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A Victory for Press Freedom Over Pentagon Secrecy

Editorial
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Brick by brick, the wall of secrecy surrounding Guantanamo Bay is being dismantled. Last week, a BBC interview with a detainee conducted through a lawyer broke one taboo. Now, the Pentagon's release of 6,000 pages of transcripts is a much more significant development.

Leafing through this material on the Pentagon website will cast some readers into the milieu portrayed in the recent bestseller *The Bookseller of Kabul*, for this is a world of travellers, newly liberated by the forces of globalisation from the provincialism of their ancestors. As cooks, cleaners, drivers, salesmen and merchants, they criss-cross the Muslim world from Afghanistan to Saudi Arabia, working, studying, going on pilgrimage and yes, in some instances, looking for a fight with US forces.

George Bush's administration did not want anyone to peek behind this veil. Still insisting that America's state of war with al-Qa'ida renders the processes of trial by jury redundant, as these are "enemy combatants", it has only turned over this information under the pressure of a Freedom of Information lawsuit.

Still, they have turned it over, for which we can be grateful. We should especially applaud the federal judge who rejected the Administration's cynical argument that release of the detainees' names would violate their privacy and endanger their security. It's hard to imagine how much more Kafkaesque can one get. As if most of the detainees would not be desperate to have the facts of their four-year confinement known to the world. So, good for Judge Jed Rakoff of New York, for reminding America's shriller critics that the US justice system is alive and well and has not been intimidated into self-censorship by the needs of the "war on terrorism".

The other beneficiaries of this lawsuit are the detainees themselves. For the first time, an abstract statistic takes flesh. It is as if their faces have suddenly appeared at a window, blurred but visible for all that. Take Mohammed Gul, Afghan farmer and part-time petrol pump attendant. In the transcript, he says he was arrested as a Taliban fighter after being found with a rifle on his return from Saudi Arabia, where he was working as driver, to care for his sick wife. Or, take Sardar Khan, who, as far as one can tell from the transcript, was a cook for an alleged al-Qa'ida cell. Such are the men who allegedly pose so great a danger to our democracy that they need to be kept under lock and key for years without trial or immediate hope of release.

Or, have some of them been released already? We do not know, for Judge Rakoff's ruling is not the total victory over the Towers of Silence for which one might have hoped. Ideally, we would have a complete list of all those in detained at Guantanamo Bay, today and in the past. But we have access only to the transcripts of Combatant Status Review Tribunals. Only those men who have come before the tribunals have appeared in print, and only some are named. Nevertheless, some information is better than none, and what can be gleaned from the transcripts confirms what many of us have suspected, which is that the US dragnet in Afghanistan caught many a migrating eel or drifting starfish alongside the more purposeful sharp-teethed fish.

As the Archbishop of Canterbury put it, this is "an extraordinary anomaly". But with the release of the transcripts, daylight is starting to penetrate this enigmatic set-up and drag it out from the shadows. With any luck, that will bring home to even the most patriotic and trusting members of the American public how absurd and damaging to us all the continued imprisonment without trial of the Guantanamo Bay detainees really is.

