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## **Congress needs to examine charges of abuse by United States forces**

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That nasty word "torture" keeps popping up when it comes to detainees in the custody of the United States military. It appeared most recently in news accounts of a confidential report from the International Committee of the Red Cross regarding prisoners at Guantanamo Bay, Cuba. The group reportedly found that the treatment of detainees there was tantamount to torture.

A White House spokesman said Tuesday that the treatment of Guantanamo detainees is consistent with the policies of the president. Congress needs to find out just exactly what that means. The next, best opportunity to do so will be when Alberto Gonzales appears before the Senate for confirmation as the next attorney general. That hearing has not been scheduled, but should take place early next year.

Before he was nominated for the cabinet post two weeks ago, Gonzales was White House counsel. While the president's legal adviser he wrote a memo opining that George W. Bush was not bound by torture bans in U.S. law or international treaty. The Senate should press Gonzales to spell out how far the White House believes it can legally and morally go to extract information from enemy combatants.

When prisoner abuses were uncovered at Abu Ghraib in Iraq this spring, officials said it was the work of a few bad apples. Those incidents have been investigated and people prosecuted. But the questions go beyond a few individuals.

Pentagon officials "vehemently deny any allegations of torture at Guantanamo." But the administration has rewritten the rules on handling detainees in ways that test the limits of law and international convention. The Senate needs to determine if methods such as exposure to temperature extremes, forced positions, solitary confinement and humiliating acts have crossed the line into prohibited territory. That's a value judgment that the White House shouldn't be allowed to make without searching congressional oversight.

Senate Judiciary Committee Democrats tried in June to force disclosure of policy memos on the treatment of detainees. They were defeated on a party line vote, according to ranking member Sen. Patrick Leahy (D-Vt). Congress should insist on greater accountability, and the White House shouldn't resist.