The Torture Debate

The goal of this thesis was to get a deeper understanding of current debate about torture. Recently there has been a political and academic trend suggesting a possible reintroduction of torture in cases of terrorism. That position is so radical it prompted me to research it further.

The first half of this thesis was to look at different academic texts on this subject, both recent and older. I started off with the writings of the legal professor Alan Dershowitz. His ideas about a torture warrant are maybe the most radical in today’s torture debate. Then I looked at two older philosophical texts about torture, written by Michael Walzer and Henry Shue. What I found was that in most discussions about torture, both academic and political, the noted ticking bomb hypothesis seems to dominate. I criticized both the logics of that hypothesis and its excessive use in today’s debate. Then I examined the philosopher Elaine Scarry and her phenomenological analysis of pain which, in my opinion, provides a different and powerful point of view in the debate.

For a different perspective I then looked at the history of torture, which I believe to be a useful tool in understanding today’s debate. Without a historic perspective, a topic like torture is almost unfathomable. It was shocking to find that in fact the discourse about torture today has a lot in common with the sophisticated torture jurisprudence of earlier times. I used Foucault and his book On Crimes and Punishment to get a clearer, albeit subjective, picture of the bizarre social and psychological dynamics of torture. Finally I used history to revisit Dershowitz’s argument for a torture warrant.

The last chapter was about the semantics of torture. It struck me as interesting how much semantic confusion and disagreement there seems to be about the word itself. Some of this confusion can be traced back to history, which I examined. Furthermore I noticed that because of the sentimental impact the word has today, it often is subjected to political and ideological manipulations. It is therefore very important to understand the roots and structures of the torture practice.

In my conclusions I realized that torture is a much more complex phenomenon than I initially thought. And it is precisely because of that complexity and the unthinkable outcomes that I believe that not under any circumstances should it be reintroduced.

Avainsanat-Nyckelord
- torture
- ticking bomb hypothesis
- torture -- semantics

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