

# MICHAEL MUKASEY DOUBLES DOWN ON THE SOPHISM

✘ The most interesting aspect of Michael Mukasey's retort to John McCain's op-ed calling him a liar is not the content—that's the same old trite sophism—but rather the publication details of it.

It appears not under Mukasey's byline, but under Dick Cheney's speech-writer's byline, complete with a picture. And when he introduces Mukasey's words, Marc Thiessen doesn't use any of those trappings of grammar or publication we normally use to indicate direct quotations from others, like quotation marks or a blockquote. Rather, Thiessen just says "here is his statement:" and then launches right into "Senator McCain described as "false" my statement that Khalid Sheikh Mohammed broke under harsh interrogation..."

The seamlessness between Thiessen and Mukasey speaking in the first person all has the wonderful effect of emphasizing that Mukasey's original statement was simply another product of Dick Cheney's torture apologist PR campaign. In a bid to salvage the moral capitulations Mukasey made to become Attorney General, he now speaks in the voice of Dick Cheney's flack.

And note the rather incredible ethical lapse here? McCain's op-ed, remember, was published **in the WaPo**, the same paper Mukasey—I mean Thiessen's—response is in. At current count, McCain's op-ed has 778 Tweets and 5837 recommendations—22 times as many recommendations as Thiessen's own op-ed on torture published two days earlier. [Update: And Greg Sargent did a post on McCain's Senate speech, which itself has 6661 recommends at this point.] Whether McCain's op-ed made Fred Hiatt vomit or not, it has brought the WaPo a great deal of traffic and attention, precisely what newspapers generally

like to do with their op-ed pages. Generate controversy, influence debate, get traffic.

But Thiessen didn't link McCain's op-ed! He prevented the WaPo from enjoying the stickiness that a heated debate conducted within its own pages can give.

Of course, he also made it a lot more difficult for his—um, I mean Mukasey's—readers to compare Mukasey's rebuttal with McCain's own op-ed. Thiessen—um, I mean Mukasey—must hope that readers don't see that McCain's claim had everything to do with whether torturing Khalid Sheikh Mohammed led to Osama bin Laden, whereas Thiessen's—um, I mean Mukasey's rebuttal—clings to KSM's use of a nickname that the US already knew. Or maybe Thiessen—um, I mean Mukasey—didn't want his readers to know that KSM lied under torture and actually hindered the hunt for OBL, even after Thiessen's—um, I mean Mukasey's—cherished torture was used.

Or maybe Thiessen—um, I mean Mukasey—is hiding the much more powerful argument McCain made (which, as Amy Davidson lays out, was unfortunately diminished by McCain's call for no prosecutions), in which McCain talks about the moral imperative not to torture.

As we debate how the United States can best influence the course of the Arab Spring, can't we all agree that the most obvious thing we can do is stand as an example of a nation that holds an individual's human rights as superior to the will of the majority or the wishes of government? Individuals might forfeit their life as punishment for breaking laws, but even then, as recognized in our Constitution's prohibition of cruel and unusual punishment, they are still entitled to respect for their basic human dignity, even if they have denied that respect to others.

All of these arguments have the force of right, but they are beside the most

important point. Ultimately, this is more than a utilitarian debate. This is a moral debate. It is about who we are.

You see, this is all about Thiessen—um, I mean Mukasey—engaging in another round of sophism, of setting facts loose in a haze of illogical statements to confuse readers. To allow readers to see a clear assertion that torture violates America's claims to moral standing might clarify what Thiessen and those he speaks for are trying so desperately to muddle.