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"Freedom of the Press belongs to those who own one."

A. J. Liebling of the New Yorker

June 20, 2004



A Few Words in Support of Torture

As the Wall Street Journal noted in a June 11 editorial, there has not been ONE claimed case of torture by an American soldier in the current kerfuffle.

That said, I would like to put in a few good words in support of torture. Not wholesale torture, not indiscriminate torture, not torture for torture sake, but very specific interrogation torture.

I listened to Senator Joseph Biden's claim that the reason that we do not torture is to keep our own captives free of torture. As I noted in an e-mail to the good Senator, which I am certain he never saw, no laws that we have passed or international laws we have supported have protected our captives from wholesale torture in Korea, Vietnam or the Middle East!

The Geneva Convention is a vacuous document that has failed to protect American captives in Korea, Vietnam OR the Middle East from torture. IT is a document designed for warfare between France and Britain or Denmark and Switzerland. All of the laws we have passed, and international laws we support on this subject, are only useful if we ever go to war with France.

I could support that, but that is another column...

Commentary

Harvard liberal Professor (Felix Frankfurter Professor of Law) and leftist attorney Alan Dershowitz has amazingly come to the proper conclusion on the subject of torture. He supports the “ticking time bomb” theory of torture – even Alan Dershowitz can be right once in a while.

Dershowitz supports torture – after a judicial finding – and only when the torture can save lives in imminent danger. In just one Robinson Crusoe example, suppose you received a phone message that your 12-year-old daughter had been kidnapped and would die in an airtight grave with oxygen good for less than an hour unless you immediately executed your next-door neighbor, a military aid to the President of the United States.

The FBI had been tracking the phone calls of the terrorists, and immediately picks one of them up. You have one hour to save your daughter...would you request that the FBI use ALL torture efforts to save your daughter from a slow and agonizing death?

I would. In a heartbeat! So would you. I doubt the FBI could, or would, but if they turned their backs for five minutes I can guarantee that I would find out the location of my daughter, or failing that the terrorist would never be capable of standing trial.

Any rational person would do so. There are some six sigma (12 sigma?) people who would “stand on principle” but most of us know that the bad guys play rough, and war ain’t beanbag.

The terrorists are not protected by the Geneva Convention – nor are they following it. We place ourselves at a distinct disadvantage by following the Marquis of Queensberry Rules while the terrorists get to follow the Marquis de Sade Rules.

If everyone would just “make nice.”

(Ain’t gonna happen.)

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