

On Torture

Torture need not be just physical. Those who do not account for entirely mental torture are not human. They are a lower form of animals.

Corascendea

COLS2CGUQ69



Very practically, torture seems rather ineffective for information gathering and nearly always entangled with a dark and sadistic strategy of repression through unspeakable cruelty. As William Pfaff has told us, "Torture is intended to produce what, in the military assault on Iraq was called 'shock and awe.' It is meant as intimidation. We will do these terrible things to demonstrate that nothing will stop us from conquering our enemies." Torture is also the expression that "enemies are not simply to be defeated; they are to be annihilated morally as well as physically." And this is plainly immoral. Eric Haney, a retired command sergeant major of the U.S. Army, and a founding member of Delta Force, told the LA Daily News:

"The only reason anyone tortures is because they like to do it. It's about vengeance, it's about revenge, or it's about cover-up."

Let us try looking at the "huge elephant in our Catholic living room." In an article by Jordan Bishop in New Blackfriars, Dr Bishop begins by quoting "Law 25" of Pope Innocent IV's bull Ad extirpanda (1252), which regulated the conduct of the Inquisition in Lombardy, Romagna, and the Marches:

"The Podestà or Rector has the authority to oblige all heretics that he may have in his power, without breaking limbs or endangering their lives, to confess their errors and to accuse other heretics whom they may know, as true assassins of souls and thieves of the Sacraments of God and of the Christian faith, and their worldly goods, and believers in their doctrines, those who receive them and defend them, just as robbers and thieves of temporal goods are obliged to accuse their accomplices and confess the evil that they have done."

What happened in 1252? Roman law had been rediscovered in the preceding centuries, and Pope Innocent, as seems evident, was allowing the Inquisition to adopt existing secular practice, which involved torturing not only accused persons but also witnesses. In Roman law, Dr Bishop reminds us, the testimony of those of low status (gladiators, for instance) was actually only accepted if it had first been confirmed by torture. This reliance on torture came in part from the Roman law's reluctance to convict anyone on the sole basis of circumstantial evidence. As the jurist Passerinus would say, the finding of a naked man in the same bed with a naked woman was not itself grounds for conviction, but could result in the naked parties being reasonably subjected to the torture that would likely result in the confessions that would then lead to a secure conviction.

Torture was a well-defined procedure subject to rules, adopted by the Church. Everyone will agree that Ad extirpanda was lamentable, but:

The present use of torture is a hidden, secret, and often lawless practice that occurs at a climate of theoretical and official disapproval.

The University of Wisconsin history professor Alfred W. McCoy has written: "As we learned from France's battle for Algiers in the 1950s, Argentina's dirty war in the 1970s, and Britain's Northern Ireland conflict in the 1970s, a nation that harbours torture in defiance of its democratic principles pays a terrible price. Its officials must spin an ever more complex web of lies that ... weakens the bonds..."

Torture in our time seems to have largely become a matter of repression through cruelty, or what Naomi Klein has called "a machine designed to break the will to resist – the individual prisoner's will and the collective will."

