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Torture vs. Merely Torturous

Editorial
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The Bush administration has denounced the findings of a tough new United Nations report alleging the mistreatment of prisoners at Guantanamo Bay, Cuba. Some of the conclusions in the report may in fact be overdrawn and misleading. But there can be no doubt that many of the prisoners at Guantanamo are subject to painful, cruel stresses that need to be addressed more seriously than they have been.

The report, prepared by four U.N. envoys after an 18-month investigation, concludes that U.S. treatment of the detainees violates their rights to physical and mental health and even that it "must be assessed as amounting to torture."

Techniques cited in the report include prolonged solitary confinement; exposure to extreme temperatures, noise and light; forced shaving and other methods intended to exploit religious sensitivities; and painful methods in the force-feeding of prisoners who have engaged in hunger strikes.

State Department spokesman Sean McCormack defended the treatment of prisoners at Guantanamo and noted that "nobody who wrote this report actually went to Guantanamo." This is fair comment, but it should be noted that the U.N. investigators declined a visit to the prison because they would not have been allowed to question inmates.

Some of the interrogation techniques cited by the U.N. team are disturbing. But they need to be put in context. Prolonged solitary confinement can be arduous and even painful, but it is pretty tame stuff compared with some of the things that go on in many parts of the world. And while force-feeding isn't pleasant, it is the moral and legal responsibility of prison administrators to protect the lives of those under their supervision.

But the Bush administration can hardly claim its treatment of the prisoners at Guantanamo has been humane. Some 440 prisoners are now at Guantanamo. Some have been there for more than four years, in a strange country halfway around the world from their homes, with no idea when if ever they will be released.

A top official of the Red Cross has publicly said, "The open-endedness of the situation and its impact on the mental health of the (prison) population has become a major problem." The administration has said 17 of the inmates will be brought before a military tribunal. But this is no substitute for a speedy and equitable reckoning of the guilt or innocence of these inmates. Keeping them in limbo may not be torture, but it's not humane and it's not defensible.