

**THE BLOG**

# Torture Is Magic

By Marty Kaplan

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Why won't there be enough votes in the House and Senate to override Bush's veto of the anti-torture bill Congress sent him to sign this week?

The administration's case against the bill — which merely asks our intelligence services to follow the same interrogation rules already in the US Army Field Manual — is breathtakingly lame. When Dana Perino told the White House press corps that the Field Manual is “perfectly appropriate... for young GIs, some so young that they're not even able to legally get a drink in the states where they're from,” but not for trained intelligence agency “professionals... with an average age of 40,” it's a wonder she wasn't asked a follow-up about how tall you have to be to ride the Constitution.

Maverick John McCain, joining the Republican herd voting against the bill, said that intelligence agencies need to use “additional techniques as long as they were not cruel, inhumane and degrading treatment.” What “additional techniques”? Don't ask; don't tell. And *why* do they need additional techniques? What reason could persuade a victim of North Vietnamese interrogation techniques to abandon his principled stand against torture and side with the architects of Abu Ghraib, Gitmo and extraordinary rendition?

It's too easy to explain it as primary season pandering to the Republican right. And it's too simple to say that the GOP strategy this fall will be — as it has been since the Cold War — to bring out their base by depicting Democrats as too dewey-eyed to deal with the Devil.

The reason Republicans think the torture works for them, not just with their faithful, but also with independents and some Democrats, is their view that deep down, many if not most Americans really believe in the ticking-time-bomb scenarios they see in shows like *24*. Even though the White House, citing national security, has offered not a single verifiable example of an act of terrorism prevented by “additional” interrogation techniques, they believe that Americans accept such a rationale. And even if torture doesn't result in reliable or actionable intelligence, as the Dean of West Point told the writing staff of *24*, pleading with them to stop depicting it as though it did; even if *24* star Kiefer Sutherland was asked to give an anti-torture speech to West Point cadets, urging them to believe their teachers and textbooks, not a Fox TV series; even if a prisoner-of-war like John McCain, from the other side of his mouth, warns of the consequences to captured US soldiers of our own country's use of hypothermia, mock executions or sexual

humiliation: despite all that, Republican political strategists believe that most Americans secretly believe that torture “works,” and that even if it doesn’t, the animals behind 9/11 deserve the same mercy they gave to their victims.

In other words, Republicans are counting on magical thinking on the part of American voters. They may tell pollsters they’re against torture on human rights grounds, on turnabout grounds, on pragmatic grounds, but in our heart of hearts, Americans (in the Rove/Cheney/Gonzales/Yoo view) believe that torture works, and that waterboarding is too good for terrorists.

There are good historical reasons to impute magical thinking to American voters. For going on 30 years now, the “ideas” that tax cuts produce increased revenues, that all government regulation is bad, that the unfettered market is the best way to deal with social inequity, that the Bible is literally true, that homosexuality is an evil lifestyle choice, that Vietnam was lost because dirty hippies made pansy Democrats overrule wise Generals: for more than a generation, winning electoral coalitions have been built on the denial, delusions, wishful thinking, cognitive dissonance, bread-and-circuses bewitchment, fundamentalist orthodoxy, political manipulation, and Hobbesian hard-wiring of the otherwise wise and wonderful American people.

It’s only human nature to want an eye for an eye; it’s human nature to think that some circumstances warrant torture, and that sometimes torture works. But as Madison wrote in *Federalist 51*, the genius of our democracy lies in protecting humans from human nature:

*“If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. A dependence on the people is, no doubt, the primary control on the government; but experience has taught mankind the necessity of auxiliary precautions.”*

Carrying out those “auxiliary precautions” — the obligation of government to control itself, and to protect ourselves from the lesser angels of our own nature — was why the Founders split power between the executive and legislative branches. Bush’s doctrine of the “unitary executive,” a two-word abrogation of the Constitution, dispenses with those precautions. If ever there were a reason to despair about the power of our system of checks and balances to subjugate the American beast that Madison warned against, it is embodied in the willingness of Senators like John McCain and Joe Lieberman to let Leviathan have its way.

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