

Military Commissions Act of 2006 / Act should be passed

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Position: Act should be passed

This position addresses the topic Military Commissions Act of 2006.

For this position

“ In this regard, the president's military commissions bill carefully balances the key relevant policy imperatives -- ensuring a fair trial without undermining national security -- and yet gives unlawful enemy combatants more due process than they've ever received in history. It should be promptly enacted.”

From Judgment at Guantanamo, by David B. Rivkin Jr., Lee A. Casey (*The Wall Street Journal*, September 9, 2006) (view)

“ If an American POW got put on trial at all, it would violate those conventions under any circumstances and regardless of the evidentiary procedures used. If they got caught out of uniform spying during wartime, they'd most likely get shot, but at any rate would not fall under the protection of the Geneva Conventions -- and most of the people with whom we'd likely go to war have little love for fair trials for anyone, let alone American servicemen.”

From Wonder Why It's Been A Quiet Five Years On The Home Front?, by Ed Morrissey (*Captain's Quarters*, September 6, 2006) (view)

“ More to the point, the temptation to get vital information by "rendering" such suspects for interrogation by governments that have little respect for human rights will only increase if the CIA's own al Qaeda interrogation program is shut down. This may make some in Congress feel better about themselves, but it won't do much for the "rights" of those interrogated.”

From Rendering Unto Syria, by The Wall Street Journal editorial board (*The Wall Street Journal*, September 21, 2006) (view)

“ Does any sane adult believe the cutthroats we are dealing with will respect the Geneva Convention? Or that our extension of Geneva Convention rights to them will be seen as anything other than another sign of weakness and confusion that will encourage them in their terrorism?”

From Suicidal hand-wringing, by Thomas Sowell (*The Washington Times*, September 21, 2006)

(view)

“ Tough questioning, such as “waterboarding” or simulated drowning, makes terrorists talk. That’s how U.S. interrogators encouraged Khalid Sheik Mohammed to detail how he masterminded al Qaeda’s September 11 attacks. He then ratted out Hambali, the man behind the October 2002 Bali bombing that killed 202, and “dirty bomber” Jose Padilla. Both are now safely in custody.”

From Being Nice Will Get Us Killed, by Deroy Murdock (*National Review*, September 21, 2006) (view)

“ We are not engaged in battle with any particular nation that might claim signatory status to the Geneva Conventions. We are not fighting any uniformed entity that remotely aspires to the pleasantries enumerated within. As such, it is tragically inane to hear United States senators whine about our obligations to afford terrorist combatants certain dignities out of fear of what enemy captors might do to us.”

From How should this country treat its terror suspects?, by Mark Davis (*The Dallas Morning News*, September 20, 2006) (view)

“ We agree with Sen. McCain that aggressive interrogation techniques tend to be unproductive and ought not be used. We also agree with him that in extraordinary circumstances, aggressive techniques should be an option. We disagree that Congress ought to outlaw these techniques for the primary goal of enhancing America's reputation.”

From 'Whatever it takes': Protecting America is a dirty job, by New Hampshire Union Leader editorial board (*New Hampshire Union Leader*, September 19, 2006) (view)

“ Does Ed Rendell seriously believe such a retreat would not be seen as surrender and weakness, playing into the hands of jihadists, who would be emboldened to keep on fighting until they dominated all of Europe and then come after America? This is why liberal Democrats cannot be trusted to run the foreign policy of the United States.”

From Warm and fuzzy talk is a weak defense against terrorists, by Cal Thomas (*The Salt Lake Tribune*, September 19, 2006) (view)

“ The key political fact is this: A GOP candidate can say he will vote to authorize interrogations that CIA director Hayden (no partisan gunslinger) says are important. The Democrats, by contrast, support legislation that would bring such interrogations to a stop.”

From The Trap, by William Kristol (*The Weekly Standard*, September 18, 2006) (view)

“ What's more, the definition of an "outrage" is context-dependent. What's outrageous when dealing with the likes of 9/11 mastermind Khalid Sheikh Mohammed, or a terrorist who might know about imminent plots, is clearly different than what's outrageous when dealing with a lawful combatant or prisoner of war.”

From Geneva Contention, by The Wall Street Journal editorial board (*The Wall Street Journal*, September 18, 2006) (view)

“ "We are not, and the administration is not, advocating torture. But there are, manifestly, methods of coercion that, though rougher than the Miranda standards of the criminal- and military-justice systems, fall short of torture. [...] Those methods will be effectively outlawed if Congress does not act." ”

From Tortured Debate, by National Review editorial board (*National Review*, September 18, 2006) (view)

“ "We are not at war with the al-Qaida Women's Knitting Club. Even if we had all terror suspects flown first-class to Chicago and interrogated on Oprah Winfrey's couch it would not reduce by one iota the enemy's resolve to bring our civilization to a bloody end by the most barbaric means." ”

From Playing nice: A luxury we can't afford, by New Hampshire Union Leader editorial board (*New Hampshire Union Leader*, September 17, 2006) (view)

“ "The act] is a painstakingly conscientious effort to establish a system of military tribunals that will satisfy Hamdan. The statute is some 86 pages long; I would highly recommend that you at least skim it to gain some impression of the good faith with which the administration has tried to follow Hamdan's misguided mandate." ”

From They Liked It When It Was McCain's Idea, by John Hinderaker (*Power Line*, September 16, 2006) (view)

“ "Leave aside the question of whether the rogue states confronting America today would ever afford decent treatment under any circumstances. Since actual torture is already illegal, it would be helpful if Mr. Warner, et al., could explain what interrogation methods or punishment they object to [...] even if it lessens the likelihood of preventing the next attack on Washington or on U.S. servicemen in Kabul or Baghdad." ”

From A skewed view of detainee rights, by The Washington Times editorial board (*The Washington Times*, September 15, 2006) (view)

“ "If we're to continue outsmarting terrorists before they strike, we simply have to continue these methods. The interrogators themselves should be hailed as national heroes, yet the Washington Post reports they're having to purchase insurance against being sued." ”

From Tortured Logic, by Investor's Business Daily editorial board (*Investor's Business Daily*, September 14, 2006) (view)

“ "The universal, reciprocal chivalry that guided warriors, and nation-states, when young John McCain's unflinching valor blazed its legend on the honor-roll of American heroes no longer obtains. Now, the enemy is barbaric, and the only weapon is intelligence." ”

From Enact the President's Code for Military Commissions, by Andrew C. McCarthy (*National Review*, September 13, 2006) (view)

Against this position

“ President Bush is pushing aggressively for quick action on his bill. But the Senate needs to work from its own, far better, draft -- which, with relatively few changes, could provide a sound legislative basis for fair and orderly trials.”

From A Solution for Trials, by The Washington Post editorial board (*The Washington Post*, September 9, 2006) (view)

“ In the long run, victory in the War on Terrorism will go not to the vengeful, but to the just, to the winner of the Battle of Ideas. By trying these 14 prisoners in front of a court that affords them basic legal protections, the United States would demonstrate the strength and superiority of freedom under the rule of law.”

From Vengeance V. Victory, by St. Louis Post-Dispatch editorial board (*St. Louis Post-Dispatch*, September 8, 2006) (view)

“ On Wednesday in a speech in which the president admitted the existence of secret CIA prisons overseas, Bush asked Congress to fight terrorism on his terms. Those means and methods have been repudiated by the U.S. Supreme Court and legions of civil and military legal experts.”

From Hold Bush to the Law in Terror-Suspect Cases, by The Seattle Times editorial board (*The Seattle Times*, September 8, 2006) (view)

“ Bush appears, for example, to believe he can simply shrug off the court’s concerns about the Geneva Conventions violations. This raises the question of torture, which Bush says the United States does not practice. Yet he continued this week to defend an “alternative set of procedures,” an Orwellian phrase that is obviously designed to conceal the indefensible.”

From Terrorist suspects should be tried, but Bush plan brings objections, by Kansas City Star editorial board (*Kansas City Star*, September 8, 2006) (view)

“ The administration seems to want a system in which the military keeps its hands clean while the CIA does the dirty work of violating international law and humanitarian norms. And the president wants this system created in a matter of a few short days.”

From Ending the Lawlessness, by The Washington Post editorial board (*The Washington Post*, September 7, 2006) (view)

“ Even now, the legislation ‘Bush’ is proposing to handle Guantánamo prisoners would undermine key principles of justice. It would permit the use of evidence obtained through coercion, along with hearsay evidence, and evidence that is kept secret from the accused. The military’s top lawyers have all publicly opposed these provisions.”

From A Sudden Sense of Urgency, by The New York Times editorial board (*The New York Times*, September 7, 2006) (view)

“ Osama bin Laden and the al Qaeda boys hiding in their caves in Waziristan are surely laughing over all of this. They have succeeded in dragging us down to their level of barbarity and inhumanity.”

From We've sunk to bin Laden's level, by Joseph L. Galloway (*The Miami Herald*, September 23, 2006) (view)

“ “The right to file for a writ of habeas corpus, insisting that this authority be exercised, is a crucial check on naked governmental power. It’s a check on injustice. In Washington, instead of saluting this cornerstone of freedom, politicians are about to deep-six it for some people without even much in the way of debate.” ”

From The Torture of Liberty, by Bob Herbert (*The New York Times*, September 21, 2006) (view)

“ “To be blunt: The compromise proposed by the three senators takes the administration's proposals as a starting point and then proceeds to roll back only a few of its more odious provisions.” ”

From Compromised, by The New Republic editorial board (*The New Republic*, September 21, 2006) (view)

“ “Both bills choke off judicial review and allow even those acquitted by a military tribunal to be held indefinitely. Either bill might be acceptable if the United States government were infallible. As it is, they would legalize the sorts of abuses of power that the United States fought against in other countries for most of the 20th century.” ”

From Rules for the Real World, by The New York Times editorial board (*The New York Times*, September 20, 2006) (view)

“ “Lindsey Graham, John Warner, Colin Powell and above all John McCain know firsthand what war can do to men and why we need laws to keep men from becoming their nightmare image of their enemy. Their knowledge is as old as Homer, as American as John Ford.” ”

From Into a Moral Desert, by Harold Meyerson (*The Washington Post*, September 20, 2006) (view)

“ “Mr. Arar's case vividly illustrates a couple of the points that veteran military and diplomatic leaders have been trying to impress on Mr. Bush about the dangers of the CIA program, for which the president is demanding congressional approval.” ”

From Tortured by Mistake, by The Washington Post editorial board (*The Washington Post*, September 20, 2006) (view)

“ “But a unilateral American interpretation of this clause would open the door for this nation's enemies to come up with their own interpretations of Article 3 — and increase the chances that U.S. troops captured by them will be abused.” ”

From McCain knows firsthand need to limit torture rules, by DeWayne Wickham (*USA Today*, September 20, 2006) (view)

“ “The moral basis of our fight against terrorism has already been undercut in the eyes of much of the world by the excesses of Abu Ghraib, Guantanamo, and Bagram Airbase outside Kabul. If people continue to question the moral base of our war against terrorists, then the very intelligence we seek and desperately need will start to dry up.” ”

From Fighting for our honor, by H.D.S. Greenway (*The Boston Globe*, September 19, 2006) (view)

“ "The president of the United States. Interrogation by torture. This just can't be happening." ”

From Torture is Torture, by Eugene Robinson (*The Washington Post*, September 19, 2006) (view)

“ "President Bush tried to armor the Republican Party before the mid-term elections by projecting himself as the commander-in-chief. Now he has torn the epaulets from his uniform to reveal himself as something no other president has ever been: torturer-in-chief." ”

From How Bush Rules: The Torturer-in-Chief, by Sidney Blumenthal (*The Huffington Post*, September 18, 2006) (view)

“ "But the White House argument is straightforward: terrorists are such a mortal threat that established due process must be suspended. In particular, the classified secrets of anti terrorist operations must be so closely held that the most basic pillar of jurisprudence -- the accused's right to know and respond to evidence -- must be discarded. The legislation was drafted by Franz Kafka." ”

From Judge, jury, and torturer, by James Carroll (*The Boston Globe*, September 18, 2006) (view)

“ "The reason President Bush has been trying so frantically to get Congressional passage of his plan to interrogate and try terror suspects is that he needs its contorted interpretations of the law to keep important cases from falling apart, and to cover the collective keisters of higher-ups who may have authorized or condoned war crimes." ”

From The Kafka Strategy, by Bob Herbert (*The New York Times*, September 18, 2006) (view)

“ "The central drive of the Bush administration — more fundamental than any particular policy — has been the effort to eliminate all limits on the president's power. Torture, I believe, appeals to the president and the vice president precisely because it's a violation of both law and tradition. By making an illegal and immoral practice a key element of U.S. policy, they're asserting their right to do whatever they claim is necessary." ”

From King of Pain, by Paul Krugman (*The New York Times*, September 18, 2006) (view)

“ "Treatment far short of inducing pain equivalent to organ failure would shock the conscience of any civilized person and all Americans would certainly and properly protest if any U.S. personnel were "interrogated" in such a manner." ”

From Clarifying Torture, by Ronald Bailey (*Reason*, September 18, 2006) (view)

“ "After Guantánamo, Abu Ghraib, Haditha and more, America desperately needs a symbol that showcases its basic decency. Quibbling with the Geneva Conventions is the wrong signal, by the wrong administration, at the wrong time." ”

From Questions for the Interrogators, by Fareed Zakaria (*Newsweek*, September 17, 2006)

(view)

“ “The president is no doubt correct that in some cases abusing detainees may get them to talk. But the same could be said of outright torture. A barbaric government can rationalize anything if it works; civilized ones recognize that mere efficacy cannot justify cruelty. Another issue is whether most of the information elicited by brutal techniques will be accurate, or if inmates will make up things just to relieve their suffering.” ”

From Listen to McCain and Powell, by Chicago Tribune editorial board (*Chicago Tribune*, September 17, 2006) (view)

“ “Rather than admit that he wants to legalize disappearances and torture, Mr. Bush ominously warns that "the program" won't continue unless Congress passes his bill. He says "time's running out," even though it's not. There are no detainees in the CIA prisons at the moment, according to the president, and the only clock running out is that measuring the midterm election campaign.” ”

From A License to Abuse, by The Washington Post editorial board (*The Washington Post*, September 17, 2006) (view)

“ “What [Bush] clearly wants to do is gut the treaty's humanitarian protections for wartime detainees, with an eye toward retroactively legitimizing abusive CIA interrogation tactics used on terrorism suspects.” ”

From No Rubber Stamp for Bush, by Los Angeles Times editorial board (*Los Angeles Times*, September 17, 2006) (view)

“ “This will become an important fight over whether the nation will give in to fear to protect itself, knowing, according to Sen. McCain, that coerced evidence isn't reliable. Or whether it will abide by long-standing human-rights treaties that protect everyone, including Americans who depend on it in wartime.” ”

From GOP Stand Against Torture, by Bangor Daily News editorial board (*Bangor Daily News*, September 16, 2006) (view)

“ “Stamped by the fear of looking weak on terrorism, lawmakers are rushing to pass a bill demanded by the president that would have minimal impact on antiterrorist operations but could cause profound damage to justice and the American way.” ”

From Stamped Congress, by The New York Times editorial board (*The New York Times*, September 15, 2006) (view)

“ “Three Republican senators -- John W. Warner of Virginia, chairman of the Armed Services Committee; Lindsey O. Graham of South Carolina; and Mr. McCain -- are bravely promoting an alternative measure that would allow terrorists to be questioned and tried without breaking faith with traditional U.S. values.” ”

From A Defining Moment for America, by The Washington Post editorial board (*The Washington Post*, September 15, 2006) (view)

“ "The President--in the wake of the Supreme Court's Hamdan decision striking down his Administration's post-9/11 military tribunals and faced with the possibility of more lawsuits on behalf of those CIA detainees--is attempting desperate aikido, spinning his eroding legal and political position into yet another assault on the Constitution and civilized values." ”

From Lawless 'Compromises', by The Nation editorial board (*The Nation*, September 15, 2006) (view)

“ "To authorize trials that needlessly depart from international norms will only invite skepticism about the convictions they deliver, further degrade the United States in the eyes of the world, and make martyrs of those condemned to prison or death. Cooperation with allies, vital to stopping future terrorist attacks, will be seriously impeded." ”

From A Crucial Choice, by The Washington Post editorial board (*The Washington Post*, September 14, 2006) (view)

“ "The War Crimes Act is what links the United States to people of conscience throughout the civilized world. It is our claim to membership. It is what puts the strength of law behind our feelings of disgust at what the Bush administration has perpetrated. It is how American can and will hold this administration accountable and bring them to justice." ”

From Keep War Crimes Criminal, by Wigwam (*Daily Kos*, September 11, 2006) (view)

“ "By marginalizing and ignoring the independent advice of the JAGs for the past four years, the Bush administration has seriously eroded what had been our moral leadership around the world, including among our allies, in the war on terrorists. Now, [...] they are proposing to retain certain interrogation practices that clearly violate the Geneva Conventions' prohibition of "humiliating and degrading treatment" of prisoners." ”

From Seeking justice, by Nat Hentoff (*The Washington Times*, September 11, 2006) (view)

“ "Mr. Bush seems to understand better than he did five years ago that diplomacy and the promotion of democratic values are as important to winning the war as military action. But in insisting on maintaining the CIA's secret prisons and in asking Congress to cancel some of the protections from abuse granted prisoners by the Geneva Conventions, he risks perpetuating and compounding one of his greatest errors" ”

From The Fifth Anniversary, by The Washington Post editorial board (*The Washington Post*, September 10, 2006) (view)

“ "But if the rules are changed and the law allows detainees to be degraded and humiliated, the U.S. government no longer would have any moral basis for insisting that Americans taken prisoners abroad be treated with respect and dignity. If the United States is to have any positive influence in the world, it must lead by example, otherwise it's going to be difficult to distinguish us from the terrorists." ”

From Changes could harm American prisoners, by Reading Eagle editorial board (*Reading Eagle*, August 26, 2006) (view)

Mixed on this position

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