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Struggle Goes to Core of 'Who We Are'; Prisoner Treatment

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WASHINGTON — There is a quiet struggle going on in the nation's capital, and the stakes are the very soul of the Republican Party and this administration.

Three senior Republican senators wrote a small amendment into the defense appropriations bill this summer that outlawed cruel, inhumane and degrading treatment of all detainees in American custody.

No one can call Republican Sens. John Warner of Virginia, John McCain of Arizona and Lindsey Graham of South Carolina soft on anything, much less terrorism. They constitute the Republican leadership of the Senate Armed Services Committee. All three have worn the uniform of our country.

The Bush White House is doing all that it can to stop this legislation from passing. Vice President Dick Cheney took the three senators to the woodshed and told them that their law would tie President Bush's hands in the war against terrorism.

On the floor of the Senate, before everyone left on vacation, Jeff Sessions, a Republican from Alabama, sounded the administration line: There is no need for this legislation, because we are not dealing with prisoners of war but "terrorists."

McCain stood up and responded that the debate was not "about who they are. It's about who we are." We are Americans, the senator said, and we hold ourselves to a higher standard than those who slaughter the innocent in Iraq or Afghanistan, or in London or on 9/11.

This debate has a special resonance as investigation after investigation into the outrages against prisoners at Abu Ghraib prison in Iraq, and others into the mistreatment of detainees held in American custody at Guantanamo Bay in Cuba, continue to focus all blame at the lowest possible level. This in spite of new testimony that strongly suggests that the blame, like cream, settles much nearer the top.

A few days ago the former warden of Abu Ghraib prison was offering testimony in the case of two of those low-level American military guards accused of using military dogs to terrorize Iraqi detainees. Maj. David DiNenna testified that this illegal use of dogs was suggested by Maj. Gen. Geoffrey D. Miller, then-commander of Guantanamo, who was sent to Iraq in August 2003 on an urgent mission to review and revise prisoner interrogation methods there.

In sworn testimony before Congress on May 19, 2004, Miller denied that he had ever recommended the use of dogs for interrogation at Abu Ghraib, or that they were ever used at Guantanamo. Army investigators last month reported that, in fact, while Miller commanded at Gitmo, an al-Qaida suspect named Mohamed Qahtani was faced with snarling military dogs, forced to wear women's underwear on his head, and was led around by a dog leash attached to his chains. And lest it escape anyone's notice: Miller was not acting on his own initiative. The investigators found that the interrogation of Qahtani was conducted under rules approved by Secretary of Defense Donald L. Rumsfeld on Dec. 2, 2002.

Under protests from military lawyers, the Rumsfeld standard was revised in the spring of 2003. Yet the same practices would later be used at Abu Ghraib.

The administration has stonewalled, bobbed and weaved, and hidden from the truth with the acquiescence, at least until now, of a Republican-controlled Congress that has failed to follow up even when there is evidence people have been lying right to their faces.

The senators — Warner, McCain and Graham — have taken the first step toward shedding some light in the darker corners of the dungeon. Don't be surprised if that light finds a lot of people who rank much higher than specialist 4 or staff sergeant cowering in the corners.