

Torture As A Moral Issue For Christians

Discussion Guide

Compiled December 2006

St. Anthony Park Neighbors for Peace

TORTURE AS A MORAL ISSUE FOR CHRISTIANS

To the Discussion leader:

This is background material for a serious discussion about the use of torture by agents of the U.S. government in the “war on terror”. Religious leaders from many backgrounds have formed the National Religious Committee Against Torture, and have said “Let America abolish torture now--without exceptions.” To what extent do we agree or disagree? We, in St. Anthony Park Neighbors for Peace, know torture is a most distasteful subject, and one most of us would rather not think about or discuss. Some may wonder if, at least under some conditions, such repulsive acts may be a horrible necessity in the current world situation. We may be torn between our ideals of moral behavior and our fears. National leaders keep repeating that “everything changed after 9/11.” Does that make our old moral compass out of date?

Most of us are not expert on the subject, and we may hesitate to lead a discussion if we don’t “have all the facts.” So that discussion leaders do not have to dig up basic facts on the issue, we have put together this packet. We also pass along the suggestion that you involve your group as much as possible by having different people read out loud some of the material (for example the list of torture techniques used, or a couple of case studies.) The long articles are included to give a sampling of some of the thinking of religious leaders on this issue, and they will be most useful to the leader in preparing for the discussion.

We have prepared this packet to facilitate discussion of torture within a religious context, and thus have included some biblical passages to remind us of a moral framework. During the discussion we hope each participant will keep in mind the question of how state sponsored torture fits into his/her own moral framework. We also hope the discussions will allow the expressions of ambiguous or contradictory opinions. Only when we honestly face our fears can we stand strong for a principle.

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Torture As A Moral Issue For Christians: Discussion Guide

1. Establish the religious framework, within which we decide what is moral,

For Christian groups, read aloud some Biblical passages. Suggestions:

Matthew 27: 27-34 -- the story of the torture and death of Jesus

Luke 6:31

Romans 12:21

Galatians 6:7

Hebrews 13:3

Although an important part of the Christian story deals with the torture, suffering, and death of Jesus, the overwhelming message of his teachings stresses compassion, non-violence, and respect for all people.

2. Establish the facts of US torture in the “war on terror”

- Appendix 1: Techniques of torture allegedly used or authorized by the US. page 3
Ask a member of the group to read aloud part of the list
- Appendix 2: Case Studies page 5-8
Choose one case and have a member of the group read it aloud.
- Appendix 3: National and international law page 9
On poster or flip chart, list the laws with dates so group will have something to look at while you name or explain the laws
- Appendix 4: The Current US Law: Military Commissions Act of 2006 page 10
On poster or flip chart, list the problems with list law raised by Human rights groups
- Appendix 5: Secular opinions. Does torture work? Does it make us safer? page 12
Center for Victims of Torture lessons on torture
On poster or flip chart, list the 8 lessons

3. How do we reconcile our religious framework with the US use of torture?

- Appendix 6: Religious/moral opinions
Articles to give discussion leaders background
Discussion questions:
Do we feel that for our survival (or that of our children, our nation) we accept evil acts (torture) in the hope of a good end? Does the end justify the means?
Should torture be allowed in “exceptional” cases? Who decides what is exceptional?
As Christians, how do we think terrorists should be treated?
Is our soul, the spirit of God within each of us, damaged when we condone or ignore torture done by our government for our “benefit”?
Should America abolish torture with no exceptions?
It is important that participants feel free to express their true apprehensions about both morality and security.

4. Appendix 7: Where do we go from here? page 31

APPENDIX 1: TORTURE TECHNIQUES

The following are some of the detention or interrogation practices that are alleged to have been authorized or used by the US during the "war on terror." Some appear to have been tailored to specific cultural or religious sensitivities of the detainees, thereby introducing a discriminatory element to the abuse. Techniques are often used in combination. Neither gender nor age has offered protection. Children, the elderly, women and men are reported to have been among the subjects of torture or ill-treatment. This list does not claim to be exhaustive.

1. Abduction
2. Barbed wire, forced to walk barefoot on
3. Blindfolding
4. "Burking" – hand held over detainee's mouth/nose to prevent breathing
5. Cell extraction, brutal/punitive use of
6. Chemical/pepper spray, misuse of
7. Cigarette burns
8. Claustrophobia-inducing techniques, e.g. tied headfirst in sleeping bag, shut in lockers
9. Death threats
10. Dietary manipulation
11. Dogs used to threaten and intimidate
12. Dousing in cold water
13. Electric shocks, threats of electric shocks
14. Exposure to weather and temperature extremes, especially via air-conditioning
15. Flags, wrapped in Israeli or US flags during or prior to interrogation
16. Food and water deprivation
17. Forced shaving, i.e. of head, body or facial hair
18. Forcible injections, including with unidentified substances
19. Ground, forced to lie on bare ground while agents stand on back or back of legs
20. Hooding
21. Hostage-taking, i.e. individuals detained to force surrender of relatives
22. Humiliation, (forced crawling, forced to make animal noises, being urinated upon)
23. Immersion in water to induce perception of drowning
24. Incommunicado detention
25. Induced perception of suffocation or asphyxiation
26. Light deprivation
27. Loud music, noise, yelling
28. Mock execution
29. Photography and videoing as humiliation
30. Physical assault, e.g. punching, kicking, beatings with hands, hose, batons, guns, etc
31. Physical exercise to the point of exhaustion, e.g. "ups and downs", carrying rocks
32. Piling, i.e. detainee is sat on or jumped on by one or more people ("dog/pig pile")
33. Prolonged interrogations, e.g. 20 hours
34. Racial and religious taunts, humiliation
35. Relatives, denial of access to, excessive censorship of communications with
36. Religious intolerance, e.g. disrespect for Koran, religious rituals
37. Secret detention
38. Secret transfer
39. Sensory deprivation

40. Sexual humiliation
41. Sexual assault
42. Shackles and handcuffs, excessive and cruel use of. Includes "short shackling"
43. Sleep adjustment
44. Sleep deprivation
45. Solitary confinement for prolonged periods, e.g. months or more than a year
46. Stress positions, e.g. prolonged forced kneeling and standing
47. Stripping, nudity, excessive or humiliating use of
48. Strip searches, excessive or humiliating use of
49. Strobe lighting
50. Suspension, with use of handcuffs/shackles
51. Threat of rape
52. Threats of reprisals against relatives
53. Threat of transfer to third country to inspire fear of torture or death
54. Threat of transfer to Guantanamo
55. Threats of torture or ill-treatment
56. Twenty-four hour bright lighting
57. Withdrawal of "comfort items", including religious items
58. Withholding of information, e.g. not telling detainee where he is
59. Withholding of medication
60. Withholding of toilet facilities, leading to defecation and urination in clothing

SOURCE: AMNESTY INTERNATIONAL USA: [Denounce Torture Teach-In Guide](#)

APPENDIX 2: CASE STUDIES

Case Study

Name of Person: Osama Nasr Mostafa Hassan

Type of abuse: Electric shocks, drugged, beatings, secret detention

Place where abuse occurred: Italy, Germany, Egypt

Osama Nasr Mostafa Hassan was abducted on a street in Milan and allegedly driven to the US air base in Aviano, Italy, where he was interrogated and drugged before being taken to the US military base in Ramstein, Germany. From there he was flown to Egypt, where he was allegedly tortured, including the use electric shocks. He is reported to have been released in mid-2004, but rearrested shortly afterwards following a phone call he made to his wife. He is believed to remain in custody in an unknown location, although it has been suggested that he may be currently held in the Damanhour prison, outside Alexandria, Egypt. Amnesty International fears that he may be subject to further torture or ill-treatment. On June 24, 2005, an Italian judge ordered the arrest of 13 CIA officers for their alleged involvement in this case. The widespread and systematic practice of torture in Egypt has persisted despite its prohibition under domestic and international law. For well over a decade, specialized UN expert bodies, including the Committee against Torture and international and national human rights organizations have been documenting cases of torture and ill-treatment, including deaths, in Egyptian custody.

SOURCE: AMNESTY INTERNATIONAL USA :[Denounce Torture Teach-In Guide](#)

APPENDIX 2: CASE STUDIES

Case Study

Name of Person: Abdul Wali

Type of abuse: Extreme beatings while in custody which lead to death Place where abuse occurred: Afghanistan

Abdul Wali died in US military custody in Asadabad Fire Base, Afghanistan on June 21, 2003. In June 2004, the Justice Department charged a civilian contractor working with the CIA with assault, rather than murder. The indictment stated that the contractor beat Abdul Wali, "using his hands and feet, and a large flashlight." In court proceedings in 2005, the defendant claimed that the interrogation methods had been indirectly authorized by the US administration via its deliberations over torture and ill-treatment as subsequently revealed in various administration memorandums.

SOURCE: AMNESTY INTERNATIONAL USA :[Denounce Torture Teach-In Guide](#)

APPENDIX 2: CASE STUDIES

Case Study

Name of Person: Abdul Jaleel

Type of abuse: Extreme beatings that lead to death, shackling, gagging Place where abuse occurred: Iraq

Abdul Jaleel, a 47-year-old detainee at Forward Operating Base Rifles in Iraq, died January 9, 2004. An autopsy concluded that the cause of death was multiple blunt force injuries and asphyxia. It found "deep contusions of the chest wall, numerous displaced rib fractures, lung contusions" and internal bleeding. He also had "fractures of the thyroid cartilage and hyoid bone." In the initial part of his detention he had been put in isolation and shackled to a pipe that ran along the ceiling. During questioning he was allegedly beaten and kicked in the stomach and ribs. Later, because he was allegedly uncooperative and disruptive, his hands were shackled to the top of his cell door, and he was gagged. Abdul Jaleel died in this position. The autopsy concluded "the severe blunt force injuries, the hanging position, and the obstruction of the oral cavity with a gag contributed to this individual's death. The manner of death is homicide." Army investigations recommended prosecution of two soldiers for negligent homicide and nine others for various offenses including assault. However, the commanding officers determined that no charges would be referred, concluding that the detainee died as a result of a series of lawful applications of force in response to aggression and misconduct by the detainee.

SOURCE: AMNESTY INTERNATIONAL USA :[Denounce Torture Teach-In Guide](#)

APPENDIX 2: CASE STUDIES

Case Study

Name of Person: Mohammed C.

Type of abuse: Hooded, shackled, beaten, verbal abuse including being threatened with death

Place where abuse occurred: Afghanistan and Guantanamo Bay, Cuba

Mohammed C., a Chadian national born in Saudi Arabia, has been in indefinite US military custody without charge or trial for three and a half years, most of it in the US Naval Base in Guantanamo Bay, Cuba. It is believed that he was 14 years old when he was detained, in October 2001 in Pakistan. When taken into US custody, he says that he was put in blue overalls, hooded, shackled, beaten, threatened with death and put in a helicopter. Shortly later he was handed over to the US authorities and was then taken to Afghanistan before being transferred to Guantánamo in January 2002. For more than a year he has been held in Camp V (five) at Guantanamo, where conditions are particularly harsh. Upon arrival at Camp V, Mohammed said that: "The Interrogator explained why I was in Camp V: 'We made this camp for people who would be here forever. You should never think about going home. You'll be here all your life. Maybe one day my son will come to see you as you get old. Don't worry, we'll keep you alive so you can suffer more. If you don't believe me, look at these walls.' And he banged on the concrete wall to show how solid it was." Mohammed is held in solitary confinement in a concrete cell for up to 24 hours a day. The abuses that Mohammed has allegedly been subjected to include beatings, sleep deprivation, strobe lighting, extreme cold via air conditioners, intimidation by dogs, racial abuse, doused in freezing water, and that on one occasion, a guard grabbed Mohammed's penis and threatened to cut it off with scissors he was brandishing. Amnesty International believes that his conditions of detention amount to torture or other cruel, inhuman or degrading treatment, in violation of international law, and that he and the other Guantanamo detainees are unlawfully detained.

SOURCE: AMNESTY INTERNATIONAL USA: [Denounce Torture Teach-In Guide](#)

APPENDIX 3: NATIONAL AND INTERNATIONAL LAWS

SOURCE: Amnesty International Denounce Torture Teach-in Guide (www.amnestyusa.org)

(a) United States Bill of Rights (1789), Amendment 8: “...nor (shall) cruel or unusual punishment be inflicted.”

(b) Federal Anti-Torture Statute (1994): This statute ensures that any American, whether in the U.S. or abroad, will be prosecuted if s/he commits or attempts to commit torture. The statute specifies that a person found guilty under the act can be incarcerated for up to 20 years or receive the death penalty if the torture results in the victim's death.

(c) War Crime Act of 1996: The War Crime Act of 1996 makes it a criminal offense for US military personnel or US nationals to commit war crimes regardless of the circumstances. War crimes include, but are not limited to: -Mutilation -Torture -Attacks on personal dignity -Humiliating and degrading treatment

(d) Geneva Conventions (1949): Common Article 3, widely considered to be customary international law and recommended by the 9/11 Commission, as baseline standards for the treatment of detainees in U.S. custody states “...the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: -Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; -Taking of hostages; -Outrages upon personal dignity, in particular, humiliating and degrading treatment; -The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.”

(e) The UN Convention Against Torture (1984): Defines torture as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person...” The Convention mandates that each country that is a party to it “...shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction.” The Convention goes on to state “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.”

(f) Federal Anti-Torture Amendment to the Department of Defense Appropriations Bill (December 2005): This law reaffirms the US absolute prohibition on cruel, inhuman, and degrading treatment. The law passed the Senate and the House overwhelmingly and was intended to close any loopholes that might have allowed agents of the US government to treat detainees in such a way that amounts to inhuman treatment. However, Amnesty International is greatly concerned over the President's official “signing statement” providing his interpretation of law. In the “signing statement,” President Bush chose to undermine longstanding U.S. policies against torture by asserting what amounts to a waiver on the prohibition on cruel, inhuman and degrading treatment.

APPENDIX 4: THE CURRENT US LAW ON TORTURE

MILLITARY COMMISSIONS ACT OF 2006

On September 6, 2006, President Bush asked Congress to pass the Military Commission Act of 2006. This Act - among other things - sought to re-define U.S. obligations under Common Article 3 of the Geneva Conventions, international treaties signed by every country in the world. Common Article 3 places an absolute prohibition on inhumane treatment of detainees during an armed conflict.

Specifically, the President wanted Congress to replace the absolute prohibition on inhumane treatment of Common Article 3 with a "flexible" standard, which would assess on a case-by-case basis whether particular conduct would amount to cruel, inhuman or degrading treatment. Human Rights First criticized the Administration's proposal for adding ambiguity to an otherwise clear standard of Common Article 3, and would open the door to more Abu Ghraib-style abuses.

In response to the administration's proposal, more than 45 retired senior military leaders wrote to members of the U.S. Senate expressing their opposition to redefining Common Article 3 on the grounds that it would compromise the safety of U.S. Service men and women. They were joined by Former Secretary of State Colin Powell and former U.S. Chairmen of the Joint Chiefs of Staff John Vessey, Hugh Shelton, and William Crowe, who also sent letters expressing their opposition to redefining Common Article 3.

Spearheaded by Republican Senators John McCain, John Warner, and Lindsey Graham, the Senate Armed Services Committee passed an alternative bill, sponsored by McCain, Warner, and Graham, that preserves Common Article 3. The Administration then agreed to negotiate with the key Senators, and a compromise was reached on September 21, which preserved the meaning and requirements of Common Article 3. Human Rights First welcomed this aspect of the compromise. Human Rights First opposed the final version of the Military Commissions Act, however, because it contained a number of provisions that raised serious concerns about compliance with the Geneva Conventions and with fundamental fair trial and due process principles. Among the most troubling aspects of the Military Commissions Act are provisions that purport to:

- Grant unprecedented and unchecked authority to the Executive Branch to label as "unlawful enemy combatants", and possibly to detain indefinitely, an overly broad range of people, including U.S. citizens and legal permanent residents inside the United States
- Deny independent judicial review, through habeas, of detentions of U.S. legal permanent residents and non-citizens
- Limit the sources of law to which the courts may look and the scope of review on appeal
- Narrow the scope of the War Crimes Act and seek to eliminate accountability for past violations of the law
- Permit evidence obtained through coercion to be used in the military commission proceedings, with certain limitations
- Permit the introduction of classified evidence against the accused even if the accused has not had the opportunity to review and challenge the "sources, methods, or activities" by which the government acquired the evidence.

- Restrict full disclosure to the accused of exculpatory evidence.
- Give the Secretary of Defense authority to deviate from time-tested military justice standards for fair trials

Despite the urging of Human Rights First and other groups and individuals to reject the bill, U.S. Congress passed the Military Commissions Act on September 29, 2006. The Act was presented to President Bush on October 10, 2006 and signed into law on October 17, 2006.

SOURCE: HUMAN RIGHTS FIRST (www.humanrightsfirst.org)

APPENDIX 5: PROBLEMS WITH CURRENT LAW –SECULAR OPINIONS

Based on Center for Victims of Torture's experience with torture survivors and understanding the systems in which they have been abused, CVT believes it is important that discussions about the U.S. use of torture and cruel, inhuman and degrading treatment not be shaped by speculation but rather through an understanding of how torture is actually used in the world. There are eight broad lessons CVT has learned from working with torture survivors:

1. Torture does not yield reliable information

Well-trained interrogators, within the military, the FBI, and the police have testified that torture does not work, is unreliable and distracting from the hard work of interrogation. Nearly every client at the Center for Victims of Torture, when subjected to torture, confessed to a crime they did not commit, gave up extraneous information, or supplied names of innocent friends or colleagues to their torturers. It is a great source of shame for our clients, who tell us they would have said anything their tormentors wanted them to say in order to get the pain to stop. Such extraneous information distracts, rather than supports, valid investigations.

2. Torture does not yield information quickly

Although eventually everyone will confess to something, it takes a lot of time. We know that many militaries and radical groups train their members to resist torture and to pass along false pieces of information during the process. And those with strong religious or political beliefs that help them understand the purposes of torture used against them are most able to resist and to recover from its impact.

3. Torture will not be used only against the guilty

Inherent in all of the scenario building is the assumption that we know, with great reliability, that we have the appropriate party who possesses knowledge that could save lives. But our clients are living testimony that once used, torture becomes a fishing expedition to find information. It perverts the system which, seeking shortcuts to the hard work of investigation, relies increasingly on torture. The estimate from the Red Cross was that at least 80 percent of those imprisoned at Abu Ghraib, for example, should never have been arrested, but were there because it was easier to arrest persons than to let them go (people feared letting go a terrorist more than protecting the innocent). The Israeli security system claimed to use its stress and duress techniques only where they had the most reliable information about the detainee's guilt. Yet human rights monitors estimate that they were used on over 8000 detainees. It is not credible to believe they had this precise information about so many.

4. Torture has a corrupting effect on the perpetrator

The relationship between the victim and the torturer is highly intimate, even if one-sided. It is filled with stress for the interrogator, balancing the job with the moral and ethical values of a person with family and friends. One way this cognitive dissonance is managed is through a group process that dehumanizes the victim. But still another way is to insure that some sort of confession is obtained to justify to the interrogator and to his superiors that pain and suffering was validly used.

5. Torture has never been confined to narrow conditions

Torture has often been justified by reference to a small number of people who know about the "ticking time bomb," but in practice, it has always been extended to a much wider population.

6. Psychological torture is damaging

When torture is defined as strictly a physical act, many believe that psychological coercion is okay. CVT's clients say it was the psychological forms of torture that were the most debilitating over a long period. The source of their nightmares, 15 and 20 years later, was the mock executions or hearing others being tortured. The lack of self-esteem and depression were more related to scenarios of humiliation, consciously structured to demean the victim. Many within the world treatment movement believe we have seen increasingly sophisticated forms of psychological torture over the past 20 years.

7. Stress and duress techniques are forms of torture

Many of these techniques were developed during Israel's struggle against terrorism, and so this example is often cited for effective interrogation techniques falling short of torture. But the Israeli Supreme Court concluded that they were illegitimate. Every democratic nation's court system and international court which has reviewed them has concluded that they are forms of torture.

8. We cannot use torture and still retain the moral high ground

The arguments we hear are not so different in form and content from those used by the repressive governments of CVT's clients, and which the U.S. has refused to accept from other nations that have used torture to combat their real or perceived enemies. Torture is not an effective or efficient producer of reliable information. But it is effective and efficient at producing fear and rage, both in the individuals tortured and in their broader communities.

CVT is the Center for Victims of Torture (www.cvt.org)

APPENDIX 6: RELIGIOUS OPINION

Christianity Today, February, 2006

5 Reasons Torture Is Always Wrong

And why there should be no exceptions.

David P. Gushee | posted 2/01/2006 12:00AM

"Three Marines in Mahmudiya used an electric transformer, forcing a detainee to 'dance' as the electricity coursed through him."

International Committee of the Red Cross, February 2004

A former Iraqi general "died of asphyxiation after being stuffed head-first into a sleeping bag ... at an American base in Al Asad."

The New York Times, October 23, 2005

"Al-Qatani was forced to perform dog tricks on a leash, was straddled by a female interrogator, forced to dance with a male interrogator, told that his mother and sister were whores, forced to wear a woman's bra and thong on his head during interrogation, and subjected to an unmuzzled dog to scare him."

Newsweek, November 21, 2005

The word "torture," tellingly, comes from the Latin *torquere*, to twist. Stine Amris and Julio G. Arenas, who have done extensive studies on the effects of torture, define it as "the infliction of *severe pain* (whether physical or psychological) by a *perpetrator* who acts *purposefully* and *on behalf of the state*" (italics in original).

The debate in our nation today concerns what measures can legitimately be taken to extract information from prisoners held by us in the "war on terror" and the wars in Afghanistan and Iraq. As such, it is a debate about the proper use of government power in a liberal democracy. Can that power ever rightly extend to the use of any form of torture?

Few people disagree that a liberal democracy has the right and responsibility to take prisoners and interrogate them during a war or police action. This is part of the government's biblical mandate in Romans 13:1-7, a mandate to deter violations of peace and justice. Most would even agree that interrogators should have some flexibility in applying pressure to encourage prisoners to reveal information that could save lives. The question is whether torture can be included among the forms of pressure that can legitimately be employed.

As to the exact kinds of acts that constitute torture, there is no single definition, but this does not mean that the term is infinitely elastic. Almost everyone condemns the examples above. And international agreements have repeatedly sought to define torture as they have denounced it. The 1948 Universal Declaration of Human Rights states that "no one shall be subjected to torture or to cruel, inhuman, or degrading treatment." Article 17 of the Third Geneva Convention (1949) asserts that "no physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war," but, instead, "persons taking no active part in the hostilities ... shall in all circumstances be treated humanely." The 1985 U.N. Convention Against Torture defines it as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person." The United States is a signatory to all of these international declarations and has historically incorporated their principles into military doctrine. For example, the 1992 (current, though under revision) U.S. Army Field Manual tells soldiers that "[Geneva] and U.S. policy expressly prohibit acts of violence or intimidation, including physical or mental torture, threats [or] insults, ... as a means of or aid to interrogation."

The kinds of acts most often classified as torture make for a dreary catalog of pain. They include

physical torture, beatings, use of electric shock, employment of mind-altering drugs, sexual assault, and various other inventive ways of harming the bodies and minds of other human beings.

Torture Lite

When the current U.S. President repeatedly says that "we do not torture," perhaps these kinds of acts are what he has in mind. But since September 11, 2001, the Bush administration has, in the name of national security, attempted to carve out room for acts that brush up against the boundary line separating aggressive interrogation from torture, without (they believe) crossing over it. Called "enhanced interrogation techniques," "professional interrogation," "moderate physical pressure," or even (by outside analysts) "torture lite," these have included a variety of measures, some approved as policy by our government and others not publicly acknowledged or approved. But both independent and government investigators have discovered that such techniques have been used in U.S. detention facilities.

Among the sometimes approved measures have been prolonged standing, removal of detainees' clothing, sensory deprivation, hooding (often with smelly hoods), prolonged interrogations, use of dogs, forced shaving of beards, grabbing, poking, pushing, sleep manipulation and deprivation, and waterboarding (which refers to a variety of techniques designed to make a victim feel as if he were drowning).

Among the unapproved but practiced measures have been punching, slapping, and kicking detainees, religious and sexual humiliation, prolonged shackling, exposure to severe heat or cold, food or toilet deprivation, mock or threatened executions, and letting dogs threaten or in some cases bite and severely injure detainees.

The abuses appear to have been particularly prevalent in CIA interrogations, among private U.S. contractors serving the military, and among the underprepared and poorly trained military police at places like Abu Ghraib in Iraq. There are also profound worries and disturbing allegations about what is going on with "high-value" detainees in CIA interrogations at undisclosed locations.

Though Condoleezza Rice has said that prisoners in U.S. custody anywhere in the world should be afforded the same protections as if they were on U.S. soil, some still wonder about the significance of these assurances—and especially about what is happening to prisoners "rendered" by our government to other countries (many known to practice torture).

Furthermore, while all "cruel, inhuman, or degrading" treatment of detainees has been officially rejected by the administration (under pressure from Sen. John McCain and others), it is not clear who defines when treatment crosses that line. It also remains unclear how much latitude those on the front lines of interrogation have, and if and how they would be held accountable if they were to cross the line. In other words, there remain a number of loopholes for torture to be practiced in the war on terror.

Yet the prohibition on torture in international law admits no exceptions. The U.N. Convention Against Torture puts it this way: "No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for torture."

The U.S. ratified this convention in 1994, before September 11, before we launched our war on terror. Despite the passage of the McCain Amendment against torture, many Americans and some leading administration officials continue to believe that acts tantamount to torture are morally permissible in the exceptional case posed by Islamist terrorism. As State Department official Cofer Black famously put it: "All I want to say is that there was before 9/11 and after 9/11. After 9/11, the gloves came off."

How should a Christian think about all this?

Let me begin by granting that the terrorist attacks of September 11 were one of the most heinous acts ever visited upon this nation, a clear violation of the laws of war and any kind of civilized moral code. Since

then, terrorist acts around the world remind us that our nation, along with many others, faces a threat from enemies who do not adhere to the kinds of moral scruples we are considering in this essay.

So I do not write to demonize those who believe that protecting our nation's security requires the use of interrogation techniques that could be classified as borderline torture. Nor do I want to get into a technical and detailed argument about particular interrogation techniques to determine if they are torture. What I want to focus on is the idea that, given the war on terror, the gloves should be taken off. Simply put, should our government have the option—even if used only rarely and in extreme circumstances—of torturing prisoners?

I believe Christians should say no, on the following five grounds.

1. Torture violates the dignity of the human being. Every inch of the human body and every aspect of the human spirit comes from God and bears witness to his handiwork. We are made in the image of God (Gen. 1:26-28). Human dignity, value, and worth come as a permanent and

Christians, at least, should be trained to see in every person the imprint of God's grandeur. This should create in us a sense of reverence. Here, we say—and we say it even of detainees in the war on terror—is a human being sacred in God's sight, made in God's image, someone for whom Christ died. No one is ever "subhuman" or "human debris," as Rush Limbaugh has described some of our adversaries in Iraq.

Because they are human, people have rights to many things, including the right not to be tortured. Christians sometimes question the legitimacy of "rights talk," correctly so. Just because someone claims a right does not mean that it really is a right. But among the most widely recognized rights in both legal and moral theory is the right to bodily integrity; that is, the right not to have intentional physical and psychological harm inflicted upon oneself by others. The ban on torture is one expression of this right.

Is this right absolute? Using Catholic moral reasoning, Robert G. Kennedy, professor of Catholic studies at the University of St. Thomas in St. Paul, Minnesota, has argued that even the most widely recognized human rights, such as the right to life or the right not to be tortured, can theoretically be qualified by other rights and by the requirements of justice. Kennedy argues that "defensive interrogatory torture" (and only this kind of torture) may be morally legitimate under carefully qualified conditions. Yet he goes on to argue that "it is quite likely that most instances in which interrogatory torture is employed would not conform to these principles and so would be immoral."

Whether we open the door to torture just a crack, as Kennedy suggests, or keep it firmly shut as an absolute ban, as I advocate, the principle of human dignity and correlated rights remains a transcendentally important reason to resist the turn toward torture.

2. Torture mistreats the vulnerable and violates the demands of justice. In the Scriptures, God's understanding of justice tilts toward the vulnerable. "Do not mistreat an alien or oppress him, for you were aliens in Egypt. Do not take advantage of a widow or an orphan. If you do and they cry out to me, I will certainly hear their cry" (Ex. 22:21-23). Primary forms of injustice include violent abuse and domination of the powerless.

One reason our legal system has so many layers of protection for the accused and imprisoned is their

powerlessness. This is important in any legal system that has the power to deprive people of their liberty and even their lives. The 83,000 people who have been detained by our government and military in the last four years are, as prisoners, vulnerable to injustice. Those who have been tortured are victims of injustice.

3. Authorizing torture trusts government too much. Human beings are sinful through and through (Rom. 3:10-18). We are not to be trusted, and we are especially dangerous when in possession of unchecked power. This applies to all of us.

So it is likely that authorizing even the "lightest" forms of torture risks abuse. As Richard John Neuhaus has put it, "We dare not trust ourselves to torture." Or as Gary Haugen recently wrote, "Because the power of the state over detainees is exercised by fallen human beings, that power must be limited by clear boundaries, and individuals exercising such power must be transparently accountable."

Given human sinfulness, not only must people be told not to torture, we must also strengthen the structures of due process, accountability, and transparency that buttress those standards and make them less likely to be violated. This is what is so dangerous about the discovery of secret CIA prisons in Europe and "ghost detainees" who are located no one knows where. As Manfred Nowak, U.N. special rapporteur on torture, said at the time the CIA's secret prisons were revealed, "Every secret place of detention is a higher risk for ill treatment; that's the danger of secrecy." It is not enough for U.S. government officials to say they can be trusted to act "in keeping with our values"—not without due process, accountability, and transparency. No government is so virtuous as to overcome the laws of human nature, or to be beyond the need for democratic checks and balances.

Much ink has been spilled over how to handle the rare ticking-bomb cases, in which a prisoner has information that could save thousands of lives if only he can be made to talk by a certain deadline. Perhaps the most widely discussed proposal has been Alan Dershowitz's suggestion that we permit torture only through a "torture warrant" signed by a judge or a very high government official, such as the President himself, who would therefore bear full legal, political, and moral responsibility.

This would be better than what we are doing now. But I think any potential resort to torture in rare, ticking-bomb cases would be better handled within the context of an outright ban. The grand moral tradition of civil disobedience, for example, specifies that there are instances in which obedience to laws must be overridden by loyalty to a higher moral obligation. These are usually unjust laws, but not always. Dietrich Bonhoeffer participated in an assassination plot against Hitler, for instance, but he did not argue for rewriting moral prohibitions against political assassinations. He was prepared to let God and history be his judge. If a one-in-a-million instance were to emerge, in which a responsible official believed that a ban on torture must be overridden as a matter of emergency response, let him do so knowing that he would have to answer for his action before God, law, and neighbor. This is a long way from an official authorization for torture.

4. Torture dehumanizes the torturer. Mark Bowden, a military scholar and author of *Black Hawk Down*, believes that sometimes torture is the right choice. Even so, he worries, "How does one allow it, yet still control it? Sadism is deeply rooted in the human psyche. Every army has its share of soldiers who delight in kicking and beating bound captives. Men in authority tend to abuse it—not all men, but many. As a mass, they should be assumed to lean toward abuse."

Loosening longstanding restrictions on physical and mental cruelty risks the dehumanization not just of the tortured, but also of the torturers. What may be intended as carefully calibrated interrogation techniques could easily tempt implementers toward sadism—the infliction of pain for the sheer fun of it, especially in the heat of military conflict, in a climate of fear and loathing of the enemy, and in the context of an endless war on terror. How many of us could be trusted to draw the line consistently between the permitted "grabbing, poking, and pushing" and the banned "punching, slapping, and

kicking"? How much self-control can we reasonably expect people to exercise? Once the line has been crossed to torture, as Michael Ignatieff claims, it "inflicts irremediable harm on both the torturer and the prisoner."

Frederick Douglass commented famously on how holding a slave slowly ruined the character of the woman who owned him. Martin Luther King Jr. frequently said that the greatest victims of segregation were the white people whose souls were deformed by their own hatred. And Alexander Solzhenitsyn, reflecting on the Soviet gulag, said, "Our torturers have been punished most horribly of all: They are turning into swine; they are departing downward from humanity."

5. Torture erodes the character of the nation that tortures. A nation is a collective moral entity with a character, an identity that carries across time. Causes come and go, threats come and go, but the enduring question for any social entity is who we are as a people. This is true of a family, a church, a school, a civic club, or a town. It is certainly true of a nation.

Sen. John McCain, who has led the Republican charge against torture, recently said, "This isn't about who they are. This is about who we are. These are the values that distinguish us from our enemies."

In a November Newsweek article, he put it this way: "What I ... mourn is what we lose when ... we allow, confuse, or encourage our soldiers to forget that best sense of ourselves, that which is our greatest strength—that we are different and better than our enemies, that we fight for an idea, not a tribe, not a land, not a king ... but for an idea that all men are created equal and endowed by their Creator with inalienable rights."

No Exceptions

Long ago, German philosopher Immanuel Kant wrote about the perennial human tendency to find exceptions to moral rules when the rules bind a bit too tightly on us: "Hence there arises a natural ... disposition to argue against these strict laws of duty and to question their validity, or at least their purity and strictness, and, if possible, to make them more accordant with our wishes and inclinations, that is to say, to corrupt them at their very source, and to entirely destroy their worth."

I believe this is the best explanation for what is happening with the issue of torture in our nation. We are tempted to follow the logic of a July 11, 2005, Time magazine cover story that said, "In the war on terrorism, the personal dignity of a fanatic trained for mass murder may be an inevitable casualty."

Yet we are queasy enough about this "inevitable casualty" that we do not want to call torture what it is. We do not want to expose our policies, our prisons, or our prisoners to public view. We deny that we are torturing, or we deny that our prisoners are really prisoners. When pushed against the wall, we remind one another how evil the enemy is. We give every evidence of the kind of self-deception that is characteristic of a descent into sin.

It is past time for evangelical Christians to remind our government and our society of perennial moral values, which also happen to be international and domestic laws. As Christians, we care about moral values, and we vote on the basis of such values. We care deeply about human-rights violations around the world. Now it is time to raise our voice and say an unequivocal no to torture, a practice that has no place in our society and violates our most cherished moral convictions.

David P. Gushee is professor of moral philosophy at Union University in Jackson, Tennessee, and author of Only Human: Christian Reflections on the Journey Toward Wholeness (Jossey-Bass, 2005). A longer version of this essay can be accessed at www.davidgushee.com.

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APPENDIX 6; RELIGIOUS OPINION

Linking torture with Jesus' message is a tragedy

By Rev. Joy Rogers
Battle Creek Enquirer 1-26-2006

"Who would Jesus torture?"

That's the provocative lead sentence in an essay by David Batstone in Jim Wallis' Sojourners magazine.

The question has haunted me throughout the Congressional debate on the matter. The question unsettles me when I hear that three out of four people who responded to a survey in this newspaper say that torture is an acceptable practice in certain situations.

And I realize that there is more at stake than my religious convictions in this controversy.

There is my understanding of myself as an American and a fervent belief that even in the ugliest of wars, and notwithstanding the bad behaviors of a few, we are a people who claim to be humane and ethical in our treatment of prisoners and civilians in a war zone.

My favorite uncle spent three years in a POW camp during the Korean conflict. He will, on the rare occasion, speak of how the American prisoners were treated.

I am sure he is not sharing the worst of the experience, but I always trusted the American ideal that calls us to something better in the treatment of enemy prisoners.

And there is a poignant truth in the observation of U.S. Sen. John McCain, who suffered imprisonment and torture by his captors in Vietnam. "But it's not about them; it's about us. This battle we're in is about the things we stand for and believe in and practice. And that is an observance of human rights, no matter how terrible our adversaries may be."

This issue also strikes me as illogical and irrational in its premises. McCain reminds colleagues and citizens that information gained by torture must never be trusted.

At last I come to convictions born of faith and grounded in the gospel. The words and actions, the life and death of Jesus Christ all proclaim an unequivocal allegiance to nonviolence in the resisting and overcoming of evil.

However anyone cares to justify or excuse torture as a viable practice in defense of the nation, it cannot be characterized as a Christian justification. The use of torture depends on dehumanizing the enemy and results in a diminished humanity on the part of those who do it and those who condone it.

We become what we profess to despise. St. Paul showed us how to make a Christ-like witness in a violent and non-Christian world.

"Do not repay anyone evil for evil, but take thought for what is noble in the sight of all ... Do not be overcome by evil, but overcome evil with good." (Romans 12:17, 21)

There is nothing in the teachings or witness of Jesus that tells us that violence is a saving act that might make right or that war brings peace. Jesus rebukes disciples who threaten vengeance on opponents; he forbids his followers to use their weapons to intervene in his arrest.

You have heard that it was said, "You shall love your neighbor and hate your enemy. But I say to you, love your enemies and pray for those who persecute you, so that you may be children of your father in heaven."

Jesus refused to lead his people in a war against the Roman oppressor or to defend his cause by violent means.

He absorbed the violence of his world on a cross and showed us that the power of love and the power of God are far greater than any power of hate or death. That is the truth that is the heart of Christian faith.

The Christian does not need to be naïve about the power of evil. Only convicted of the message of Jesus. And always aware of how our own fears and confusions and pain and anger can provoke us to acts that deny the Lord of life, to actions that diminish our very humanity, and to hatreds that betray the meaning of the gospel.

The writer of the Sojourners essay states that "No just cause can be won if it relies on torture to succeed. Democracy and freedom cannot result from a war fueled by torture."

There are many who would claim that ours is a Christian nation, and much of the world might agree.

To link the practice of torture to the message and mission of Jesus is a tragic error.

Christians of good faith disagree about much. But there is no gospel warrant that justifies the abuse of anyone created in the image of God.

Appendix 6: Religious Opinions

Torture And The Nation's Soul

The Rev. Kathleen McTigue and Rabbi Donna Berman

October 24 2006

In our various communities of faith we most often think about the soul in singular terms, residing within each one of us and beloved of God. But what about the idea that a nation, too, might have a soul, the place from which our basic decency arises?

If we think of the soul only as an individual matter, then questions of moral choice become focused only on the personal level. We tend to forget that we can go astray not only in our small and solitary ways, but in large and collective ones as well. We do not live in isolation but in community. As a whole people, we are capable of immoral decisions and grievous acts. In a democracy, where we as citizens have the privilege of choosing our own leaders, this truth is particularly relevant. The grave errors of which we are capable as a whole nation are the ones that must urgently compel our attention today.

Why? Because none of us personally has ever tortured another human being. None of us has kidnapped a person and sent him to another country to be tormented. Individually we have never locked men and women into nameless and unidentified prisons around the world, nor held foreign prisoners as "unlawful enemy combatants" without charges or legal recourse. Alone, we have never lobbied for the right to ignore or rewrite the Geneva Conventions.

But our government has done all of these things in our names. On Oct. 17, President Bush signed the Military Commissions Act, which was rushed through Congress just in time for the campaign season. By undermining the moral values and legal traditions on which America was founded, this shameful law threatens the soul of our nation.

Three Connecticut Representatives and one of our Senators voted for this law: Chris Shays, Nancy Johnson, Rob Simmons and Joe Lieberman. The new law will allow torture to continue to be carried out in our names. When challenged, these legislators argue that the law explicitly forbids the practice of torture. And indeed, there is language in the law that provides this political cover. But taken in its entirety, the Military Commissions Act allows prisoner abuse to continue. It grants impunity to the civilians who authorized, tolerated and perpetrated torture since 9/11, and makes it much less likely that future torturers will be held accountable for their actions.

The law is riddled with loopholes, three of which are particularly glaring. First, the law denies due process to current and future detainees imprisoned as "unlawful enemy combatants." Non-citizens can be imprisoned without charges or fair representation, and without the chance to challenge their imprisonment - or their treatment - in a court of law. This silences the prisoners and renders abuse of all kinds, including torture, even more invisible and therefore more likely.

Second, the law authorizes President Bush to "interpret the meaning and application of the Geneva Conventions." It allows him to decide which "aggressive interrogation techniques" are torture and which are not. So American interrogation methods will be guided, not by the Geneva Conventions honored by every other democracy on earth, but by President Bush, who has repeatedly circumvented the laws meant to prevent prisoner abuse.

And third, the law retroactively grants immunity to civilian interrogators who violated the Geneva Conventions after 9/11, and it allows the information they acquired using abusive techniques to be presented as evidence. Our own military leaders, arguing against passage of this law, have declared that such evidence is notoriously unreliable, and that our use of coercive practices will put our own

soldiers at greater risk of similar abuse.

As religious leaders in Connecticut we grieve and condemn the passage of the Military Commissions Act. We represent a variety of spiritual traditions, but across all our differences we are united in the belief that all human beings are sacred. Torture is an act of desecration that degrades all of those involved - policy-makers, perpetrators and victims. And even those of us who only cast a vote.

Those politicians who voted for the Military Commissions Act, along with President Bush, have made torture more imaginable and more likely: torture at American hands, in the name of the American people. As American citizens and people of religious conviction, we must hold our elected officials accountable for their lack of moral leadership on this issue. Nothing less than the soul of our nation is at stake.

The Rev. Kathleen McTigue and Rabbi Donna Berman are members of the steering committee of Reclaiming the Prophetic Voice. They wrote this piece on behalf of other clergy affiliated with the group, which is an interfaith network of religious leaders and people of faith in Connecticut.

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Appendix 6: Religious Opinion

Taking exception: when torture becomes thinkable

William T. Cavanaugh

TORTURE SEEMS to have become a tool of state for the U.S. Why? If torture is not unplanned, what purpose does it serve?

It is usually assumed that prisoners are tortured to make them relinquish information. However, that is hardly an adequate explanation; military intelligence officers estimated to the Red Cross that 70 to 90 percent of the prisoners at Iraq's Abu Ghraib prison were held by mistake. Torture is not simply for gathering information. There is a larger sense in which torture fits into the grand narrative of the "war on terror."

The idea that "everything changed on 9/11" generates a sense that we are living in a state of exception, a time when exceptional measures such as torture become thinkable. Far from temporary, however, this time seems to stretch indefinitely into the future; the Department of Homeland Security is the institutionalization of the state of emergency.

The goal of government seems not to be the vanquishing of fear but rather the maintenance of threat, a threat that its foreign policy helps to create. September 11, 2001, is incessantly invoked not so that history will not be repeated, but so that--to the contrary--it will continually recur in our imagination. Fear must be kept alive so that exceptional measures--from the war in Iraq to torture to deficit spending--might become normal.

At the same time, the state finds it necessary to perpetuate the notion that torture is exceptional policy. The mainstream media help by preferring the word "abuse" to "torture," signaling that it is really an aberration, an exception.

Torture helps create the state of exception by ritually enacting power on the bodies of others. As the Abu Ghraib photos make plain, torture is a kind of theater in which victims are made to play the role of deviant. Stacked naked, chained to the floor, dragged around on leashes, made to howl with electrical shocks, the prisoners become what terrorists are in our imagination: depraved subhumans. Torture as theater provides its own justification: why should we bother with human fights when the enemy is less than human?

At the same time that torture advances this "othering" of the enemy, the government's refusal to be outraged by torture--Senator James Inhofe (R., Okla.) declared himself "outraged at the outrage" over Abu Ghraib--reaffirms the state's symbolic role of protector from the subhuman enemies that menace us. To openly affirm torture would be to abandon the drama of the state of exception, whereas to wink and shrug at torture affirms America's resolve to get "tough on terror."

How should a Christian respond? Many would appeal to what has been called "American exceptionalism," the idea that the U.S. is different from other nations and may be held to a higher standard. Other nations conduct their affairs on the basis of realpolitik, but the U.S. has enshrined in its system of government the inalienable rights of all. Precisely what we are fighting for in the "war on terror" are the freedoms and human rights for which America stands as a beacon for the world. We must not descend to the level of our enemies.

While I agree that the U.S. government should adhere to its stated ideals, I am troubled by the way that such demands often obey the same logic of exception on which torture depends. It is precisely the idea that America is different that motivates America's crusade to stamp out global terrorism. America's self-assigned messianic role in world affairs allows it to exempt itself from the normal rules

for treating prisoners.

As Amnesty International reports (October 27), "The human rights violations which the U.S. government has been so reluctant to call torture when committed by its own agents are annually described as such by the State Department when they occur in other countries." What we need is a frank recognition that America is not different. Approval of torture at the highest levels of government puts the U.S. in the same category as Chile under Pinochet, France in Algeria, Myanmar, Israel, Saudi Arabia and dozens of other countries today. Amnesty's annual reports make clear that disregard of human rights in the name of national security is common. As Walter Benjamin said, the state of emergency is not the exception but the rule in history.

The nomination of Alberto Gonzales as attorney general is testing whether Americans will get used to torture. We could get used to the euphemisms, to the tacit acknowledgment that exceptional measures by an exceptional nation are necessary in exceptional times.

The job of the church is to tell the truth: this is not an exceptional nation and we do not live in exceptional times, at least as the world describes it. Everything did not change on 9/11; everything changed on 12/25. When the Word of God became incarnate in human history,, when he was tortured to death by the powers of this world, and when he rose to give us new life--it was then that everything changed. Christ is the exception that becomes the rule of history. We are made capable of loving our enemies, of treating the other as a member of our own body, the body of Christ. The time that Christ inaugurates is not a time of exceptions to the limits on violence, but a time when the kingdoms of this world will pass away before the inbreaking kingdom of God.

The "holy nation" of which the scriptures speak (Exod. 19:6, 1 Pet. 2:9) is not the U.S. or any other nation-state, but the church, the universal body that transcends national boundaries. If the church narrates history faithfully, it will resist the idolatry of the state and resist the politics of fear that makes torture thinkable. In concrete terms, this means refusing to fight in unjust wars, refusing to use unjust means, and refusing to be silent when the country drills toward the institutionalization of "exceptional measures."

William T. Cavanaugh teaches theology at the University of St. Thomas in St. Paul, Minnesota. He is the author of *Torture and Eucharist*.

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Appendix 6: Religious Opinions

A Topic in the Air but One That Political Candidates Declined to Touch: Torture of Prisoners By PETER STEINFELS

The October issue of *Theology Today*, a scholarly journal published by the Princeton Theological Seminary, featured a series of articles on torture. “It is a matter of shame,” writes one of the contributors, Jeremy Waldron, a professor of law at New York University, that “we have no choice but to conduct a national debate about torture.”

That debate, Professor Waldron continues, is not about stopping torture by “corrupt and tyrannical regimes” but about whether the American people and the American nation want “to remain part of the international human rights consensus that torture is utterly beyond the pale.”

There were few if any signs of such a debate in the midterm election campaigns. That cannot simply be because of the government’s insistence that the United States abhors torture and does not practice it. The government insists on many things — about the war in Iraq and economic prosperity, for example — that its political opponents do not hesitate to challenge and challenge vociferously.

Torture is different. It is such a stain on personal and national character that nothing but appalling photographs could have forced the subject to the fore. When it comes to pressing the question of official complicity, no stack of equivocating documents can have similar force. In a season of shameless attack ads, torture is still too shameful to be debated.

As for religious reaction, Fleming Rutledge, the Episcopal priest and noted preacher, said in this issue of *Theology Today*, “In my lifetime, I do not remember any major public question being so studiously ignored as this one.”

The journal articles stem from an effort to change that. They are based on presentations at the founding conference, in Princeton last January, of the National Religious Campaign Against Torture. Prominent religious leaders, Protestant (both mainline and evangelical), Roman Catholic, Eastern Orthodox, Jewish and Muslim, issued a statement, “Torture Is a Moral Issue,” that was a sweet seven sentences in length:

“Torture violates the basic dignity of the human person that all religions, in their highest ideals, hold dear. It degrades everyone involved — policy makers, perpetrators and victims. It contradicts our nation’s most cherished values. Any policies that permit torture and inhumane treatment are shocking and morally intolerable.

“Nothing less is at stake in the torture abuse crisis than the soul of our nation. What does it signify if torture is condemned in word but allowed in deed?

“Let America abolish torture now — without exceptions.”

It is hard to say how much the *Theology Today* articles add to that succinct statement. In one, William T. Cavanaugh, who teaches theology at the University of St. Thomas in St. Paul, draws on his previous study of torture by the Pinochet government in Chile. His most provocative observations may be that, however counterintuitive, “those who torture tend to think of their work in extremely high moral terms.”

Citing examples from Chile, Professor Cavanaugh notes that “torturers sometimes imagine their acts as a kind of self-sacrifice on their part: ‘What terrible things I must do in order to defend my beloved people!’ ”

What goes for the individual torturer can go for the nation as a whole. “The moral purpose is made more righteous,” Professor Cavanaugh writes, “by the extremity of the act of torture itself.” By definition, “the threat against the nation must be extremely severe if such an extreme procedure as torture is used.”

The argument is strangely circular, but it ends in the conviction, he says, that “only the most morally righteous nation could be trusted with the capacity to use torture for a good purpose.”

In another article, a leading evangelical ethicist, David P. Gushee, a professor of moral philosophy at Union University in Jackson, Tenn., worries that the United States is “succumbing to the temptation to waive moral rules that we have every reason to know are applicable to us.”

“We know that torture is wrong,” Dr. Gushee writes, “but just not now, not in our exceptional case, not in this global war on terror. Yet we are queasy enough, that we do not want to call torture, torture.”

Instead, he continues, “we deny that we are torturing, or we deny that our prisoners are really prisoners, or when pushed to the wall, we remind one another of how evil the enemy is and how much worse other countries or ideologies are.”

“We give every evidence,” he concludes, “of the kind of self-deception so characteristic of the descent into sin.”

Dr. Gushee has not limited his concern to scholarly pages. Last February he wrote an article for the popular evangelical monthly Christianity Today titled “5 Reasons Torture Is Always Wrong.”

All these writers must step carefully around the fact that the president and other American authorities have repeatedly denied that the government tolerates torture — even while they reserve its right to use what are delicately referred to in official parlance as “enhanced” or “alternative” interrogation techniques.

Obviously, these theologians have something less than complete confidence in such official protestations, and one can understand why.

In a White House compromise with a small group of adamant Republicans, last month’s Military Commissions Act, for example, left standing the United States’ commitment to Common Article 3 of the Geneva Conventions protecting prisoners from violence, cruelty, torture and humiliating and degrading treatment.

But while the legislation spelled out certain “grave breaches” of Common Article 3 that would constitute war crimes, it also underlined the president’s power to interpret the nation’s obligations, to define what is grave or not and to screen his definitions from court challenges, and maybe even from public knowledge.

Already, the Central Intelligence Agency has warned that detained Qaeda suspects must not be allowed to disclose their treatment to courts — or perhaps even to their own lawyers — lest other terrorists “adapt their training to counter the tactics that C.I.A. can employ in interrogations.”

Is there any way around this lack of transparency? Here is one idea, admittedly inspired not by sober theological analysis but by political ads.

Let all interrogations be videotaped (interrogating off camera would itself be a “grave breach”). Three years after any interrogation, the video would be made public. One could assume that by that time terrorists would have learned whatever techniques had then been in use.

The important feature, of course, would be the kind of endorsement now required of campaign advertising — a closing shot of the president on screen. “This interrogation was paid for by the American people,” the president would have to say, “and I approve of its methods.”

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APPENDIX 6: RELIGIOUS OPINIONS

Quotes from the National Religious Campaign Against Torture (www.nrcaat.org)

"I'm concerned that we, as a nation, are unwilling to draw the line on torture. We should be able to point to that line with pride. To cross it would be to vacate our integrity and violate the human dignity of those whom we thus choose to victimize."

- Rev. William J. Byron, S.J.
Research Professor
Selling School of Business and Management
Loyola College in Maryland

"The deliberate torture of one human being by another is a sin against our Creator, in whose image we all have been created. This practice should not be condoned or allowed by any government. It must be condemned by all people of faith, wherever it exists, without exception."

- **Archbishop Demetrios**
Primate, Greek Orthodox Archdiocese of America

"My Christian faith does not allow me to compromise on this issue. Torturing another human being, a child of God, is evil, plain and simple."

- Rev. Dr. Bob Edgar
General Secretary
National Council of Churches USA

"I signed 'Torture is a Moral Issue' because I understand the Christian faith to require vigorous efforts on behalf of human dignity, wherever it is threatened--friend or enemy, wartime or peacetime, my government or somebody else's government. I also understand that evangelical Christians, of which I am one, have enormous power in this culture, and I wanted to put myself clearly on record against torture precisely as an evangelical. I signed the statement because I believe that the United States has a fundamental legal and moral obligation to refrain from any form of torture even as we also have a legitimate right to self-defense. Finally, I signed the statement because I am very much concerned that torture, or acts approaching torture, are still occurring."

- Dr. David P. Gushee
University Fellow & Graves Professor of Moral Philosophy
Union University
www.davidgushee.com

"What we must face squarely is this: whenever we torture or mistreat prisoners, we are capitulating morally to the enemy--in fact, adopting the terrorist ethic that the end justifies the means."

From "Inhuman behavior: A chaplain's view of torture," *The Christian Century*, 4/18/06.
- Rev. Kermit D. Johnson
Chaplain (Major General), U.S. Army (ret.)

"There is a special dignity in every human being that comes from the fact that we are brothers and sisters in God's one human family. It is because of this that we all feel that torture is a dehumanizing and terrible attack against human nature and the respect we owe for each other."

- Theodore Cardinal McCarrick
Archbishop Emeritus of Washington

"In the years leading up to World War II, Karl Barth lamented that the German church wasn't awake to what was going on. '...the Church permanently finds itself in an emergency,' he said, but often is asleep at the wheel. I worry that we similarly are slipping into patterns of national behavior about

which the American church is unaware, silent, or worse, complicit. I hope this statement on torture will help us wake up."

- Dr. Brian McLaren
author/speaker
brianmclaren.net

"The international community expresses shared moral belief through international law. International law absolutely prohibits torture, as well as cruel, inhuman, and degrading treatment. The United States was once fully in support of these international laws and the moral principles upon which they are based. We can be again."

- Mary Ellen O'Connell
Robert and Marion Short Professor of Law
Notre Dame Law School

"All of humanity is created in the image of God. Torture is a profound violation of this principle."

- Rabbi David Saperstein
Director
Religious Action Center of Reform Judaism

"The Bible teaches that all of us sin, and power corrupts especially when dealing with the weak and vulnerable--which surely includes prisoners. Biblical Christians know we need the restraint of law, and want to be law-abiding. It's not enough just to be against torture; we want the U. S. to be a law-abiding citizen of the world, respecting international law."

- Dr. Glen Stassen
Lewis B. Smedes Professor of Christian Ethics
Fuller Theologicay Seminary

"I have heightened sensitivity to the torture issue because the central symbol of my faith is an instrument of torture. While on that torture machine Jesus cried out to God on humanity's behalf, 'Father, forgive them for they know not what they do.' 2000 years later, we still don't know what we are doing."

- **Dr. Leonard Sweet**
E. Stanley Jones Professor of Evangelism
Drew University

"The Koran clearly emphasizes the dignity of all human beings that must be maintained at all costs."

- Dr. Sayyid Syeed
National Director
Islamic Society of North America

"If we condone torture, we yield the moral high ground to our enemies and encourage anyone who hates us to stoop to using that subhuman level against us. We reap whatever we sow."

- Dr. Rick Warren
Founder and Pastor
Saddleback Church

National Religious Campaign Against Torture
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APPENDIX 7: ACTION

PRAY

1. Pray for ourselves, for insight and guidance, for a compassionate heart, and for the courage to act on our convictions.
2. Pray for victims of torture and also for perpetrators of torture.
3. Pray for national leaders who set the laws governing the interrogation of detainees.

THINK:

1. As Christians, how do we think terrorists should be treated?
2. Are there forms of interrogation of a suspected terrorist that are totally unacceptable?
3. Who should bear responsibility for torture? Leaders? Those who administer torture? All of us?
4. Is our soul, that of God within each of us, damaged when we condone or ignore torture done by our government for our “benefit”?

GET INFORMED

1. Amnesty International: www.amnestyusa.org
2. Center for victims of torture: www.cvt.org
3. National Religious Campaign against torture: www.nrca.org

WORK TO ABOLISH ALL TORTURE NOW – WITHOUT EXCEPTION

1. TALK to all your friends about abolishing torture
2. PETITION (see petition from National Religious Committee Against Torture)
3. WRITE your legislators (see sample letter)
4. write letters to the editor of your newspapers

Let us change the climate so that all torture is considered unacceptable by all Americans.

TORTURE IS A MORAL ISSUE
A Statement of the National Religious Campaign Against Torture

Torture violates the basic dignity of the human person that all religions hold dear. It degrades everyone involved -- policy-makers, perpetrators and victims. It contradicts our nation's most cherished ideals. Any policies that permit torture and inhumane treatment are shocking and morally intolerable. Nothing less is at stake in the torture abuse crisis than the soul of our nation. What does it signify if torture is condemned in word but allowed in deed? Let America abolish torture now-- without exceptions.

Mail to NRCAT c/o T.C. Morrow—CCTPP, 4500 Massachusetts Ave. NW. Washington DC 20016

YES, I ENDORSE THE "TORTURE IS A MORAL ISSUE" STATEMENT

Name — PLEASE PRINT	address	Congregation

Sample letter to a legislator:

To: Senator (Your Senator)

From: [Your Name]

I am concerned by the practice of “extraordinary renditions” in which the United States is transferring individuals for detention and interrogation to countries with a substantial record of using torture. US legal obligations under federal law and international treaties prohibit the transfer of any person to any country where they are likely to face torture. Nonetheless, the US Government is reported to have sent or been complicit in sending individuals to countries like Egypt, Jordan, Syria and Morocco, countries that the State Department has criticized for practicing torture.

I am aware that President Bush and others in his administration have defended the practice of “extraordinary renditions” by stating that the US receives “assurances” that detainees will not be subjected to torture or inhumane treatment. However, assurances from countries with such a long and well documented history of torture are insufficient. Even the Attorney General admitted that there was no way to monitor such assurances and confirm that they were complied with.

Senator Patrick Leahy (VT) has sponsored the Convention Against Torture Implementation Act (S. 654) that would require annual reporting of countries that engage in torture and prohibit the transfer or return of a detainee to a country that has a history of torture. I urge you to cosponsor and pass S. 654 or similar legislation, which is an important step in affirming U.S. commitments under both international and federal law to prevent torture, and helps restore U.S. credibility on human rights issues.

[Your Name]

[Your Address]

Source: Amnesty International (www.aiusa.org)

