

Torture vs. Democracy

Why every American citizen should be concerned about torture and an advocate for the Geneva Conventions

By Dennis Rivers -- Revision 1 -- July 18, 2011

www.SupportGenevaConventions.org/references-research/torture-vs-democracy/

Torture is an activity so extreme and so far outside the boundaries of everyday experience that it is difficult to discuss. It is also difficult to sort out what kind of threats torture may present to the societies that practice it. In order to prepare the ground for my statements about the threat that torture poses for democracy, I am going to begin with an extended analogy about vital organs.

The human body has a variety of “critical” or “vital” organs. We say an organ is critical or vital if you can’t live without it. If our heart, our kidneys, our liver or our lungs fail, for example, then we will die. If they fail quickly, we die quickly. If they fail slowly, we die slowly.

Similarly, one could say that a democracy has various critical or vital structures, and if any one of them becomes overly compromised in its functioning, then our democracy will die. It will collapse suddenly, or devolve gradually, into some sort of dictatorship. In the United States, I believe that could happen in a variety of ways.

Dictatorship by total business consolidation: If all the businesses in the United States were to be gradually bought up by one giant conglomerate, then the United States would become a commercial dictatorship in which freedom of thought and action would gradually become impossible.

Dictatorship by chronic public health emergency: If the public health systems of the United States broke down completely, then we would wind up living in a culture of epidemics and resulting quarantines. We would end up in a police-backed quarantine dictatorship.

Dictatorship by media merger: If all the newspapers, television and radio stations in the country were to be bought up by a single organization, then the United States would slide into a dictatorship of thought control, in which we still might have the appearance of elections, but society as a whole would make colossal mistakes because people would not have enough information to contest the dominant story. The triumphal hysteria that led Britain into World War One, which was for Britain an unmitigated disaster, and the patriotic fear-mongering that led the United States into the war in Iraq, are telling examples of the perils of media groupthink that takes place with even less-than-complete media consolidation.

Dictatorship by chronic war: Every society needs to be able to defend itself. But just as your own immune system can go haywire and attack the body it was supposed to protect (arthritis, lupus, MS, type 1 diabetes), military institutions in society can go haywire and destroy, quickly or slowly, the society they were supposed to protect. War requires *obedience, conformity and secrecy*, and democracy requires *respectful disagreement, creativity and openness*. Therefore, the longer the United States stays at war, the higher the risk that we will become so good at obedience, conformity and secrecy that we will forget how to make democracy work. In that case, all politics would become about defending ourselves from some great external threat. We would gradually become incapable of facing our own mistakes, which is the beginning of the end for any culture, because any admission of a mistake would “give aid and comfort to our enemies.” And we would spend ourselves broke buying high-tech weapons and nursing the wounds of an endless stream of wounded soldiers. There are proposals afoot for the United States to be at war for the next hundred years, so this is not an idle speculation.

Dictatorship of assault rifles: Democracy also requires as a crucial component a culture of mutual forbearance and self-restraint. No matter how much I hate you or your position, in participating in democratic politics, I agree that our differences of opinion will be resolved by voting, and not by rifles and pistols. In all of the assassinations and attempted assassinations of the past century that have taken place in the United States, you can see that the United States does not have a particularly firm grip on the culture of mutual forbearance. If what little mutual forbearance and self-restraint we have now were to break down even further, then we would find ourselves in a chaotic dictatorship of armed vigilantes and gangs. (To some degree this is already happening in the gang-plagued neighborhoods of several large U.S. cities.)

Dictatorship by universal threat of injury. Now that I have given some examples of how a democracy could devolve into a dictatorship, I want to address the specific issue of torture. Democracies as we have come to think of them must include a set of constraints on the use of violence by the state against its citizens, and by individuals against other individuals. I can’t, for example, just walk up to you on the street, tie you up, and start burning you with

lighted cigarettes. I would be arrested, tried, and sent to prison for violating your legitimate personal boundaries. Torture in a democracy thus represents a catastrophic breakdown of respect for a person's legitimate boundaries. I use the word, catastrophic, first because all the other virtues of democracy, such as voting and freedom of speech, become meaningless if someone acting on behalf of the state can lock me up without charges (for classified reasons of state security) and hurt me with no legal consequences.

And catastrophic because the severe moral and psychological breakdown / numbing / disorientation that allows torture is contagious, from person to person and from institution to institution. It will not stay in that closed room. What started in the remote prisons of Guantanamo Bay, Iraq and Afghanistan as a breaking of the rules is now being asserted as the new rule of law, as we see in the treatment of Bradley Manning, a US citizen who is being tortured in the United States before being tried for the crimes of which he is accused. Some amount of torture has always been present in the U.S. penal system, but as a hidden, illegal activity. Torture is slowly becoming legal and a threat to everyone.

The torture scandal has implicated lawyers, doctors, judges and psychologists, the very professionals we think of as keeping our institutions on an even keel. They have all been recruited to establish and justify the practice of ***punishment without trial, justified by the need for information.*** Punishment without trial, I submit to you, is the hallmark of a police state. In the past decade, approximately one hundred people may have been tortured to death by agents of the United States in the process of conducting interrogations. Most of these deaths are now listed as "under questionable circumstances." The Attorney General of the United States, our chief law enforcement officer, has decided (at the time of this writing) to investigate only two of these "deaths under questionable circumstances." The evidence suggests to me that without fully realizing it, the United States is drifting toward becoming a police state.

What can I do? It is up to American citizens to oppose this drift. In a world as full of violence and conflict as our world, it is impossible for us to be completely safe. If we demand to be completely safe, and will pay any moral price to be safe, then we will end up living and dying in a prison and a nightmare of our own making. In a police state, the focus shifts from trials in courts to the process of being accused or suspected. The people who died under U.S. interrogation had not been convicted of anything, they were merely *suspected* of taking action against us, or merely *suspected of having information that we might find useful!* The latter appears to the case regarding the deaths of Dilawar and Habibullah, in Afghanistan in 2002, and in

the death of the Iraqi General Abed Mowhoush, who was suffocated in the course of interrogation by the U.S. Army.

I must say, God in heaven have mercy upon us, what a slippery slope this is, when we start torturing and killing people because they *might* have information that is useful to us, or as is now the case in drone aircraft warfare, executing people without a trial because they *might* be plotting against us, or even just sleeping in the house next door to someone who might be plotting against us. As William Penn, the founder of Pennsylvania, counseled us several centuries ago, one must never commit acts of evil, thinking that one is justified by imagining that good will come from such acts.

We might imagine that such incidents will somehow stay confined to "tragic mistakes in faraway places," but given how quickly torture practices spread from Guantanamo to U.S. installations in Iraq and Afghanistan; given the bureaucratic self-assurance with which Bradley Manning is being mistreated here in the U.S.; and given the performance of Bush-era Justice Department officials who could not bring themselves to admit in public testimony that waterboarding (partial drowning) is torture, I have no confidence that we will be able to protect ourselves from the abuses we have learned to inflict on others.

That is why I believe that every American citizen should actively oppose the practice of torture and promote the observance of the Geneva Conventions and the related treaties of international humanitarian law, including the [United Nations Convention Against Torture](#). If, as Bush administration officials once asserted, the battleground in the war on terror is now everywhere, including every square foot of the United States, then I believe that the Geneva Conventions, which govern the treatment of civilians in a war zone, and the [United Nations Convention Against Torture](#) need to be everywhere also.

Here are some organizations you can cooperate with on the torture issue, drawn from the Resources and References page of the [Support Geneva Conventions](#) web site. If you know of others, please use the [Contact Page](#) of the Support Geneva Conventions web site to tell me about them.

[The Center for Constitutional Rights](#)

[Human Rights Watch](#)

[National Religious Campaign Against Torture](#) invites people of all faiths to address torture as a moral issue.

[Rabbis for Human Rights — North America](#)

[QUIT --Quaker Initiative to End Torture](#)

[ACAT – Action by Christians for the Abolition of Torture](#)

[Evangelicals for Human Rights](#)