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The Shame of the Prisons

Editorial
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Who needs sophomoric cartoons to inflame the Muslim world when you've got the Bush administration's prison system? One reason the White House is so helpless against the violence spawned by those Danish cartoons is that it has squandered so much of its moral standing at Guantanamo Bay and Abu Ghraib. This week, the world got two chilling reminders of why both prisons must be closed.

On Thursday, the United Nations Human Rights Commission issued a scathing report on the violations of democratic principles, human rights and the rule of law at Guantanamo Bay: indefinite arbitrary detentions, hearings that mock fair process and justice, coercive and violent interrogations, and other violations of laws and treaties.

The Bush administration offered its usual weak response, that President Bush has decided there is a permanent state of war that puts him above the law. And that is exactly the problem: by creating Guantanamo outside the legal system for prisoners who, according to Mr. Bush, have no rights, the United States is stuck holding these 500 men in perpetuity. The handful who may be guilty of heinous crimes can never be tried in a real court because of their illegal detentions. A vast majority did nothing or were guilty only of fighting on a battlefield, but the administration refuses to sort them out.

Some members of Congress tried to exert control over Guantanamo Bay late last year. But their efforts were hijacked by Bush loyalists, who made matters worse by stripping the prisoners there of the basic human right to challenge their detentions.

Now the only solution is to close Guantanamo Bay and account for its prisoners fairly and openly. The United States then needs a prisons policy that conforms to the law and to democratic principles.

The U.N. report followed a broadcast by an Australian television station of previously unpublicized photographs taken at Abu Ghraib in 2003. Many were similar to the pictures the world saw two years ago when the scandal of abuse, humiliation and torture first broke. Others show even worse abuses and degradation.

All are a reminder that the Bush administration has yet to account for what happened at Abu Ghraib. No political appointee has been punished for the policies that led to the atrocities. Indeed, most have been rewarded.

The prison was a symbol of the worst of the Hussein regime. Now it's a symbol of the worst of the American occupation. Congress should order it replaced. And perhaps John Warner, chairman of the Senate Armed Services Committee, could keep his promise to dig out the truth about Abu Ghraib.