

Resolution against Torture

Introduction

The following essay is a summary of a position or positions held by the Presbyterian Church (U.S.A.) on the issue of torture. For the complete document related to this issue, please see www.pcusa.org/acswp and find the “Resolution against Torture—Human Rights in a Time of Terrorism: A Call for a Commission of Inquiry,” which was approved by the 217th General Assembly (2006). The document may be downloaded for free or copies may be ordered from the site.

While the “Resolution against Torture” is the primary document summarized in this essay, it should be noted that the church has a long history of crying out against torture and supporting human rights of all people. There are many documents and groups within the church supporting and promoting human rights. It is also important to note that this essay largely focuses on the practices of the United States. This is not because the United States is the sole violator of human rights, but it is because of how sharply some of the human rights abuses have become within our nations since we have entered into this new millennium.

Trouble in Our Nation

The Advisory Committee on Social Witness Policy (ACSWP) provides a report on human rights to the Presbyterian Church on a regular basis. ACSWP works with many other offices of the Presbyterian Church in order to provide the most com-

plete and accurate picture possible. Generally these groups are proud to report on the leadership of the United States in preventing human rights abuses and in advocating for the rights of others across the world. However, the report accepted by the 2006 General Assembly of the Presbyterian Church (U.S.A.) was filled with especially disturbing reports of human rights abuses. Our nation and its leaders were responsible for perpetuating many of these abuses. Unlike

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many of the other policy statements, the “Resolution against Torture” focuses on the United States and how “our nation has gone from being a leader in the cause of human rights to a cause for alarm among democratic nations.”¹

We look at our own nation and cry out against the ways in which we are perpetuating the suffering of others through the actions of our government. The stance of the church has always been against the torture of others. The resolution remains consistent with our biblical and confessional heritage, drawing particularly on the book of Amos. The prophet Amos clamors against the imprisonment and abuse of others. Christ also calls us to get our own matters in order before

1. “Resolution Against Torture—Human Rights in a Time of Terrorism: A Call for a Commission of Inquiry” (Louisville, KY: Office of the General Assembly, 2006), 6.

Publisher’s Note

The Presbyterian Church (U.S.A.) takes positions on many social issues. Before crafting official social policy statements, there is a lengthy process involving study papers and consultations before the final General Assembly debates and votes on the issue. This essay is a summary of either a study paper being considered by the church or a summary of the official policy. The introduction to the essay explains where the full document may be found. Please visit www.pcusa.org/acswp for more information about the process and more resources.

critiquing others, as in Matthew 7:5: “First take the log out of your own eye, and then you will see clearly to take the speck out of your neighbor’s eye.”

The tradition of supporting human rights and resisting torture is not a new addition to the church. Rather, this call goes back to the “Universal Declaration of Human Rights,” which states:

Every person being thus infinitely valuable in the sight of God, all are to be regarded as equally entitled to the rights granted by society or inherent in them as human beings. Personality being of infinite worth, there are areas of personal life which no state, no economic or social force should be authorized to invade. The claims of the totalitarian state to dominion over all the acts and thoughts of its subjects must be rejected. Freedom of thought and its expression, freedom of assembly, freedom of religious worship, and freedom of conscience that commands one to act in obedience to God and not in submission to man-made decree, must be preserved as the foundation statutes of a Christian brotherhood.²

Our call to care for people and to protect their rights has long been a part of our tradition. We have long believed that it is important to resist any government or force that tries to take rights away from a community and impose restrictions rather than freedoms.

Unfortunately, the practice of torture has returned to the United States. One can easily find accounts of torture, alleged torture, and human rights violations conducted by agents of the United States and condoned by our leadership whom we helped elect. Even if we did not vote for those who govern us, we live as part of a representative democracy and have the responsibility to call our leaders to task when they fail to represent our concerns. One prominent example of a human rights violation that has occurred can be found in the abuses documented by photos from the detention facility at Abu Ghraib, Iraq. Further, there have been “public strategies to circumvent the Geneva Conventions and U.S. Constitutional law by indefinite detention without trial in extraterritorial military facilities.”³ While the Obama administration has come out against many of the practices of the prior Bush administration, we must remain vigilant to ensure that what our leaders say is done. It is not enough for us to speak out against torture and human rights violations. We must continue to work to shut down some of these detention facilities, like the one in Guantanamo Bay, Cuba, lest our nation remain in a position where abuses can still occur.

2. *Minutes of the 149th General Assembly (1937) of the Presbyterian Church (U.S.A.)*, Part 1: *Journal* (Louisville, KY: Office of the General Assembly, 1937), 217.

3. “Resolution against Torture,” 11.

4. Presbyterian Peacemaking Program, “Christian Witness for Peace in Iraq,” accessed February 7, 2009, at <http://www.pcusa.org/peacemaking/actnow/actnow.htm>.

Resistance from the Church

While our nation may support policies and practices that have compromised human rights and tarnished our international reputation, the church has been, and continues to be, a force of resistance by speaking out and organizing against human rights abuses and torture. The Presbyterian Peacemaking Program continues to host conferences and publish materials to assist Presbyterians in protesting government actions that compromise human rights. ACSWP provides other materials to draw attention to the plight of people around the world and call us to action on their behalf. While the world may be presenting a grim picture of human rights, the church offers a vision of hope for a new future.

The church speaks about against the degradation of any human and renounces the use of torture. The Presbyterian Peacemaking Program encourages us to “Say NO to torture” and “Say YES to justice.”⁴ There are many links on the Peacemaking Web site (www.pcusa.org/peacemaking) that are designed to assist us in getting involved in supporting human rights and peace throughout the world. Visit this site to learn about upcoming conferences and other opportunities to get together in dialogue with others about working for peace and advocating for human rights.

It can be a painful and isolating process to speak out against one’s own nation, but we remain called to advocate for the needs of those who are oppressed. The church is committed to advocacy based on how its members understand God’s concern and care for all people through Scripture, confessions, and conscience. It is never easy to resist a powerful nation like the United States, and it can be even more difficult to be a force of resistance when such action is scorned, deemed “unpatriotic,” or even questioned by government officials. We are called to resist on behalf of others and on behalf of ourselves, for not only are others being affected but each and every citizen of the United States has had his or her privacy compromised as laws such as the Patriot Act were enacted. These policies provide greater freedom for officials to spy on and investigate citizens. The church remains resistant to all actions that compromise the rights of people in the United States and throughout the world.

Policy of the Church

The Presbyterian Church (U.S.A.) adopted the “Resolution against Torture” in 2006. This resolution provided a clear statement that the church:

opposes the use of torture and all forms of “cruel, inhuman, or degrading” interrogation by all agencies, employees, or agents of the United States government, and all foreign governments and/or combatants, and supports the application of the Geneva Conventions to all enemy soldiers and the humane treatment with due process for all combatants held by U.S. forces anywhere in the world, and supports the provisions of the Bill of Rights and the principles of judicial review and congressional oversight over Executive branch operations, now including counterterrorism, Homeland Security, and domestic surveillance programs, both classified and publicly acknowledged.⁵

This statement opens and shapes all the policy that it precedes. Clearly, Presbyterians call our government and ourselves to a higher standard than the nation has established for itself. Rather than creating exceptions to the guidelines and relying on loopholes to justify who can be tortured and who can be severely mistreated, we call on our nation to resist abusing its power and hold all people up as people who are worthy of being treated with dignity.

Human rights are universal. We believe that all people share certain rights and that these rights are not to be removed for any reason. As such we endorse those congressional and judicial remedies that are being offered up by agencies of the U.S. government. These remedies include the appointment of special counsels, open hearings for detainees, appropriate investigations, and legislations that outlaw “extraordinary rendition” as well as extraterritorial prison facilities. Extraordinary rendition occurs when Central Intelligence Agency (CIA) agents abduct a suspect in one country and then send the person to another country. Extraterritorial prison facilities are those facilities that are located off of domestic soil, like Guantanamo Bay in Cuba and Abu Ghraib in Iraq. By supporting the reformation of these practices using internal means, we believe that we can reshape the way human rights are being used in political and legal dialogue.

The church is calling on the Stated Clerk to include concerns about human rights as a part of summary documents that are presented to public officials, ecumenical partners, and church leaders. The Stated Clerk is further authorized to support the efforts of Presbyterians who refuse to serve as military, intelligence, or other personnel who are asked to participate in coercive and/or covert detention of prisoners. This autho-

rization applies most commonly to conscientious objectors. The Stated Clerk is also authorized to “express support for the protection of the right of privacy for U.S. citizens against intrusion by government or private entities.”⁶

Individual Actions

Finally we urge ourselves to remain concerned and active. If we are indifferent to the violations of human rights, we help to perpetuate abuses of people and the removal of our rights. However, we are urging all Presbyterians, including ourselves, to remain attentive to issues of human rights domestically and abroad. We are to advocate for human rights in a way that supports equality. We are calling on our leaders to speak on our behalf, and we are calling on one another to work on the behalf of others. We are called to be attentive to what is going on in our own nation and to demonstrate care for those around the world as well. We are called to work toward the cessation of wars, which all too often promote further compromise of human rights. One way that all of us are called to join together in advocacy is in the celebration and observance of Human Rights Day, which occurs each December 10.

We are called to be aware of the human rights violations that are occurring in other nations and to advocate for the rights of those who are being abused. There are too many violations to list them all in this document, and such a list might become outdated quickly as times and practices change. The best way to remain informed is to get involved with programs

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of the church that aim at promoting peace. The Presbyterian Peacemaking Program and ACSWP offer two wonderful entry points. Other good sources of information can be found through exploring the Web sites of human rights organizations such as Amnesty International (www.amnestyusa.org or www.amnesty.org), the Center for Human Rights (www.un.org/rights), or Human Rights Watch (www.hrw.org). You can get information and seek to support others by praying for them, organizing a prayer group, and getting involved in advocacy campaigns. We believe that we must take a stand and cry out against the injustice found in our world by denouncing torture and promoting the rights of all humans.

5. “Resolution against Torture,” 5.

6. Ibid., 6.