

No comparison: A chaplain's view of torture

by [Kermit D. Johnson](#) in the [April 18, 2006](#) issue

The historian Arnold Toynbee called war “an act of religious worship.” Appropriately, when most people enter the cathedral of violence, their voices become hushed. This silence, this reluctance to speak, is based in part on not wishing to trivialize or jeopardize the lives of those who have been put in harm’s way. We want to support the men and women in our armed forces, whether we are crusaders, just warriors or pacifists.

Furthermore, those who interrupt this service of worship become a source of public embarrassment, if not shame. The undercurrent seems to be that dissent or critique in the midst of war is inherently unpatriotic because it violates a sacred wartime precept: support our troops.

From the standpoint of Christian faith, how do we respond? I would say that if war causes us to suppress our deepest religious, ethical and moral convictions, then we have indeed caved in to a “higher religion” called war.

Since this obeisance to war is packaged in the guise of patriotism, it is well to admit to the beauty of patriotism, the beauty of unselfishness and love of country, land, community, family, friends and, yes, our system of government. But this fabulous beauty makes us appreciate all the more what Reinhold Niebuhr called the “ethical paradox in patriotism.” The paradox is that patriotism can transmute individual unselfishness into national egoism. When this happens, when the critical attitude of the individual is squelched, this permits the nation, as Niebuhr observed, to use “power without moral constraint.”

I believe this has been the case, particularly since 9/11, in the treatment of prisoners under U.S. custody.

We must react when our nation breaks the moral constraints and historic values contained in treaties, laws and our Constitution, as well as violating the consciences

of individuals who engage in so-called “authorized” inhuman treatment. Out of an unsentimental patriotism we must say no to torture and all inhuman forms of interrogation and incarceration. It is precisely by speaking out that we can support our troops and at the same time affirm the universal values which emanate from religious faith.

A clear-cut repudiation of torture or abuse is also essential to the safety of the troops. If the life and rule of Jesus and his incarnation is to be normative in the church, then we must stand for real people, not abstractions: for soldiers, their families, congregations to which they belong, and the chaplains and pastors who minister to their needs from near and far. By “real people” we also mean that tiny percentage of the armed forces who are guards and interrogators and the commanders responsible for what individuals and units do or fail to do in treating prisoners.

Too often the topic of torture is reduced to a Hollywood drama, a theoretical scenario about a ticking time bomb and the supposed need to torture someone so the bomb can be discovered and defused in the nick of time. Real torture is what takes place in the daily interchange between guards, interrogators and prisoners, and in the everyday, unglamorous, intricate job of collecting intelligence.

U.S. troops in Iraq are fighting an insurgency. It is a battle for the “hearts and minds” of the people. Mao Zedong referred to guerrillas or insurgents as the fish and the supporting population as the water. This is an asymmetrical battle. As a weaker force, the insurgents cannot operate without the support of the people. So the classic formula for combating an insurgency is to drain the swamp—cut the insurgents off from their life support. Both sides are trying to win the “hearts and the minds” of the people.

Imagine, then, the consequences when people learn that U.S. forces have tortured and abused captives. A strengthened and sustained insurgency means danger and death for U.S. forces. Never mind that the other side routinely tortures. It is we who lay claim to a higher morality.

Nor should we take comfort that we do not chop off heads or field suicide bombers. 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. And let us not deceive ourselves: torture is a form of

terrorism. Never mind the never-ending debate about the distinctions between “cruel, inhuman and degrading treatment” and “torture.” The object of all such physical and mental torment is singularly clear: to terrify prisoners so they will yield information. Whenever this happens to prisoners in U.S. control, we are handing terrorists and insurgents a priceless ideological gift, known in wartime as aid and comfort to the enemy.

As for individual guards or interrogators, whenever they are encouraged or ordered to use torture, two war crimes are committed: one against the torturer and the other against the prisoner. The torturer and the tortured are both victims, unless the torturer is a sadist or a loose cannon who needs to be court-martialed. This violation of conscience is sure to breed self-hatred, shame and mental torment for a lifetime to come.

Finally, the most obvious reason for repudiating torture and inhuman treatment is that our nation needs to claim the full protection of the Geneva Conventions on behalf of our troops when they are captured, in this or any war.

The congressional votes for and the presidential capitulation to the amendment offered by Senator John McCain prohibiting torture and inhuman treatment have to be seen as positive (despite the president’s statement in signing it, in which he claimed an exception to the rule when acting as commander in chief). But reasons for concern remain.

- The most passionate defenders of the Geneva Conventions, the judge advocate generals, the military lawyers, were completely cut off from providing input on the torture issue.
- The government has denigrated international treaties that the U.S. has signed and that constitute U.S. law regarding torture and inhuman treatment.
- The definition of torture has been reinterpreted by the Justice Department as follows: “Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death.”
- There is no indication that the outsourcing or “rendition” of brutal treatment will cease. Is it not odd that some of the countries the U.S. State Department faults for torture are the very countries we utilize in outsourcing interrogations? What

credence can we put in their assurances that they will not torture?

- The Justice Department has said that “there is no legal prohibition under the Convention Against Torture on cruel, inhuman or degrading treatment with respect to aliens overseas.”
- A Defense Department memorandum has said that “no law banning torture or regulating interrogation can bind the president when he is operating in his role as commander in chief.”
- The whole debate on torture has been soaked in euphemisms and word games. Torture and cruelty are re-named as “enhanced measures” and “creative” and “aggressive techniques” and “unique and innovative ways.”
- Though there have been investigations of torture, there has never been an independent, bipartisan commission to examine U.S. practice equivalent to the 9/11 commission.
- Until the resounding congressional votes in favor of the McCain amendment, the president threatened to veto the measure.
- In Senate testimony, Senator Jack Reed (D., R.I.) asked the military this question: “If you were shown a video of a United States Marine or an American citizen [under the] control of a foreign power, in a cell block, naked with a bag over their head, squatting with their arms uplifted for 45 minutes, would you describe that as a good interrogation technique or a violation of the Geneva Convention?” The chairman of the Joint Chiefs of Staff, Marine General Peter Pace, answered: “I would describe it as a violation.” The next question might be: Why have these and other violations of the Geneva Conventions been certified as legal when employed by the U.S.?
- The public has been dragged through a labyrinth of denials, retractions, redefinitions and tortured arguments, all designed to justify and rationalize lowered moral standards in the treatment of prisoners, not to strengthen and defend high ethical standards.

In a letter to Senator McCain, Captain Ian Fishback, a West Point graduate in the 82nd Airborne Division, said, “Some argue that since our actions are not as horrifying as al-Qaeda’s we should not be concerned. When did al-Qaeda become any type of standard by which we measure the morality of the United States? I

strongly urge you to do justice to your men and women in uniform. Give them clear standards of conduct that reflect the ideals they risk their lives for.” Torture is not one of those ideals.

An important footnote to the debate on torture concerns the work of military chaplains. By regulation chaplains have a dual role as religious leaders and staff officers. They have direct access to the commander as advisers on matters of religion, morals and morale. This activity, according to Army Regulation 165-1, includes “the spiritual, ethical and moral health of the command” as well as “plans and programs related to the moral and ethical quality of leadership.”

Given this definition, questions come to mind. If torture or abuse takes place, what should be the chaplain’s role? Should it be pastoral or prophetic or both? Should there be an ethical framework for interrogation and should chaplains have a part in maintaining it? We need to consult with the ministers, priests, rabbis and imams in the armed forces and respectfully learn from them how they see their role. But unless torture and inhuman treatment cease, chaplains will be placed in a lonely and untenable position—unless they are willing to hear no evil and see no evil.