



Facing Torture

by Roger Scruton

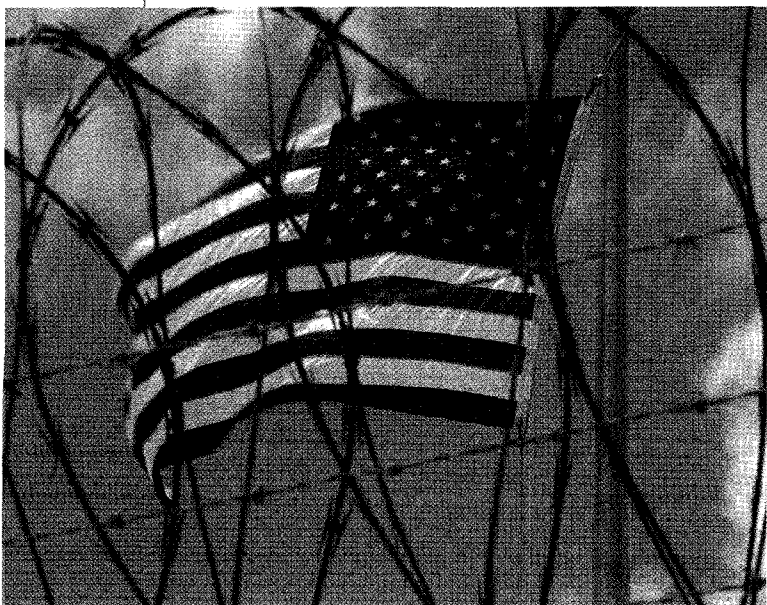
THE DEBATE OVER THE USE OF TORTURE has taken a new and disturbing turn, as prominent Democrats seek to bring criminal charges against key members of the previous U.S. administration. Moreover, Baltasar Garzón, who has for several years been using his position as a Spanish judge to further leftist causes, has now seen an opportunity to open criminal investigations against America, joining the Islamists in their strategy of "lawfare" against the Great Satan.

Of course, politicians can commit crimes and should be held to account for them. But policies that run counter to this or that UN convention are not necessarily crimes within the jurisdiction of a state, and when these policies are adopted by the organs of government after due deliberation and with sincere regard to the public interest it is only in exceptional circumstances that those who execute them could be regarded as criminal. The correct response in those exceptional circumstances is to put an entire

government and its supporting network on trial, as the Allies put the Nazi regime on trial at the end of World War II, and as Eastern European governments have tried in vain to put the Communist Party on trial in recent decades.

If we don't follow those principles, then just about every government in the world today could be charged with crimes, and each administration could be hauled before the courts by its successor. This would lead to a breakdown of trust between the parties and the first steps toward civil war of the kind often seen in South America. And it would cause politicians to retreat entirely from those difficult decisions that the national interest requires them to make, for fear of ending up in jail. It goes without saying that this will be an encouragement to the nation's enemies. And it ought to be equally obvious that it will lead to an escalation, rather than a diminution, in the worldwide violations of human rights.

On the other hand it is necessary to be clear about the fundamental question, which is when, if ever, torture might be justified, and to what extent. No decent person condones the torture of the innocent. But no decent person condones the imprisonment of the innocent either, or the subjection of the innocent to distressing interrogations or harsh regimes. English law contains an ancient common-law right, secured by the writ of habeas corpus (soon to be canceled by the *corpus juris* of the EU), which compels those who would imprison, interrogate, or punish us in any way to accuse us first before a valid court of law, and to bring proof of our guilt. If the punishments include torture, which once they did, at least it would be on the assumption that only the guilty are tortured. And are there no crimes for which torture is an appropriate punishment? What about the crimes of Hitler or Stalin? How many think that *Othello* ends with an injustice, when Iago is taken away to torture, in order that his motives be known?



are quick to point out that this falls far short of a “well-rounded education,” since all the texts used for instruction, even those for supposedly “rational sciences,” are fundamentalist in nature, and many have stopped being taught altogether in Pakistan’s more than 10,000 *madaris* (the plural of *madrasa*).

Of those, Darul Uloom Haqqania in the country’s North-West Frontier Province is among the most prominent. In the past, Darul Uloom is known to have served as a training ground for Taliban leaders, as well as a recruiting center for Pakistani militants fighting in the disputed region of Kashmir. Today, Darul Uloom still casts a long ideological shadow; more than 2,800 Pakistani, Afghan, Tajik, Kazakh, Uzbek, and Chechen students are currently estimated to be enrolled there. Also prominent are the Ahle-hadith *madaris*, located outside Lahore. These are known to have provided fighters to Lashkar-e Taiba, the Kashmiri terrorist group responsible for the bloody November 2008 assault on the Indian city of Mumbai.

By objective standards, the size of the problem is still small. Officials in Islamabad estimate that some 1.7 million students—just 1 percent of the country’s total population—are currently enrolled in the *madrasa* system. Yet if even a fraction of that number becomes radicalized enough to join the jihad against the West, it would be a boon to terrorist groups such as al Qaeda and a major challenge to the United States and its allies. And by all indications, that is precisely what is happening in places such as Afghanistan and Kashmir, where anecdotal evidence suggests that local radicals are being reinforced by new recruits from Pakistan’s Islamic schools.

Pakistan may be the most prominent example of this radicalization, but it is hardly the only one. Indeed, the same conditions that empowered the rise of a parallel, largely unaccountable educational system in South Asia’s most unstable state can be seen today throughout the rest of the Islamic world.

IT WAS NOT ALWAYS THIS WAY. Between the eighth and tenth centuries, Islamic thinkers pioneered significant new knowledge in mathematics and astronomy. The same period saw the translation and dissemination of classic books of literature and Greek philosophy throughout the Muslim world, and new inventions that aided technological and scientific discovery. Subsequent years, however, saw a systematic closing of the Muslim mind, as the “gates” of *ijtihad*—open, scholarly interpretation of Quranic

texts—were “closed” and clerical authority replaced intellectual inquiry.

The cumulative effects of this change have been profound. Today the Muslim world suffers from a crisis of education—one that has systematically

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stripped that part of the world of the ability to compete in the “geography of ideas.” Exactly how deep this deficit runs is painfully clear. In its 2008 report on educational reform in the Middle East and North Africa, the World Bank notes that the countries of the region as a whole score far below countries like Chile and Estonia in every area of “knowledge”—from the skills and education level of their populations to the presence of an infrastructure that reinforces and rewards learning. Adult illiteracy in Arab states, meanwhile, stands at some 50 percent, nearly double that of the rest of the Third World.

Intellectual curiosity, meanwhile, is sorely lacking. As a whole, Arab countries translate “about 330 books annually, one-fifth of the number that Greece translates,” the UN Development Programme’s 2002 *Arab Human Development Report* pointed out. “The cumulative total of translated books since the Caliph Maa’moun’s time (the ninth century) is about 100,000, almost the average that Spain translates in one year.” The Arabic world, in other words, is an intellectual outlier, an area of the planet that has failed to keep pace with others in the arena of thought, ideas, and innovation.

This state of affairs represents a major challenge for the West. According to the World Bank, “the population of 15- to 24-year-olds accounts for 21.5 percent (approximately 70 million) of the regional population, while another 45 percent is less than 15 years of age.” In practical terms, this means that more than half of the entire Middle East and North Africa is of school age and will continue to be for at least another generation. Yet America so far has paid far too little attention to this “youth bulge” or the means by which it could shape its upbringing and outlook.

TO ITS CREDIT, early on the Bush administration appeared to grasp the importance of education in the war of ideas now raging in the Muslim world. In its 2002 *National Security Strategy*, the Bush White House extolled the importance of “literacy and learning” and committed to expanding its stake in education in the Middle East and North Africa. And, reflecting this focus, by mid-2008 the U.S. government’s total investment in basic education worldwide had risen to approximately \$1.75 billion. Yet of that sum, merely a third (some \$650 million) was spent in the Islamic world. And even those funds tended to be politicized—allocated based, above all, on the recipient country’s ability to provide “return

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on the dollar,” rather than its strategic significance in what has come to be known as the Long War.

For all of its protestations about Bush foreign policy, the Obama administration so far gives every indication of following in its predecessor’s footsteps. While still on the presidential campaign trail, then Sen. Barack Obama promised to establish a \$2 billion Global Education Fund in order to “offer an alternative to extremist schools” abroad. Today, however, that plan remains more rhetoric than reality. The president’s first budget request, released publicly on May 7, included only a modest increase over existing levels for basic education worldwide, and contented itself with an amorphous pledge to continue “to study” the feasibility of creating a global education fund at some later date.

Perhaps the most emblematic—and egregious—example of this institutional neglect is Iraq. Militarily, the United States and its allies have succeeded in turning the tide of battle decisively away from al Qaeda and its affiliates, thanks in no small measure to the “surge” strategy adopted by the Bush administration in 2007. Intellectually, however, America has virtually taken itself out of the running in helping to shape a liberal, pluralistic order in the former Ba’athist state. That is because, since 2005, the U.S. government, as a matter of official policy, has funded no basic education programs there. Rather, educational projects—from the building of schools to the

acquisition of moderate textbooks—have been relegated to the margins of the public policy debate over the future of the Iraqi state, funded at the discretion of individual military commanders.

Nor is any of this likely to change in the near future. As recently as this past April, in an internal bureaucratic decision, the Obama administration opted against allocating a nominal \$20 million to fund basic education programs in Iraq. The reason? That such an investment is likely to carry more entanglements and political risks than tangible rewards for a White House interested in ending its involvement in Iraq as soon as possible.

It would be difficult to overstate the importance of this choice. Modern-day Mesopotamia represents the cradle of the Islamic kingdom so desired by al Qaeda and other Sunni radicals. Osama bin Laden himself has termed Baghdad to be the “capital of the caliphate,” and Iraq the epicenter of the “Third World War” now raging between Islam and the West. The lack of serious, sustained American engagement in the mechanics of basic education in Iraq, therefore, is tantamount to an abdication of that arena to a host of hostile ideologies—and an invitation to America’s adversaries to engage where we have not.

Iraq, moreover, is a bellwether of sorts for Muslim education writ large. Of the world’s 49 majority Muslim countries and territories, nearly 40 percent currently do not receive American basic educational assistance. This chronic failure to engage the Islamic world on the battlefield of ideas, in turn, has permitted no shortage of radical ideologies and intolerant ideas to take root and woo untold numbers of converts to the cause of America’s adversaries. It has also made the United States a marginal force in shaping the future of one of the world’s most volatile regions.

In his April address in Turkey, President Obama proclaimed his belief that the Muslim world can be a partner in “rolling back the violent ideologies that people of all faiths reject.” Making this vision a reality, however, will require the Obama administration to put its money where its mouth is and lay the educational foundation necessary for such a meeting of the minds. ❧

Ilan Berman is vice president for policy at the American Foreign Policy Council in Washington, D.C. This article is adapted in part from his new book, *Winning the Long War: Retaking the Offensive against Radical Islam*, which has just been released by Rowman & Littlefield Publishers.

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Tea Hee

by James Taranto

IT'S TOO EARLY TO TELL IF THE anti-tax-and-spend "tea party" movement will fizzle or develop into a serious opposition to President Obama's domestic policies. But at the very least, it is newsworthy when thousands of Americans gather around the country to demonstrate against a liberal president's policies. Whereas the left has a well-entrenched protest culture, mass demonstrations, notably excepting those against abortion, are a rarity on the right.

Yet whereas news coverage of antiwar and other left-wing demonstrations is generally respectful, even deferential, coverage of the tea parties has at times been confrontational and mocking. Here's the lead paragraph of an April 15 Associated Press dispatch:

Whipped up by conservative commentators and bloggers, tens of thousands of protesters staged "tea parties" around the country Wednesday to tap into the collective angst stirred up by a bad economy, government spending and bailouts.

Good luck finding an AP story on a left-wing protest that begins by telling readers who "whipped up" the demonstrators.

The worst offenders were on CNN. NewsBusters.org, a blog of the conservative watchdog group Media Research Center, described the scene when CNN correspondent Susan Roesgen covered a tax-day tea party in Chicago:

Roesgen asked a man holding his toddler, "Why are you here today?" The man started to respond saying, "Because I hear a president say that he believed in what Lincoln stood for. Lincoln's primary thing was he believed people had the right to liberty and they had the right..."

But Roesgen cut him off, saying, "But sir, what does that have to do with taxes? What does this have to do with your taxes?" She continued asking questions over him as he asked her to "let me finish my point." One crowd member was heard to yell "shut up" to Roesgen.

When the man finished his statement about people having the "right to the fruits of their own labor" and "government should not take it," Roesgen began arguing with him again and other protesters began to get upset.

Roesgen backed away, claiming that "you get the general tenor of this" tea party. "Anti-government, anti-CNN since this is highly promoted by the right-wing conservative network Fox, and since I can't really hear much more and I think this is not really family viewing. Toss it back to you, Kyra [Phillips]," Roesgen concluded.

In her exchange with the man, Roesgen argued forcefully on behalf of Obama's fiscal policies. "Do you realize," she asked him in a tone more hectoring than inquisitive, "that you're eligible for a \$400 tax credit?" Then, in the same tone, "Wait! Did you know that the state of Lincoln"—Illinois—"gets \$50 billion out of the stimulus? That's \$50 billion for this state, sir."

Another NewsBusters item described a scene from CNN's *Anderson Cooper 360*:

After CNN's senior political analyst David Gergen remarked that Republicans were "searching for their voice" after two electoral losses, Cooper quipped, "It's hard to talk when you're tea-bagging."

The reference might have been lost on many viewers, but "tea-bagging" is a slang term for a type