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### No pain, no gain ? Torture and ethics in the war on terror / Alex J. Bellamy

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Title:	No pain, no gain ? Torture and ethics in the war on terror
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Abstract:	<p>Is the use of torture ever justified ? This article argues that torture cannot be justified, even in so called ticking bomb cases, but that in such extreme situations it may be necessary. In those situations, judgements about whether the use of torture is legitimate must balance the imminence and gravity of the threat with the need to prevent future occurrences of torture and maintain a normative environment that is hostile to its use. The article begins by observing that the use of torture and/or cruel and degrading treatment has become a core component of the global war on terror. It tests the claim that the use of coercive interrogation techniques does not constitute torture, showing that similar arguments were levelled by both the British and French governments in relation to Northern Ireland and Algeria respectively and found wanting. It then evaluates and rejects Dershowitz's claim for the legalization of torture and the more limited claim that torture may be permissible in ticking bomb scenarios. In the final section, the article questions how we might maintain the prohibition on torture while acknowledging that it may be necessary in some hypothetical cases.</p>
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