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Face It: America Is Likely to Torture Again

By Conor Friedersdorf

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Is torture ethical? Should the United States torture prisoners in its custody? A generation ago, an ambitious politician would have known how to answer those questions. Recall that Ronald Reagan urged the Senate to "demonstrate unequivocally our desire to bring an end to the abhorrent practice of torture," which he called "an abhorrent practice unfortunately still prevalent in the world today." In time, senators complied by committing the United States to either "prosecute torturers who are found in its territory or to extradite them to other countries."

Today the abhorrence of torture is much diminished.

The latest evidence is in a McKay Coppins profile of Wisconsin Governor Scott Walker, whose recently published book, *Unintimidated: A Governor's Story and A Nation's Challenge*, was coauthored by Marc Thiessen, a former Bush Administration speechwriter whose work as a commentator has marked him as one of the most fervent apologists for "enhanced interrogation techniques."

Thus this part of the profile (emphasis added):

... when it came to the national security issues that have defined Thiessen's career—he has been a full-throated champion of Bush-era interrogation methods, and the president's post-9/11 policies in general—Walker was unwilling to engage. Asked whether he thought Guantanamo Bay should be shut down, Walker said, "To me, that's one of those were before I give opinions on things I like to weigh the facts, and not being elected to federal office I'm probably not privy enough right now to have firm opinions on that." **And quizzed on the ethicality of waterboarding, Walker demurred again: "I don't spend enough time or have a knowledge base to comment."**

Look how far we've come. The question being posed here is as follows: Is it ethical to take a blindfolded human being who hasn't been given any due process, to strap him to a board, to force water into his cavities until it fills his lungs, to induce the physical terror that accompanies drowning, and to leverage that terror in order to coerce him into giving information he may or may not possess?

The euphemism we use for that is "waterboarding." And the answer an ambitious Republican governor gives, when asked about it, is that he doesn't have enough knowledge or information to comment. This is alarming, for this is the answer given at a moment of relative calm, when fear of terrorism isn't much on anyone's mind. Imagine a plausible future where Walker has been elected to the Senate, or a less-likely-but-still-plausible future where he takes the White House. What would he say to waterboarding in the panic that follows a terrorist attack?

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The arc of the moral environment that the Bush Administration created bends toward torture. The taboo against it is not strong enough to prevent its resurgence. We ought to have been building that taboo back up as rapidly as possible.

We are failing.

Violating the taboo is the fault of torturers—and therefore, criminals—who no longer hold power. The weakness of the taboo is due in part to the fact that they weren't punished. Several unapologetic legal enablers of illegal torture are employed in the conservative movement, as if they have nothing for which to be ashamed. Dick Cheney, who bears as much responsibility for

torture as anyone, was feted by *Commentary* magazine at a roast in a fancy Manhattan ballroom where the morally depraved, inhuman treatment of prisoners was treated as a punch line.

President Obama, who is suffering not at all for his illegal failure to prosecute torturers, ended the practice with an executive order, something that can be reversed at the stroke of a future president's pen, rather than pushing Congress to enact its own explicit ban on waterboarding and other Bush Administration tactics. His insistence on "looking forward" made more likely a future where we torture again.

And Congress is derelict in its duty too, for failing to legislate better safeguards, but also for allowing the best information we have about torture to be vetted—and so far, suppressed, at least as far as the public is concerned—by the torturing CIA.

Throughout history, humans have tortured one another. One of civilization's tasks is to stop it from happening anymore. Some generations make moral progress on the issue. Ours is presently marked with having lived through a moral regression. It is the responsibility of our elected representatives to reverse this trend, and it is our responsibility to pressure them to live up to their responsibilities.

Like unapologetic racists, unapologetic torturers should not be welcomed in polite company. More to the point, they should be prosecuted—as a duly ratified treaty with the force of U.S. law compels—and the extent of their actions should be public, not classified. Congress should use the details of their transgressions to pass laws that make them less likely in the future. And while the effort to stop torture can never be won forever, our generation can be confident that it's succeeding when politicians, asked if they think waterboarding is ethical, reply, "Of course torture is unethical, and America will never do it on my watch."