Flawed Logic and Shallow Utilitarianism:
Torture and the Ticking Bomb Scenario

Adam Peter Simonette
Bachelor of Arts
Bachelor of Laws

This thesis is presented for the degree of Bachelor of Arts in Politics and
International Studies with Honours of Murdoch University, Western Australia, 2011
Declaration

I declare that this thesis is true account of my own work, unless otherwise indicated, and has not previously been submitted for examination at Murdoch University or any other institution.

Adam Peter Simonette
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Author: Adam Peter Simonette

Year: 2011
Abstract

The debate over the efficacy of torture is ongoing. When faced with an emergency situation, such as a bomb about to explode in a densely populated area, should the state resort to torture if the suspect in custody refuses to divulge any information? Should democratic governments allow for the use of interrogational torture as a last resort? Does torture in emergency situations have the potential to maximise human rights and the well-being of the community? These are some of the important questions addressed in the thesis.

Some of the proponents claim that it can be morally justified, and that the use of torture could maximise the liberty of the citizens of the nation. However, torture is not a maximisation of liberty. It does not improve the common good. Torture cannot be justified by any government – morally or otherwise. I will consider the practical and moral arguments made by Dershowitz, Bagaric and Clarke. I will argue torture cannot be justified because of the problems with the ticking bomb scenario and the serious societal effects torture has. I will then consider the impact of interrogational torture on human rights and argue that it is an absolute violation of liberty. Finally, I will argue that the torture proponents’ arguments that are centred on utilitarianism are shallow and are a misapplication of utilitarian theory.
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Acknowledgements

I would like to thank my supervisor Dr. Janice Dudley for putting up with all my questions and always guiding me in the right direction. I truly thank you for all the help you have given me, not only over the last year, but over the six years I have been at Murdoch University.

Thank you to Dr. Ian Cook. Without Ian I would not have the grasp on utilitarianism that I do at the moment. Not only that, but thank you for teaching me how to write and plan clearly and concisely. You have been a great help while I have studied at Murdoch.

To my mother Lola, father Peter and brother Daniel. Thank you for putting up with me for so many years, and helping me emotionally and financially and for never doubting me.

Thank you to my grandparents Sid, Rena and Daphne. You have always been there for me and have been nothing but supportive for my entire life.

And to all my friends, thank you. Thanks for helping me survive the year.