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## Hold Them Accountable

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EVERYWHERE THE U.S. military maintains a prison for "enemy combatants," it seems, there is abuse that violates the rules of war and civilized behavior.

In U.S. incarceration facilities at Guantanamo in Cuba, at Abu Ghraib in Iraq, and at Bagram in Afghanistan, individuals wearing the uniform of the United States, under the ultimate command of Defense Secretary Donald H. Rumsfeld and President Bush, have abused foreign nationals. In some cases, prisoners have been abused even though they had been arrested without cause.

While the administration was still licking its chops over Newsweek's failure to adequately substantiate the allegation that the Quran was desecrated in front of Muslim prisoners, more was being heard about the sort of atrocities that debase the image of America.

Beginning last week, The New York Times published a two-part series of articles, based on confidential military documents the newspaper obtained, detailing the murders of two prisoners held at the Bagram base in Afghanistan and the probable mistreatment of many others. The 2,000-page report documented the results of a second Army investigation conducted after the first one was closed without any charges being brought.

The Times notes that the investigation was reopened after the newspaper reported in 2003 that one of the deaths at Bagram had been ruled a homicide.

The second investigation in 2004 "found probable cause to charge 27 of the military police guards and military intelligence interrogators with crimes ranging from involuntary manslaughter to lying to investigators. Those 27 included the seven who have actually been charged," the Times reported.

The details of their alleged behavior are gory and horrifying. Prisoners were routinely hung from ceilings, punched, kicked in the legs. Two men, including a frail taxi driver whom many guards believed to be innocent, died from this treatment.

Moreover, the Times learned, Capt. Carolyn A. Wood, an officer in charge of interrogations at Bagram, eventually turned up at Abu Ghraib.

Who is to blame for the atrocities committed in America's name at Bagram, Abu Ghraib, Guantanamo and probably other places as well?

Certainly the soldiers who were directly involved in committing them must be blamed. Anyone with a third-grade education in America knows it's wrong to beat up people when they are defenseless. So the soldiers who committed these crimes should be punished.

But what about the leaders who created the environment in which a U.S. soldier would feel commissioned to behave in a way that brings dishonor to the uniform and the nation? Are they blameless?

History supports the view that they are not blameless. They are the ones who sent these soldiers to these places without sufficient training, without sufficient supervision and without sufficient

accountability, so the violations of human dignity were allowed to happen and were allowed to be covered up.

They are the ones who created a law of their own for the treatment of these particular "enemy combatants" that effectively encouraged inhumane treatment.

Reacting with horror when abuses are revealed is not good enough. Neither is it good enough to say that but for freedom of the press enjoyed by Americans, the abuses might never have been disclosed. The men and women who created the environment in which abuse was practically inevitable have no respect for freedom of the press.

They tend to trample on freedom. And they are the ones who created the condition in which these soldiers believed they could act with impunity, actually felt encouraged to act abusively.

Their names are George W. Bush, Dick Cheney and Donald Rumsfeld, the commanders of the soldiers. They have argued that this is a unique war, requiring unique tactics and a unique code of conduct. So far it has been unique, too, in that these leaders have not been held responsible for the conduct of their troops.

It helps to explain why the Bush administration has been so adamantly opposed to an international court that would put on trial the people who commit atrocities and the people who command them.