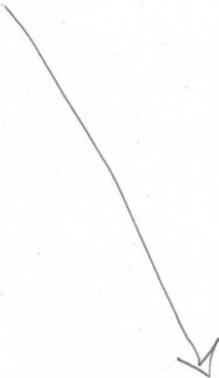


~~Running head:~~ TORTURING THE ENEMY; RIGHT OR WRONG



Torturing the Enemy; Right or Wrong

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Author makes no reference to Guantanamo Bay prisoners or to CIA practices. He accepts the legal arguments of the Bush administration. Water boarding, he believes, is the result of individual soldier decisions despite the fact that the admin. has defined it as acceptable under the Geneva conventions and thus policy.

Abstract

→ Torture is a subject that most Americans spend little or no time contemplating in a normal day. Our Soldiers face decisions on a daily basis that the common person will never encounter. In this paper, I will discuss one decision in particular; whether torture is right or wrong no matter what the circumstance. I will also define torture as it applies to the common person and to the Army. What is torture and are we torturing captured enemy Soldiers and civilians in Iraq and Afghanistan?

## Torturing the Enemy; Right or Wrong

Torturing enemy Soldiers as a means to gather crucial information is no new issue or problem. Armies all over the world have used torture for thousands of years to gather vital war-fighting intelligence. This has always been an accepted method until civilized countries banned together during the Geneva Convention in 1949 to combat crimes against humanity during times of war. Torture is wrong no matter what circumstance a Soldier finds himself or herself. In this paper, I will discuss many ethical issues and circumstances that Soldiers might find themselves in during times of war. Soldiers of today carry a heavy burden in accomplishing the mission, protecting their buddies, and being a re-builder of nations.

Article 13 of the Geneva Convention prohibits American Soldiers from torturing captured enemy combatants in any way, verbally or physically. As civilized human beings, U.S. Soldiers are responsible to treat others, as we would expect in times of our own capture. The “Golden Rule” should be a guiding light for all American Soldiers at all times. In some cases; however, it would be very difficult to treat someone properly when they just killed your fellow Soldiers and have information that would prevent further American casualties. Could any of us actually say that we would not beat an enemy Soldier into submitting this vital information in a similar circumstance? I think most Soldiers would be able to refrain from torturing an enemy combatant but it is hard to know for sure until faced with that situation. According to Wikipedia.com, torture can be any act causing great pain or discomfort, whether it is mental or physical, or inflicted for getting information. In addition, some countries sponsor torture as a nationally accepted practice, and some individuals or groups may practice torture on others for personal gains; however, the motivation for torture can also be for the sick and twisted pleasure of the torturer. (Wikipedia, 2007).

We can see from the definition above that torture can apply to many different situations and it is clear when torture occurs. The Geneva Convention definition takes the explanation of torture even further, stating that any physical or mental mistreatment is torture. I believe that the countries that bound together to form the agreements in Geneva wanted to ensure the humane treatment of their Soldiers at all times. In return for an agreement to treat their Soldiers fairly they would in turn treat our Soldiers the same (Office of the High Commissioner for Human Rights, 2002).

I have not personally witnessed any American Soldier torturing an enemy combatant, nor have I been in a situation to mistreat an enemy combatant. I do feel; however, that it does happen from time to time. One of the most famous examples of American Soldiers torturing the enemy occurred at the Abu Ghraib prison in Iraq. I personally believe that torture on that level is an isolated event and that our Soldiers, for the most part, are good people who are not interested in hurting others. We cannot excuse the treatment of the Abu Ghraib prisoners, and we must fight to ensure that those things do not occur on our watch. I can only imagine why those Soldiers felt that it was okay to mistreat their prisoners to such an extent. It would seem to me that they ceased to think of their prisoners as humans and started thinking of them as animals. As I think back to the "Golden Rule" that I mentioned earlier in the paper; one must ask the question, would I expect someone to treat me in this terrible manner, before mistreating others.

The subject of torture has been in the news a lot in recent history as news organizations suggest that our Soldiers torture enemy combatants as a way of doing business. The accusations have become so common and popular that President Bush has felt the need to defend American policy on the subject. President Bush and other military leaders stand firmly on the United States policy of not torturing anyone for any reason as agreed upon in the Geneva Convention. I

personally have faith in our President and believe that our Soldiers are receiving moral instructions and guidelines for the treatment of captured enemy Soldiers. However, I believe that not all Soldiers adhere to their orders and make decisions based on their own personal desires. It is impossible to ensure that every Soldier is doing the right thing at all times, but efforts must intensify to prevent situations like Abu Ghraib or any other torture occurrences from ever happening again.

Recently former President Jimmy Carter accused the Bush administration of torturing enemy Soldiers and making up new definitions of torture. He stated that slapping someone in the head and pretending to drown a person constitutes torture (MSNBC.com, 2007). America's policy on the subject agrees with the Geneva Convention and I feel that our Soldiers are receiving the right direction in their interrogation training. If a Soldier slaps or pretends to drown a person, I feel that it is a result of his or her own decision to do so and not from the direction of their superiors. Could these things take place? They most certainly can, but we, as leaders must make certain that our Soldiers receive the proper training and supervision when faced with these situations. The Army Soldier of today is a true hero, faced with moral and ethical dilemmas all the time. I have personally deployed in support of Operation Desert Storm and Operation Iraqi Freedom. I have the utmost respect for all of our fighting men and women and feel that our Soldiers are the best in the world. As part of being the best, I also believe that we have a much higher moral guideline than any other nation. Our Soldiers will get the job done and we will get the job done right.

I mentioned earlier that proper leadership and training is very important to make sure torture does not take place in our Army. Leaders are faced with keeping our Soldiers alive, meeting the needs of our Soldiers, achieving the goal, and making our country proud. Are

leaders responsible for what their Soldiers do when they are not around? The answer is yes, which carries a heavy burden. The leadership of the Abu Ghraib prison may not have known what their Soldiers were doing and they may have trained them properly. No matter what they may have done right or wrong, they still received punishment for the actions of their Soldiers. This is a risk of leadership and a risk that all Army leaders willingly accept in return for the life changing opportunity to influence and lead Soldiers. As a leader, I must be willing to take responsibility for my Soldiers' actions and ensure that I have done everything possible to influence them to be on the right side of the law all the time. Soldiers are people and people make mistakes. Some mistakes are forgivable and others are not. Torture is most certainly one mistake that forgiveness does not apply to and must carry strict treatment when encountered. I personally tell my Soldiers to do what is right all the time and do not let anyone influence them to do things that could have their integrity come into question.

Torture is a terrible thing and it is something that we must refrain from using; although, our enemies will continue to torture our Soldiers and contractors. We, as United States Soldiers must be a moral light for other countries to follow. It is hard to watch news reports that show our Soldiers hanging by bridges or dragged behind trucks through city streets. It is hard to think of the horror those Soldiers' families go through as they see these terrible things happening to their loved ones. It is mind boggling that anyone could have such low regards for human decency and life in general to mutilate or be-head someone, but it occurs all the time by terrorists in Iraq. Do these terrible crimes against our loved ones make it okay to treat them the same? It is absolutely not okay and it never will be. God bless our soldiers and be with us in the hard, split second decisions that we have to make on a daily basis while actively engaged in war.

## Conclusion

In summary, torture is a terrible device that we cannot allow American Soldiers to partake in no matter what the circumstance. Our media accuses U.S. Soldiers of torturing captured enemy Soldiers instead of believing in our moral fiber. Our President assures the world that we are the moral high ground and that torture is not a way of doing business for our soldiers. The leaders of today have to take responsibility for our Soldiers and train them to do the right things all the time. We must ensure that when faced with hard decisions our troops remember what we have trained them to do. Moreover, if they do what is wrong, we must be willing to accept responsibility for their actions. Torture is wrong, no matter what the circumstance, and I believe that our soldiers, on a whole are better than that. What happened at Abu Ghraib was a terrible black eye for our nation and we must do all we can to ensure that the other eye does not take a shot as well.

References

MSNBC. (2007). Former president also says U.S. tortures prisoners. Retrieved October 14, 2007, from <http://www.msnbc.msn.com/id/21246739/>

Office of the High Commissioner for Human Rights. (2002). Geneva Convention relative to the Treatment of Prisoners of War. Retrieved October 14, 2007, from <http://www.unhcr.ch/html/menu3/b/91.htm>

Wikipedia. (2007). Torture. Retrieved October 14, 2007, from <http://en.wikipedia.org/wiki/Torture>