



No Doubt, It Was Torture!

An Interfaith Discussion Guide

Released October 2013

Thank you for organizing a screening of the 11 minute film, *No Doubt, It Was Torture!*, and discussion. Below is information to assist you in planning for your class or event.

Background

The use of torture is illegal under U.S. law and under international law, and considered immoral by all faith traditions. Experienced interrogators also say that moral and legal interrogation methods work better for obtaining reliable information. Improving our understanding of what happened in the past will help us ensure that torture does not happen again in the future.

On April 16, 2013, the bipartisan Task Force on Detainee Treatment sponsored by The Constitution Project issued its 600 page report on the interrogation and treatment of detainees, particularly those taken into U.S. custody in the aftermath of 9/11. Based on its work over a two year period, the Task Force concluded that the United States, without a doubt, engaged in torture and cruel, inhuman, and degrading treatment (CID) of detainees. See Appendix 3 for NRCAT's summary of the report.

Key findings of the Task Force on Detainee Treatment report:

- The United States indisputably engaged in torture of post-9/11 detainees in violation of U.S. and international law.
- Torture was used “in many instances and across a wide range of theaters [locations].”
- Our top political leaders, through both their actions and failures to act, bear ultimate responsibility for the United States' use of torture and CID. The Task Force report describes how government lawyers manipulated the law in order to claim that torture was legal when it was clear that it was illegal. It describes admirable attempts made by individuals in the armed forces and civilian agencies to stand up for U.S. law and values, and in contrast it shows how our political leaders and their lawyers found ways around the law.
- That “the arguments that the nation did not engage in torture and that much of what occurred should be defined as something less than torture are not credible.”
- The high level of secrecy surrounding the rendition and torture of detainees since 9/11 cannot continue to be justified on the basis of national security.

The report describes the confusion and anxiety that was endemic in our government's response to 9/11. It shows how the U.S. captured and held people who likely had no connection to terrorism, how our government mistreated detainees in capriciously cruel ways, and how our political leaders hurt our country by setting aside both legality and morality. Tragically, it also describes how our frontline troops were left to fend for themselves in absence of moral leadership from above.

The Task Force report drew on public records and Task Force members' own interviews with a number of eye witnesses and people involved in the program. The report describes in detail numerous examples of torture, including several cases where individuals were literally tortured to death.

On January 22, 2009, President Obama issued an executive order halting the use of torture. This is not a permanent ban on torture – it can be overturned by any President at any point. In order to

permanently ban torture, we need to understand the full scope and scale of what was done in our name in order to build durable legal and cultural safeguards that are strong enough to withstand the next crisis and ones after that.

This National Religious Campaign Against Torture (NRCAT) film describes the key findings of The Constitution Project's Task Force on Detainee Treatment report and offers responses from a variety of faith traditions.

This discussion guide was prepared by NRCAT to facilitate discussion of NRCAT's 11 minute film *No Doubt, It Was Torture!* **You can view and download the film, order a copy of it on DVD, download promotional materials, and access all the resources and links mentioned in this discussion guide at: www.nrcat.org/NoDoubtDVD.**

At your class or event, there will likely be participants in the room who will want to take steps to ensure that torture never happens again. The National Religious Campaign Against Torture encourages everyone to read the summary of the Task Force report, educate others about its findings, work to end U.S.-sponsored torture forever by advocating for its recommendations and consider other suggestions on the NRCAT website (www.nrcat.org).

Suggestions for Using this DVD

This film best lends itself to small group settings for discussion, such as during an adult education class. An outline for a 60 minute session is provided, including a suggested time breakdown for the session.

This resource could also be used in:

- Older youth or college groups
- Women's or men's organizations
- Social ministry meetings
- Adult education programs
- A weekend retreat
- Any interfaith setting

Preparing for the Discussion

We suggest that as a facilitator you preview the film and read through the discussion guide to decide how you would like to present the material. Think through your own feelings and reactions to the film so you are prepared to respond helpfully to the comments of participants. Feel free to add your own questions. The film includes religious voices of various faiths and members of the Task Force including retired military officers and public leaders. There may be a variety of opinions expressed during the discussion, however, and openness and honesty should be encouraged.

Here is a quick preparation checklist:

- Be sure to let us know about your viewing and discussion by registering at <http://www.surveymonkey.com/s/8NZ3NFQ>.
- Advertise early and often about the upcoming discussion session within the congregation. Announce it in worship or other appropriate venues. Sample promotional materials are available at www.nrcat.org/NoDoubtDVD.
- Determine the tasks you want to accomplish during the screening.
- Determine who will lead the session.
- Test the film with the equipment (DVD player and TV or Computer and Projector) you will be using for the session.

- Participants might ask for a definition of torture. The definition from the Convention Against Torture, which is U.S. law, is included in Appendix 1.
- Please make copies of the petition version (Appendix 4) of the statement that we suggest that participants might want to sign at the end of the session. You can mail the statement with the signatories to your U.S. senators and your representative or if you want NRCAT to hand deliver them to your senators and representatives, we would be happy to do that. If you want to mail them directly, you are encouraged also to send your list to the National Religious Campaign Against Torture so we can continue to provide resources and information about torture to those who want to receive it.

Additional Resources

As a facilitator you may want to visit or encourage participants to visit www.nrcat.org, where we have a list of our member organizations, several studies from various denominations and faith groups, statements on torture from denominations and faith groups, additional worship and prayer resources, and ways that you can work to ensure that U.S.-sponsored torture never happens again. Many of these resources could be helpful in your preparation for the class.

To order a complimentary print copy of the abridged version of The Constitution Project's Task Force on Detainee Treatment report, please visit <http://detaineeataskforce.org/report/order/> or contact The Constitution Project at 202-580-6920. Both the abridged version and the full report are also available for download at <http://detaineeataskforce.org/report/>.

If you have questions, please contact Paz Artaza-Regan, NRCAT's Director for Program & Outreach, at 202-547-1920 or partaza-regan@nrcat.org.

Session Outline

Welcome and introductions (5 minutes)

Open with prayer, if that is your tradition, and if needed ask participants to introduce themselves.

Then introduce the class and the film *No Doubt, It Was Torture!* by saying something like:

“We are offering this session on the report of The Constitution Project’s Task Force on Detainee Treatment in order to provide a safe and open place in which we can express our thoughts, feelings and beliefs on the United States use of torture after 9/11. We may have conflicting views. The purpose of this discussion is for us to discuss U.S. practices and policies, and to look at those policies through the eyes of our faith. Our own faith teaches that every human being has been created with worth and dignity, and yet some of us may also believe – however uneasily – that sometimes torture is necessary. We ask that you keep an open mind to one another, listen respectfully and share as honestly as you’re able.”

Film Screening (15 minutes)

Insert DVD and play the film. The film is 11 minutes.

Discussion (30 minutes)

The following questions are offered to guide a fruitful discussion. Feel free to ask other questions as well. If the group is too large, you might want to divide it. If you do, ask someone in each subgroup lead it and ask the questions.

Now we’ll discuss some of the issues raised in this film.

1. What are your reactions to the film?
2. [It is suggested that you distribute NRCAT’s two page summary of the report, Appendix 3] The bipartisan Task Force on Detainee Treatment sponsored by The Constitution Project conducted a two year review of publicly available documents and interviewed many people to produce its report. Based on the two page summary and the film, what do you think were the important conclusions of the report? Was there anything in the findings that surprised you?
3. [Hand out the quotes in Appendix 2] These quotes represent three faith perspectives on torture. What are the overlapping themes between these various traditions? What does your faith tradition teach about torture?
4. Dr. Azizah Al-Hibri stated in the film, “I have read in the past about other countries doing this. Countries that we called fascist, countries that we thought violated every rule in the book, but that is not America. And to find out that we’ve actually learned from what these other despicable countries, or regimes I should say, were doing was very shocking to me.”
Many countries look to the U.S. as a model for human rights. How does the U.S.’s use of torture affect the people of the United States and other countries?
5. Dr. Stephen Colecchi speaks about how torture harms the tortured, the torturer, and the entire community. What can the faith community do to heal the wounds in each of these groups of people affected by torture?

A Statement and Closing (10 minutes)

It is suggested that you ask participants to sign the statement found in Appendix 4. You can mail the statement with the signatories to your U.S. senators and your representative or if you want NRCAT to hand deliver them to your senators and representatives, we would be happy to do that. If you want to mail them directly, you are encouraged also to send your list to the National Religious Campaign Against Torture so we can continue to provide resources and information about torture to those who want to receive it.

Please pass around the petition and invite participants to sign the statement:

On January 22, 2009, President Obama issued an executive order halting the use of torture. However, in order to ensure no President resumes the use of torture, it is important for safeguards to be put in place. The National Religious Campaign Against Torture has a statement calling on Congress to support steps that will permanently end the use of torture by the United States' government. I invite you to sign the statement and then I will copy it and mail it to our senators and representative.

End with a closing prayer or the way that your class typically closes its session.

Definition of Torture

The National Religious Campaign Against Torture (NRCAT) uses the definition of torture included in Article I of the U.N Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention came into force on June 26, 1987, following ratification by the 20th nation. June 26th is now recognized as the UN International Day in Support of Torture Victims.

The Convention was signed by the U.S. in 1988 and ratified by the U.S. Congress in 1994, thereby becoming U.S. law.

Here is the definition of torture from Article I of the Convention:

“For the purposes of this Convention, 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, or 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. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

The Convention against Torture also prohibits cruel, inhuman and degrading treatment which does not amount to torture.

Quotes from *No Doubt, It Was Torture!*

Dr. Stephen Colecchi [*Director of the Office of International Justice and Peace, US Conference of Catholic Bishops*] says, “Christians oppose torture because we believe every person is created in the image and likeness of God. Because of that fact, we have to respect the dignity of each and every human being. And torture, in a very violent way, violates that dignity. And for that reason we oppose it in every case. It violates the dignity of the person being tortured, that’s obvious. It also violates the dignity of the perpetrator of torture. And finally it really does damage to the human dignity of all the people in a society that would tolerate torture in its name. It’s simply, fundamentally incompatible with the dignity of the human person and with Christian belief.”

Rabbi Rachel Gartner [*Director of Jewish Chaplaincy, Georgetown University*] says, “We have texts that teach us that another person’s dignity should be as dear to us as our very own. There are texts that warn us against excessively harsh treatment even to those who are guilty lest their humanity be degraded in our eyes...I think the most salient and profound reason for our objections comes from the most basic place in Jewish thought which is we believe every human being was made in the image of God. And therefore God is implicated in our human relationships. Every time we shame, humiliate, harm or violate a human being we shame, humiliate, and harm and violate God. So for us, torture is unambiguously immoral.”

Dr. Sayyid Syeed [*National Director for Interfaith & Community Alliances, Islamic Society of North America*] says, “...from early childhood, we are taught sayings of the Prophet and the text of the Qur’an and repeatedly we are told, as children, not to torture small birds or not to burn even ants. So that’s the kind of religious approach we have towards living beings and how we are prohibited from the very beginning. So then the second thing is that Qur’an tells us that God has invested human beings with dignity. Torture robs both the perpetrators of torture and the victims of the torture of that dignity...”

THE REPORT OF THE TASK FORCE ON DETAINEE TREATMENT OF THE CONSTITUTION PROJECT

On April 16, 2013, the bipartisan Task Force on Detainee Treatment sponsored by The Constitution Project issued its comprehensive report on the interrogation and treatment of detainees, particularly those taken into U.S. custody in the aftermath of 9/11. Based on its work over a two year period, the Task Force concluded that the United States indisputably engaged in torture and cruel, inhuman, and degrading treatment (CID) in violation of U.S. and international law and for which, notwithstanding the climate of fear after 9/11, there was no justification. The torture “occurred in many instances and across a wide range of theaters.” The Task Force also concluded that our top political leaders, through both their actions and failures to act, bore the ultimate responsibility for the use of torture and CID. The Task Force found that “the arguments that the nation did not engage in torture and that much of what occurred should be defined as something less than torture are not credible.”

The 11 member bipartisan Task Force was chaired by Asa Hutchinson, a former Under Secretary of the Department of Homeland Security for President George W. Bush and a former Republican member of Congress from Arkansas, and James Jones, a former Democratic member of Congress from Oklahoma who was Ambassador to Mexico.

The Task Force report describes how government lawyers manipulated the law in order to claim that torture was legal when, in fact, it was clearly illegal. It describes admirable attempts made by individuals in the armed forces and civilian agencies to stand up for U.S. law and American morality, and it shows how our political leaders and some of their handpicked lawyers found ways around them.

Drawing on public records and interviews with a number of eye witnesses and involved persons, the report describes in detail numerous examples of torture, including several cases where individuals were literally tortured to death.

The report describes the confusion and fear that was endemic in our government’s response to 9/11. It shows how the U.S. captured and held people who likely had no connection to terrorism, how our government mistreated detainees in capriciously cruel ways, and the many ways in which setting aside law and morality in the name of national security hurt our country. Tragically, it also describes how our frontline troops were left to fend for themselves in absence of moral leadership from above.

Key findings of the Task Force include:

- There is no firm or persuasive evidence that the use of torture produced significant information of value. In fact, the Task Force found substantial evidence that much of the information obtained from torture was not useful or reliable.
- The U.S. used interrogation techniques that it had previously condemned as illegal when used by others, including waterboarding, stress positions, extended sleep deprivation, sexual humiliation and prolonged solitary confinement.
- Our top political leaders, through both their actions and failures to act, bore ultimate responsibility for the use of torture and CID.
- The Office of Legal Counsel “repeatedly gave erroneous legal sanction” to torture and CID.
- The U.S. “violated its international legal obligations in its practice of the enforced disappearances and arbitrary detention of terror suspects in secret prisons abroad.”

- Medical professionals violated their professional ethical obligations when they participated in torture and CID.
- “The high level of secrecy surrounding the rendition and torture of detainees since September 11 cannot continue to be justified on the basis of national security.”
- The U.S. has failed to comply with its legal duty to provide redress and compensation to victims of torture.
- The U.S. has failed to comply with its legal duty to investigate all acts of torture.
- The Army Field Manual was amended in 2006 in ways that weakened some of its key protections against cruel, inhuman and degrading treatment.
- A majority of the Task Force found the indefinite detention at Guantanamo “abhorrent and intolerable.”

Key recommendations of the Task Force include:

- The American people should have all of the facts on torture – and in particular the Senate Intelligence Committee report on CIA interrogations should be released to the public.
- The laws against torture should be strengthened to prevent a repeat of past mistakes.
- The U.S. should not transfer detainees to countries where torture is likely to occur, and should not rely solely on diplomatic assurances of humane treatment with respect to such transfers.
- The Office of Legal Counsel (OLC) should be required to publish its opinions and tell the public when it is issuing a classified opinion. There should be increased notice of OLC opinions to Congress.
- The DOD and the CIA “should ensure adherence to health professional principles of ethics.” Also, physicians should be required to report abuses to authorities.
- The Executive Branch should declassify evidence regarding the CIA’s and military’s abuse and torture of captives.
- “Congress should pass legislation that makes clear that acts of torture, war crimes, and crimes against humanity are not legitimate ‘intelligence sources and methods’ under the National Security Act.”
- The state-secrets privilege should not be invoked to dismiss lawsuits by victims of torture and CID at the pleadings stage.
- Congress should amend the Army Field Manual to eliminate Appendix M, and “[l]anguage prohibiting the use of stress positions and abnormal sleep manipulation that was removed in 2006 should be restored.”
- The International Committee of the Red Cross should always be granted access to all detainees, and the Obama Administration should publicly confirm its requirements for doing so.
- The United States should sign and ratify the International Convention for the Protection of All People from Enforced Disappearance.
- The “forced feeding of detainees at Guantanamo is an abuse and must end.”
- A majority of the Task Force recommend that Guantanamo be closed by no later than the end of 2014.

The National Religious Campaign Against Torture encourages everyone to read the Task Force report, educate others about its findings, and advocate for its recommendations.

For more information visit www.nrcat.org/TaskForce.

Mail Petition to:

National Religious Campaign Against Torture

110 Maryland Ave., NE Suite 502; Washington, DC 20002

PEOPLE OF FAITH AGAINST TORTURE: A STATEMENT FOR MORALITY

For religious people protecting the dignity and worth of each human being is a moral imperative. Much of religious teaching flows from that truth. For people of faith, torture therefore is always immoral. It is also illegal and counterproductive.

We are grateful that the President halted torture. In order to ensure that no President ever resumes the use of torture, we must strengthen the legal and cultural safeguards against torture. Among other things, Congress should pass legislation guaranteeing that the International Committee of the Red Cross has access to all U.S.-held detainees and establishing a Golden Rule principle that requires the U.S. to treat detainees in a way that we would want other countries to treat captured Americans.

Please support steps that will permanently end the use of torture by the United States' government.

Name — PLEASE PRINT	E-mail*	City & State	ZIP Code

** Thank you for your support. When you provide your email address, the National Religious Campaign Against Torture will add you to our mailing list to receive regular updates on ways to make your voice heard for a torture-free future. You can unsubscribe at any time.*

Mail Petition to:

National Religious Campaign Against Torture

110 Maryland Ave., NE Suite 502; Washington, DC 20002

**YES, ADD MY NAME ON THE PETITION
PEOPLE OF FAITH AGAINST TORTURE: A STATEMENT FOR MORALITY**

Name — PLEASE PRINT	E-mail*	City & State	ZIP Code

** Thank you for your support. When you provide your email address, we'll add you to our mailing list to receive regular updates on ways to make your voice heard for a torture-free future. You can unsubscribe at any time.*