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A gulag of our own

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(SH) - The Bush administration's decision to ignore the Geneva Convention and assert the right to hold captives indefinitely under the legally ambiguous category "illegal combatant" has left it with a nasty dilemma. What do we do with these people?

One thing we don't do is build a network of secret, extraterritorial prisons where terrorism suspects that U.S. authorities don't want to free or bring before U.S. and foreign courts can be held for life. According to The Washington Post, this proposal is among those being considered as the Pentagon and CIA wrestle with the fate of the hundreds of detainees picked up in Afghanistan and elsewhere.

Indefinite, incommunicado incarceration without the right of trial is a horrible affront to American ideals. It certainly makes a mockery of what we purport to stand for in the eyes of the world. And as details about the treatment of Iraqi prisoners and the detainees at Guantanamo leak out, there have to be grave doubts that a system operated in secret with no independent oversight would be humanely run.

Another proposal is that we would contract out the detainees' incarceration in U.S.-built prisons to other countries. This may have a certain cosmetic value and allow U.S. interrogators some arm's-length deniability, but it doesn't absolve us of responsibility for the captives.

The status of the Guantanamo detainees will ultimately be resolved, although not quickly or efficiently, through military tribunals and access to the federal courts. But that still leaves the bad guys, many of them indisputably bad, held elsewhere - secretly, in Afghanistan, Diego Garcia and aboard ship.

Some of the detainees are well-known al Qaeda leaders - Khalid Sheikh Mohammed, Ramzi Binalshibh, Abu Zubaida - and if these prisoners are truly the evildoers the authorities say, it shouldn't be all that difficult to convict and sentence them to life or a firing squad before U.S. courts-martial, just as the Geneva Convention calls for.

As for secret prisons where inmates are held for life without trial, the old Soviet Union bequeathed us a name for such a system - gulags.