

# APPLES AND ORANGES

I wanted to link to Elsinora's diary at DKos, where she describes John Ashcroft's attempts to avoid admitting that he sanctioned torture (the "me" in the dialogue is Elsinora herself).

ME: First off, Mr. Ashcroft, I'd like to apologize for the rudeness of some of my fellow students. It was uncalled for—we can disagree civilly, we don't need that. *(round of applause from the audience, and Ashcroft smiles)* I have here in my hand two documents. One of them, you know, is the text of the United Nations Convention against Torture, which, point of interest, says nothing about "lasting physical damage"...

ASHCROFT: *(interrupting)* Do you have the Senate reservations to it?

ME: No, I don't. Do you happen to know what they are?

ASHCROFT: *(angrily)* I don't have them memorized, no. I don't have time to go around memorizing random legal facts. I just don't want these people in the audience to go away saying, "He was wrong, she had the proof right in her hand!" Because that's not true. It's a lie. If you don't have the reservations, you don't have anything. Now, if you want to bring them another time, we can talk, but...

ME: Actually, Mr. Ashcroft, my question was about this other document. *(laughter and applause)* This other document is a section from the judgment of the Tokyo War Tribunal. After WWII, the Tokyo Tribunal was basically the Nuremberg Trials for Japan. Many Japanese leaders were put on trial for war crimes and crimes against humanity, including torture. And among the tortures listed

was the "water treatment," which we nowadays call waterboarding...

ASHCROFT: (*interrupting*) This is a speech, not a question. I don't mind, but it's not a question.

ME: It will be, sir, just give me a moment. The judgment describes this water treatment, and I quote, "the victim was bound or otherwise secured in a prone position; and water was forced through his mouth and nostrils into his lungs and stomach." One man, Yukio Asano, was sentenced to fifteen years hard labor by the allies for waterboarding American troops to obtain information. Since Yukio Asano was trying to get information to help defend his country—exactly what you, Mr. Ashcroft, say is acceptable for Americans to do—do you believe that his sentence was unjust? (*boisterous applause and shouts of "Good question!"*)

ASHCROFT: (*angrily*) Now, listen here. You're comparing apples and oranges, apples and oranges. We don't do anything like what you described.

ME: I'm sorry, I was under the impression that we still use the method of putting a cloth over someone's face and pouring water down their throat...

ASHCROFT: (*interrupting, red-faced, shouting*) Pouring! Pouring! Did you hear what she said? "Putting a cloth over someone's face and pouring water on them." That's not what you said before! Read that again, what you said before!

ME: Sir, other reports of the time say...

ASHCROFT: (*shouting*) Read what you said before! (*cries of "Answer her fucking question!" from the audience*) Read it!

ME: (*firmly*) Mr. Ashcroft, please answer

the question.

ASHCROFT: (*shouting*) Read it back!

ME: "The victim was bound or otherwise secured in a prone position; and water was forced through his mouth and nostrils into his lungs and stomach."

ASHCROFT: (*shouting*) You hear that? You hear it? "Forced!" If you can't tell the difference between forcing and pouring...does this college have an anatomy class? If you can't tell the difference between forcing and pouring...

ME: (*firmly and loudly*) Mr. Ashcroft, do you believe that Yukio Asano's sentence was unjust? Answer the question. (*pause*)

ASHCROFT: (*more restrained*) It's not a fair question; there's no comparison. Next question! (*loud chorus of boos from the audience*)

Thanks to Elsinora for exposing what Ashcroft's defense against war crimes will be: The Senate reservations, and apples and oranges.