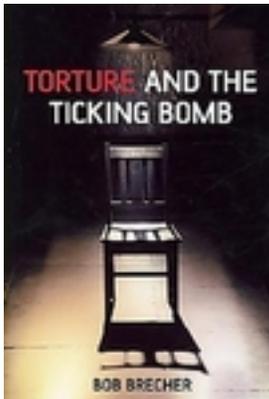


The “Ticking Bomb” Scenario: Immoral Excuse, Legal Ruse, and Propaganda Abuse

A review of



Torture and the Ticking Bomb

by Bob Brecher

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Reviewed by

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When I accepted the invitation to review Bob Brecher's provocative book *Torture and the Ticking Bomb*, I questioned whether yet another book debating the ethics of torture was needed. Could anything more be said about the topic? My question was soon answered in Brecher's opening pages with his lamentable remarks that in spite of its repulsive nature, torture remains a “weapon in the armory of ‘civilized’ states, and that virtually every writer since the 1970s who discusses, and as a matter of course condemns torture, nonetheless thinks it *is* justifiable in the extreme case, even if in no other” (p. 3).

Brecher's fears assumed new proportion and relevancy when recent media reports of widespread U.S. government torture pointed out (a) the burning of torture tapes by the Central Intelligence Agency (CIA) to hide torture acts (e.g., Hess, 2007); (b) U.S. congressional subcommittee approval of torture acts as early as 2002 (e.g., Warrick & Eggen, 2007), including the failure of Democratic party legislators to reveal known torture cases and methods following actual site visits and debriefing (Greenwald, 2007); and (c) extensive reports that the leader of a CIA interrogation team tortured a prisoner using waterboarding under orders from CIA headquarters while a number of government officials debated whether this brutal act constituted torture.

At this point, it was clear that any hopes I held that the ethics-of-torture debate was coming to an end were premature, and the most important reason for the continuing debate and acceptance of torture was the “ticking bomb” scenario. Much to his dismay, Brecher noted that a number of legal scholars and academics (and media personalities) were making ideological arguments that the ticking bomb justifies torture. In the process, they were making the practice respectable and shaping and influencing foreign policy, legal standards, and the moral authority and identity of nations. For Brecher, this situation could not go unanswered.

I was aware that Brecher's first assertion is, unfortunately, true. Torture is a common weapon in many nations' armories, including the United States. Accounts of torture, supported by horrifying photos and revelations of U.S. military and CIA acts of torture (e.g., Abu Ghraib, Guantánamo, and Kandahar, Afghanistan), document that the United States engages in torture. The United States has tortured and continues to torture, despite claims to the contrary. The evidence is overwhelming: Bush lied, Cheney endorsed it, Rumsfeld authorized it, Yoo and Gonzalez justified it, the CIA and military did it, other nations participated via rendition, and a few enlisted soldiers were court-martialed and sentenced to prison terms.

But it is Brecher's second assertion that piqued my interest. Brecher, a professor of moral philosophy in the United Kingdom, claims that his primary reason for writing the book was that “too many people seem to think torture is justified in the ‘Ticking Bomb’ case” (p. 8). When I read this, I recognized that I was about to embark on a challenging read that would expose me to a spectrum of controversial and complex moral, logical, and legal questions that are at the core of moral philosophy, especially that age-old question: “Are illegal or immoral acts ever justified if they save innocent lives?”

I opened Brecher's 120-page small-print volume eager to learn more about the “moral vacuity” that continues to feed the ticking bomb debate. I was soon engulfed by the arguments posed by both sides of the issue. And here I must compliment Brecher because he does not reflexively dismiss the advocates of torture as characterologically flawed or morally “evil” misanthropes. Instead, he carefully cites the errors in their arguments, using logic, analysis, expert opinion, and moral reasoning.

Some Say: “Torture Is Essential in Today's Dangerous World”

Brecher is clearly and unambiguously *against* permitting or legalizing torture under *any* conditions, including the ticking bomb scenario. But as I continued my reading, it was clear to me that there will always be those individuals and/or governments who will continue to contend that torture is acceptable, and perhaps even preferable, in today's world, in which there is terrorist access to weapons of mass destruction and new asymmetric conflicts. Indeed, as the media reveal each day, the ticking bomb scenario and its fear mentality are now being extended to far less dramatic circumstances. The origins and consequences of the ticking bomb argument are the focus of Brecher's entire volume. Here is the way Brecher presents it:

Suppose there is good reason to think that someone has planted a bomb in a public place. And suppose there is a good reason to think that it is going to go off in the next two hours or so, and that it is going to kill and maim dozens of people, maybe hundreds. But no one knows where the bomb is—except one person who is already in custody. Naturally, they [*sic*] have no intention of revealing where the bomb is. Maybe they have planted it themselves; maybe not. Either way, they remain silent. Should they be tortured to force them to reveal where the ticking bomb is? (p. 1)

The many nuances of this scenario leap from our imagination—an endless flood of moral and legal possibilities: How many people must die to justify the use of torture? How “important” are the people who will die? What will be the consequences for the bomber and torturer? Will the bomb go off regardless of the torture? Should we torture the bomber's family?

Today, there are many officials who consider the conditions in this era of terrorism to negate prior laws and ethics (e.g., United Nations, 1949, 1984). These individuals claim that these legal and moral codes were generated during past eras (e.g., wars between and among nation states with formal legal codes) and that they are now “anachronisms.” They claim that the current era of violence and conflict in which we live requires new strategies, tactics, weapons, laws, and policies of warfare because of emerging forms of conflict (e.g., insurgencies, targeted assassinations, ethnopolitical conflict, low-level warfare, urban guerillas, acceptable collateral damage, nonstate actors). They argue that “torture” is needed as an option under the guise of protecting civilians and reducing national and international destabilization.

Congress's definition of torture in those laws—the infliction of severe mental or physical pain—leaves room for interrogation methods that go beyond polite conversation.

—John Yoo, legal counsel for the Bush administration, May 29, 2004

In response, other writers, such as Vöneky (2007), have argued that “new enemies” and “new times” do not obviate or invalidate existing international laws (e.g., United Nations, 1949). Writing in a German law journal, she pointed out that in the Geneva Convention, written at a time when the world was still in turmoil and in danger of mass destruction, UN conferees chose to endorse humane standards because to do otherwise would eliminate and destroy the authority so essential to a nation's moral survival and moral identity. She wrote:

The signatories to the Geneva Conventions knew this and they came to the conclusion that there had to be minimum standards of humane treatment. They came to this conclusion, not because they were unrealistic or dogmatic, but because they knew that otherwise they were defeating their own case. Therefore it is not *despite the fact that* we all want to prevent and fight terrorism that we need to apply these minimum standards; it is *because* we want to prevent and fight terrorism that we have to apply them. If these minimum standards are not granted by the states that are fighting terrorism, in my opinion, those states undermine their own case—morally and practically (Vöneky, 2007, p. 756).

Clearly, the world has changed, and there are many new threats and challenges that we have not faced before our new era. But does this mean that we must abandon or redefine human morality to the point that we must tolerate a moral compass that points in all directions? Where then is the glue, the mortar, the ties that anchor our identity amid the chaos?

Alan Dershowitz: The Primary Target of Brecher's Arguments

Alan Dershowitz, a Harvard University professor of law who is a highly visible and articulate proponent of using interrogational torture under certain circumstances, is the primary target for Brecher's arguments. Dershowitz has advocated both legalizing interrogational torture and preemptive strikes (Dershowitz, 2002). Brecher focuses his critique of torture on Dershowitz because, he claims, Dershowitz has offered the “most notorious” and “most comprehensive” defense of the “new realism” regarding torture, and because Dershowitz is the “most influential” and the “most dangerous” (p. 6) advocate of interrogational torture.

Brecher challenges arguments used by Dershowitz, beginning with a criticism of Dershowitz's role in the early discussions regarding the legitimization of torture in the defense of Israel (i.e., the Landau Commission): Should the nation of Israel use any means it

can to protect its citizens and survival? Dershowitz is clearly a defender of interrogational torture, thus raising the moral philosophy question: “Do the ends justify the means?” There are many credible emotional arguments favoring Dershowitz's views. The justification for using interrogational torture finds appeal within the horrors of the Holocaust and the cry of “never again.” But survival at any cost can come at the expense of moral authority and approval. Dershowitz claims he is against torture morally but believes that legalizing it can improve its accountability, record keeping, standards, and limitations (as cited on p. 46). This position really irks Brecher, who raises many arguments against it and its extensions.

Some may wonder why Dershowitz continues to advocate interrogational torture so ardently and enthusiastically, especially defending it in the face of extensive evidence against the effectiveness of interrogational torture, the many implications of its abuse, and the extensive moral philosophy arguments that deny its legitimacy. For Brecher, the answer resides in the fact that Dershowitz's ideological agenda goes far beyond acts of torture to a new rationale for changing “anachronistic laws” about war; Dershowitz seeks to legalize interrogational torture and pre-emptive strikes by nations (e.g., the United States in Iraq, Israel in Syria). Citing Dershowitz's (2006) recent book *Preemption: A Knife That Cuts Both Ways* on the legitimacy of preemptive strikes, Brecher paints a picture of Dershowitz as an apologist for U.S. and Israeli aggression. He quotes Dershowitz as stating:

While it may be necessary for democracies to fight terrorists with one hand tied behind their backs it is neither necessary nor desirable for a democracy to fight with two hands tied behind its back, especially when the ropes that bind the second hand are anachronistic laws that can be changed without compromising legitimate human rights. (from *Preemption*, as quoted on p. 7 of *Torture and the Ticking Bomb*)

Now we see Dershowitz stripped of his “moral” arguments. This is about justifying war, aggression, and violence in the name of national security and gaining protection from any prosecution for crimes against humanity. But Brecher goes further than condemnation. He points out that torture can become widespread and habit forming. Mission creep occurs. Marginal cases become acceptable for torture. Acts of torture become more brutal and cruel. Brecher quotes Pokempner's “Command Responsibility for Torture” (2005):

Torture, like power, appears to be habit forming. The rationale of torture in an age of terror—averting imminent and massive harm to civilians by torturing the right source—easily slides to cover ever more remote sources and more hypothetical harms. It is difficult to torture just a little. (as quoted on pp. 60–61 of *Torture and the Ticking Bomb*)

Whether Dershowitz intended it to be the case or not, it is clear that his views have become both a defense and an apology for Bush administration actions and, in the process, a voice for those other nations seeking greater latitude in the interpretation and acceptance of

national and international laws regarding human rights abuses. It is only a matter of time before national and international legal challenges to Bush administration policies and actions regarding torture are raised. Dershowitz's views will certainly become a defense strategy.

Abuses and Violations by the United States

Within recent years, we have witnessed numerous abuses of accepted standards of law and morality by the U.S. government. At what point must we respond? If the ticking bomb scenario is accepted, its implications are profound for our national morality. This is not only about violations of laws; it is about the shaping of our national conscience and image.

Thou shalt not be a victim. Thou shalt not be a perpetrator. Above all, thou shalt not be a bystander.

—Yehuda Bauer, inscription, The U.S. Holocaust Memorial Museum, Washington, DC

In my view, we cannot remain silent without being culpable. The consequences of silence are too well known. The ideological culture that supports torture easily leads to *rendition* (i.e., illegal transferring of prisoners), “preemptive strikes,” unilateral invasions, interrogational torture schools, hegemonic trade pacts, and other essentially immoral and illegal actions.

A recent volume by Darius Rejali (2007) titled *Torture and Democracy* discusses these possibilities and their consequences. Using sheer duplicity, questionable legal interpretations, language ambiguities, and other legal machinations (i.e., “old laws don't apply to terrorists”), Bush administration legal staff and cabinet officers justified the use of torture at U.S.-government-run prisons at Guantánamo (Cuba), Bagram (Afghanistan), Abu Ghraib (Iraq), and a host of unknown secret CIA sites. And, when public scrutiny and accusations threatened to reveal the flagrant abuses and to condemn their illegality and immorality, the United States simply resorted to rendition to countries where torture is regularly used without violating their existing government laws (e.g., Egypt, Jordan, Israel, Pakistan, and Romania).

Stephen Grey, writing in *The London Sunday Times* in 2007, provided an extensive summary of the many renditions that have occurred. He cited <http://www.ghostplane.net/> as a website that details the flight logs and a complete list of prisoners affected by rendition. His 2006 book *Ghost Plane: The True Story of the CIA Torture Program* (2006) describes intentional illegal violations and abuses permitted by the U.S. government. The acts, the lies, the duplicity of the Bush administration regarding torture have left it impossible for the United States to claim any moral authority.

The civilized have created the wretched, quite coldly and deliberately, and do not intend to change the status quo; are responsible for their slaughter and enslavement; rain down bombs on defenseless children whenever and wherever they decide that their “vital interests” are menaced; and think nothing of torturing a man to death: these people are not to be taken seriously when they speak of the “sanctity” of human life, or the “conscience” of the civilized world.

—James Baldwin, *The Price of the Ticket*

Defining Torture

One tactic used by torture proponents and perpetrators is defining torture in such a way that “harsh interrogation” or “professional interrogation” acts (e.g., isolation, cold rooms, relentless noise, sensory deprivation) are excluded from the existing definitions of torture and thus become acceptable or nonprosecutable. In addition, it is clear that even when torturers and their superiors admit or confess their illegal actions in civilian and military courts that claim to value justice, law, and morality, they frequently escape prosecution or punishment under the guise of situational, character, or legal factors (see Conroy, 2000).

Of the hundreds, perhaps thousands, of civilian, government, and military personnel who have engaged in acts of torture, how many have been prosecuted? Pope (2001) offered the following comments on the definition of torture:

In 1975 the United Nations (UN) General Assembly unanimously approved the *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Member nations agreed to eliminate torture. Article 3 made clear: “No State may permit or tolerate torture or other cruel, inhuman or degrading treatment or punishment.” The states assumed active responsibility to eliminate torture. Exceptional events, situations, or factors would not provide an exception to the prohibition against torture. Article 3 continued: “Exceptional circumstances such as a state of war or a threat of war, internal political instability or any other public emergency may not be invoked as a justification of torture or other cruel, inhuman or degrading treatment or punishment.”

Member nations assumed the responsibility to take preventive measures to ensure that no one be allowed to engage in torture. Article 4 stated: “Each State shall in accordance with the provisions of this Declaration, take effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment from being practiced within its jurisdiction.” Previously, the UN had stated the principle on which member nations now committed themselves to act. Article 5 of the UN’s 1948 Universal

Declaration of Human Rights stated: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.” (Pope, 2001)

Pope made it clear that torture is an illegal practice that cannot be used even in times of war or exceptional circumstances. Yet, torture continues to be used by numerous nations as a matter of national and international policy and foreign relations. Why? Pope (2001) identified a number of reasons for this situation. While space limitations do not provide the opportunity for their elaboration and discussion, the list itself is sufficient to communicate the reasons used by so many government apologists:

Torture is legitimized by the state and by formal orders

Abstraction and other linguistic transformations (i.e., euphemisms) hide its uses.

“They don't count.”

“They deserve it because of what they have done.”

“They are threats.”

Switching roles: “The torturer is the victim.”

“We must have the information they have.”

“This is no concern of mine.”

“This is a lie, an exaggeration, or a mistake. We didn't really do this.” (Pope, 2001, section headings)

Pope's article is one of the most important publications on the topic of torture—its definition, meaning, legal status, justification, and rationale. It complements Brecher's volume by extending and strengthening his points. Reading the two together leaves little room for accepting torture, even with the ticking bomb scenario.

While a book review is not the place to identify or describe all of the known instances of torture under the auspices and protection of the United States, it is clear from the few survivors of these atrocities that the United States and its rendition partners are guilty of violating national and international laws and can no longer claim legal defenses or moral authority (see also Grey, 2006; McCoy, 2006; Weiner, 2007). And it is here, once again, that

Brecher's volume becomes an arbiter for negotiating the admittedly complex arguments favoring torture to "protect" individuals or populations in danger.

More on Brecher's Case Against Torture

As a professor of moral philosophy, Brecher is accustomed to bringing the tools of logic, reasoning, analysis, and scholarship to bear on the debate surrounding various controversial questions and issues. He is clear and unambiguous in his assertion that torture is illegal, immoral, and ineffective.

He offers page after page of clear reasoning that negates any argument favoring torture under any conditions, including all the reasons that make the ticking bomb a flawed argument: Do you know you have the right person(s)? Will the torture victim give accurate information? Is the torture victim merely a foil? How long before the ticking bomb is set to explode? Would ethical interrogation be more successful? What torture techniques should be used? Do you quickly go to the harshest forms of mental and physical torture, perhaps to the point of killing the victim? Who should do the interrogational torture? Has false information been planted? Who must authorize the torture? What level of risk must the ticking bomb be? Will the torturer become a celebrity and be able to publish a book and be interviewed on *The Larry King Show*? Should he or she keep the profits?

Brecher also questions whether the ticking bomb scenario should be applied to any or all situations in which authorities wish to get information: "The location of a kidnap victim," "the location of a dead body," "the location of a criminal mastermind," or "the location of cache of drugs or money." How do you make the ticking bomb scenario applicable only to a mass destruction weapon and a captured bomber? Obviously, you must first know absolutely that you have the bomb planter. Then you must know how much time you have before the bomb is set to explode. Then you must choose your torture method(s). Why not just go directly to medieval methods (e.g., skin peeling, disembowelment, boiling in oil, torturing of relatives, branding)?

Government apologists want to keep the ticking bomb scenario alive and well, not because it is a good academic exercise in moral philosophy courses but because it keeps fear levels in the population at a high level, making it possible to implement all sorts of controls without the usual questioning. In other words, the ticking bomb serves a functional purpose. It is easy to imagine the weapon (e.g., a bomb in the back of a truck), the perpetrator (e.g., probably a Middle Eastern male, bearded and capped), and the consequences (Manhattan is leveled).

As Brecher shows, the legality of an act is insufficient justification for its moral acceptability and consequences. And, certainly, the authorization by a superior to engage in an act does not mean it is moral and/or legal, as prison guards at Abu Ghraib found during

the course of their trials. And, even if laws have been passed to make certain actions “legal,” they may not be moral by all other standards. Brecher quotes *The Economist* (a conservative publication) in pointing out that once the Pandora's box of torture is opened, the path to moral and legal collapse will follow:

How will the counterterrorist program uphold a monopoly on the use of torture? Investigators of many crimes—narcotics, trafficking, serial murder, sabotage of information systems, espionage, financial scams—will consider their own pursuits compelling. Both U.S. and British judiciaries have struggled for decades with the overwhelming ill consequences of coercive interrogation of suspects. (*The Economist*, 2003, as quoted in Brecher, p. 60)

The United States has never hesitated to use torture in conditions of war or in the course of its clandestine interventions across the world. CIA and military personnel both taught and participated in the torture of Viet Cong prisoners during the Vietnam War. Torture and other related atrocities were widespread, leaving an indelible—though often tolerable—stain in the minds of the perpetrators, decision makers, and our national conscience (Blum, 2004; McCoy, 2006; Weiner, 2007). As the myth of the United States as the icon of justice in the world continues to collapse before the constant flow of revelations about its long history of inhumanity, brutality, and international crimes, continued efforts to justify torture or to deny its use only add to the stained and sullied image of our nation. We are left devoid of any cover or excuse across the world. No longer can we criticize other nations, mock other leaders, and cast phrases like “the axis of evil.” We have abused privilege, power, and position. The American tragedy is playing before us.

While Brecher argues against Dershowitz's position on legalizing interrogation using logic, analogy, and other approaches favored by moral philosophers, John Gray, writing in the *New Statesman*, chose to use satire in the best tradition of Jonathon Swift. Gray, with great sarcasm, wrote:

Dershowitz has noted that while the Fifth Amendment prohibits self-incrimination, that means only that statements elicited by torture cannot be used as evidence against the person who has been tortured. It does not prohibit torture itself. Neither does the Eighth Amendment, since the ban on “cruel and unusual punishments” applies only after an individual has been convicted. The belief that torture is unconstitutional in America may be widespread, but it is a fallacy—the product of rudimentary errors in legal reasoning.

So torture is permitted by the American Constitution. But it remains legally unregulated. To fill this gap, Dershowitz advocates the introduction of “torture warrants.” Just as the FBI applies to the courts for search warrants, so it should be able to apply for torture warrants. At present, there is nothing in the law that explicitly authorizes the use of torture to extract information from terrorists. If it is used, as it often is, it is used extra-

legally. As Dershowitz has pointed out, this is a highly unsatisfactory state of affairs. The rule of law is a core liberal value. It cannot be compromised in the fight against terrorism. Torture, therefore, must cease to be something practiced beyond the law; it must become part of normal judicial procedure. (Gray, 2003, as quoted by Soldz, 2007)

Brecher's Final Pages

By the time I reached Brecher's closing pages, I was impressed with the way he had carefully woven his criticism of the ticking bomb scenario. His closing words clearly reflect his position:

If *legal* torture were sanctioned, then we would have to accept all the consequences we have already considered. What is necessary to institutionalize interrogational torture, however, is unacceptable. If *illegal* torture—as of course in the real world it is—then, while the legal and many other consequences we have considered would not come into play, those concerning the acceptance and the spread of torture would. That is exactly what the experience in Israel shows and what Dershowitz himself rightly argues against, the hypocrisy of “justification after the event” and despite the law. Either way, torture cannot be justified. (p. 87)

Brecher's volume is a powerful statement about the importance of morality for human identity. Though an effective counter to the “ticking bomb,” there will always be those who will question its scholarship, arguments, and implicit and explicit values. I say this: Read Brecher to reaffirm your moral identity. Read Brecher to confirm your humanity. Read Brecher to understand the challenges to justice, peace, and security that continue to exist nationally across the world.

Beyond Brecher: The Real Ticking Bomb—My Thoughts

The entire debate over torture and the ticking bomb keeps us away from a ticking bomb that really does exist, one far more dangerous for hundreds of millions, perhaps billions, of people. That bomb is the creeping fascism that is arising across the world as governments use legal and illegal ways to seek to control their citizens. In the United States, it is clear that the present presidential administration and its supporters in business, religion, and the military have managed through signed statements, questionable legislation, secret meetings,

and sheer duplicity to create an “imperial presidency” with rights and privileges that threaten our constitutional liberties and freedoms (Gellman & Becker, 2007).

With hundreds of billions of dollars going to corporations profiting from the wars (e.g., Haliburton, Bechtel, Kellogg, Brown & Root, Blackwater; see Greenwald, 2006), there is little motivation to reduce the level of public fear. Instead, our government prefers to maintain our national hysteria about terrorism. Indeed, recently legislation has been proposed to prevent violent radicalization and homegrown terrorism. Consider the following news release:

October 23, 2007 (WASHINGTON)—Today, Rep. Bennie G. Thompson (D-MS), Chairman of the Committee on Homeland Security, and Rep. Jane Harman (D-CA), Chair of the Subcommittee on Intelligence, Information Sharing and Terrorism Risk Assessment announced passage of H.R. 1955, the “Violent Radicalization and Homegrown Terrorism Prevention Act of 2007”...

Chairman Thompson issued the following statement regarding the legislation:

“This vital legislation puts our nation on the path to addressing an emerging threat—homegrown terrorism. We simply don't know how many ‘would-be terrorists’ are living right next door. Now we will have the ability to analyze our and other nations' experience with this critical issue, propose and adopt recommendations for a safer America, and also protect civil rights and liberties of U.S. Citizens.

“The threat of a ‘Made in the USA’ suicide bomber has never been greater. This bill, though not a silver bullet, will help develop a better understanding of the root causes of homegrown terrorism, and the steps we can take to stop it. We must intervene before a person crosses the line separating radical views from violent behavior, create an environment that discourages disillusionment and alienation, and instill in young people a sense of belonging and faith in the future.” (Committee on Homeland Security, 2007)

We are told to fear the people next door. Not our government, but our neighbors. Not our government—which has so clearly and unequivocally broken numerous national and international laws and, in the process, stained both our heritage and our hopes—but our neighbors next door. Who will be labeled, and who will do the labeling? Law enforcement and government officials will do the labeling; academics, Quakers, war protesters, women's rights advocates, community activists, and labor agitators will be the labeled.

I cannot imagine a better analog to the ticking bomb scenario, or a more supportive argument in favor of reading and accepting Brecher's thoughts and arguments. In the process of fearmongering, the United States continues to sink deeper and deeper into the very mire its arrogant self-interest has created and nurtured. The imperial American “empire” is imploding—collapsing from within because of its moral flaws. It has failed to understand and acknowledge a changing world that is questioning and challenging American political,

economic, and cultural hegemony replete with its endorsement of greed, selfishness, and materialism (see Johnson, 2006).

The ticking bomb scenario may be simply a way to salvage a legacy and to protect the most disastrous administration in American history from prosecution. However, whether realistic or contrived, the ticking bomb terrorist scenario keeps us detracted from the real danger—the ticking bomb of corrupt, criminal, and oppressive governments. Perhaps my choice of the title for my review—“The ‘Ticking Bomb Scenario: Immoral Excuse, Legal Ruse, and Propaganda Abuse’—now makes sense.

References

- Blum, W. (2004). *Killing hope: U.S. military and CIA interventions since World War II*. Monroe, ME: Common Courage Press.
- Committee on Homeland Security. (2007, October 23). *Violent radicalization and homegrown terror bill passes House 404 to 6* [Press release]. Retrieved March 5, 2008, from <http://homeland.house.gov/press/index.asp?ID=287&SubSection=0&Issue=0&DocumentType=0&PublishDate=0>
- Conroy, J. (2000). *Unspeakable acts, ordinary people: The dynamics of torture*. Berkeley, CA: University of California Press.
- Dershowitz, A. (2002). *Why terrorism works*. New Haven, CT: Yale University Press.
- Dershowitz, A. (2006). *Preemption: A knife that cuts both ways*. New York: Norton.
- Gellman, B., & Becker, J. (2007, June 24). Pushing the envelope on presidential power. *The Washington Post*. Retrieved March 6, 2008, from blog.washingtonpost.com/cheney/chapters/pushing_the_envelope_on_presi/
- Greenwald, G. (2007, December 9). Democratic complicity in Bush's torture regimen. *Salon*. Retrieved March 5, 2008, from <http://www.salon.com/opinion/greenwald/2007/12/09/democrats/index.html>
- Greenwald, R. (2006). *Iraq for sale: War profiteers* [Documentary film]. Available from <http://iraqforsale.org/>
- Grey, S. (2006). *Ghost plane: The true story of the CIA torture program*. New York: St. Martin's Press.
- Hess, P. (2007, December 12). Hayden knew of interrogation tapes. *Associated Press*. Retrieved March 5, 2008, from <http://www.washingtonpost.com/wp-dyn/content/article/2007/12/12/AR2007121200235.html>
- Johnson, C. (2006). *Nemesis: The last days of the American republic*. New York: Metropolitan Press.

- McCoy, A. (2006). *A question of torture: CIA interrogation from the cold war to the war on terror*. New York: Metropolitan Press.
- Pope, K. (2001). Torture. In J. Worrell (Ed.), *Encyclopedia of women and gender: Sex similarities and differences and the impact of society on gender*. New York: Academic Press. Retrieved December 4, 2007, from <http://kspope.com/torvic/torture-abst.php%copy>
- Rejali, D. (2007). *Torture and democracy*. Princeton, NJ: Princeton University Press
- Soldz, S. (2007). *Psyche, science, and society* [Web log]. Retrieved March 5, 2008, from <http://psychoanalystsopposewar.org/blog/2007/12/06/a-modest-proposal-and-the-need-for-empirically-based-torturer-treatment/>
- United Nations High Commission for Human Rights. (1949). *Geneva Convention relative to the treatment of prisoners of war*. Retrieved from <http://www.unhchr.ch/html/menu3/b/91.htm>
- United Nations. (1984). *United Nations Convention against torture*. Retrieved from www.un.org/documents/ga/res39/a39r046.htm [resource no longer available]
- Vöneky, S. (2007). The fight against terrorism and the rules of international law: Comment on papers and speeches of John B. Bellinger, chief legal advisor to the United States State Department. *German Law Journal*, 8(7). Retrieved March 5, 2008, from http://www.germanlawjournal.com/pdf/Vol08No07/PDF_Vol_08_No_07_747-760_Developments_Voeneky.pdf
- Warrick, J., & Eggen, D. (2007, December 9). In meetings, spy panels' chiefs did not protest, officials say. *The Washington Post*, p. A1.
- Weiner, T. (2007). *Legacy of ashes: The history of the CIA*. New York: Doubleday.
-