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Too Damn Bad

Editorial
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THE Bush administration has repeatedly insisted that the "enemy combatants" detained at Guantanamo Bay are the "worst of the worst," including "bomb-makers," "facilitators of terror" and members of al-Qaida and the Taliban who would "go back to trying to kill Americans" if they could.

Some detainees certainly fit that description. According to the testimony in newly released transcripts from Guantanamo military tribunals, they are jihadists and proud of it.

But some detainees claim they have been held for years at Guantanamo because they were in the wrong place at the wrong time. Or because they had a name similar to a known terrorist. Or because they were wearing a brand of watch that some terrorists wear. Or because someone was paid thousands of dollars to turn in a "suspected terrorist."

One man said he was a chicken farmer from Pakistan named Abdur Sayed Rahman, not a Taliban official from Afghanistan named Abdur Zahid Rahman.

Another said he was in custody because "somebody got paid by turning in people," a reference to charges that bounties of up to \$10,000 were offered to hand over terror suspects.

Another said he was not a former Taliban provincial governor and hadn't worked for the governor, and that contacting that person would prove it. He was told that since he would probably have a year before his case was reviewed again, he could contact the governor himself.

"How do I find the governor of Shibarghan or anybody?" he asked the military tribunal. "Write to them," he was told.

This is a system of justice that Americans are unfamiliar with: guilty until proven innocent, but denied the opportunity to prove one's innocence. No witnesses. Evidence that may amount to hearsay. Being held for years without charges.

That doesn't sound like the United States, does it? It sounds like a nightmarish dictatorship.

The partial information about Guantanamo that has come out so far -- thanks to orders from the U.S. Supreme Court and lower courts, habeas corpus suits on behalf of the detainees and now a lawsuit brought under the Freedom of Information Act by The Associated Press -- reveals a far murkier situation than the Bush administration describes.

But that's not surprising. This is an administration that favors secrecy, that ignores the Geneva Conventions when it wants to, that refuses to admit mistakes and that believes the war on terror justifies the unjust conditions at Guantanamo. Innocence is beside the point.

If you are detained in a secret prison thousands of miles away from your home for several years because your name happens to be Abdur Sayed Rahman, not Abdur Zahid Rahman, well, that's just too bad.