

Out of Horror, Hope:
A Biblically Based Study of Torture's Ravages and
Potential Responses in the Reformed Tradition
from the
No2Torture Group (studyguide@No2Torture.org)

First Session :

What Is This horror? How Can There Be Hope?

HANDOUTS

List of Handouts:

1. Responsive prayer
2. *Timeline: Our Involvement with Torture Since September 11, 2001*
3. *A Victim's Story [Note: This article is still being written; we ask facilitators to work without it at this time. It will be uploaded as soon as possible.]*
4. List: *Alleged Detention and Interrogation Practices* from Amnesty International
5. "What Is Torture?" by the Center for Victims of Torture
6. Text of Jeremiah 38:4–13

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Responsive prayer reading:

One: Gracious God, Omnipotent God, we live in a broken and fearful world,

Many: A world that permits our brothers and sisters to live in the constant fear of arrest,

One: A world where persecution and maltreatment have come to seem like business as usual.

Many: Those who abuse others may not be sadists but may believe they act for a noble cause, or they are following orders, or they forget it is wrong because everyone is doing it.

One: And so we pray for those who are tortured and those who torture and for ourselves.

Many: The knowledge of the existence of such pain tears us spiritually limb from limb!

One: Living God, through your Holy Spirit, give us courage to witness among all people to Christ as Lord and Savior.

Many: Help us to unmask idolatries in church and culture.

One: Let us hear the voices of peoples long silenced.

Many: Let us work with others for justice, freedom and peace.

One: And in gratitude to you for the gift of life itself, let us strive to serve Christ in our daily tasks and to live holy and joyful lives, even as we watch for your new heaven and earth, praying,

Many: "Come, Lord Jesus!" Amen.

(By Deborah Bowsher, based on *A Brief Statement of Faith; Book of Confessions: 10.465-10.476* .)

Timeline: Our Involvement with Torture since September 11, 2001

No2Torture Group

Dr. William Kumbier, Lead Author

May, 2006

October 2001 — President George W. Bush orders bombing of suspected terrorist sites in Afghanistan. War in Afghanistan begins.

November 13, 2001 — President Bush issues a military order calling for “individuals subject to this order” (i.e., suspected terrorists and terrorist supporters) to be detained and to be tried, when tried, by military tribunals, rather than in U.S. district courts. Many of those subsequently detained are held at the American base in Guantánamo, Cuba. (Danner 78-82). Eventually over 500 detainees are held there.

January 2002 — In memos to President Bush dated January 18 and 25, White House Counsel Alberto Gonzales argues that the provisions governing prisoners of war in Geneva Convention II do not to apply to those captured who are, or who are suspected to be, linked to the Taliban or al Qaeda (Danner 83-87).

February 7, 2002 — President Bush decides to withhold protections offered by Geneva Convention III from captured al Qaeda and Taliban fighters and supporters. Bush states: “. . . determine that none of the provisions of Geneva apply to our conflict with Al Qaeda in Afghanistan or elsewhere throughout the world” (quoted in Hersh 5). His decision is based on White House Counsel Alberto Gonzales’s contention that “the war against terrorism is a new kind of war . . . a new paradigm [that] renders obsolete Geneva’s strict limitations on questioning of enemy prisoners and renders quaint some of its provisions” (Danner 42).

NOTE: The key status-of-detainee documents that were exchanged at this time among the White House Counsel, the Department of Defense, the Department of State and the Department of Justice, including those quoted here, were not released until more than two years later, in June 2004.

August 2002 — A memorandum by Jay S. Bybee, head of the Office of Legal Counsel, Department of Justice, to Alberto Gonzales “redefines” torture: “Certain acts may be cruel, inhuman, or degrading, but still not produce pain and suffering of the requisite intensity to fall within [a legal] proscription against torture. . . . For an act to constitute torture. . . it must inflict pain that is difficult to endure. Physical pain amounting to torture must be equivalent in intensity to pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death” (quoted in Hersh 4-5).

December 2, 2002 — Secretary of Defense Donald Rumsfeld approves U.S. military use of interrogation techniques including “yelling at detainees, use of stress positions, use of isolation, deprivation of light and auditory stimuli, use of hoods, use of twenty-hour interrogation, removal of clothing, use of mild physical contact, and “use of detainees’

individual phobias (such as fear of dogs) to induce stress.” Rumsfeld rescinds these instructions six weeks later and convenes a “working group to recommend suitable methods for Guantánamo” (Danner 43-44). What this working group recommended is not clear.

March 2003 — President Bush orders bombing of sites in Iraq; war against Iraq begins.

May 2003 — President Bush declares “major combat” in Iraq to be over.

August 2003 — A military intelligence captain in Iraq seeks clarification to distinguish “unlawful combatants” from “lawful combatants,” who are subject to protection under Geneva Conventions. He requests an interrogation techniques ‘wish list’ by August 17 (Danner 33). Later that month, Major General Geoffrey Miller, then commander of the base at Guantánamo, and later commander of Abu Ghraib, visits Iraq to review “current Iraqi theater ability to rapidly exploit internees for actionable intelligence” (Danner 20). Some contend that Miller visited Abu Ghraib for the purpose of “Gitmo-izing” Abu Ghraib (Hersh). According to reporter Seymour Hersh, it is in August 2003 that top secret intelligence acquisition strategies and techniques approved in 2001 by Secretary of Defense Rumsfeld for use in Afghanistan and elsewhere in the “war on terror” — known as a “special access program” (SAP) — are authorized for use in Iraq prisons (Danner 46).

At some indefinite point, the leading military intelligence battalion at the Abu Ghraib detention facility in Iraq began to use interrogation techniques derived from what is known as the Joint Task Force (JTF) 121 interrogation policy, which “included the use of stress positions during fear-up harsh interrogation approaches. As well as the presence of military working dogs, yelling, loud music, and light control. The memo also included sleep management and isolation approaches.”

October 2003 — On October 12, Lt. General Ricardo Sanchez, overall commander in Iraq, issues a memorandum requiring interrogators at Abu Ghraib to work with military police guards to “manipulate our internees’ emotions and weaknesses” and to control the “lighting, heating . . . food, clothing, and shelter” of those they question” (Danner 12). It is later revealed that the subsequently widely publicized, scandalous abuses of prisoners at Abu Ghraib take place mainly in October and November 2003. Also, in its visits to Abu Ghraib in October 2003, the International Red Cross observes and eventually reports on abuses of internees.

November 6, 2003 — One of several reports by the International Red Cross, complaining of abuses at Abu Ghraib, is issued.

January 13, 2004 — Specialist Joseph Darby provides U.S. Army authorities with a “disk full of explicit images” of the abuses at Abu Ghraib.

January 21, 2004 — An anonymous Abu Ghraib prisoner, known as “Detainee-07,” makes a sworn statement to the U.S. military’s Criminal Investigation Division concerning abuses in

his internment and interrogation. This statement was obtained by the *Washington Post* and included, along with 12 other such accounts from prisoners, on the *Post*'s website.

February 26, 2004 — Major General Antonio M. Taguba, who was appointed to conduct an investigation into the interrogation activities at Abu Ghraib, submitted his findings in a report (the Taguba report) to his superior officers (Hersh 41). Among other things, the report concludes that between October and December 2003 there were numerous instances of “sadistic, blatant, and wanton criminal abuses” at Abu Ghraib, “perpetrated by soldiers of the 372nd Military Police Company, and also by members of the American intelligence community” (Hersh 22, 41).

April 28, 2004 — CBS television network releases the first publicized photos of the abuses at Abu Ghraib on its *60 Minutes II* broadcast. A story by journalist Seymour Hersh regarding the abuses is published shortly thereafter in the *New Yorker* (May 10), along with some of the photographs and quotations from the Taguba investigation.

May 2004 — As the Abu Ghraib scandal continues to unfold, the *New York Times* reports that top Iraqi commanders admitted they had learned “little about the insurgency” from Abu Ghraib interrogators. Later in May, the U.S. Senate holds hearings on Abu Ghraib.

June 2004 — Key documents are released to the press detailing the “struggles among senior officials within the executive branch [of the U.S. government] . . . over how to treat those prisoners captured in Afghanistan and later in Iraq, and what methods to use to interrogate them” (Danner 73). William Haynes, Pentagon general counsel, and other Administration spokespersons assure reporters that “no prisoners in Iraq, Afghanistan, or Cuba had been tortured” (Hersh 11). Also in June, the “U.S. Supreme Court ruled that Yaser Esam Hamdi, a U.S. citizen held for more than two years in military custody without charge or trial as an “enemy combatant” [rather than “prisoner of war”] was entitled to due process and habeas corpus review of his detention by the U.S. courts” (Amnesty International).

August 2004 — Final report by the Independent Panel to review Department of Defense investigations of Detention Operations (known as the Schlesinger report) is issued. The panel was headed by former Secretary of Defense James R. Schlesinger, appointed to the panel by Secretary of Defense Rumsfeld.

November 2004 — On November 8, U.S. district court judge James Robertson rules that military commissions used to try detainees must be halted because the commissions were in violation of the Geneva Conventions, the U.S. Constitution and the Uniform Code of Military Justice. The so-called “commissions” are one of “three types of legal bodies created by the military to deal with detainees at Guantánamo” (New York Times: “Ruling Lets U.S. Restart Trials”). Judge Robertson’s decision was later to be reversed by a federal appeals court in July 2005.

May 2005 — Amnesty International releases a report citing the United States for human rights abuses against detainees at Guantánamo, in detention facilities in Iraq and elsewhere. It opens with this summary of human rights abuses by the U.S. In 2004:

Hundreds of detainees continued to be held without charge or trial at the US naval base in Guantánamo Bay, Cuba. Thousands of people were detained during US military and security operations in Iraq and Afghanistan and routinely denied access to their families and lawyers.

Military investigations were initiated or conducted into allegations of torture and ill-treatment of detainees by US personnel in Abu Ghraib prison in Iraq and into reports of deaths in custody and ill-treatment by US forces elsewhere in Iraq, and in Afghanistan and Guantánamo. Evidence came to light that the US administration had sanctioned interrogation techniques that violated the UN Convention against Torture. Pre-trial military commission hearings opened in Guantánamo but were suspended pending a US court ruling.

President Bush criticizes the report as “absurd” in a press conference on May 31.

June 2005 — The *New York Times* (“Psychologists Warned”) reports that former interrogators at Guantánamo stated that psychiatrists and/or psychologists “counseled them on how to use a detainee’s fears and longings to increase distress.” A few weeks later, the American Psychological Association issued a report “telling its members of the ethical dangers of such activities.”

July 2005 — On July 14, the *New York Times* reports that a “high-level military investigation into complaints by FBI agents about the abuse of detainees at Guantánamo Bay, Cuba, concluded . . . that their treatment was sometimes degrading but did not qualify as inhumane or as torture” (“Report Discredits”). Then, on July 14, the United States Court of Appeals for the District of Columbia ruled unanimously that the U.S. military could “resume war crimes trials of terrorism suspects at Guantánamo.” The trials had been suspended by a district court decision in November 2004, which ruled that the military trials violated the Geneva Conventions, the U.S. Constitution and the Uniform Code of Military Justice (“Ruling Lets U.S. Restart Trials”).

August, 2005 — Approximately 520 detainees at Guantanamo begin a hunger strike to protest their indefinite detention and abuse. The military orders force feedings to counter what they claim to be “a form of suicide.” Medical groups protest saying that it is a violation of medical ethics to administer forced feeding.

September 9, 2005 — The Fourth Circuit Court of Appeals rules that the government has the right to hold a US citizen, Jose Padilla, in indefinite military detention without accusing him of any crime. Before this ruling could be appealed to the Supreme Court, Padilla was indicted in civil court and transferred from military custody to federal custody in Miami, thus

avoiding a ruling on the legality of suspending habeas corpus protections for US citizens.

September, 2005 — Human Rights Watch issues a report with first hand accounts by members of the 82nd Airborne detailing the routine torture of detainees held near Fallujah. Capt. Ian Fishback's letter to Sen. John McCain protesting the practices helps to fuel Congressional efforts to restrain and define interrogation practices in what will come to be known as the McCain amendment.

October, 2005 — PBS airs a significant documentary “The Torture Question.”

November 2, 2005 — An article in the Washington Post by Dana Priest sparks international outrage over the practice of extraordinary rendition by the US. Extraordinary rendition involves capturing suspected terrorists and secretly transporting them for interrogation to third countries known to use abusive interrogation techniques. Priest's article alleges that some of these detainees are being held in secret prisons in Europe, setting off public outrage and official investigations.

December, 2005 — The McCain amendment is passed overwhelmingly by both the Senate and the House in spite of the threat of the first veto of the Bush administration. In response, President Bush drops his veto threat, however, in a signing statement, he claims the right to bypass the law. In addition, the law is weakened by amendments. Confessions obtained through torture may now be used in proceedings against the detainees, a first in US history. Further, access to US courts through *habeas corpus* is denied to the detainees.

May 18, 2006 — The UN Committee Against Torture publishes its list of conclusions and recommendations that are highly critical of US treatment of detainees, extraordinary renditions, secret detentions, etc.

May 18, 2006 — Judge T.S. Ellis 3rd of U.S. District Court dismissed a suit by Khaled al-Masri in which he sought redress for being abducted in Afghanistan by the CIA; Ellis ruled that "in the present circumstances, al- Masri's private interests must give way to the national interest in preserving state secrets."

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Source: <http://web.amnesty.org/library/Index/ENGAMR510632005>
Amnesty International Executive Summary, Document Index AMR 51/063/2005

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Appendix 3: Alleged detention and interrogation practices

The following are some of the detention or interrogation practices that are alleged to have been authorized or used by the USA 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.

- Abduction
- Barbed wire, forced to walk barefoot on
- Blindfolding
- "Burking" – hand over detainee's mouth/nose to prevent breathing
- Cell extraction, brutal/punitive use of
- Chemical/pepper spray, misuse of
- Cigarette burns
- Claustrophobia-inducing techniques, e.g. tied headfirst in sleeping bag, shut in lockers
- Death threats
- Dietary manipulation
- Dogs used to threaten and intimidate
- Dousing in cold water
- Electric shocks, threats of electric shocks
- Exposure to weather and temperature extremes, especially via air-conditioning
- Flags, wrapped in Israeli or US flags during or prior to interrogation
- Food and water deprivation
- Forced shaving, i.e. of head, body or facial hair
- Forcible injections, including with unidentified substances
- Ground, forced to lie on bare ground while agents stand on back or back of legs
- Hooding
- Hostage-taking, i.e. individuals detained to force surrender of relatives
- Humiliation, e.g. forced crawling, forced to make animal noises, being urinated upon
- Immersion in water to induce perception of drowning

- Incommunicado detention
- Induced perception of suffocation or asphyxiation
- Light deprivation
- Loud music, noise, yelling
- Mock execution
- Photography and videoing as humiliation
- Physical assault, e.g. punching, kicking, beatings with hands, hose, batons, guns, etc
- Physical exercise to the point of exhaustion, e.g. "ups and downs", carrying rocks
- Piling, i.e. detainee is sat on or jumped on by one or more people ("dog/pig pile")
- Prolonged interrogations, e.g. 20 hours
- Racial and religious taunts, humiliation
- Relatives, denial of access to, excessive censorship of communications with
- Religious intolerance, e.g. disrespect for Koran, religious rituals
- Secret detention
- Secret transfer
- Sensory deprivation
- Sexual humiliation
- Sexual assault
- Shackles and handcuffs, excessive and cruel use of. Includes "short shackling"
- Sleep adjustment
- Sleep deprivation
- Solitary confinement for prolonged periods, e.g. months or more than a year
- Stress positions, e.g. prolonged forced kneeling and standing
- Stripping, nudity, excessive or humiliating use of
- Strip searches, excessive or humiliating use of
- Strobe lighting
- Suspension, with use of handcuffs/shackles
- Threat of rape
- Threats of reprisals against relatives
- Threat of transfer to third country to inspire fear of torture or death
- Threat of transfer to Guantánamo
- Threats of torture or ill-treatment
- Twenty-four hour bright lighting
- Withdrawal of "comfort items", including religious items
- Withholding of information, e.g. not telling detainee where he is
- Withholding of medication
- Withholding of toilet facilities, leading to defecation

Source: <http://www.cvt.org/main.php/InsideCVT/WhatisTorture>

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WHAT IS TORTURE?

Torture is the intentional and systematic infliction of physical or psychological pain and suffering in order to punish, intimidate or gather information. CVT uses the definitions of torture determined by the United Nations and the World Medical Association...

"...the term 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity." (Article I, United Nations Convention Against Torture, 1984)

"...torture is defined as the deliberate, systematic or wanton infliction of physical or mental suffering by one or more persons acting alone or on the orders of any authority to force another person to yield information, to make a confession, or for any other reason." (World Medical Association, Declaration of Tokyo, 1975)

- Amnesty International [<http://www.amnesty.org/stoptorture>] has gathered recent reports of torture and ill-treatment from more than 150 countries.
- Torture is a crime against humanity; as a strategic tool of repression, it is the single most effective weapon against democracy.
- The purpose of torture is to control populations by destroying individual leaders and frightening entire communities.
- Torture is rarely used to extract information from someone.
- Torture is a low-technology enterprise, mostly carried out through beatings.
- Psychological torture usually involves various kinds of threats and multiple forms of deprivation.
- Torture occurs in a political context that frequently employs various oppressive and repressive forms of governance; many of these are highly traumatic.
- It is a fundamental human right to live without fear of torture.

Torture is not an effective means of interrogation and does not yield useful or truthful information. It is, however, a highly effective means of controlling populations: torture destroys leaders, disintegrates opposition and terrorizes communities. Torture is never acceptable.

NRS **Jeremiah 38:4–13**

⁴Then the officials said to the king, "This man ought to be put to death, because he is discouraging the soldiers who are left in this city, and all the people, by speaking such words to them. For this man is not seeking the welfare of this people, but their harm." ⁵King Zedekiah said, "Here he is; he is in your hands; for the king is powerless against you." ⁶So they took Jeremiah and threw him into the cistern of Malchiah, the king's son, which was in the court of the guard, letting Jeremiah down by ropes. Now there was no water in the cistern, but only mud, and Jeremiah sank in the mud. ⁷Ebed-melech the Ethiopian,^a a eunuch in the king's house, heard that they had put Jeremiah into the cistern. The king happened to be sitting at the Benjamin Gate, ⁸So Ebed-melech left the king's house and spoke to the king, ⁹"My lord king, these men have acted wickedly in all they did to the prophet Jeremiah by throwing him into the cistern to die there of hunger, for there is no bread left in the city." ¹⁰Then the king commanded Ebed-melech the Ethiopian,^a "Take three men with you from here, and pull the prophet Jeremiah up from the cistern before he dies." ¹¹So Ebed-melech took the men with him and went to the house of the king, to a wardrobe of^l the storehouse, and took from there old rags and worn-out clothes, which he let down to Jeremiah in the cistern by ropes. ¹²Then Ebed-melech the Ethiopian^a said to Jeremiah, "Just put the rags and clothes between your armpits and the ropes." Jeremiah did so. ¹³Then they drew Jeremiah up by the ropes and pulled him out of the cistern. And Jeremiah remained in the court of the guard.

^aOr *Nubian*.