

This Could Be Your Child (or other loved one)

by Patty Guerrero



Prisoners, from Los Desastres de la Guerra (The Disasters of War) series by the Spanish artist Francisco Goya

The U.N. declared June Torture Awareness Month, an occasion for the world to speak out against the unspeakable. We, in the United States, have a special responsibility to do so.

Imagine, if you dare, that your loved one was held in a dark, tiny cell (3' x 6' x 7') or the opposite, in a tiny cell with lights shining continuously and obnoxious, loud music blaring 24 hours a day. We all have seen and read about detainees from U.S./NATO wars in Iraq and Afghanistan being subjected to these conditions, as well as being hung by chains from the ceiling and bars, locked in casket-like boxes and freezing cells, having electric shocks applied to their genitals, denied sleep for days, waterboarded and being subject to other sadistic tortures. We learned of these things first during Bush/Cheney administrations. Like all who voted for him, I had such hopes that President Obama would uphold our Constitution and put an end to torture. And, like you, I am deeply disturbed and disappointed that his words rang hollow when he said, "The U.S. does not torture." It was, as journalist Allan Nairn says, "The torture ban that doesn't ban torture."

Members of the WAMM committee Tackling Torture at the Top (T3) have read and studied many articles regarding torture and the fact that it continues. We have met with aides of U.S. congressional members from Minnesota--Senators Franken and Klobuchar, and Representatives Ellison and McCollum, and asked them to listen to us and to bring our objections of torture to President Obama and to give us his

response. So far, we have heard nothing. Representative Ellison is the only one who even mentions torture on his website. Maybe the others can't imagine it. Maybe they have no imagination. Maybe torture is something they think would never happen to their loved ones, so they don't have to worry and imagine what it's like. It is too hard to fathom that human beings in U.S.- sponsored prisons and so-called "black sites" around the world are still being tortured by other human beings who are following sadistic orders from superiors up the chain of command, under the assumption that the prisoners are guilty?without a fair trial or even any trial at all! On May 22, 2010, McClatchy Newspapers reported that the U.S. Court of Appeals for the D.C. Circuit ruled that detainees at other locations do not even have habeas corpus rights that are suppose to protect people from illegal imprisonment. These rights were granted to Guantanamo Bay detainees by the Supreme Court.

There are 800 or more detainees in a new detention center in Parwan, Afghanistan, which is supposed to replace Bagram Air Base Prison. Most of these human beings are Afghans. And, under this new ruling, they will not have the right to appear before a court or judge to try to prove their innocence. In addition, we have heard that the base at Bagram contains a facility for detainees which is distinct from its main prison. This International Committee of Red Cross confirmed this to the BBC. It is called "Tor jail" or "Black jail." Imagine! And, there are at least nine detention sites to which the Red Cross has had no access. On the news program, DemocracyNow!, journalist Seymour Hersh said, regarding Bush and Cheney, "It's not that they knew what happened in Abu Ghraib?it's that they allowed this kind of activity to happen. And, I'll tell you, one of the great tragedies of my country is that Mr. Obama is looking the other way, because equally horrible things are happening to prisoners. I mean, to those we capture in Afghanistan. They're being executed on the battlefield. It's unbelievable stuff going on there that's not necessarily getting reported. And, things don't change." He said that he had been told about the executions by five or six different sources, indicating a pattern.

More than 60 years ago, in trials at Nuremberg, Germany, Nazi officials were held accountable for war crimes and crimes against humanity committed during WW II--including abductions, disappearances, torture and genocide. These judgments cleared the road for international human rights designed to affirm the inviolability of human dignity and to ensure that such atrocities would never again happen. Also, out of the Nuremberg trials came charters defining the scope of human rights: the Universal Declaration of Human Rights, the Geneva Conventions and the International Treaty Prohibiting Torture. Forums were established for holding rights violators accountable, including domestic courts to hear international human-rights claims. Domestic courts are critical in that they can adjudicate claims by foreign citizens against foreign defendants for violations of their human rights. The torturer becomes the "enemy of all mankind," and can be sued for his/her wrongs whenever he/she is found.

Let's be clear: torture has been and is ongoing?from Ford through Clinton through the two Bushes and now under the Obama administration, and it is unlawful. When

Obama says (Is it just tongue in cheek?) that the U.S. will not torture, what does he mean? The U.S. is still paying, training, equipping, rendering people to other countries, guiding foreign torturers, and then seeing to it that they, and their U.S. patrons don't face local or international justice. But, to be clear again, our U.S. soldiers are still torturing, and the U.S. military denies it. If one tortures, I guess lying must accompany it. Also, U.S. Special Operation Forces, which are not under NATO command and thus not bound by stricter rules of engagement, are operating in Afghanistan. Equally alarming is the fact that private contractors in great numbers operate independently and they have been known to commit human rights violations with impunity. But this does not negate that fact that the prohibition of torture is universal under international law.

American soldiers perform night raids, rounding up Afghans, and off they go to the detention centers. But, the soldiers are not totally to blame?most do not believe that in a war it is their job to question authority (although thankfully some do). As one soldier said, "The people in Washington figure that out." And, the people in Washington can also decide to stop torture. They have chosen not to.

June has been declared, "Torture Awareness Month" by the United Nations General Assembly "to demonstrate solidarity to all whose mind, body and/or spirit have been impacted by torture. It is a time to pay our respects to those who have endured the unimaginable----and an occasion for the world to speak out against the unspeakable." To this end, Tackling Torture at the Top (T3) has planned several events around this issue.

We are not alone in our quest to end torture and to bring decency to our country. As long as our country tortures, we will not go away.

Imagine!

Patty Guerrero was on staff at the St. Paul Public Library. After retiring, she has been conducting Conversational Salons at Mad Hatter's Tea House in St Paul. All salons in June will deal with various aspects of torture. She helped organize of Tackling Torture at the Top (T3), and continues to be active on the issue of torture.