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Secure Against Harm

Editorial
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FOUR YEARS into the war on terrorism, evidence of abysmal mistreatment of suspected enemy soldiers in American custody has grown to the point that even Republican senators were willing to delay a major defense bill in a showdown with the White House over detainee policy.

And delay it they did, as Senate debate on the \$491 billion measure authorizing spending for military operations next year was put off until September.

In fact, the Senate's refusal to bring the measure quickly to a vote last week without a chance to add provisions relating to prisoners or other controversial issues proved an embarrassing comeuppance to the chamber's GOP leadership.

But that should only strengthen the Senate's resolve when the legislation is finally enacted later this year to set forth a clear policy on the prosecution, interrogation and treatment of prisoners taken captive as part of this often amorphous military action.

Clearly, the administration's assertion that all is well and nobody need look behind the curtain at Pentagon policies has been belied by continuing reports of torture or near-torture by U.S. military personnel in Iraq, Guantanamo and elsewhere since 2001.

Last week's revelation that some prisoner abuse tactics revealed last year at Abu Ghraib in Iraq were used earlier in Guantanamo makes clear that the Iraq episode that sparked such outrage was no aberration, but an extension of U.S. policy toward prisoners it deems to be bereft of rights.

Republican Sens. John McCain, a former prisoner of war in Vietnam, and Lindsey Graham, a former military lawyer, are leading an effort to make clear in law that such tactics are prohibited. They picked up enough traction that Vice President Dick Cheney was dispatched to dissuade them.

But he failed, and justifiably so, because the administration's case against the need for congressional interference is weak.

There's nothing unreasonable about requiring the United States to tell the Red Cross who it is holding prisoner, to furnish prisoners with lawyers for hearings, and to forswear cruel or inhumane treatment of people in its custody. And setting into law military tribunal procedures similar to those being used at the prison at Guantanamo Bay would negate the need for the policy to be continually tested in court.

To be fair, prison abuse wasn't the only issue at play in the delay of the defense bill. Some senators wanted a chance to thwart proposed military base closings. Others balked at rushing through such an important measure.

Nonetheless, we applaud the gesture. The administration says it needs a free hand to conduct the war on terror, but has repeatedly proved it can't be trusted.

Congress must step in to set some parameters of human decency.