

## COMMENT

**This is the new gulag**

Bush has created a global network of extra-legal and secret U.S. prisons with thousands of inmates

By Sidney Blumenthal

It was “unacceptable” and “un-American”, but was it torture? “My impression is that what has been charged thus far is abuse, which I believe technically is different from torture,” said Donald Rumsfeld, the secretary of defence on Tuesday. “I don’t know if it is correct to say what you just said, that torture has taken place, or that there’s been a conviction for torture. And therefore I’m not going to address the torture word.”

He confessed he had still not read the March 9 report by Major General Antonio Taguba on “abuse” at the Abu Ghraib prison. Some highlights: “. . . pouring cold water on naked detainees; beating detainees with a broom handle and a chair; threatening male detainees with rape . . . sodomising a detainee with a chemical light and perhaps a broom stick . . . “

The same day that Rumsfeld added his contribution to the history of Orwellian statements by high officials, the Senate armed services committee was briefed behind closed doors for the first time not only about Abu Ghraib, but about military and CIA prisons in Afghanistan. It learned of the deaths of 25 prisoners and two murders in Iraq; that private contractors were at the centre of these lethal incidents; and that no one had been charged. The senators were given no details about the private contractors. They might as well have been fitted with hoods.

Many of them, Democratic and Republican, were infuriated that there was no accountability and no punishment and demanded a special investigation, but the Republican leadership quashed it. The senators want Rumsfeld to testify in a public hearing, but he is resisting and the Republican leaders are blocking it.

The Bush administration was well aware of the Taguba report, but more concerned about its exposure than its contents. General Richard Myers, the chairman of the joint chiefs of staff, was dispatched on a mission to CBS news to tell it to suppress its story and the horrifying pictures. For two weeks, CBS’s 60 Minutes II show complied, until it became known that the New Yorker magazine would publish excerpts of the report. Myers was then sent on to the Sunday morning news programmes to explain, but under questioning acknowledged that he had still not read the report he had tried to censor from the public for weeks.

President Bush, Condoleezza Rice and other officials, unable to contain the controversy any longer, engaged in profuse apologies and scheduled appearances on Arab television. There were still no firings. One of their chief talking points was that the “abuse” was an aberration. But Abu Ghraib was a predictable consequence of the Bush administration imperatives and policies.

Bush has created what is in effect a gulag. It stretches from prisons in Afghanistan to Iraq, from Guantánamo to secret CIA prisons around the world. There are perhaps 10,000 people being held in Iraq, 1,000 in Afghanistan and almost 700 in Guantánamo, but no one knows the exact numbers. The law as it applies to them is whatever the executive deems necessary. There has been nothing like this system since the fall of the Soviet Union. The U.S. military embraced the Geneva conventions after the second world war, because applying them to prisoners of war protects American soldiers. But the Bush administration, in an internal fight, trumped its argument by designating those at Guantánamo “enemy combatants”. Rumsfeld extended this system—“a legal black hole”, according to Human Rights Watch—to Afghanistan and then Iraq, openly rejecting the conventions.

Private contractors, according to the Toguba report, gave orders to U.S. soldiers to torture prisoners. Their presence in Iraq is a result of the Bush military strategy of invading with a relatively light force. The gap has been filled by private contractors, who are not subject to Iraqi law or the U.S. military code of justice. Now, there are an estimated 20,000 of them on the ground in Iraq, a larger force than the British army.

It is not surprising that recent events in Iraq centre on these contractors: the four killed in Falluja, and Abu Ghraib's interrogators. Under the Bush legal doctrine, we create a system beyond law to defend the rule of law against terrorism; we defend democracy by inhibiting democracy. Law is there to constrain "evildoers". Who doubts our love of freedom?

But the arrogance of virtuous certainty masks the egotism of power. It is the opposite of American pragmatism, which always understands that knowledge is contingent, tentative and imperfect. This is a conflict in the American mind between two claims on democracy, one with a sense of paradox, limits and debate, the other purporting to be omniscient, even messianic, requiring no checks because of its purity, and contemptuous of accountability.

"This is the only one where they took pictures," Tom Malinowski, Washington advocate of Human Rights Watch, and a former staff member of the National Security Council, told me. "This was not considered a debatable topic until people had to stare at the pictures."