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## The Moral High Ground in an Age of Vulnerability

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## The Moral High Ground in an Age of Vulnerability

### Abstract

Mark Danner's New York Review of Books piece on torture in conjunction with John Nichols' comment on the Bush administration, outline moral, legal and political problems related to the global war on terrorism and the ascendancy of the American imperial presidency. Most people seem to be repulsed by the idea of torture but are not morally committed enough or fully dedicated to prevent it from being employed to defend their way of life. Torture is a policy decision predicated on fear, self-defense, and vulnerability in an age of globalized insurgency: one way to respond is to take the moral high ground and repudiate the use of torture thereby affirming the sanctity of life and civilized values.

### Keywords

Human rights, Torture, War on terror, National security

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## The Moral High Ground in an Age of Vulnerability

by Tyler Moselle

Mark Danner's *New York Review of Books* piece on torture in conjunction with John Nichols' comment on the Bush administration, outline moral, legal and political problems related to the global war on terrorism and the ascendancy of the American imperial presidency. Most people seem to be repulsed by the idea of torture but are not morally committed enough or fully dedicated to prevent it from being employed to defend their way of life. Torture is a policy decision predicated on fear, self-defense, and vulnerability in an age of globalized insurgency: one way to respond is to take the moral high ground and repudiate the use of torture thereby affirming the sanctity of life and civilized values.

First, we do not know the extent to which torture was effective in defending against terrorist activities from 2001-2008, nor how many times it was truly utilized since most of the information is classified.

Second, for those who do have access to classified information such as President Obama and former Vice President Dick Cheney, they both disagree with each other when viewing the same data. This means a fundamental bias filters the objective attempt to analyze the effectiveness of torture as a tool to protect national security. Therefore, we must conclude that normative and subjective views color our effort to defend the practice of torture and are thus biased and must remain primarily political views.

Third, torture was only one manifestation of the global war on terrorism. Other manifestations included decreased legal constraints on American [executive authority](#), coerced alliances of the willing, and expanded defense spending budgets to name a few. Torture was the gateway drug to the world of American Empire.

If we agree with the three previous assertions then we must simply choose how we expect our politics to be animated by our subjective values and worldviews: do we support a highly centralized executive branch that can carry out torture, twist legal definitions of executive power, carry out a global war on non-state actors and state actors, coerce allies into accepting our unilateral view of international affairs, and who may in their spirited defense, prevent some individuals from harming us, our interests, and our allies? Or do we support an executive branch that repudiates the use of torture and attempts to find alternative methods to solve national security dilemmas and who in the process, may give more leeway to individuals and groups who could potentially harm us? Do we risk our morality in the name of killing or capturing the 1% or do we rely on the 99% to sustain us when we refrain from "taking the gloves off?"

The torture policy relies on centralized power, secrecy, and fear. The "no torture" policy relies on openness, diplomacy, and concerted intelligence. The torture policy could be connected to a [Hobbesian](#) worldview of absolute power in the [Leviathan](#) to prevent anarchy in a state of nature. The "no torture" policy could be connected to a [Kantian](#) worldview of the categorical imperative where no individual's life should be worth so little as to be used as the means for an end.

Yet, there is a time for everything. In a democratic country, we have the luxury of electing leaders for a certain time and calling. Perhaps at one time, we as Americans wanted the Bush Administration to protect us so intensely that we were willing to cross moral and legal boundaries. Perhaps at our current juncture, we are more relieved from the grip of fear and terror that we are pleased to have a no torture President who can clear our names of the guilt we should rightly be associated with for our previous Administration's actions. That is the cathartic nature of democratic systems: we can act evil then repent in the next election.

There is of course a more serious moral problem we must confront when considering torture: why should we allow the ken of State authority to overshadow the question of torture as if we were the disciples of [Carl Schmitt](#)? The moral abstraction of torture means we are violating the sovereignty of one individual for the security of the rest but why do we stop at only terrorist-like activity? Why do we automatically assume that the State has the authority to act this way in one arena but not others? Why should the State not be willing to torture a scientist for example to obey its will for some other cause that may save the lives of thousands of fellow citizens? Why has torture been framed within the pre-emptive terrorist label?

State authority and torture have a long history that could be illuminated using civil liberties legal theory to explain how individual protections and rights were created to guard against tyrannical State power. When we are permissive about State torture, we empower State authority to violate the sovereignty of the individual thereby eroding basic safeguards that can be traced back to the brightest hallmarks in western political development.

The work of Danner and Nichols should elicit a rich debate about torture policies in America: we are a long way off from solving the basic dilemmas that haunt our moral identity and domestic and foreign policy as a result of the Bush Administration's legacy .

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