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Response to Mark Danner's "The Red Cross' Torture Report: What it Means"

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Response to Mark Danner's "The Red Cross' Torture Report: What it Means"

Abstract

Danner's NY Review of Books treatise on torture calls our attention to many significant issues, but in his key argument he is critically wrong.

Keywords

Human rights, Torture, War on terror, National security

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Response to Mark Danner's "The Red Cross' Torture Report: What it Means"

by Charli Carpenter

[Danner's NY Review of Books treatise on torture](#) calls our attention to many significant issues, but in his key argument he is critically wrong.

"The central unanswered question [is]: What was gained?...We have not so far managed, despite all the investigations, to produce a bipartisan, broadly credible, and politically decisive effort, and pronounce authoritatively on whether or not these activities accomplished anything at all in their states and still asserted purpose: to protect the security interests of the country. Investigating what kind of intelligence torture actually yielded is not a popular task: those who oppose torture do not like to admit that it might, in any way, have "worked"; those who support its use don't like to admit it might not have. Some judgment must be made, based on the most credible of information compiled and analyzed and weighed by the most credible of bodies, about what these policies actually accomplished: how they advanced the interests of the country, if indeed they did advance them, and how they hurt them. The only way to defuse the political volatility of torture and to remove it from the center of the "politics of fear" is to replace its lingering mystique, owed mostly to secrecy, with authoritative and convinced information about how it was really used and what it really achieved."

There are so many reasons why this position is untenable I don't know where to begin. (You could write an entire blog post just on the idea of "authoritative and convincing information." Whose authority? Convincing to whom? In social science, there is never an authoritative, decisive consensus about any cause and effect relationship—things as simple as whether democracy correlates with peace constitute a basis for scholars on both sides to make lifelong careers refuting one's evidence; what makes Danner think a consensus on the effectiveness of torture is going to emerge from any bipartisan process?)

But I want to focus on the bigger flaw in this argument: the idea that the effectiveness of torture should matter to the question of whether to try and punish its perpetrators. [As I've argued elsewhere recently](#):

"Torture probably does work occasionally. But so what? The whole point of the anti-torture regime is to stay the Inquisitor's hand *even when it's in our interest to torture*. If we only refused to torture when/if there was no conflict with our self-interest, the rule would be unnecessary. Torture is wrong because it's wrong, not because it's never effective. The more we get grace the discussion of torture's effectiveness with our attention, the more we legitimate the idea that effectiveness matters."

When it comes to trying and punishing perpetrators of torture, to say nothing of whether to repeat such a policy in the future, it doesn't.

[Charli Carpenter](#) is an Assistant Professor of Political Science at University of Massachusetts-Amherst. Her teaching and research interests include national security ethics, the laws of war, transnational advocacy networks, gender and political violence, war crimes, comparative genocide studies, humanitarian affairs and the role of information technology in human security. She is the author of [Innocent Women and Children: Gender, Norms and the Protection of Civilians](#), and the editor of [Born of War: Protecting Children of Sexual Violence Survivors in Conflict Zone](#). Dr. Carpenter blogs about international politics at [Duck of Minerva](#) and about asymmetric warfare at [Complex Terrain Lab](#).