



# Torture Debate

*Church of the Brethren Witness/Washington Office  
A Ministry of the Church of the Brethren General Board*

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## LEGISLATIVE UPDATE

Ask any member of Congress what issue took precedence this fall on Capitol Hill and no doubt the response will be “Torture.” In a heated battle, President Bush and top White House officials faced opposition from their own party, as Senior Republican Senators John McCain (AZ), John W. Warner (VA), and Lindsey Graham (SC) opposed legislation to redefine the Geneva Conventions. Though a compromise was reached, as members of the Church of the Brethren, who oppose military action and seek nonviolent means to solve conflicts, the fact that the issue of what kind of torture is okay and what is not should raise serious concern. Let’s take a closer look at the issue:

**President Bush’s Bill:** Bush’s Bill, **S 3861**, called on Congress to narrow the interpretation of the Geneva Conventions for the treatment of detainees. By doing this CIA interrogators would be allowed to continue tough interrogation methods without fear of prosecution for war crimes. This bill included redefining language of Article 3 of the Convention barring “humiliating treatment and outrages upon personal dignity.” Bush’s plan would have set-up military tribunals allowing classified information to be viewed by the jury but not the accused. Additionally, the bill would have allowed prosecutors to introduce hearsay evidence which is traditionally barred.

**Armed Services Committee Bill:** Senators McCain, Warner, and Graham’s Bill, **S 3901**, was proposed as an alternative to Bush’s Bill. It sought to leave the wording of Article 3 unchanged. Senator McCain stated if we redefine abuses under the Geneva Conventions “then every nation in the world will amend Common Article 3 to their satisfaction. Then the next time a special forces soldier is captured out of uniform, then that government will have their own interpretation.” Additionally, the bill would have allowed defendants to see evidence against them prior to a military tribunal.

**The Compromise:** The new bill put forth as a compromise between President Bush and Senior Republicans leaves the wording of the Geneva Convention unchanged. Instead, the compromise codifies actions, such as extreme sleep deprivation, forced hypothermia, and water boarding (simulation of drowning), as grave breaches of the Geneva Conventions. Additional breaches include murder, mutilation, rape, maiming, and sexual assault. These breaches would be placed into federal criminal law and those who commit such breaches could face possible felony charges. Additionally, detainees would only be able to see evidence against them if it was used in trial and prosecutors could leave out

portions and provide summaries. Legal protection is given to CIA agents, military personal, and government employees as the bill prohibits detainees from invoking the Geneva Conventions in court. This bill just was passed by Congress at the end of September.

## CHURCH POLICY

As members of a denomination that opposes war and military force, and seeks to use nonviolent means to solve problems, the fact that torture is the number one issue in Congress this fall should raise serious concerns. This is not a matter of what bill is right and which is wrong. It is a matter of conscience. Torture degrades and devalues human life in a violent and humiliating manner. The Church of Brethren 1996 Annual Conference statement *Nonviolence and Humanitarian Intervention* states “affirm with consistency and persistence the inclusive love revealed in Jesus Christ toward all members of God's human family and encourage the United States and other countries to comply with existing international laws.” Additionally, this statement reaffirms the point that, “As Christians we are urgently called to help victims by expressing love and forgiveness, rather than to use violent coercion against those who are guilty of violating God's laws.” The 1970 Annual Conference *Statement on War* reiterated that, “The official position of the Church of the Brethren is that all war is sin.” War promotes and leads to acts of torture, and therefore is a sin and goes against the teachings of Jesus Christ.

As followers of Jesus Christ and members of the Church of the Brethren who believe in the teachings of nonviolence, peace, and love, there can be only one stance on torture. Torture is wrong. It is unacceptable, unjustifiable, and as members of the Church of the Brethren and the larger faith community now is the time to speak out against it.

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