

Episode 171 - Dr. William Wipfler: Human Rights and Torture (part 1 of 2)

[00:00:08] Welcome to in social work the podcast series of the University of Buffalo School of Social Work at www.insocialwork.org. We're glad you could join us today. The purpose of social work is to engage practitioners and researchers and lifelong learning and to promote research to practice and practice research. We educate we connect. We care. We are in social work. Hello I'm Charles Syms your host for social work. In 1948 the United Nations General Assembly adopted the Universal Declaration of Human Rights the declarations 30 articles outlined 24 basic rights afforded to all people simply because they are human beings. Eleanor Roosevelt served as chair of the United Nations committee that drafted a document and 48 countries including the United States signed that original declaration. In the years since most countries of the world have signed onto these rights. Further there have been a number of additional documents that have extended or clarified the rights outlined in the original declaration. Our guest for this podcast has spent more than 60 years advocating for these human rights. The Reverend Canon William L. Wipfler Ph.D. DD has served as a priest missionary human rights advocate and scholar working with more than 80 nations and more than a dozen international human rights and service organizations throughout the world. Following his ordination to the Episcopal Church in 1955 he served for eight years as a missionary in the Dominican Republic and for two years in San Jose Costa Rica.

[00:02:02] Upon his return to the United States Dr. Wipfler works with the National Council of Churches Latin American department first as its assistant director and later as the department's director. He then went on to establish and serve as the first director of the National Council of Churches human rights office. In 1992 he was appointed by the Archbishop of Canterbury as the associate for human rights with the Anglican office at the United Nations. Dr Wipfler has authored or coauthored several books on human rights and edited the National Council of Churches Latin America newsletter and human rights perspectives as well as a collection of statements on human rights and justice. Additionally he has written numerous scholarly articles for a variety of journals and lectured at colleges and seminaries religious institutions and non-governmental and community agencies in the United States and overseas for his service and human rights advocacy. Dr. Wipfler has earned awards and recognition from organizations such as the United Nation and the governments of Chile and Brazil. Dr. Wipfler has served as a priest in many churches throughout New York State for more than 40 years. He currently serves as associate priest in a local parish in western New York State. In this the first of two episodes Dr. Wipfler begins his discussion with a definition of human rights. He explains how he came to the work of human rights advocacy and talks about some of his accomplishments. He also identifies and discusses the work of a number of organizations that address human rights issues. Dr. Wipfler described how some policies and legal decisions made in the United States have led to the infringements of the human rights of people in other countries and how that would provide a rationale for other groups or nations who would violate the rights of others.

[00:04:11] He goes on to comment on his belief that one way to prevent human rights abuses from occurring is by holding those responsible accountable. Dr Wipfler was interviewed in April of 2015 by Stephanie Sacco a MSW student and graduate assistant for global initiatives at the University of Buffalo's school of social work. You served as associate director for Human Rights at the Anglican office at the United Nations the director of Human Rights Office which you helped create in the National Council of Churches on the Amnesty International Board of Directors and have had various roles doing direct work and advocacy on human rights. Having developed and implemented a program of human rights advocacy edited statements on human rights and justice for the United States government and other organizations having testified at agencies committees Congress and other locations and groups regarding human rights and having extensive experience living abroad

and working for human rights abroad how do you define human rights. Human rights is actually not something that one defines in terms of those two words. Human Rights really is a whole process has been a long process. It is a state of being of people who either are experiencing the full play of their human rights or not under certain conditions social economic even direct political interference for those rights. And I would say that human rights are everything that's outlined in the Universal Declaration H. Freedom to be. It is freedom to be certain things that have very high principles of life. And it is also freedom from me. There are some very specific things freedom to have privacy freedom from government interference in one's daily life freedom from torture freedom to vote.

[00:06:31] So when you look at human rights they really reflect the way in which society. The governments that we choose not choose to run our societies or to at least lead our societies act how they act in this process of letting us have the fullest life possible. So when I talk about human rights I can refer to definitions. Universal Declaration which has 30 articles in it I can refer to our own Constitution which has some very clear statements in regard to our rights especially the amendments to the Constitution which are very specific but I think it is an action word rather than being worth our phrase. It is human rights. But do I have them don't I have them how do I fulfil them all they limited it so. It's not just the listing of the thing we call rights right. There have been some very important international agreements that go into incredible detail. For example there is one covenant that has been signed by the United States and most of the members of the United Nations minstates against the use of torture or other inhumane treatment of persons. And it's on the books. Tragically United States made a lot of exceptions. And that is in violation of the agreements that the United States not only has the president signed but which were then put into U.S. law so they are as much U.S. law as those that are just framed and designed and passed by our Congress. And that's a very important thing that people need to understand about that questions of rights.

[00:08:38] Yeah that it's not about the war as it is about the action that I'm sure a government organization can use all the words that they want to define and establish their idea. But if it's not being put into practice then what is that actually exactly. Could you describe some of your most memorable experiences in advancing human rights causes for example instance where lasting progress has been made and what helped facilitate that success. Well I became involved in the human rights issues I guess in regard to my own life missionary in the Dominican Republic from 1955 till 1963. And when I went with my bride to the Dominican Republic our four children were raised. There was a dictator Rafael Trujillo who was in an contested tyrant. There was no I mean there are phony titles. There were somebody who was always called the president. But in the background was always this general this Mo Trujillo. There was at the time I was there the beginning of opposition. It was very small it was very fragile. But at one point when Trujillo was assassinated in 1961 in May in 1961 his two sons and two brothers decided to take the power that they thought they could retain and that became even harsher. And I got on a death list in November of 1961. They were going to eliminate opponents. People who were talking about democracy and justice and so on the opponents of what they considered their rightful place in government. And I found out about it it was November the 19th. During that year when about a thousand people were on lists all over the country and some very responsible and democratically oriented officers in the air force arrested all of the good police before they could carry it out.

[00:10:57] So at an early stage in my life in the Dominican Republic five years into my life I realized that talking about democracy and freedom and equal rights for everyone could lead to pretty dangerous results. And so that was my earliest experience and it was personal. Later when I was directing the Latin America office at the National Council of Churches we began to receive and so did the U.S. Catholic Conference hours Royce made up of Orthodox and Protestant churches and U.S. Catholic Conference Roman Catholic. They were receiving and I was receiving personally written reports of torture by the victims that were smuggled out of prisons in Brazil. And it was the beginning of a very significant change in my perspective as to what the appropriate role will should

be of my office. This happened in 1969. The military had taken over in Brazil with a little bit of suggestion by the United States ambassador and the fact that our Navy was out off the coast. And so the military had taken over in 64 from a democratically elected government and they treated anybody who was in opposition like the most dangerous communist criminals. And torture was Reagan practice. And the thing that was interesting is that torture was not used solely as a means of getting information. It was actually used as an instrument of governing to intimidate the population. Somebody be tortured be allowed out of prison their neighbors or their friends would be frightened that if they dealt with them they would have the same thing happen to them.

[00:13:01] And so we began the campaign through my office and then the U.S. Catholic Conference joined with us and we got to Latin American Studies Association of Professional Latin American efforts to become part of it. And it really turned things around in a very important way. Members of the Congress heard about it. One of the very favorite people for me at the time was Senator Frank Church. He was from I believe Idaho and Senator Abourezk who was from North Dakota. And they made it an issue. They began to look into how many of our US programs in one way or another supported this kind of behavior and use of torture. So it grew from making one complaint into what was kind of a basic rule Never be silent about the violation of human rights. And then 10 years after that I was asked by my colleagues who were the heads of the officers for East Asia and South Asia Middle East Africa. If I would create a human rights office because they didn't know how to deal with these issues we had a lot of experience in Latin America. They were beginning the experience. And that's when we began the Human Rights holiday. I want to go back to when you were talking about sort of how you went from getting these reports of torture from people were from Brazil. Right. They were in the United States at that point. We don't know what happened because they say the first reports were about 600 that had been received by five young Brazilian students at Columbia University. Four. And then there was a fifth person who was involved who was a pastor who was in exile and they brought them in to me and said look this is happening what can we do with these reports about torture.

[00:15:05] I call all of us Catholic Conference and I was told that they had been receiving from priests in Brazil and from people in the church there. Other reports were together. We had several big notebooks full of handwritten statements and we took a case to the Inter-American Human Rights Commission and they accepted the case against Brazil. They were very nervous about it because they usually dealt with small countries Dominican Republic Haiti Venezuela. But now we were handing them a report on the biggest country in all of Latin America. And they accepted it. It took two years. But we were getting more and more and more documentation. Brazilian government refused to respond. And finally the Inter-American Human Rights Commission found against them and it was then used by members of the U.S. Congress to cut arms shipments from the United States to Brazil. So it had a very positive effect. It also embarrassed Brazil and it was a method that we used in regard to many countries because the media was not covering the fact of so many people being tortured. Then in Hugo in Argentina and Chile and Bolivia and Peru. Every one of those places has a cell to military governments torture was part of the problem. And the other violation of other rights habeas corpus the right to free press curtailment of education a whole series of things that were fundamental human rights. And that was almost 20 to 25 years in Latin America of the development of these military governments. And one more quick question how did these Brazilian students at Columbia University know to come to you. Well they were asking at Columbia. They were asking.

[00:17:13] And one of the professors there Dr. Ralph Tonkawa and I had been talking about this problem. He's a Brazilian very famous for this. And he works SRU what might be done. But when these students came to him also because he was breeziness he knew that my office had far more flexibility than academics and are worried about trying to deal with violations with a response to a government with actually with openings among important senators and congressmen and so forth.

So they came with these documents me and then we discovered within a very few days that the U.S. Catholic Conference was also collecting these terrible reports. And that was when we went into action and started the whole proceeding against Brazil. That actually leads me to another question that I want to ask you if they think it's interesting to see how your position as a representative a member of that church impacted your ability to do your work. And I'd love to hear more on your thoughts about whether your role within the church was. It sounds like in this case for example helped you in your efforts. Are there other times when you found that title that level of connection was helpful for you in your efforts or or also times when it maybe hindered what you were trying to overcome. The thing that was very important was that I followed always a particular I guess it would be a particular route in doing anything that had to touch the government. I am a firm believer in separation of church and state.

[00:19:08] So I had to be certain that these were not issues that were in any way for a favor for the church. It was not. These were matters of justice that were part of what we call the American perspective on life American way of life whatever you want to call it. And they were clearly violation a Universal Declaration of Human Rights but the Universal Declaration of Human Rights does not have any kind of application mechanism. It was not meant to the 30 articles of the Universal Declaration were there to say if you are going to be part of the United Nations in regard to your citizens. These are the things that should be part of your democracy. And it was May Day actually the Universal Declaration which came out in 1948 was made a requirement of at least a statement of adherence by member states. So what we were trying to do was see that that was being fulfilled and really stepping in to say to the United States government when they gave assistance to a government that was engaged in these terrible and gross violations you are using taxpayers money to facilitate the ongoing violation of the rights that you would never allow to have happen in the United States. So why support that government and why does do it with military funds or development funds that get moved to other purposes and so forth and the members of both the House and Senate understood that. Thank you. That actually one leads me to ask you another question about the organizations that are addressing these issues and human rights. The church and your role as a member of the church were addressing its human rights today. I'm not necessarily sure how much that level of involvement of the churches has changed.

[00:21:26] Has it increased or decreased. I think it's a decrease to a degree it has not disappeared. For example my pastoral church this diocese is a member of the interfaith committee organization against the use of torture. We pay annual dues to be part of that group. There are 200 organizations secular and churches that are members of that particular interfaith committee association. So you still have engagement of the churches now is being done in such a way. There are real staffs that staffs that can investigate and bring a lot of pressure through their membership. But there are other organizations that are really very significant in the days when we are on the case of Brazil. Amnesty International wouldn't touch that because it was working on prisoners of conscience. And it worked on individual prisoners whose rights were violated because they had made a statement of conscience and might be arrested. They had written something and might be arrested. But there were individual prisoners. They were not whole countries. And the letters that were written by members of Amnesty International were about a prisoner and it was to get that prisoner release back. So Amnesty International grew its own thinking over those years. And one of the first major issues that it took was torture. But it was some years after the churches had been engaged. You then have other organizations that appeared the American Association of the International Commission of Jurists began to pick up the legal questions related to constitutional protections international protections and those kinds of things.

[00:23:29] They did it from a legal perspective the Human Rights Watch was originally Americas Watch which looked at the Latin American countries and really had a good staff that work extremely well in investigation of the details of the problem of torture and disappearance or what

they call extra judicial execution which is simply killing someone without trial without legal recourse. And so you get something like America's Watch Becoming Human Rights Watch. It became more universal. It took its eyes off of just that part of the world and began to look at things that were happening in the Soviet Union and in the communist countries of the things that were happening in countries or our allies. Of course by the United States as well Amnesty International had grown that way also looking at those problems. There were a dozen or stations that appeared some of them the greatest and longest term organization is the antislavery association. It began even before slavery was the problem of British origin. It helped get rid of slavery in England and then pushed the United States and other countries. Women's rights became a very particular kind of concern. And so you have very specialized organizations Kurt Vonnegut and a group of writers created an organization specifically for people who were in trouble because they published their opinions or publish certain kinds of books and so on. Another organization appeared for journalists in particular. And it's quite amazing. It's like a tree that starts off with its roots and its trunk but then the branches have just appeared in country after country. That's what's also important. Many of the countries that in the 50s 60s and on were dangerously violating a group and individually human rights. Those countries now have their own human rights organizations. It's incredible.

[00:26:01] So it's a treat that has blossomed and a recognition that's been accepted virtually across the board. The problem still is how do you get governments that are feeling threatened or governments that are feeling not threatened but more powerful than they should. How do you get them to conform even to the things that they sign. And I'm sorry to say but how do you get them to not use the same kind of twisted rationalization after the United States has done it. Because during the Bush Cheney administration the trusting of the vocabulary to try and calling it not torture but daps interrogation those things were I think a violation of the spirit of the whole human rights movement. So speaking of United States involvement in torture and its justification of torture. What impact has that had on the use of torture outside of the United States. Can you expand on that. Well there are pieces of that whole situation that have never been clarified and that is the really disturbing thing for me because when it was learned that the United States had justified it legally in other words they would use the Justice Department to give them reasons why or what they were doing. We're all OK. And when it started to change the vocabulary. They also used the typical worst case scenario. In other words you justify any depth interrogation which is referred to as torture by saying oh what if and what if it's always that somebody is planning an atomic bomb in Times Square. That's the ultimate argument.

[00:27:54] But what they were at what they were doing when they were torturing the prisoners in Abu Ghraib and Bob Graham in the end down in Guantanamo was not the ultimate questions. They were they were seeking information that the FBI already had and they were not conferring with the FBI. One Muslim who was waterboarded 107 times had already spoken to the FBI and the FBI already had information from him. So that was an extreme utilization and I believe that what we are going to see. And you know I don't compare what ISIS does to us behavior however the problem that the Barkats left down and allows for anything in this area and rationalizes it using legal arguments. Nobody talks about some of the other things that were discovered as well. Not allowing some of the prisoners to ever have sleep long periods of time without sleep bright lights loud music concerts or interruptions. Constant calling into this. Those kind of thing. No one talks about that. That is torture. No one talks about these terrible contorted positions in which they were placed. No one talks about the fact that they were suspended from a rope in the ceiling and banging against the walls incessantly. No one talks about that they were force fed a very painful process. Everybody thinks that that will force fed force fed. It's a painful process especially the way it was done apparently which was to increase the amount of food that they were forced to take through tubes. Very difficult very painful especially if you've been on a hunger strike and all kinds of insulting behaviors towards their own cultural and religious backgrounds.

[00:30:07] The array is rage and the fact that another entity ISIS is not a legal government is not a government yet but it gives them a rationalization in the eyes of those who follow them and even the people who are actually the victims of Vice's rationalization. Well the United States does it. Why shouldn't we. And that's the fear that's I always have. Step over the boundary and somebody is going to say he did it. I'm going to do it stepping over the boundary of torture or maltreatment of people or confinement without a trial or an execution as has occurred. We're very proud of our SEALs when they do things. But the fact of the matter is that there are times when they do them and they would be considered that they are committing crimes against humanity anonymously committing crimes against humanity. We do it with drones. The side effect of drones at the moment is terrible because drones everybody thinks oh yeah they got one guy and when the bomb goes off it kills 18 20 civilians as well. What kind of result does that have in terms of the reputation of United States and the attitude of another group of people about the United States. It gives them a justification for what they are doing and what's the point of doing that as a father how does this also impact the militarization of police forces. And I'm interested in hearing your thoughts within the United States our own corrections as well as the whole judicial process and the police force as well as abroad. I think that one of the major problems has two sides to it. We have had and I am happy to be supportive of veterans and all that they do indeed.

[00:32:17] The big problem for me is the problem of training people to be killers or to be forceful in terms of the way in which they are dealing with a problem. But to bring them back and then not give them at least as much time as you give them to learn to kill or to be violent is fine but you just expect that they can go back into society with no debriefing with no assistance in that regard. A lot of police forces are filling their ranks purposely because of the training with former soldiers. That's one piece. The United States government has surpluses of every imaginable kind. Body armor helmets brand new kinds of weaponry that will shoot through layers and layers of concrete. Just a whole ray which they make available to police forces. I was shocked it went to do supply work here in western New York at a church in a community outside of Buffalo and was shocked on a Sunday morning to see a vehicle being service that looks exactly like the armored vehicles from the turret on top like the armored vehicles that you saw in pictures in Iraq or in any of the other places where we've been in combat. We've all seen the riot control gear that police forces have now and they confront a crowd. And the question is does the way in which you are dressed. The fact that you've had training in the military and now you're in a police force. The fact that you are provided with weapons that are meant for only one purpose that you don't use very much tear gas anymore. You use your gun is a very serious problem within the civil order of the United States.

[00:34:27] We've got to remember that we have been in a state of war somewhere since 1941 I mean look at all the places and we create what are aspects of state of war by the use of drones that cross borders by the use of small troop engagements SEALs going in here or there or somewhere else. The declaration of war is no longer a necessity. Only that identification most of the time of someone who or some place that needs to be cleaned up from benefits. But all of those raise major human rights issues. How about the 18 people in a wedding party who happened to be down the block from a place where they were going after the leader in Afghanistan of a group in Afghanistan. Collateral damage is no excuse. You cannot say oh that was collateral damage where we got the guy because as a human rights issue there which we don't deal with and that is this very significant factor of assassinating without trial and more and more it's being done by an operator somewhere in the United States who makes his own judgments and perhaps a low level commanding officer proves it. But it is not something that is approved by the president of the United States. I mean going after bin Laden was one in kind of an action in which all of the high level people were sitting in a room and watching it occur but anonymously more and more people are being killed in country after country when we've identified them. And that's a gross violation of human rights.

[00:36:26] What do you think would be the appropriate response to for example this drone attack as

a clunky example this drone attack that killed 18 people. What should be done about that. I'm thinking about some of the different calls I hear for taking specific representatives of the United States government to court or try them as war criminals. I mean do you think that that's the appropriate response. What do you think is the way of things isn't an immediate thing. I think most people only see an ultimate response then isn't there any immediate responses that have to be to that in which persons higher authority must be held accountable. I'll give you an example. We know that the Attorney General Holder had to make a decision about whether or not there would be any recriminations against members of the prior administration regarding the use of torture of foreign personnel and abductions. I mean there was a combination of things that were involved that were real violations. Schumer as he made his decision and it was worded it will not look back we're looking to build the word that I was looking for was accountability the United States for the use of in-depth interrogation. If you want to use that term torture as I always called it in the School of the Americas in Panama for years is it any wonder that the governments that took over the military governments took over all over Latin America. The major and minor countries that have had democratic governments were overthrown and for 20 to 25 years military governments ruled and it was not the exception to the rule to torture to you kill them without trial extra judicial execution or worse of all you disappear them.

[00:38:33] So it was almost justified that this is OK there because we can do it here and there was no accountability at any point along the way. The only thing that never happened in the past when it has been proven that the United States was doing something that made an incremental problem of torture teach the military to do interrogation getting concerned about methods the best methods for getting information whatever may maybe the program budget was cut. But no person was ever held accountable when all of those documents were found at the School of the Americas regarding training in torture. One of the Kennedy's actually the younger of a candidate who can't remember his name right now. But Bobby Kennedy's son who when he was a member of the Congress had them translated They were horrendous documents. This was 96. Nobody was held responsible for teaching the use of torture. The School of the Americas. And the result is that it can happen again in the future because no one ever was held accountable. All the way down the line the only accountability was in the fact that the program was closed and the budget was removed from the from the national budget and something else to explain. But no person was held accountable. And that's where the attorney general went. We're looking to the future and the president said there will be no torture on my watch. But how about the next president's watch. That's the problem that we're faced with.

[00:40:14] No one is held accountable and I think it's interesting because on my mind it's going to the corrections system here in United States because the entire what I see is sort of the basis of justification for the way that those systems operate is. For example I think yesterday on NPR they were talking about the death penalty and people are trying to say that the death penalty prevents crime. We do this to one person we hold one person accountable for what they've done X crime that they've committed. Therefore we will prevent other people from doing it. So we're seeing that happen on the citizens of this country. But when you look at what you're talking about people that are within the government that same principles not being applied. That's right. Interesting you have been listening to the first of two episodes on the human rights work of Dr. William Wipfler. Please join us for the second part of this important conversation. I'm Charles Syms your host at end social work Hi I'm Nancy Smyth professor and dean of the University of Buffalo School of Social Work. Thanks for listening to our podcast. We look forward to your continued support of the series. For more information about who we are as a school our history our online and on ground degree and continuing education programs we invite you to visit our website at www.socialwork.buffalo.edu. And while you're there check out our technology and social work research center. You'll find it under the Community Resources menu.