

Q-CAT

QUAKER CONCERN FOR THE ABOLITION OF TORTURE

FEBRUARY 2012

NEWSLETTER NO.9

Charity No. 1093757

INCORPORATING "INSIDE STORY"

Our vision is to end torture and complicity in torture, upholding our testimony to peace and equality and working towards healing through reconciliation.

UPDATE by ChasRaws

Torture continues to feature prominently in the media as governments wrestle with the conflict between observing and promoting the absolute ban on the use of torture in international law and the responsibility of any state for the security of its citizens. Even though information extracted under "enhanced interrogation techniques" is inherently unreliable, those in authority often feel that they cannot ignore it if they are not to be accused of neglecting their duty. The latest example of this emerged from a freedom of information request by the media in Canada whose government had ordered its intelligence agency to use information that "may have been extracted through torture" in exceptional cases but without condoning or engaging in torture! This directly contravened a 2009 order issued by the Conservative government to the Canadian Security Intelligence Service that it must not knowingly rely on information derived from torture.

In Britain we have had the extraordinary statement closing the Gibson Inquiry - before it even opened - in the following words from Kenneth Clarke, Secretary of State for Justice:

The Detainee Inquiry was set up by the Prime Minister in July 2010, to look at whether Britain was implicated in the improper treatment of detainees, held by other countries, that may have occurred in the aftermath of 9/11. Following further Metropolitan Police investigations announced last week into the allegations concerning renditions of two individuals to Libya and their alleged ill-treatment, the Lord Chancellor

announced that the Government has decided to conclude the work of the Detainee Inquiry.

For what it is worth there is a "commitment" to set up a new inquiry when the two latest court cases against the government have been settled, and the Gibson Inquiry has accumulated many thousands of relevant documents from State archives which should mean that any subsequent inquiry will not start from scratch. But the problem remains that no government is likely to establish a fully independent fully public inquiry and neither human rights organisations nor torture victims or their lawyers are likely to settle for less, so the aspiration to provide a means of putting the past behind us will probably not be found by this route.

The Q-CAT Trustees continue to explore how a dialogue between faith leaders might contribute to solving the dilemma and what role Quakers are called to play in initiating such a dialogue. The other subject which is engaging our attention is related to promoting awareness of our vision of a world without torture to a wider public through a themed garden at the Royal Horticultural Society's Tatton Park Flower Show in July. Further details of this appear elsewhere in the Newsletter written by its co-designer Dori Miller of Wirral & Chester AM who won a gold medal for her Oxfam garden last year. This could be a great opportunity to disseminate our message beyond BYM and we hope Friends will support it, both by raising funds towards the initial costs and by spending a day at the show, which lasts from July 18th to 22nd, handing our leaflets and talking to visitors. To add your name to the circulation list for receiving information as the project develops, please contact Hannah Chambers, also of Wirral & Chester AM hannah.koroni@gmail.com

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Michael Still

Wendy Wynne-Eyton is stepping down as Trustee. We are most grateful for her service.

Spreading our Concern among Quakers

There will be a presentation about the Quaker Concern for the Abolition of Torture at Joint Area Meeting for Wirral and Chester and North Wales. This is at Wrexham Meeting House on Saturday April 14th from 11 a.m. It will involve an introduction by someone from Q-CAT, an outside speaker on the long-term psychological effects of torture, and discussions.

Q-CAT would be happy to arrange something on these lines for your Area Meeting. Please contact Chas Raws.

Spreading our Concern more widely

Q-CAT GARDEN FOR RHS TATTON SHOW, JULY 2012: 'WORLD WITHOUT TORTURE'

The design for 'World without Torture' seeks to raise understanding and awareness of Q-CAT's concern in the following ways:

- * High security fencing, prison gates and a cell, to give visitors some of the feelings associated with imprisonment and torture. The same concrete posts are then used as hard landscaping, so that they are trodden underfoot. This implies Q-CAT's desire that torture can be overcome.
- * Ecological succession – this is the natural plant colonisation of land devastated by bombing. Bombing and torture have the same end in mind – to deliberately damage and destroy. The ecological succession gives a hopeful message, that in time, land will heal itself.
- * The use of plants introduced by Quakers. Quakers introduced about 1000 garden plants during the 1800s and 1900s. Using some of these underlines the importance of Quaker activity, (not always well known), in horticulture as well as in opposition to injustice of all kinds.
- * The use of white varieties of plants to emphasise the peace and purity of a world without torture.
- * Sculpture of a figure releasing a dove. Judy Greaves is the sculptor who made 'Womans Work' for the Oxfam garden, and I'm delighted that she is collaborating with us again, for Q-CAT. Quakers will be interested to know that Judy's husband, Rob, is the son of Sidney Greaves, who devoted much of his life to the concern for the abolition of torture after its adoption by the Yearly Meeting.
- * Lace Fence. The sculpture is of a dove in the process of being released. The theme is developed by further doves, depicted on the chain link fence in wire embroidery, the whole to symbolise Q-CAT's role in helping to bring about freedom from torture.
- * A deep, still pool. This does not appear on the plan or pictures which were submitted to the RHS in January, simply because we ran out of time, but we do intend to include a pool, to symbolise the stillness and silence at the heart of the Quaker way.

Dori Miller

Caroline Lane, formerly a Trustee of Q-CAT and now living in America wrote, in January:

The Religious Campaign Against Torture sent out an email with quotations from the various candidates for the Republican Nominee for President. Only one stated an opposition to torture, Rick Santorum, who probably has no chance of becoming the nominee. The others were scary in their acceptance and even justification of "enhanced interrogation" the new euphemism for torture. What a lot of work there still is for our small group.

The book 'Torture Is a Moral Issue' looked so imposing when I first got it that only after I had seen it quoted in useful articles did I begin to read it seriously. It is a well organised collection of contributions from people of various backgrounds who have: worked for the abolition of torture, suffered torture, used torture, pondered how it is justified and if it can be justified, and from military interrogators who feel that it can not be justified and is counter-productive. So the range is from direct experience to academic argument.

The first chapter is called 'Getting Away with Torture' and is by Kenneth Roth of Human Rights Watch, the second 'A survivor's View of Torture' is by Dianna Ortiz'. Then come 'Confessions of a Torturer', and essays by Christians, Jews and Muslims on the subject. There is a chapter 'Towards a Solution' and another 'How to End Torture'.

This last lists five conditions which I crudely summarize as: 1) a single set of operating procedures [for

interrogating]; 2) a clear chain of command; 3) outside monitoring by accredited agencies; 4) a fair and timely grievance procedure; 5) above all, strict observance of procedures for accountability. These conditions are easier to list than to produce but they are not utopian. People have produced them and got better intelligence thereby.

The editor and others provide useful analyses of 'the ticking bomb scenario', a projected situation which is fairly often used to justify torture, and, in the appendices, you can read statements from experienced US military interrogators who believe torture is ineffective and wrong.

I think the book is worth getting and reading.

*Torture Is a Moral Issue: Christians, Jews, Muslims, and People of Conscience Speak out. Edited by George Hunsinger, published by Eerdmans (and in the UK by Cambridge) ISBN 978-0-8028-6029-3. I paid £14.99 for it at the Quaker Bookshop some time ago.

FROM THE ARCHIVES: "TORTURE AND INHUMAN TREATMENT" BY ERIC BAKER

In 1976 Eric Baker, who had been so instrumental in promoting anti-torture activities at that time, prepared a paper for the Friends World Committee for Consultation, in Hamilton, Canada. He did not live to deliver it himself but it was taken very seriously and resulted in what is known as Quakers' "Hamilton Declaration" against torture (see our Q-CAT leaflet and the website). Margaret Hodson has provided us with a copy of this paper, from which the following extracts are taken. There are other sections on International Law and on the historical background to his and Quakers' work. This only gives a flavour; the full text will be on the website.

On The Definition of Torture Thus, what is needed is a definition which offers a focus which is sharp enough to be clear and compact enough to be manageable. For our purposes it has been found that two criteria of torture are both essential and (probably) sufficient: (a) Torture is the infliction of physical or mental suffering in order to break the will of another person. (b) It is carried out with administrative approval.

Thus (a) recognises that the purpose of torture may not simply be to obtain information. An important and related purpose may be achieved where the mere knowledge that torture is being practised is sufficient to terrorise a population into submission.

The purpose of (b) is to distinguish torture (for our purposes) from the casual - even if frequent brutality which occurs in police stations or in private homes, but which can be stopped by due process of law once it has become public knowledge. It is, however, intended to include torture carried out by guerrilla groups as much as by Governments. Torture of this kind may flourish even though its existence is well known simply because the 'administration' is prepared publicly to deny and privately to protect and encourage those who practise it.

On Who are the people who are tortured? It might be thought that only guerrillas and militant political activists would be tortured. Nothing is further from the truth. The torturer spares neither age nor sex.

On Why do people torture? Governments: As has been said earlier, governments encourage and protect torture where they judge that dissident movements are so vocal and so active that they are a threat to the [civil order and stability] and where society has not been able to devise or to sustain an agreed process for the peaceful transfer of power from old government to new. Governments are not, however, the only organised groups to employ torture. extremist groups. . . . guerrilla groups. On these occasions the purpose of torture seems almost always to extract information.

Individuals: It is commonly thought that those who practise torture must themselves be psychologically seriously abnormal, but while this must frequently be the case, nevertheless the experiments of Stanley Milgram have demonstrated that most ordinary men and women taken, so to speak, at random off the streets, are sufficiently compliant to authority to inflict severe suffering on another human being for no other reason than that they have been told to do so by someone whom for the occasion, they had accepted as being in a position to direct them. Thus it is necessary to recognise that, quite apart from the few sadists there is in every 'normal' man and woman the propensity to extreme cruelty from which the torturer can be developed. Given this, the purpose of the Campaign is to strengthen the resistance to such a process of moral degeneration.

On What is to be done? (a) Internationally. Action to prohibit torture effectively must be at three levels — that of international legislation, that of national practice and that of public understanding. International legislation is necessary because it sets the standard of acceptable (and unacceptable) behaviour. By themselves, however, U.N. Resolutions and Covenants may remain no more than formulae to which every Government will give public assent while privately they practise what they feel is convenient. What is equally necessary is to awaken public opinion to supporting international declarations and demanding that national practice conforms to their standards.

For this reason, therefore, the ratification of the U.N. Covenant on Civil and Political Rights is essential, since it specifically outlaws torture under all circumstances and so extends to other countries the protection which most European countries enjoy under the European Convention on Human Rights. Moreover, if a government has ratified the optional Protocol, its citizens can appeal to the U.N. itself. (There is existing machinery which should make this possible at the moment but has been very ineffective so far). As a check, it should be possible for the U.N.

to receive reports on the observance of human rights in any country from non-governmental organisations which often have access to information which governments are not willing to pass on. A reporting mechanism of a similar kind exists in the I.L.O.

In the long run what will be necessary is a U.N. Commissioner for Human Rights (similar to the UNHC for Refugees) who should be able himself to receive complaints and to interview the complainants in private if he considers it necessary. However, although the proposal for such a U.N. Commissioner has been on the Agenda of the General Assembly for a number of years, it has never progressed far.

(b) Nationally. In addition to urging their Government to ratify the U. N. Covenant on Civil and Political Rights (where it has not already done so) it is important that Friends in each country consider the part they can play both immediately and in the long-term process of educating public opinion.

Immediate assistance to victims. Where torture is used, it usually happens. in the first few days after the prisoner's arrest and before he is brought to trial. Amnesty has devised an Urgent Action operation through which members are notified immediately there is a suspicion that a prisoner is in danger of being tortured and they are asked to send telegrams to the prison and to the government of the country concerned, expressing their anxiety.

The long-term education of public opinion. This can be done in two ways: Through approaches to professional organisations. In the Autumn of 1974, for instance, Amnesty organised seminars of distinguished medical people in London and in Oslo and (how far as a consequence is not clear) the World Medical Association is now considering a resolution from the B.M.A. which would strengthen its opposition to doctors taking any part in interrogations which employ physical or mental duress. Similar approaches are being made to Police Officers, Prison Officers, etc., since these are the groups which would be the first to be involved (Friends in these professions might be able to help), and to other specialist, but non-professional groups, e.g. churches, women's organisations, trade unions, etc. It is probably more effective to carry on the process of education through such selected groups than through public meetings.

In the long run, the most effective way of eradicating torture will be by exposing it to publicity.

On *Why bother about it?* (a) As Citizens? The immediate answer to this question is to read the Parker Committee's majority report again and realise by what a narrow margin, we in the U.K. escaped having the methods of torture institutionalised. Once established as an administrative device, tolerated by the Government it not only becomes extremely difficult to eradicate, but extremely difficult to contain. What, in the end, saved both the U.K. (and perhaps France and Algeria) was a Press which could not be muzzled and a humane tradition, which was still vigorous. But where events, for whatever reason, undermine these, torture spreads like a cancer which increasingly destroys the functioning of the body politic. (Moreover, torture becomes a profession. Like all professions it has internationalised itself and there appears now to be international training and trade in torture techniques.)

It is therefore the duty of the citizen to pressure his [Government to act by opposing] and eradicating any tendency to make torture acceptable, whatever the extent and with whatever qualifications. It is always and under all circumstances unjustifiable.

(b) As Christians? Further justification was offered for the use of torture from Roman times to the late Middle Ages. The increasing disestablishment of the Church from the state, at least in the U.K., makes Christians less willing to impose suffering in order to ensure political conformity.

The exception is, perhaps, the justification which theologians have found for the employment of war. Even here, the conditions of the 'just war' have come to be described with increasing rigour and, where international opinion has learned to forbid, it would be unseemly (to say the least) if ecclesiastical opinion were to permit. Certainly, the theme of the New Testament is the relief of suffering, even the acceptance of suffering, but not the imposition of suffering.

Comment: Eric Baker's paper was written over 35 years ago. It is sobering to realise how many of his recommendations have since been implemented without serious impact on the practice of torture worldwide. Chas Raws

[] These phrases were illegible in the original. I hope I have been true to his meaning. JL

DONATION TO Q-CAT (Charity No. 1093757)

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43 Embankment Road, Kingsbridge, Devon TQ7 1LA

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Signed.....

Dated.....

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