



A WEEKLY COMMENTARY

ON TARGET

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The price of Freedom is eternal vigilance –

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THOUGHT FOR THE WEEK: *"It was inherent in Douglas's writings that he viewed society as something partaking of the nature of an organism which could have 'life and life abundant' to the extent it was God-centred and obedient to His Canon...Within it (this organism) the sovereignty of 'God the Creator of all things visible and invisible' being absolute, there must be full recognition of the sanctity of human personality, and therefore, of the individual person as free to live his life, and within the body social, to enter into or contract out of such associations as, with the responsibility to his Creator, he may choose. And no person may deny another this relationship to God and his fellow man without committing sacrilege.*

This concept, reflecting the ideal of Christendom as the integration of Church and Society which was the inspiration of European civilisation for centuries, involves adherence to a policy in every sphere of social life, economic, political and cultural. This is the policy Douglas termed 'Social Credit'."

– Eric D. Butler in "Releasing Reality"

'SCANDALOUS' TREATMENT – UNDER WHAT 'LAW'? In an ABC radio news broadcast 2/7/04 Saddam Hussein's defence lawyer expressed his outrage because the newly appointed Iraqi regime had brought Hussein before a court in Iraq without the benefit of legal counsel or representation.

The lawyer thought it was 'scandalous' that this should have happened, insisting the man has the right to legal counsel and legal representation before a court of law.

This story will unfold as time goes on, in the meantime, there are two citizens of Australian in a Guantanamo Bay prison who have received a very shoddy deal at the hands of the American authorities – and our lily-livered federal politicians have gone along with it. So much for their concern for Australians citizens!

There has been some talk of closing down the prison at Guantanamo Bay and the prisoners being transferred to the U.S.A. Even if this does occur it should be born in mind the authorities set themselves up as 'above the law'; a very serious violation of the principle that neither a king, president nor a prime minister is above the law.

Guantanamo: What the world should know: In the meantime, Michael Ratner and Ellen Ray have written about the treatment of the prisoners at Guantanamo Bay and the utter hypocrisy of the American (and Australian) authorities.

In the form of questions and answers the following is taken from their forthcoming book, *Guantanamo:*

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What the World Should Know: While addressed to Americans it is also of direct concern to Australians. We should care what this all means for the future of the rule of law, and for the building of societies that are based upon the rule of law and not on the dictates of kings or presidents. For nearly eight hundred years, since the signing of the Magna Carta in 1215, our laws have insisted that every single human being is entitled to some kind of judicial process before he or she can be thrown in jail.

Ellen Ray: Why should American citizens be concerned about Guantanamo and what is taking place there?

Michael Ratner: Americans should care about what goes on at Guantanamo for a number of reasons.

First of all, the way we are treating the prisoners there is a scandal, an embarrassment to the people of this country and an outrage to the people of the world. That you can take someone and put him in a prison offshore with no legal rights whatsoever for two and a half years is simply inhumane.

Second, our treatment of these people, who are primarily Muslims and of Arabic ethnic origin, should be a cause of tremendous consternation because of the message it sends to the Muslim world. Guantanamo has become iconic in the Arab and Muslim world; it stands for the United States doing wrong and abusing people. If we want to live in a safe world, the message we should send is that we will treat people not like animals but like human beings. Although we should be trying to lessen the anger toward the United States within the Muslim and Arab world, we are not doing that; we are, in fact, doing the opposite.

Third, we should care about Guantanamo because we should care about how others are going to treat our citizens. If Americans – soldiers or civilians – are picked up overseas, how do we want them to be treated? Do we want them treated lawfully, in accordance with principles of Anglo-American jurisprudence and international law... We have gone back to a pre-Magna Carta medieval system, not a system of laws, but of executive fiat, where the king – or in this case the president – simply decides, on any particular day, I'm going to throw you into some prison. You are not going to have access to a lawyer or anybody else, or even know if there are any charges against you, or if you will ever be released from this prison.

Guantanamo has become our Devil's Island, our Chateau d'If from The Count of Monte Cristo. The consequences of this unilateral abrogation of fundamental law are grave, not merely for the people in Guantanamo and for citizens of other countries, but also for every person in the United States. If we care about civilization and the rule of law and justice, we cannot keep treating people like this... The key point here is that everyone picked up in a war is protected by the Geneva Conventions. No one is outside the law. No one can be treated arbitrarily at the discretion of his captors.

Ellen Ray: But the Pentagon claims it is treating the prisoners at Guantanamo well, that it is a model institution, that it is respecting the prisoners' religion, providing Muslims with prayer rugs, the Koran, and "culturally appropriate meals".

Michael Ratner: This is not at all true. There are many different levels to consider in the abuses suffered there. First, there is a psychological level. People, as far we know, have been (and are still being) rounded up and taken to Guantanamo from all over the Islamic world, where they are put into wire-mesh cages for observation. They are isolated from each other and repeatedly taken into separate interrogation booths-trailers, really. A critical psychological issue is that these people have no idea if or when they are ever getting out. For all they know, each time they are taken out of their cells they may well be put up against a wall and shot.

The Red Cross has said one of the most psychologically devastating things happening to people in Guantanamo is the notion that they have reached a dead end, that there is no way out. The psychological

harm is horrendous. In fact, one of the threats employed to make prisoners in Iraq talk, even after they had been subjected to abuse and torture, was to threaten them with going to Guantanamo, because everyone understood that there was little or no chance of ever getting out of there. About one in five of the prisoners have been put on antidepressants, psychotropics, and other drugs. In addition to hunger strikes, there have been more than thirty suicide attempts.

Guantanamo is like Dante's ninth circle of hell. The temperature is often 110 degrees Fahrenheit, and of course the prisoners have no such thing as air conditioning. The place is infested by scorpions and banana rats. The detainees sleep on concrete floors, with no mattresses; the toilet is a hole in the ground. It is a horrific situation from a physical, psychological, and legal point of view.

Unfortunately, we have very limited information as to precisely what is happening at Guantanamo, and there will always be dangerously cynical arguments about whether certain conduct is literally torture or whether it is simply cruel, inhuman, and degrading treatment. But both are abhorrent and contrary to the Convention Against Torture and the Geneva Conventions. We don't have any real observers in Guantanamo. The Red Cross goes there, but its people cannot examine the interrogation rooms, which are separate and secret.

The Red Cross has made clear that their inability to speak publicly on this issue should not be taken to mean that torture is not happening there.

Ellen Ray: What effect does the administration's attitude toward torture have on the people committing, allowing, condoning, or averting their eyes from it?

Michael Ratner: The legal memos to the president and from the Justice Department regarding the Geneva Conventions and the War Crimes Statute, which makes criminal serious violation of the Geneva Conventions (particularly with regard to treatment of prisoners), demonstrate that, at least since the war in Afghanistan, the administration was planning to treat prisoners inhumanely. Moreover, the memos indicate that the administration feared criminal prosecution for doing so. The condoning of outlawed methods of interrogation by those at the top obviously affects the people who practice those techniques.

We have to be aware that allowing Americans to engage in torture corrodes the moral fabric of our society. To the extent that a civilised society remains in this country, and to the extent that we have any remaining values, they are seriously endangered.

Guantanamo represents everything that is wrong with the U.S. war on terrorism. The Bush administration reacted to 9/11 with regressive and draconian measures worthy of a dictatorship, not a democracy.

They imposed the very measures they condemned in other countries:-

- indefinite and incommunicado detentions,
- refusal to justify these detentions in court,
- disappearances,
- military commissions,
- torture.

It was a descent into barbarism.

The practices at Guantanamo spread to Iraq and other U.S. detention centres around the world. The U.S. government has obviously lost any moral ability to challenge such actions when taken by other countries. It has endangered people all over the world, not only by its own conduct but giving its imprimatur to inhuman treatment, which will embolden other countries to do likewise.

It has taken a thousand years to secure human dignity and basic rights for all. The struggle

to do so is marked by moments like the signing of the Magna Carta in 1215, the Habeas Corpus Act in 1679, the U.S. Constitution, the Declaration of the Rights of Man and Citizen, the Geneva Conventions, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention Against Torture.

The United States has now treated these landmarks of human progress as naught. Of course, there has never been complete adherence to these documents, but rarely, if ever, has there been such open, notorious, and boastful violation of fundamental protections as at Guantanamo.

But this is not to say that I am pessimistic about the chance of returning to sanity, enlightenment, and the rule of law. For the last few years, we have been in a long dark tunnel with no fresh air and no light.

The president and his cohorts, who have brought us to this state, are in trouble: trouble in Iraq and trouble in Guantanamo. That even the Supreme Court appears to think so is a cause for optimism. We are at the beginning of what will be a long struggle to repair the damage that the government has inflicted on us all.

THE STREET SPEAKS: Iraq's U.N.-Backed Government is Made Up of C.I.A. Pawns by Patrick Cockburn, *Independent*, U.K., 10/6/04.

Iraqis are highly sceptical that the US occupation will end... and predict worse fighting to come if real power is not handed over. There was no echo yesterday on the streets of Baghdad of the optimism on display in New York as the U.N. Security Council voted unanimously to endorse a sovereign Iraqi government. Few people expected a reduction in violence and many said they feared it would get worse.

"We Iraqis are rejecting this decision because it will turn Iraq back to the British occupation period," said Haidar Mahmoud, a shopkeeper. "At that time there was an Iraqi government but it was just a puppet." Iraqis from both the Shia and Sunni communities repeatedly said that they longed for the violence to end but they not believe that the U.S. would hand over real power. The U.S. will keep 138,000 troops in Iraq after handover.

Many Iraqis said that the new interim government was not representative of them. Bassam Najam, a middle-aged driver, said: "In one sense the Americans are transferring power but only to their own agents. The new government members are all pawns of the C.I.A."

Tariq Ali: Doubts about the return of sovereignty to Iraq are expressed at every level.

We have received a report that at a public meeting in Perth, West Australia, convened by the Economics Department, within the University of West Australia, Tariq Ali (author of "Bush in Iraq: the recolonisation of Iraq" – available from the League Book Services) insisted it was the people of Iraq who were fighting against the occupation of their country. While they hated Saddam Hussein, and were glad to see him go, they did not want to be an occupied country. Asked how long he thought the interim Prime Minister Iyad Allawi would last, Tariq Ali replied, "About a fortnight." He reminded his audience Iyad Allawi was trained by the C.I.A.

Obviously there are many Iraqis who do not see him as 'one of them', but more like a 'plant of the C.I.A.'.

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