Torture is no answer

Reports that Canada has green-lighted CSIS's use of information procured from torture is very concerning.

The Canadian Civil Liberties Association prioritizes national security, and keeping Canadian lives and properties safe - but we do not believe that the "fruits of torture" will further these goals. Rather, we believe that torture is incompatible with security.

Torture is the worst physical or mental abuse that can be inflicted upon a human being. It is criminalized by civilized nations and absolutely prohibited in international law.

The prohibition is borne from the Second World War's ashes, when the international community learned of atrocities committed upon human beings held as prisoners of war or in concentration camps. The world determined that the best safeguard against such evil is to recognize there is no justification for torture. This cornerstone of international law, reflected in Canada's Constitution and Criminal Code, permits the punishment of terrorists but the torture of no one.

To reverse these fundamental beliefs - to condone torture - is to legitimize insidious violence that will seep into all spheres of society and human relations. Torture not only corrupts legal systems, it corrupts human beings.

A Canada that condones or acquiesces to torture - even abroad - will devolve into a different society. And, by condoning torture abroad, we expose Canadian troops and citizens abroad to the risk of torture.

Nor does torture occur in a vacuum. Invariably it is accompanied by a host of serious human rights violations including the encouragement of security and law enforcement officials to engage in brutal, vicious behaviour.

In addition to being immoral and illegal, information procured from torture can also be unreliable.

The U.S. army manual (2006) states that "torture is a poor technique that yields unreliable results, may damage subsequent collection efforts, and can induce the source to say what he thinks the collector wants to hear."

The debate on torture has amplified in the United States amid allegations of "coercive techniques" at Abu Ghraib and Guantanamo Bay. Although many have championed "coercive interrogation," prominent Americans such as Col. Dwight Sullivan, U.S. military commissions head defence lawyer, and Senator John McCain say "waterboarding" Khalid Shaikh Mohammed provided "false and misleading information," and only the lawful interrogation of other detainees provided useful information.

Indeed, history teaches that lawful interrogation is more successful than unlawful methods.

Human rights lawyers have long argued that torture is unreliable. Individuals being tortured are prone to say whatever they believe torturers want to hear, in order to stop their suffering.

In other cases, individuals are trained to provide false information to intentionally mislead their torturers. And in yet other cases, an individual wholly innocent of the suspicions against him or her, may mistakenly be tortured.

Proponents of torture argue that torture may sometimes be the only way to get life-saving information. We disagree.

The so-called "ticking bomb" theory is predicated upon layers of speculation that the individual is not innocent but actually has salient information about a threat, that torture will get the individual to talk, and tell the truth.

Experienced interrogators, including retired U.S. army and FBI officials, have dismissed the ticking bomb scenario as rife with flawed premises.

At the CCLA, we believe that our Canadian Constitution, our Criminal Code and our commitment to the international legal prohibition against torture is what will ultimately protect Canadian life and security, and what will always set us apart from terrorists.

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