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## **Time for Justice: Detainees have right to due process**

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Quickly after Sept. 11, 2001, the Bush administration established military tribunals to prosecute suspected foreign terrorists imprisoned at Guantánamo Bay in Cuba.

But now, after months of widespread criticism from federal courts and human rights groups, the Pentagon is taking a second look at the rules for those tribunals.

It's a proper review, one that recognizes that justice isn't served when court procedures make it exceedingly difficult – or in some instances, legally impossible – for people to offer a defense. The right to defend oneself in court is a protection that also should apply to those accused of plotting against the United States.

Details of proposed changes are still sketchy. However, according to a recent New York Times story, the Pentagon's proposals would make the tribunals more like American military courts-martial. Among the changes, defendants would obtain the right to hear and contest evidence against them, including classified information. Moreover, confessions obtained by torture could not be allowed as evidence.

The government may have legitimate national security concerns that had warranted the extended confinement of suspects. But a difference exists between detaining a potential threat to national security and taking the next step to prove the case. The time has come for the government to do the latter, and to do it in a forum that doesn't compromise fairness. Even in the war against terror, the accused should have a right to prove otherwise. An unfair hearing injures the U.S. Constitution and its principles.

The right of accused people to contest charges separates responsible democracies from unaccountable regimes. The White House should follow the Pentagon's lead and support reasonable, appropriate steps to remove detainees from legal limbo. Detainees deserve a fair hearing, and justice demands it.