuries that are neither as imminent nor as horrific than the paradigmatic case, we will have undoubtedly slip further and further into an area where our baser passions take over. Torture may be rationalized as a necessity to prevent imminent evil but in individual cases, it will really be cruel revenge, or worse, indiscriminant cruelty.

Which brings us to Khalid Sheik Mohammed. Suppose we accepted your case for torturing him. You must agree that there is no analogue to the moment when the prisoner in your first paragraph says, "okay, I give. Your daughter is being held in storage unit number 5 on Elm Street." If Sheik Mohammed is the bad guy in the ticking bomb case, how shall we know that the ticking bomb has been defused? And by the way, how did that water-boarding thing work out? Is Al-Qaeda dismantled yet?

Your defense of torture is not as strong as you think it is. I don't believe it requires a response that details all the harms that result from a policy that condones torture. Suffice it to say, we are better and wiser than that. It is not merely soliciutude for Khalid Sheik Mohammds of the world. It also relates to the fact that we have too
much self respect to want to become torturers.

Tell 'em 'Big Mitch sent ya!"

Posted by: BigMitch on October 17, 2005 at 03:49am
Is this comment abusive? spam? [flag it]
Isn't it the neocon's job to keep us thinking about grim scenarios? Frightened people, mulling over the hows and whys of torture. Is that what we do in America?

Posted by: donna on October 17, 2005 at 03:53am
Is this comment abusive? spam? [flag it]
We go to war knowing that this is going to cause some of the innocent to be maimed and killed and we accept that so why should a little torture of the captured enemy bother us? What's the big fuss about a little more cruelty seems to be your argument.

Using this line of reasoning the same could be said about sexual behavior. Heterosexual people have sex all the time. We know that young children and adults get raped and hurt all the time but we accept that damage as part of sexual behavior and don't ban all heterosexual sex because of it. So why such a big fuss over homosexuality? It is just more sex.

For those who oppose homosexual behaviour it is largely the cultural repulsion factor to the idea of the sex itself. Torture is less repulsive in many cultures but not in America. Do you want to live in a culture where torture is an OK method of treating other human beings?

My analogy is a bit off possibly but it is the best I could come up with. There are just some lines of behaviour that people do not want to cross and our culture as whole finds torture unacceptable. The problem is that the current president is a case of arrested development and cannot grasp the nuance of higher ethical and moral reasoning.

Posted by: ilima on October 17, 2005 at 04:01am
Is this comment abusive? spam? [flag it]
The analogy with collateral damage rather misses the point. Carpet bombing an entire city (for the purpose of demoralising the enemy civilian population) is quite different from bombing a military target and killing civilians in the process - even Robert McNamara, who planned some of the Dresden missions, admits that if the Allies had lost WW2 he would have been tried as a war criminal. Conversely, the death of civilians from stray rockets and not-so-smart bombs is of course 'inevitable' - but it isn't deliberate. A moral general would take care to minimise the collateral damage. I take your argument to be that the motivation behind 'good' torture is not to hurt the prisoner, but rather to do what it takes to prevent catastrophe, and therefore any hurt inflicted is a lesser evil - an unfortunate by-product of the paramount need for information. I'm not saying you are wrong: perhaps torture is the lesser evil in 'ticking time-bomb' cases such as you describe. But it's a rhetorical trick to conflate the two types of collateral damage - torture really isn't analogous to the unfortunate killing of civilians 'by mistake' (the everyday meaning of collateral damage) but to the far more egregious and morally questionable practice of carpet (and nuclear) bombing. Should the Allies have bombed Hiroshima if it brought the war to a close? Perhaps ... and perhaps not. But it's just not the same scenario as setting the wrong map co-ordinates and blowing up the building next door.

Posted by: Bilko on October 17, 2005 at 04:33am

Is this comment abusive? spam? [flag it]

You say that nobody has pointed out the flaw to your argument. Let me try.

In your hypothetical, you presume that you "know" that your gloating prisoner has the information you need to save the world. How in your hypothetical do you "know" that?

In the real world you may believe the prisoner knows the vital information. You may be wrong.

How do you know that after pulling out the prisoners fingernails he actually will tell you the truth? What if you run down the street to save your daughter and discover he sent you to the wrong address. Of
course you find out just in time to be too late.

President Bush "knew" there were WMD in Iraq. He sent us to war. How certain does the torturer need to be before he starts torturing? Does he need to be as certain as the president was?

There is a 100% chance that torture is immoral and illegal. I think, in the real world, there is a very small probability that its use will save the world, your daughter or anything else.

What did we get from using torture in Abu Graib?

**Posted by: toady on October 17, 2005 at 05:13am**
Is this comment abusive? spam? [flag it]

Sam Harris says he is "one of the few people who has argued in print that torture may be an ethical necessity in our war on terror."

Fact is that police and soldiers and other such have always held that torture is what fools like Harris call "an ethical necessity." The most determined and aggressive among them resort to torture whenever they're confronted with a suspect who they believe has what they want but is too smart to be badgered.

Judges and prosecutors know the score and allow themselves to be deceived by the fiction that police don't torture suspects. They choose to believe that suspects with broken bones and multiple bruises either resisted arrest or "fell down the stairs at the police station." They don't sanction torture because they understand what Harris obviously does not grasp: that every jailhouse becomes an Abu Ghraib when torture becomes official policy.

Harris claims to be both a liberal and a journalist. In fact, he is too ignorant to be either of those things. He's just another schmo who either never heard or doesn't understand the old saw: "A conservative is a person who has just been mugged. A liberal is a person who has just been arrested."

Nort
Posted by: Nort on October 17, 2005 at 06:03am
Is this comment abusive? spam? [flag it]
"your seven-year-old daughter being slowly asphyxiated in a warehouse just five minutes away, while the man in your custody holds the keys to her release."
There is a big difference between a private citizen using torture to save a loved one and a governmental policy of torture.
I don't know about you, but I certainly don't trust the government to do the right thing to the right people. Not that I trust a frantic parent either, it's just that the frantic parent isn't an arm of the government. That parent would have to answer to the police and courts afterwards (and he/she may or may not be acquitted based on the circumstances). To whom would the government have to answer?

Posted by: pumpkin on October 17, 2005 at 07:01am
Is this comment abusive? spam? [flag it]
"Ticking-Bomb" aside, it is a matter of record that the most successful interrogators are those who are "nice" to their prisoners, and develop a personal relationship with them. Such techniques proved extremely effective in WWII against Japanese soldiers who were thought early in the war to be unbreakable fanatics. Torture may have its place in an extreme situation, but much more useful intelligence can be gleaned from low-level prisoners by treating them well. Once again our "intelligence" people need a history lesson.

Posted by: AWC on October 17, 2005 at 07:23am
Is this comment abusive? spam? [flag it]
Sam:
Isn't it part of our religious upbringing and teaching that "do unto others as you would have them to you"? How can we be the shining "light" to the world in the eyes of Condi and the devious-one if we are no better than them. Are we one nation under God? If we are not, it's game over.... they win.
Why do you think the right-wing Tim McVeigh murdered all those people in Oklahoma? Was the U.S. Govt response to bomb the hell out of all the rural militia groups? Would that have made things better, or would Timmi have won the battle?
We have principle for a reason, and civilization is best going forward, not backward.

**Posted by: Henry on October 17, 2005 at 07:57am**

Is this comment abusive? spam? [flag it]

It's a strenuous case you've made, but still carries the flaws of Abu Ghraib: the inflaming of the enemy, the disgusting of the allies. I agree, maybe we shouldn't "fight modern warfare." Maybe we should try peace.

**Posted by: Kevvboy on October 17, 2005 at 08:31am**

Is this comment abusive? spam? [flag it]

you've assumed that torture exists in a vaccuum, and that those who know the tortured will not retaliate- which you should know is not true. you may think you're saving millions, but you don't know that, while you do know that you're creating even more fanatical and dedicated enemies who now have the added danger of having a legitimate gripe against us for violating geneva conventions and treating their own like caca.

your last two pieces were about the inherent violence of islam and the quran. how about writing an essay on the inherent evil of modern warfare? you could start by pointing out how accepting the killing of thousands of innocents, including children, desensitizes certain people to torture.

**Posted by: ssmall on October 17, 2005 at 08:52am**

Is this comment abusive? spam? [flag it]

Your argument is built upon the faulty logic that we are actually fighting a war against terror. This isn't the case. Then you compound the error by equating collateral damage from bombs with torture. If we were really fighting a war against terror, we would not be indiscriminately dropping bombs. Rather, we would be capturing or assassinating al-Qaed leaders.

However, beneath all these misguided rationalizations there is the false premise that violence of any sort used against another human being is acceptable. To bolster your false premise, you label all those who oppose violence as "self-hating moral relativists," which does not
disprove the validity of our position, but rather is an ad hominem attack. Further, moral relativism is not the grounds by which most of us oppose violence in general or torture in particular, so again, you are wrong.

Only an atheist could argue for torture and feel it is justified. In a worldview (yes, atheism is a worldview whether you like it or not) void of any form of Spirit, there is no retribution for inhumane action other than that imposed by other human beings. Therefore, you are free, within your limited understanding of the world, to commit any acts of violence you feel you can logically justify.

Bottom line: we should not be willing to wage modern war in a post-modern world, so torture is not a valid option.

**Posted by: wlh on October 17, 2005 at 08:56am**
Is this comment abusive? spam? [flag it]
Torture of the kind that happens in Guantanamo is not productive. If you note that most suspects are innocent and the real criminal is suicidal, so torture is not useful and it degrades us in the eyes of the world and more importantly ourselves. Of course ethics should not be discussed this way, it almost makes me puke. We must be ethical and moral for the sake of our humanity and in the process take risks. Jihadists, Suicide bombers, our soldiers all face death and annihilation fighting for what they believe in. So I believe we must do the same and refrain from torture. I am not saying it is easy but governments must be able to refrain from torture because they have the power to survive calamities and people should be able to trust them to be fair under all circumstances.

**Posted by: Rao on October 17, 2005 at 09:28am**
Is this comment abusive? spam? [flag it]
Sam Harris:

Hello!

Sorry to be negative, but I must disagree with your position on torture.
While I do appreciate the narrow circumstances at which you approve of torture, your also said that no one has found a flaw in your argument but I must submit that your argument is terribly flawed.

You outline a case for torture based on the "ticking time bomb argument" which can be compelling, but is not based on reality. While the idea that one, or hundreds, or thousands of lives can be saved by simply getting that one person who is in custody to provide that one bit of key information to talk about it can be a great plot device in fictional books, movies, TV shows, and the like, I have yet to hear of an actual case where such a thing has actually happened (if you know of any, then please share the data with me).

For example, Israel has been using the "ticking time bomb argument" for several years in order to justify the use of "moderate physical pressure" to hundreds, and perhaps thousands of people it has arrested (sometimes to the point of death), and yet there has not even been so much as one case where it has actually worked. Instead, the use of the practice of torture shows just weak Israel actually is, and I would expect similar results if the USA did such things as well.

First of all, the people doing the bombings are not fools. They know full well what could happen to them and their mission should they be caught so they try to arrange things in such a way that things will not be unduly impeded if they are caught and made to talk. They use code names, shuffle money around various accounts, encrypted messages, safe houses, learn languages, know how to use various weapons, cut outs, false identification papers, and on, and on, and on.

Second, if you look at history, you will see a real failure of torture in terms of stopping the actions of groups that are highly dedicated and smart. During World War II when thousands of Underground, OSS, and other saboteurs and spies were captured by the Germans, they were often tortured horribly and yet the torture did not save Germany from what these Agents were doing. And if torture did not help the
Nazis, then I doubt that it would the USA either. >>By the way, I really hate it when guys like you make me compare the USA to Nazi Germany!

Posted by: Crossbow on October 17, 2005 at 09:31am
Is this comment abusive? spam? [flag it]
I wasn't at all swayed, until I imagined this scenario:
Imagine a tubby guy who is unlikely to give honest answers about whether or not he outed a CIA operative, possibly an act of treason. Imagine him screaming in pain. Imagine me laughing myself sick. Nah, still doesn't do it for me. The idea of people being tortured in my name, then tried and possibly found innocent is revolting.

Posted by: someguy on October 17, 2005 at 09:45am
Is this comment abusive? spam? [flag it]
Flaws in your argument:

1. Your scenario is absurd. If you could name one actual historic case where torture was necessary, an impossible thought-experiment wouldn't be needed. But you can't.

2. Torture doesn't work. It produces a fog of lies, perhaps mixed with truth.

Entertaining the idea of torture is so pleasing to some people they will go to astonishing lengths to rationalize it.

Posted by: HereComesEverybody on October 17, 2005 at 10:42am
Is this comment abusive? spam? [flag it]
"If you think that the equivalence between torture and collateral damage does not hold, because torture is up close and personal while stray bombs aren't, you stand convicted of a failure of imagination on at least two counts" I have 2 concerns with this statement: 1) it relies on proximity rather than intent as its foundation and 2) the readers are subjectively and summarily accused of a 'failure of imagination' despite your request of an objective rebuttal that may, under your consideration only, change your mind on the
subject.
I'm still reading the rest of the post, and if I have further comments I will make them after composing them elsewhere. The 4 viewable lines in the comment area makes it difficult to use it to compose and edit extemporaneously.

**Posted by: DryIce on October 17, 2005 at 10:42am**

Is this comment abusive? spam? [flag it]
Is this a test to your readers and commenters? How fun.

Well, here it goes. The difference between war and torture is the ultimate goal of the act itself and ethics. In the case of war we face a goal that is the sum of its parts, say battles or bombings. That is to say, by implementing a strategy we will achieve our goal. That could be the end or downfall of the Nazis or a transition to an independent Iraq. The basis for war is an ideology that many, including the leaders of the free world, have come to accept on an ethical basis. Generally, I would hope, this involves the acceptance of the cruelties that come with it. Now that is not to say there is no discretion. The war on terror has not involved the complete obliteration of Afghanistan, or any other country for that matter. Ultimately we can accept war because the positives outweigh the negatives, and we can justify this ethically. I support the U.S. effort in WWII, while realizing the atrocities at, say, The Bulge.

On to torture. Just as we would be willing to conduct war to serve a goal, we are not willing to impose torture to accomplish the same goal. This has absolutely nothing to do with whom gets hurt or how many lives are lost, that is not how we measure ethics. This is also my same basis for opposing the death penalty. It is setting a standard of what we can and cannot do, and standing by that standard regardless of the situation.

Now you proposed a proposterous and crude situation to prove a point, and I will now do the same. In order to save downtown Manhattan from a nuclear attack, I have the option of kidnapping a little girl. Will I set aside my own moral and ethical standards at their most basic levels to save many more lives? No I will not. Again, it is
not merely a question of the number of lives to be saved or the
degree of suffering that we use to measure our decisions, but
fundamental principles of morality and ethics.

I truly hope you understand this, as I believe you do. Your arguement
for the uses of torture seem quite weak. Truly, I would love to
elaborate on this further, but feel as if I have already taken up too
much time.

Posted by: Jesse on October 17, 2005 at 11:04am
Is this comment abusive? spam? [flag it]
Sam Harris:

Hello!

Sorry to be negative, but I must disagree with your position on
torture.

While I do appreciate the narrow circumstances at which you
approve of torture, your also said that no one has found a flaw in your
argument but I must submit that your argument is terribly flawed.

You outline a case for torture based on the "ticking time bomb
argument" which can be compelling, but is not based on reality. While
the idea that one, or hundreds, or thousands of lives can be saved by
simply getting that one person who is in custody to provide that one
bit of key information to talk about it can be a great plot device in
fictional books, movies, TV shows, and the like, I have yet to hear of
an actual case where such a thing has actually happened (if you
know of any, then please share the data with me).

For example, Israel has been using the "ticking time bomb argument"
for several years in order to justify the use of "moderate physical
pressure" to hundreds, and perhaps thousands of people it has
arrested (sometimes to the point of death), and yet there has not
ever been so much as one case where it has actually worked.
Instead, the use of the practice of torture shows just weak Israel
actually is, and I would expect similar results if the USA did such
First of all, the people doing the bombings are not fools. They know full well what could happen to them and their mission should they be caught so they try to arrange things in such a way that things will not be unduly impeded if they are caught and made to talk. They use code names, shuffle money around various accounts, encrypted messages, safe houses, learn languages, know how to use various weapons, cut outs, false identification papers, and on, and on, and on.

Second, if you look at history, you will see a real failure of torture in terms of stopping the actions of groups that are highly dedicated and smart. During World War II when thousands of Underground, OSS, and other saboteurs and spies were captured by the Germans, they were often tortured horribly and yet the torture did not save Germany from what these Agents were doing. And if torture did not help the Nazis, then I doubt that it would the USA either. >>By the way, I really hate it when guys like you make me compare the USA to Nazi Germany!

**Posted by: Crossbow on October 17, 2005 at 11:14am**

Is this comment abusive? spam? [flag it]
Are you censoring some people in this site? I posted several times and none of my posts show up. You have my e-mail and you can explain to me what is it that bothers you. By the way I agree with those that torture is degrading to us and those who are tortured and further it is ineffective. We must have the courage to be moral and ethical, if not, the whole endeavor is worthless.

**Posted by: rao on October 17, 2005 at 11:20am**

Is this comment abusive? spam? [flag it]
Logical flaws:
Based on your scenario with a ticking clock - the captured terrorist would know the timeline, and know that he would not have to hold out indefinitely against torture, only long enough for the bomb to go off, or the daughter to suffocate. Knowing when something painful will end,
gives most people the strength to carry on until the end.

You are trying to equate civilian casualties with torture on a moral level. Civilian casualties are not intentional harm - we make a substantial effort to avoid them; torture is nothing but intentional - the plan is to bring harm. Moral high ground is based in part on intent.

The biggest flaw that torture (even in exceptional cases) further erodes the safety of our fighting men and women should they be captured. If nothing else, a soldier knowing they will almost certainly be tortured if captured undermines their fighting capability.

**Posted by: Crankypants on October 17, 2005 at 11:24am**

Is this comment abusive? spam? [flag it]

Unfortunately, Mr Harris, the strawman situation you describe in your opening (and further into the article) does not cover the actual problem with torture. You assume, from the beginning, that any time we would consider using torture on someone, we already have perfect knowledge that that person actually _has_ information we need _and_ that we will recognize that information when we hear it. That does not appear to have been the case in any of the abuses described at Abu Ghraib, nor does it seem likely that would ever be the case outside of some hypothetical situation (or a bad movie).

As we have learned from testimony about Abu Ghraib, Gitmo, and other terrorist prisons in Iraq, Afghanistan, and elsewhere, we have _not_ been using torture to extract information from people we know are eminent threats to our security. In fact, from the recent statements given to Sen McCain by Army soldiers, it appears we have been using torture to allow our own troops to 'blow off steam'. I think we can all agree that such abuse, if true, is never acceptable.

But let's look deeper into the problem - I don't have the numbers in from of me, but I seem to recall the Army claiming to have something around 15,000 people in custody in Iraq, around 5,000 at Gitmo, and perhaps a couple thousand in Afghanistan (plus who-knows-how-many in various CIA safehouses around the globe). It's simply not believable that every one of those 20K+ people are active, dangerous
terrorists - some percentage are people who were in the wrong place at the wrong time and got picked up in the sweep. The major problem with torture in this context is that either a) we're assuming that _all_ of these prisoners have info we need, so it doesn't matter who we torture; or b) that torture can somehow be used to separate the innocent from the guilty.

While there may be some rare situations where torture would actually be effective in getting critical information in a timely manner, any defense of torture must also cover the responsibility for when (not if) it is used improperly.

**Posted by: legion on October 17, 2005 at 11:29am**
Is this comment abusive? spam? [flag it]
A scream equals the truth? Does extreme coercion give better intelligence than less extreme methods? The problem with the "ticking-bomb" scenario is the presumption torture forces the terrorist to QUICKLY divulge accurate information. Of all the actors in the scenario, only the terrorist knows the truth, and he/she has a powerful incentive to lie. A truthful response might stop the pain, but then again it might not...the interrogators have no way of immediately knowing if this a truthful response and might just assume it's a lie. On the other hand, feeding the torturer a plausible lie might stop the beating for a while and buy enough time for the bomb to go off. Nobody in the loop can be sure. The fatal flaw with torture is the bargaining cycle strongly tends to coach the terrorist to give a false answer the interrogator is predisposed to believe. In the end, torture is just a form of extra-judicial punishment. As one of the other responders said, just ask John McCain. Satisfying the short run perhaps, but counter productive in the long run.

**Posted by: rbenjamin on October 17, 2005 at 11:43am**
Is this comment abusive? spam? [flag it]
If we use torture then that means it is OK for others to use torture against our citizens. I can not agree this is the best course of action. It furthers the cycle of violence that we see with wars. More torture creates more torture, more wars creates more hatred and more wars. The US used to stand for being better than other countries because
we would not resort to such things (whether it is true in reality or not). This reduces us to third world country status, in my opinion.

**Posted by: fishy on October 17, 2005 at 11:56am**

Is this comment abusive? spam? [flag it]
Unfortunately, Mr. Harris, I feel you are right. But we must define what constitutes torture. Is it using a razor blade on testicles? Or is it something as simple as forcefeeding a devout Muslim a piece of bacon?

Your example of the ticking bomb, with the bomber having admitted to placing it, would certainly preclude any thoughts of morality. And I wouldn't feel real bad about it.

But the fiasco at Abu Ghraib doesn't seem to be anything but brutality. It doesn't seem to have anything to do with information gathering.

If we do have to rely on torture, it should be only in specific cases where the intelligence is irrefutable, not as a regular policy.

**Posted by: Melsar on October 17, 2005 at 12:10pm**

Is this comment abusive? spam? [flag it]

This would be an interesting conversation if we weren't embroiled in Iraq. The apparent truth that we are there because of a deception just makes the torture in our prisons even worse, even more despicable, adding insult to the injury our image and psyche are suffering because of the war.

Let's say Mohammad Atta was taken into custody before 9/11, was tortured and divulged the plot, which was then stopped. Who would complain? Not many. Perhaps a court would overturn any legal decision against Atta, and our judicial system would appear fair, although some would scream.

However, since that didn't happen and everything since did happen, who do we torture? Who does the torture? How can we determine who is torturable and who is not? I think abuse would be a given in those circumstances, and so it appears to be.

**Posted by: jackg44 on October 17, 2005 at 12:17pm**

Is this comment abusive? spam? [flag it]

Grover Norquist. The IARA. American funding of terrorists. Make the
connection, Mr. Harris and the fight against terrorism will have meaning. Your belief in torture to whatever extent is like Katie Couric, "eyes closed, war is ugly but we must do it..it's all we know." The world is what you make it.

**Posted by: hrayovac on October 17, 2005 at 12:21pm**

Philosophers have been studying this type of problem for a long time. You seem to be taking the position usually referred to as "consequentialist", in which the morality of an act is determined by its ultimate consequences, not by its innate character. There is also a whiff of utilitarianism ("the greatest good for the greatest number").

In spite of your demurral, all such analyses ultimately boil down to the efficacy of torture. In order to get the desired "good" result (e.g. the disarming, prior to detonation, of the nuclear bomb in Time Square), the torture must have first elicited the required information from the terrorist (the exact location of the bomb) in a timely manner. So, the various studies that appear to show that torture is not that effective in producing sound information do in fact impact the logical validity of your argument.

If an act (torture) is inherently immoral, that fact can be overridden by a more compelling "good" result only if the immoral act can be shown to lead directly to the good result. If it does not, then it is indefensible.

**Posted by: ChloeQ on October 17, 2005 at 12:24pm**

There are lots of reasons not to use torture:

1. It undermines discipline
2. It undermines morale
3. It reinforces misconceptions
4. You will make mistakes -- torture the wrong person and they and their family and friends will be your enemy and rightly!
5. Bad drives out good! Torture will take the place of competent investigation and interrogation.
First, I should start by mentioning a couple of things. One is that I am very liberal - at least that's what I have been told. The second is that not only do I agree with you about torture, I would take it even further. More on that in a moment.

To get to your question, though, it is very easy to find the problem with your argument. It's the same problem with using logic to argue that God doesn't exist (or does exist). If you believe strongly enough in something, then that's it. All the logic in the world is useless. Or we could construct a similarly logical argument that love doesn't really exist or appreciation of beauty in nature or in art. Whether or not it would convince you is irrelevant, such an argument could be constructed and hold up just as well as yours. Well, maybe you'd say I have a point - maybe love or God or appreciation of beauty don't really exist. If so, then I would respectfully say that we've reached an impasse of beliefs.

And that's what this is all about - belief. Many people believe that war is justified in some cases. But many also believe that having rules governing war is a way to reduce the horror that can come with war. Given the nature of war, violating these rules - even if it seems justified sometimes - will over time lead to far worse consequences that breaking them occasionally. It's the whole slippery slope argument. It's an easy argument to refute logically - but no easier that refuting yours, which I just have. Again, you may not agree that I have refuted it - if so, then I rest my case that this is really about belief not logic, because I am certain that I have.

The above - as I stated at the beginning - is what I actually believe. In fact I'd go one step further than you did. I do not believe there should be ANY rules or restrictions when it comes to war. War is horrible. It is used far more often that it should be (e.g. Iraq) both from a logical and a moral standpoint. I believe that our "rules" for war make it easier for us to wage it and therefore I think anything should go. Once we've decided that we are willing to kill certain people - in however qualified a manner - we should be as brutally efficient about it as we can possibly be.

Such an attitude, though, would result in far fewer wars. We would not have been in any wars since World War II. We couldn't be
peacekeeping or "defending" Kuwait or freeing the Afghanis from the Taliban (and giving them a former Texas oilman as a leader, although in his defense he was more successful than the Texas oilman who is our president). Because we'd know that we couldn't possibly get away with REALLY waging war with no holds barred.

**Posted by: edparrot on October 17, 2005 at 12:29pm**

Is this comment abusive? spam? [flag it]

Why is Arianna Huffington allowing these types of posts to appear on an ostensibly "liberal" website. Sam Harris is regurgitating Alan Dershowitz about a topic that should well neigh be discredited. Huffington, I'm sure disagrees with this post - and I understand presenting a variety of points of view - but by allowing advocacy of criminal behaviour, this goes beyond the pale. Yes, I am advocating censorship of racist, pro-torture types.

**Posted by: Jcummings on October 17, 2005 at 12:43pm**

Is this comment abusive? spam? [flag it]


I doubt that I am alone.

**Posted by: Ghugly on October 17, 2005 at 01:18pm**

Is this comment abusive? spam? [flag it]

Here's where I began to disagree with your book, Sam. While you made some interesting points, I couldn't follow you to your conclusion. It left me wondering when "The End Justifies the Means" became acceptable again.

**Posted by: donnad on October 17, 2005 at 01:22pm**

Is this comment abusive? spam? [flag it]

The flaw in your argument is simply that you are basing the morality of torture on a comparison to the morality of collateral damage in modern warfare. It is a comparison of apples and oranges. Why not make a comparison between negligent manslaughter and 1st degree
murder? Both result in death and the odds are that the negligent manslaughter may result in more gruesome details than the intended murder. But we don't hold them to be even remotely equivalent in moral terms because of the absence of intent in one set of circumstances and the over arching importance of that intent in the second set of circumstances.

Collateral damage is, of course, an inevitable result of warfare, but that does not mean it is an intended result. If it is intended it is called a war crime and people are punished for it. Torture is always, by any definition I know of, an intended action. You don't accidentally torture someone. So your argument, while it may be good for organic gardens, doesn't really hold water.

The inevitability of collateral damage is why civilized nations do not engage in pre-emptive wars of choice and why the United States has surrendered any claim to being a civilized nation (at least till the next election).

On a more practical level, torture is outlawed by international treaty, a treaty that we have signed onto and Congress has passed implementing legislation for. Any argument for torture has to take into account the fact that our engaging in torture as a matter of national policy would put us in direct conflict with our international obligations. I don't think our international standing can take any more hits right now.

**Posted by: Majun on October 17, 2005 at 01:45pm**

Is this comment abusive? spam? [flag it]

Interesting crazy argument you have here bud. Someone's acting like an serial killer therefore, its ok for me to act like an insane serial killer.

Yup that about sums up the moronic intellectual reasoning of Bush supporters, "They did it first!"

**Posted by: alexande on October 17, 2005 at 01:54pm**

Is this comment abusive? spam? [flag it]

And if you should torture the WRONG PERSON or some nut job
seeking publicity, will you still feel morally superior and god-like, or will you have sacrificed your soul for nothing? Do you even care?

**Posted by: bill3arnett on October 17, 2005 at 01:54pm**

Is this comment abusive? spam? [flag it]

Here is the flaw in your argument: you are making the same assumption as the far right, that our side is Good and the other side is Evil. That everything we attempt to do, all the information we attempt to get, is for the betterment of mankind, while the other side works only for the detriment of mankind. This sort of assumption has led to the worst atrocities of human history.

Your examples are ridiculous in their clarity and of course the person-in-charge would break the law and start torturing... but that doesn't mean there should not be a law to break!

To use your morally questionable method of counting lives, the United States has killed more Islamic citizens than Islamic terrorists have killed United States citizens. More lives could have been saved by torturing Bush than Bin Laden, but I am against torturing either. It's just no way for humans to interact with each other.

If strong, decisive, well-informed people decided to torture the RIGHT people at the RIGHT times to avoid terrorist attacks, I bet it never would have made it to the press, and if it did, it wouldn't be the scandal that it is. But that only happens on TV. And in your thought experiments, which are suspiciously similar.

**Posted by: posthumous on October 17, 2005 at 02:32pm**

Is this comment abusive? spam? [flag it]

to HereComesEverybody...

in defense of sam's argument, i'll paraphrase your retort with a small substitution... see if you can spot what you overlooked...

1. Your scenario is absurd. If you could name one actual historic case where killing innocent men, women and children was necessary, an impossible thought-experiment wouldn't be needed. But you can't.
2. killing innocent men, women and children doesn't work. It produces a resentment, creates more enemies and negates our supposed morality.

Collateral damage is so personally removed to some people they will go to astonishing lengths to rationalize it.

3. Killing innocent men, women and children is immoral. Instead of elaborately justifying the commission of immoral acts, why not use your intellectual energy to think of alternatives?

if you're a pacifist, say it.
if you don't believe in war, say that.
but in war it is ludicrous to split-hairs between the immorality of torture and the immorality of "accidentally" killing innocents.

Posted by: bajesus on October 17, 2005 at 03:12pm
Is this comment abusive? spam? [flag it]
Sam Harris may be one of the few who argue in print that torture may be a necessity, but justified torture is a common theme in popular culture. How many times have we watched a television episode or film where the hero confronts the bad guy and obtains crucial information by beating the hell out of him? The scenario usually goes like this: The hero (Arnold, Bruce, Sylvester, etc.) tells the bad guy, “You lousy so-and-so, what have you done with (my wife, my daughter, my sympathetic sidekick, the school bus full of kids, etc.)?” The hero beats the information out of the despicable villain, who gives up the goods in time for the hero to save the day at the climax—and the audience cheers! We may not like to talk about torture in civil discourse, by our mass media overwhelmingly condones it.

Posted by: tjs on October 17, 2005 at 03:33pm
Is this comment abusive? spam? [flag it]
Ghugly - that's an unfair position. It is easy to be "against" things that you have no chance of dealing with. If you want to take a meaningful position on torture, you must be able to follow your position when it comes to YOUR child or YOUR revenge. If you admit that you would
do something you do not approve of, it is an understandable, acceptable and all to human a weakness. But it is not an acceptable basis for policy discussion. Because if you are faced with a scowling madman in shackles and a vision of a nuke in Central Park, it is too late to figure out what the right thing to do is - your animal instincts take over far too quickly.

Kudos to Sam for speaking about the unspeakable. I myself think that torture is ugly, hard to justify and ultimately not very useful. However, so is war. Sam's parallel is correct. However, while everyone knows war is ugly but sometimes necessary, the opinion varies with regard to torture. I think that the same approach to torture and war would be warranted - it is a tool of last resort that must be applied VERY sparingly and with the full understanding of its gravity.

Unfortunately, the current administration is a compelling argument against sanctioning torture, or for that matter war. They cannot be trusted to execute any kind of restraint or judiciousness. There is no good argument for trusting them with anything, much less things as grave as war and torture. With the current crew in charge, there is no good answer to any serious question.

**Posted by: mgoltsman on October 17, 2005 at 04:06pm**

Is this comment abusive? spam? [flag it]

Sam Harris' entire argument hinges on the idea that if we accept collateral damage even though it is bad, then we must accept torture even though it is bad. He thus invokes the logical fallacy of false analogy. Whether one bad thing (war? abortion? psoriasis?) is acceptable has nothing to do with whether another bad thing (cancer? racism? Geraldo?) is also acceptable. Some of the other posters, notably rbenjamin, effectively take apart his argument for torture, but the method of his argument is flawed in any case.

**Posted by: ErisDiscordia on October 17, 2005 at 04:06pm**

Is this comment abusive? spam? [flag it]

It would be a matter of understatement to declare that people in this world suffer. However, certain atheists have implied, in developing propositions for their conclusions, that if God actually were to exist He
would be “evil” for permitting suffering. So, as evil is a moral concept, and suffering is evil (especially at the hands of another), then torture is immoral. Can an immoral or evil act be justified for its utility? If it can, a pious devotion to God can be too. In fact, if a zealot of Islam finds justification in the immoral act of the murder and maiming of scores of innocent victims, isn't he or she sanctioned by your logic, if it serves the greater good for Islam?

**Posted by: Hector on October 17, 2005 at 04:07pm**

Is this comment abusive? spam? [flag it]

Sam,

Your last paragraph says it all. "We" are unwilling to drop bombs, shoot guns, and torture just because the current administration drank the neo-con kool aid. "We", the people had no say in how our military was used in this farcical war. You want to find a real moral argument for torture, then maybe you should find us a real enemy, like say, Al Quaida. You say that Abu Ghraib set the US back in world politics. It never should have happened. And it never would have had not Rumsfeld wanted it to. Did you forget about the Gonzales memo? You make me sick.

**Posted by: smootybooty on October 17, 2005 at 04:15pm**

Is this comment abusive? spam? [flag it]

Sam, nobody says you can't promote the use of torture; you absolutely can. By using the most heinous example of its limitations, feel free to identically argue against Miranda laws, search warrants and freedom of speech. Its one of the benefits of a free society; you may argue as loud as you want.

All we ask in return is that you don't actually torture anybody. Otherwise, we'll have to put you in jail. Sorry for the inconvenience.

**Posted by: BCB on October 17, 2005 at 04:18pm**

Is this comment abusive? spam? [flag it]

FALSE CHOICES. I'm not against torture, but it does not work. may i remind you that we have built an entire religion on a famous jew that "civilized society" tortured to death. torture only works in fantasy
movies of bad guys good, the new version of cowboys and indians. will the ticking bomb happen, probably, but we are going to need better strategies than torture. what we are doing now seems to only create more radicals. these guys are tough beyond belief. remember they are suicidal and, not just a little crazy. we shold probably hire real smart law enforcement and watch more csi.

**Posted by: jule on October 17, 2005 at 04:22pm**

Is this comment abusive? spam? [flag it]

Here is another example of someone writing about something he "knows" nothing about. He just "feels" and "believes."

Like so many others, the author dreams up some crazy doomsday scenario played out every week by Keifer Southerland. Is the author an authority on law enforcement, intellegence, interrogation techniques, criminal justice, torture, strategy, tactics, psychology, psychiatry? I have never read an account from an expert that torture is reliable. I have read many acounts from experts stating that torture is an unreliable means of gaining intellegence. Turn off the fucking TV!

**Posted by: Jmass on October 17, 2005 at 04:41pm**

Is this comment abusive? spam? [flag it]

Those who seek to defend torture offer, again and again, the hypothetical circumstances under which torture would be morally justified: "a known terrorist has planted a bomb in the heart of a nearby city". The problem with this scenario, however, is that it assumes certainty with respect to critical information - the suspect's criminal history, the existence of a bomb, the suspect's knowledge of the location of the bomb - when in reality such information is fundamentally uncertain.

When the hypothetical is restated in a manner that reflects this uncertainty, it becomes obvious that torture can have no role in legitimate information-gathering: "A man whom the authorities suspect may be a terrorist, but lack sufficient evidence to convict, is rumored to have planted a bomb in a nearby city. The existence of the bomb cannot be confirmed by reliable sources. The authorities take the man into custody." If he then denies that he is involved with any bomb plot, is it useful to torture him until we extract a (likely false)
confession? Obviously not. This is why the unreliability of information obtained by torture should not be so lightly dismissed (or the presumption of innocence so casually discarded); if the information obtained by torture cannot be independently confirmed, it is essentially useless. If it can be independently confirmed, torture was not needed to obtain it.

Even the suspect's confession does not remedy this problem. If the suspect confesses having planted a bomb and reveals its location, torture is obviously not required. If the suspect confesses to having planted a bomb but refuses to reveal its location, and is thereupon tortured, the only way of knowing whether his confession was truthful is to locate the bomb, which will be impossible if he is lying about having planted it. If his "confession" was coerced, or if he is mentally ill, or his confession consisted of nothing more of an overheard boast, we have no option except to torture him to death, since his denials will not be believed.

**Posted by: KitWint on October 17, 2005 at 05:01pm**
Is this comment abusive? spam? [flag it]
Saying that torture doesn't work doesn't refute the argument. It might not be likely to work, but it could work. In a ticking-bomb scenario, the torturers would be seeking a specific piece of information, and would be able to verify within minutes if it was obtained.

**Posted by: hooah on October 17, 2005 at 05:18pm**
Is this comment abusive? spam? [flag it]
I tend to agree with the people who say torture does not work. Why should anyone be honest with you because you're torturing them? It has to be used with a well thought out brainwashing program to be effective and then it's not that effective as an information extraction tool.

Better options would be brain scanning and brain surgery.

According to this site:
http://news.scotsman.com/scitech.cfm?id=1975472005
"BRAIN imaging techniques that can reveal when a person is lying are now reliable enough to identify criminals with near faultless
accuracy."

Here's another:
http://www.newscientist.com/article.ns?id=dn1543

Posted by: NormDoering on October 17, 2005 at 05:35pm
Is this comment abusive? spam? [flag it]
FALSE CHOICES. the time would be better spent on simple police work. i'm not against torture, but it is a waste of time and rarely, if ever, works. it only works in fantasy movies where the good guy always wins. it is the new version of cowboys and indians. these people, that you are going to torture, are suicidal and they are tough beyond belief. go ahead with your torture strategy, but i would remind you of a famous jew that civilized society tortured, and we have built an entire religion around the fact of his torture. will the ticking bomb happen, probably, but we need better strategies in place to find it. we had better watch more csi. we should also try and devote a little time to try and understand what makes these people tick. what we are doing now only seems to create more of them.

Posted by: jule on October 17, 2005 at 05:39pm
Is this comment abusive? spam? [flag it]
Others have addressed my main points; I'm sure Himmler and Beria felt perfectly justified in torturing people they felt to be enemies of the state, but in theory the United States is a more ethical and moral country than Nazi Germany or Soviet Russia. We should not resort to their tactics after spending so much blood and treasure defeating them.

The answer to the "ticking bomb" problem is to deny the premise. Why was the bomb not discovered before it was planted? Why were the terrorists not stopped before they got on the planes? Once the bomb is planted or the planes are taken, it's too late. But there is plenty of time and opportunity to disrupt the operations; the foiling of the Millenium bomb plots demonstrated this. You have constructed elaborate hypotheticals to set up situations where reasonable people might see torture as acceptable; but I challenge your assumptions. Torture is not some academic exercise in "but what if"; we cannot
tolerate torture of human beings in any situation and yet claim to be the world defender of human rights. It is hypocrisy on its face.

**Posted by: liberalrob on October 17, 2005 at 05:42pm**

Is this comment abusive? spam? [flag it]

I admire your courage to take such a stand, but its pointless. Even forgetting the fact that America is no longer America when it employees the evil ways of evil regimes and mass movements, those who really are the experts at interrogation say that torture is a useless technique for extracting meaningful info—a tortured man will tell your anything he thinks you want to hear. And do you real believe that if Senator John McCain, one who has experience torture up close and personal, thought torture was of any value he would have been trying so hard to put a stop to such medieval methods?

**Posted by: Cactusjim on October 17, 2005 at 07:32pm**

Is this comment abusive? spam? [flag it]

Human morality is impossible to derive from reason alone, as it is rarely a product of reason. Should we take actions that harm an individual, only to cause less harm to a larger group of people? In retrospect, would assasinating president Bush have prevented the war in Iraq and thus a great number of unnecessary deaths many people saw would come to be while the war was but an idea? No. What the fundamentalists believe is that no man is not fit to rule, that ultimate truth comes from god(s), and that those closest to god should be his representatives on this earth. They are not above torture or slaughter.

Modern democracy, on the other side, stands for a different set of principles: that every man should have some basic, unalienable rights, as exemplified by the UN declaration of human rights. The war on terror is primarily a culture war, and if we start claiming that victory in such a war requires us to abandon our core beliefs, the fundamentalists have already won. Our laws exist to protect every individual. Every man must have the right to a just process, and should be considered innocent until proven guilty. Imagine an Islamist that knows only that there will be a bomb in say, Bruxelles, but has no idea where, and knows no faces or names of people that could know more. Do we trust him? Or do we torture him, just in case, because
the possible benefits outweigh the risks? If our society, based on fairness and justice as we understand these concepts, is unable to deal with fundamentalist threat without resorting to torture, then we are nothing more than barbarians, too.

What the problem boils down to is that I do not like the implications of giving a person or a group of persons, whether voted for or appointed in any other "democratic" manner, the ultimate right to revoke any person's basic human rights without due process, which would be impossible with the time constrains you mention in your example. This, to me, is not something we wish to approve and be remembered for. The best method to prevent a government from torturing anyone is to prevent the government from ever having the power to torture, otherwise we provide the government with almost limitless capacity to cause harm, if the control system ever goes out of control.

Sorry for going on for this long, but I live in a country where, not so long ago, it was almost normal to torture people if they were "enemies of the state" and refusing to admit. I would oppose any attempt to legalise torture, as harm that it could cause over a longer time period is very comparable to terrorism.

**Posted by: Fischer on October 17, 2005 at 07:39pm**

Is this comment abusive? spam? [flag it]

Guess what? We should be unwilling to wage modern war. Why should be be "willing" to wage it? One of the arguments against torture is that torturers don't tell you the truth. They tell you what you want to hear. So in all of your hypotheticals, you would not necessarily be getting the information that would save all those little girls. You might be being sent on a wild goose chase. A suicide bomber wouldn't necessarily come clean under torture. And if the bomb did go off, any confession would be tainted by the methods used to procure it. You have to uphold a system of laws or you have to give it up. There is no middle ground, no matter what sort of emotional blackmail you use. No one is less human that anyone else, and therefore less deserving of being treated lawfully. Every hypothetical you cite is full of unexamined assumptions, therefore useless as a way of actually gauging how to act. The fact is, there are those who are willing to torture and those who aren't. No arguments
based on reason are going to persuade either side to change. That's why you begin with arguments based on emotion. But, being based on emotion, they aren't really arguments. They are appeals.

**Posted by: Jane on October 17, 2005 at 07:44pm**
Is this comment abusive? spam? [flag it]
Can I imagine a situation in which torture would be morally justifiable? Of course.

Do I think torture should ever become a routine part of our government's actions? Absolutely not. As HereComesEverybody basically said, the fact that Mr. Harris is using unlikely hypothetical situations rather than historical examples speaks volumes.

But I will say that I agree with Mr. Harris insofar as it would be wrong to categorically condemn torture. It's not completely unfeasible that a situation *could* arise in which torture truly was the best course of action. It would be wrong to mistake this ethically complex issue for a simple one, which is just what many who categorically condemn torture seem to be doing.

**Posted by: Aguagon on October 17, 2005 at 08:07pm**
Is this comment abusive? spam? [flag it]
Rather than construct an argument against torture now, I'll ask the author, is he willing to say torture of his side's troops or people by the other side is ok, too, by the same rules?

Is he willing to say his brother can be tortured by the other side if there's a 'one in a million chance' it'll help save enemy lives, as he sets the bar for Sheik Mohammed?

Is he willing to put this into a treaty, similar to the Geneva convention, which says that any side can use torture for the reason he argues?

If he isn't willing to do all of the above, he hasn't made the argument.

**Posted by: Craig234 on October 17, 2005 at 08:39pm**
Sam,

I would like to refer you to your previous posts because I think there you do a wonderful job of describing the type of person who would endure torture while the bomb ticks down to zero.

I enjoy your writings but this is one hefty thought experiment. On that note I would have to agree with Ghugly (you are definitely not alone).

**Posted by: Trevor on October 17, 2005 at 08:44pm**

You're a joke, Harris.

Ayman al-Zawahiri was subjected to years of brutal detention and torture in Egypt. It didn't break him. It made him more angry, and taught him how to resist torture, practical knowledge he passed along to the trainees in Qaeda's camps. His post-prison career proves that torture did not deter him. (Besides, at the time of his imprisonment his ilk had already achieved one of their primary goals: the killing of Sadat.) No, the other commentators are entirely right. Torture is as likely to produce bad intelligence as good, even with the use of drugs, and the doomsday scenario is a fantasy. A prisoner with knowledge of such an imminent event would likely be a true believer, and have every reason to keep his or her mouth shut.

You claim to be one of the few torture advocates to publicly own such sentiment. You want to be recognized for your forthrightness and intellectual bravery, but I've no doubt that you'd be more comfortable if someone else pushed the prisoner's head under water, or drove the drill bit through the kneecap.

Get the hell out of my country.

**Posted by: Clem on October 17, 2005 at 09:06pm**

I agree with muggles. Mr. Harris must come out more transparently on this topic. Most people I heard from say that torture does not work.
It is more like sadistic revenge, almost tribal.

**Posted by: rao on October 17, 2005 at 09:15pm**
Is this comment abusive? spam? [flag it]
A: As pointed out above, there is no assurance that torture will elicit an accurate answer.
B: With reference to the bombing of Dresden, that could have been done by my older cousin, or brother if I had one; in any case, whoever it was should have been ashamed, since Dresden had no military association, and the bombing was done as vengeance for Coventry, which is not an acceptable rationale.

**Posted by: Rob on October 17, 2005 at 09:28pm**
Is this comment abusive? spam? [flag it]
Only one problem: Torture doesn't work. Under torture the torturee will say anything to get it to stop, and most likely that will be a lie. Experts on the subject have established this.

In WWII, we learned that treating prisoners well gets lots more information out of them.

Oh, and there are other problems. We use torture and we no longer occupy the moral high ground.

And torture puts our own people in the field at risk. We use torture, and that gives an enemy more incentive to use torture.

Even if an enemy uses torture, why should we let THEM set the terms of our own behavior?

Torture is just stupid behavior. It is not what America is supposed to be about.

I am appalled that such as position can be seriously argued by any thinking person. There is nothing in this article that posits any reasonable argument for torture. The author needs to take a college course in logic.
Newsguy

Sam: nonsense. I know an alcoholic who spent some time during his early years of sobriety imagining scenarios in which it would be OK to drink. Example: The nuclear bomb is headed right at us, there is no hope, we're all going to die anyway. Or, he was told by his doctors that he only he one month to live. The problem was that because he entertained the possibility that there was some scenario, although extremely far-fetched, in which it would be OK to drink - eventually the scenarios became less far-fetched, and he did drink. When he got sober again - after another 6 months of drinking and misery - he realized he had been playing mindgames with himself, always leaving himself that opening to drink, rather than making the commitment that he would never drink again. We do not need smart people like you coming up with the rationalization for this government and so many others to use in justifying their torture of human beings. Make the commitment that it is wrong, stop the mind games, and walk away from it.

NABNYC

OK, so torture's AOK, in appropriate circumstances.

I would like to expand the class of torturees to include Lewis Libby, Judy Miller, Karl Rove, Dick Cheney et al. On CSPAN.

After all, their collusion led to the needless deaths of over 100,000 Iraqis, most of them more innocent than Bambi of the terrorism we are apparently fighting. Oh and a few Americans have bought the farm based on a pack of lies too, just as an afterthought.

Surely some bamboo under the fingernails is warranted in an effort to (a) find out how their dirty work was done, so that (b) it can't happen again. I would also point out that (c) their cack-handed skulduggery has greatly increased Americans' (and especially their children's) exposure to (1) terrorism and (2) economic disaster.

How about it Sam?
What contrasts the innocent victim of armed combat and the tortured terrorist or antagonist is the understanding that collateral damage is unintended and the torture of an individual is fully intended. If the waging of war is a meting of justice, with the understanding that collateral damage is inevitable, the understanding of it is an appreciation for the vagaries of war. A just war, by virtue of moral imperative seeks to minimize collateral damage, or even eliminate it if possible. Is it an act of justice to willingly torture a select, suspected terrorist or villain? Is there moral justification for torture if it ‘may’ elicit a productive response? If we are to imagine the paraplegic child, permanently and unintentionally incapacitated by an errant missile, are we to suppose that the child’s misfortune is strictly the fault of the pilot that fired the missile? Or is the General that authorized the combat mission to blame? Does the Commander-n-Chief bear the ultimate responsibility? Maybe it’s the nation that sanctions the conflict? Is it possible, however, that the child’s misfortune is a consequential action of the bellicose tyrant or inimical polity, to which the child is subordinate, that warranted the action against itself? If moral culpability is an issue in this scenario it is the offender of justice that bears the weight, not the arbiter or avenger. This being the case, it is not plausible to attach a moral imperative to torture based on the meting of justice for violations against sovereigns. Since torture is a deliberate act of violence directed against a targeted individual, in violation of the will and with a disregard for fundamentally inherent rights, it is a morally corrupt activity. If the torture of an individual must be weighed against the prevention of an anticipated tragedy of equal or greater weight, then the results of the torture must be guaranteed before its generation, if it is to be a simple measure of utility. Otherwise the act of torture is arbitrary and dubious in its various methodologies, rendering it morally objectionable. And considering the vicissitudes of the human anatomy and the psyche, it’s extremely unlikely that torture will ever be an infallible and meritoriously productive tool that would serve the greater good of humanity.
Posted by: Hector on October 18, 2005 at 12:03am
Is this comment abusive? spam? [flag it]
Sam,
You are either doing research or you still and allot to learn. (I think it's the former)

First the questions, not good ones although I understand them. Philosophy is filled with bad or should I say pseudo-logic. If you ask questions, that are formed in a way to create a likely outcome, (like in pad polling questions) it is junk. It's a manipulation. Logic is a science of reasoning. You have eliminate the junk.

Anyway you asked to be brought over to the side of reason, here's your chance.

It is about you, your moral compass, virtue has to be your magnetic north, or you shall lose your way. It is never about the other guy, just you.

Now pick one?

P.S. I would like to know, should you find the time.

Posted by: dapper on October 18, 2005 at 12:57am
Is this comment abusive? spam? [flag it]
Obviously, Mr. Harris' essay conveys a strong sentiment that is contrary to the gut feelings of most people. When I read the same idea in his book, I felt that it was reasonable in concept but difficult to determine in practice when a particular character could meet the criteria for justifiable torture. Still, I was hoping to read here a comment where someone was able to refute his position, but from what I've read so far, none have actually done it, or come close.

Posted by: Bobolink on October 18, 2005 at 01:20am
Is this comment abusive? spam? [flag it]
In-defense of torture

The world is what we make it.
If Sam wants to live in a world where torture is OK, then he is willing to someday be traveling in, say Europe, and to be suddenly abducted and blindfolded, and told he knows of a terror plot, because they know he knows. How about gasoline boarding instead of water boarding?

Forget innocence or guilt, his policy is that is OK.

Some people think America’s greatness comes from it’s prowess – the Nazi syndrome. America’s greatness has come from people who have been beaten down, but stood up for what cannot be taken from them, their dignity, their freedom. And that is by no means patent or copyright of America. In fact that has been happening since before Jesus.

If Sam thinks modern warfare must go hand in hand with justification of torture, then maybe he can find salvation. Because modern warfare is torture. War is Hell. Solving problems by creating Hell is Hell.

Imagine a US Peace Department. Dedicated with the same budget as the DoD to determine truth and solutions. I’ll enlist as a private, or serve as a general. You can bet there would be a volunteer force far superior in numbers and capability to the current services.

Imagine, at the outset of WWII, mobilizing the U.S.P.D. troops and flooding Hitler’s Germany with educated, caring, loving, in-your-face-non-violent, parents, professionals, artists, grandparents, youth, saying “you may not do this, and if you do, you have to do it through me”.

It’s a flawed scenario, because if we were really that more dedicated to justice and less to Hell, Hitler would not have happened in the first place.

At the trajectory this administration has taken, I feel that my, or my daughter, being abducted and tortured is more and more a plausible
part of my future.

**Posted by: dmx on October 18, 2005 at 02:14am**

Is this comment abusive? spam? [flag it]

Dear Sam

I for one refuse to dignify your defense of torture. Arguments based on reason, logic and common decency are pointless against such amoral depravity. And well you know it.

**Posted by: Jesper on October 18, 2005 at 03:34am**

Is this comment abusive? spam? [flag it]

This article relates to how we have failed as a society. We should expect that the higher the authority that is granted the higher the accountability and moral standard should be. If we are giving a group of people the authority to incarcerate others, the burden of proof and the care of those individuals who had their freedoms taken away should be of the highest standard. If we are giving a group of people the right to wage war on another society, the burden of proof should be even higher and the standards to care for that society and rebuild them should be at the highest of levels. I have never understood how Americans who are noble in their domestic dealings and in demanding the rule of law, can not demand the same high standards when invading a foreign country. This illegal, optional, war of aggression has seen the complete break down of international law at the hands of the Americans. We are better than that as a people. Let’s please show the world that we hold high standards of proof, and consequences for our leadership for lack of, by holding war crime trials for the people that let us down and abused the power vested to them by US. If we had done this with Johnson, Kissinger and Macnamara after they killed 3,000,000 of our fellow brothers and sisters in Vietnam, we might not be in Iraq today. We hold the rule of law in high esteem in our society for a reason. Because great power should have great ideals and responsibility. Allowing the killing, suffering and torture of a nation to happen for the profits of a few multi-national corporations is criminal. To allow it to go unanswered, without any accountability or punishment for those who sold out the American ideals of the rule of law and transparency in government, is
the end of our society as a beacon of hope to the world. Let's demand accountability.

**Posted by: orlando on October 18, 2005 at 10:27am**

Is this comment abusive? spam? [flag it]

If you feel morally justified to break the law, then be an adult and accept the consequences of your actions!

These escalating hypotheses that supporters of the use of torture love to use in their arguments, such as the "ticking bomb" scenario, can certainly be convincing as moral grounds for an individual to agree that torture is justifiable, but they are beside the point. We can all envision situations in which we could justify the use of torture to ourselves and probably others. But the issue is whether the use of torture should ever be explicitly sanctioned by our government and to that, the answer must be a resounding "NO!" There is not now, never has been and never will be a government that is competent to pass a law that can make such a moral distinction.

Have you ever heard the phrase "No jury in the world would convict me"? That phrase pops up when someone finds they are in a situation in which they feel they must take an action that they know is against the law, but if any group of their peers heard the details of the situation, they would agree that the action was justified and would either acquit or would recommend light punishment. Certainly these "ticking bomb" scenarios fall into this category. If a person feels that a criminal act is morally justifiable, then they should be willing to be judged by their peers.

If a person murders someone you love in the most gruesome and sadistic manner conceivable (feel free to escalate this scenario to whatever extremes you can imagine, as the "ticking bomb" people do), then you track down and kill them, is this a valid argument for the government to pass a law that legalizes vigilantism? If you were driving a pregnant woman in labor to the hospital, would you feel restrained by speed limits? Most people would say no, but I can't believe that anyone would agree that the government should make speeding legal if you are driving a pregnant woman.
If any of these scenarios ever come up, then you should be willing to stand up and face the consequences of breaking the law and submit to the judgement of your peers. All these scenarios demonstrate is that there are situations that people can conceivably be in where they would be willing to break the law to pursue what they believe to be the greater good. If your cause is so morally justifiable, then why would you need the blessing of the government to take remedial action? If you feel your actions are justifiable in court, then be an adult and accept the consequences of your actions. Don't try to get the government to justify it for you.

**Posted by: therealbulldog on October 19, 2005 at 08:25am**

Is this comment abusive? spam? [flag it]

The problem with rationality is - where to draw the line.

In my opinion, Gandhi was not a good politician but his views were not practical enough to face the big bad world.

Coming to the case of torture, you seem to have overlooked, as some commentators have pointed out, the need of torture.

You seem to steer our minds by using a few hypothetical cases and getting to a conclusion based on those cases.

Let me draw a hypothetical case for you:

Your close family, kids, wife, friends, neighbors are captives of some terrorist organization. They send you a video of someone being decapitated.

Since, torture is justified in your argument, this hypothetical case is justified as well. Then we can go on and say, rape of one or more of those captives is also justified.

So, where do you draw the line? You are giving a reason for those terrorists to carry on with what they are doing. And this, perhaps, is one of the reasons why more n more people are joining them. And,
also, then by your argument, a terrorist can clearly justify 9/11 and win an argument against you.

For me, flattening out an entire town/city is much much worse than torturing a "known" terrorist etc. Imagine how many more terrorists-who are willing to kill, rape and blow themselves up - are growing because of Bush's "crusade"!

Any rational mind would wonder when all this would come to an end, if at all it does.

Weakest link in your argument: juxtaposition of torture with "collateral damage", assuming that we "know" a person is from Al Qaeda e.g.

Collateral damage is NOT the best way of "modern war", IF at all a country MUST go at war (with a weaker country [war on terror is BS] - isn't it Sam?). There was no "collateral damage" in cold war days. Why? Because Soviet Union was an equal at that time.

**Posted by: vikas on October 20, 2005 at 06:05pm**
Is this comment abusive? spam? [flag it]
This whole discussion is academic, as torture simply doesn't work, as even the CIA director has admitted. If you torture someone enough, he'll admit he was behind the Nazi attack on Poland. That just doesn't make it so.

**Posted by: jackdav on October 21, 2005 at 01:53am**
Is this comment abusive? spam? [flag it]
Now, what do you have to say about "body burning', Sam? I bet those soldiers can give a "good" reasoning. So, does their reasoning make the act acceptable? Their friend or someone's brother .. must've gotten killed in action or some close friends'/brothers' body must've been burnt just like that. For those guys, its perfectly fine. Now, 100 Iraqis would want revenge. Where does it stop?

Just like I said - It's hard for just rationality to create limits. And that's where religion used to work. Nowadays, it doesn't, however, in many
cases - not all.

**Posted by: vikas on October 21, 2005 at 07:53pm**
Is this comment abusive? spam? [flag it]
The problem with the principled morality against Torture is the same problem that exists with dogmatic principles in general. Few, if any, principles of morality, though virtuous over a broad spectrum of human behavior, hold up rationally in extreme cases. The problem being the binary good or bad, right or wrong, black or white with no shades of grey, linear thinking fostered by religious dogma, e.g., if a little is good, more must be better and if it's right most of the time, declare it to be right all the time. I suspect the latter dogmatic practice was instilled so as not to confuse the masses with having to navigate slippery slopes of rational reasoning at the extremes. It would appear that both governmental laws and religious dogma have conditioned the bulk of our population to this kind of linear thinking.

I also take exception to the frequently stated assertion that torture doesn't work, because the tortured will eventually tell you what ever it is they think you want to hear in order to relieve the torture. Therefore it makes what they say totally unreliable. I agree that if the torture is intended to solicit a confession, most anyone would confess to most anything when subjected to sufficient torture. Therefore it makes no sense to apply torture to obtain a confession. When it comes to extracting useful information (not confessions), the tortured person would very likely try to make up what ever it was they thought you want to hear, if they didn't possess the real information. But, NOT if they did possess the real information, because it would be subject to corroboration and they would eventually realize that the real information was the only way they'd get relief.

I think we may be focused on the wrong part of the issue. I'm not terribly disturbed by the kind of abusive (humiliating) interrogation that's been reported. But, I am concerned about which detainees are being subjected to this kind of interrogation. For a brief essay along this line, see: http://www.proaxis.com/~randau2/singles/terror.htm

**Posted by: randau on October 22, 2005 at 06:52pm**
I've come to this article rather late. But, after reading the article and some of the comments, I've come to the conclusion that there's been a lot of misinterpretation and misrepresentation of the article.

Promoting the General Use of Torture:
It seems like most of the negative comments are based on beating up a "straw-man" of their own creation. The straw-man being that Sam Harris is advocating the general acceptance of torture as a means of interrogation. I don't believe Sam has said or implied that should be the case. His article merely points out that it is not out of the question in extreme cases that may warrant it. So, let's not waste a lot of print space and readers time with straw-man arguments celebrating the obvious about why we shouldn't accept torture as a general interrogation practice or have any laws that do so.

It would be more useful to discuss how laws could be written to protect against indiscriminate use of torture. Say, by requiring a court issued civilian or military warrant defining and limiting the degree of interrogation within the bounds of torture for each individual case in which such a request was granted.

Motivating Our Enemies to Torture Us:
When it comes to Islamic terrorists, I seriously doubt that our treatment of them would make any difference in their religiously indoctrinated malicious treatment of the infidels of modernity. Does anyone really think civil treatment of incarcerated terrorists would produce similar treatment by those beheading Islamic fanatics. If so, what motivated them to cut off their captives heads in the first place?

Support of the Neo-con Bush Administration:
There were some comments accusing Sam of writing articles in support of the neo-con Bush administration. I think they misinterpret Sam's animosity toward religion in general and Islam in particular as support for the Bush administration's actions. Especially not so with respect to using the war on Iraq as a pretext to the war on terrorism.

Posted by: randau on October 23, 2005 at 06:36pm
Is this comment abusive? spam? [flag it]
Shouldn't the topic be "In Defense of Getting Information"? Torture brings up a self-satisfying, if collateral, sense of revenge. If truth serum, if there is such a thing, is more reliable, then that is the right answer.

Of course, everyone wants to prevent the harm to innocents. This issue is, as is clearly understood and presented in the Geneva conventions, the miscarriage of justice on innocent suspects, which can lead to dismantling of any kind of mutual respect among people.

Your "life boat" style proposed situation is an examination of a limiting case. They virtually never happen.

Posted by: jcmoore99 on October 26, 2005 at 02:52am
Is this comment abusive? spam? [flag it]
Oh my little goosestepper, you had me fooled but no more. If you ask derr Fuhrer nicely I'm sure he'll give you a job down at our concentration camp in Gitmo torturing cab drivers and shop clerks and kids! Of course if Smirky reads one of your pieces he doesn't like you could be declared a terrorist and sent off to camp. Somehow Sam I think you'll change your tune when they bring out the battery, cables and a large selection of broom handles? Or maybe you're just into S&M?

First off your scenario has never happen nor is it likely too. If it does I'm sure the cops will have no problem doing just that without a law to back them up as they do so every day any way. You seem to think we're the good guys, why? We're number one Sam and to be number one you must be the evilest, nastiest, meanest son-of bitches this world has ever seen so any law no matter how tightly written will be abused anytime that the corpo-rats want. Use your head for something other than a hat rack Sam. And when you're sent off to a new Happy Camp take the water boarding and broom handle therapy with a smile after all it's for a good cause! Oh and one other thing whether done from 8 miles high or ground level murder is murder period. We hung thousands of Germans and Japanese after WWII for doing what you would make law, you are the enemy of the people
Sam!

**Posted by: UncleErnie on October 30, 2005 at 01:37pm**

Is this comment abusive? spam? [flag it]

If you are a member of Al Qaeda, you are an individual who is being asked to serve allah by killing as many westerners and Jews as possible. Plain and simple. If any reasonable person gets their hands on any of these deranged, brainwashed, subhumans, who incidentaly, have no regard for any "International Laws" regarding torture, I believe it is their resonsibility to take whatever means necessary to gather any and all information possible. A way to avoid torture would be to stop blowing up innocent people whose only crime was being in the wrong place at the wrong time.

**Posted by: seannyc on January 02, 2006 at 08:38pm**

Is this comment abusive? spam? [flag it]

Yeah right, torture and get misdirected while you and all around you and the terrorist are blown away. Dumb idea, Sam.

**Posted by: oldkayaker on January 03, 2006 at 02:43am**

Is this comment abusive? spam? [flag it]

In simplistic terms, to accomplish the good result, do the right thing; refuse to do the wrong thing, the action that produces the bad result. Torture is wrong because it inflicts pain, a bad result. War is wrong because it kills, wounds and maims people, both those we consider wicked and those we consider innocent.

To introduce into our government, our laws, our national values the wavering nuances of justified torture, which produces information to help us do good things for innocent people, is to admit the thin edge of the wedge; once those hot in the quest of the perceived evil doer are told that torture is a regrettable but sometimes necessary tool to achieve the good result, we have abandoned the notion of its evil and embraced the possibility of its usefulness in achieving our desired results.

Torture, murder, cannibalism and a host of evils have been held justifiable in some circumstances, but there is a distinction between the understandable and the justifiable. To want to kill the person who killed your child is understandable, but it is morally wrong. To want to
torture your prisoner to give you information may be understandable, but it is wrong.
Just as understandable is not the equivalent of justifiable, usefulness in the pursuit of justice is not the same as permissible.
Torture is generally recognized as wrong, and its usefulness, even if acknowledged, does not make it permissible.
Those who knowingly do the wrong should be held personally responsible for their actions.

Posted by: msdeirdre on February 04, 2006 at 02:44am
Is this comment abusive? spam? [flag it]
"...rare circumstances..."
Your arguments equate torture with collateral damage. During a time of war that has no apparent end in sight the torture you argue for would not be 'rare'.
"...ethical necessity in our war on terror."
There is no 'war on terror'. It is a political construct. There can be no such thing as a war on a tactic. There were and are criminals to be sure. Torture would not have stopped the 911 attacks because the authorities were not paying attention and didn't have anyone to torture. Now, in the absence of knowledge of a future criminal attack, to torture people to find out if there is an attack in the planning is comparable to Orwellian 'thought police'. Furthermore, your arguments rest on the premise of the 'ticking time bomb' scenario which itself rests on the premise that there is knowledge of a ticking time bomb. From this premise you argue that torture may be used (presuming you have someone in custody) to determine the where, when and how. Well, in this 'war on terror' there is no knowledge of a ticking time bomb therefore, your argument for torture does not hold water.

I am disturbed by this turn of events. I have held your ability to reason in very high regard. That I can so clearly and easily cut through your arguments leads me to believe that you, Sam Harris, are not the author of this article. I may be wrong, and if so, I am very disappointed. Not because you argue for torture, (I do believe the case for rare instances of torture may be ethically acceptable), but because you couldn't make the case and you appear to be politically
motivated.

**Posted by: jimee on February 04, 2006 at 11:41am**
Is this comment abusive? spam? [flag it]
Sam, your argument on ethical grounds is correct, and, by the way, applies to racial profiling as well.

However, the real argument against torture is not an ethical one (despite what most people believe), but one based on practical considerations such as a potential for abuse.

While bombing with collateral damage also has the potential for abuse (e.g. in the case of carpet bombings of WWII), the instances of abuse are generally easy to recognize and prove. So, for a civilized country it is now difficult to utilize a tactic such as bombing with collateral damage abusively.

In the case of torture - especially if a "torture pill" were available, the potential for abuse is infinite. Victims cannot prove anything, and can be hidden by the government. In addition, it is a part of human nature to apply torture to an enemy when there is a personal stake in the matter. A system of checks and balances for application of torture has not been designed yet.

**Posted by: SK on February 07, 2006 at 08:29pm**
Is this comment abusive? spam? [flag it]
Apologists for torture always use some absurd hypothetical to justify their view while ignoring what really goes on in those awful camps Bush and Cheney have constructed.

**Posted by: Maezeppa on February 14, 2006 at 12:38pm**
Is this comment abusive? spam? [flag it]