

RRA RESOLUTION ON FURTHER STEPS IN THE STRUGGLE
TO ABOLISH TORTURE UNDER UNITED STATES' AUTHORITY

Submitted by Rabbis Brian Walt & Margaret Holub
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BACKGROUND INFORMATION

In 2005, following revelations of torture and cruel treatment of detainees at Abu Ghraib prison, the RRA, along with the CCAR and the RA, passed resolutions opposing US-sponsored torture. Since that time, public mobilization to outlaw torture -- including interfaith and Jewish community outcry -- has greatly intensified. But from the perspective of detainees in US custody, little legal protection from torture has been gained and, in fact, vital legal safeguards have been further eroded. In particular, the right to *habeas corpus*, by which detainees can challenge their incarceration and treatment in an open court, has been denied by the US Supreme Court. And the present Attorney General, under repeated Congressional questioning, has refused to repudiate torture and cruel, inhuman and degrading treatment of detainees under US authority.

The present Administration has admitted to the use of torture in interrogation of detainees, and numerous survivors of torture under US detention have testified about their mistreatment to human rights organizations. The Army Field Manual prohibits acts of torture and cruel, inhuman and degrading treatment of detainees. But it is weakened by a secret list of permissible methods of "enhanced interrogation" not available to court or legislative oversight. Furthermore, while the Manual governs procedures by Army interrogators, the CIA and private contractors -- who conduct many interrogations of detainees -- are not currently held to any transparent standards. Finally, there is no protection whatsoever for detainees who, under a policy of "extraordinary rendition," are remanded for interrogation to countries known to employ methods of torture.

Article One of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the United States has ratified, defines torture in Article 1 as "*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.*" Article Two states: "*No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.*"

Since the 2005 Resolution on the Use of Torture and Abuse of Detainees by the United States, significant additional avenues for Jewish advocacy and leadership have been developed.

RESOLVED:

WHEREAS, as affirmed in the 2005 Resolution on the Use of Torture, torture and other cruel, inhuman or degrading treatment of human beings are in direct violation of Jewish tradition and, in particular, of the Jewish view that every human being is created in the Divine Image, so that torture shatters and defiles the image of God, and;

WHEREAS the United States is known to authorize and utilize techniques for interrogation which violate binding international legal standards of treatment for detainees, and;

WHEREAS basic legal protections, notably the right to *habeas corpus* guaranteed in the United States Constitution, continue to be unavailable to detainees under US custody, and;

WHEREAS the present Attorney General of the United States has refused to disavow the use of torture, and;

WHEREAS policies by which interrogations are conducted by US personnel, whether in the military or civilian employees, continue to have unacceptable loopholes, causing harm to both victims of torture and their interrogators, and;

WHEREAS the struggle of faith communities in the United States to categorically abolish US-sponsored torture and cruel treatment of detainees has grown stronger and provides further avenues for resistance, and;

WHEREAS the Jewish community, under the leadership of Rabbis for Human Rights-North America, has reached a new stage in its campaign to oppose US-sponsored torture and now has a program in place which enables rabbis to engage their congregants and students in opposing torture,

BE IT THEREFORE RESOLVED: that the Reconstructionist Rabbinical Association calls upon the President of the United States and the Legislature to categorically repudiate and prohibit the use of torture, and, in so doing:

1. To restore the right to *habeas corpus* for all detainees under US control;
2. To bring all military and civilian interrogators under the policy of the Army Field Manual, eliminating secret codicils to this Manual;
3. To adhere in letter and spirit to international treaties and norms of human rights prohibiting torture and cruel treatment of detainees.

BE IT FURTHER RESOLVED that the Reconstructionist Rabbinical Association will publicize to its members the K'vod Habriot: A Jewish Human Rights Network of Rabbis for Human Rights-North America, by which congregants can join with their rabbis to oppose US-sponsored torture and support human rights and will work in cooperation with the Jewish Reconstructionist Federation to encourage Reconstructionist congregations to participate;

BE IT FURTHER RESOLVED that the RRA will become a member of the National Religious Campaign Against Torture and will keep RRA members informed about NRCAT initiatives and opportunities to voice opposition to torture as part of an interfaith community.