

US EMBARRASSES SELF AGAIN ON SYMBOLISM OF NEWEST FLOATING PRISON



The USS San Antonio entering New York Harbor during Fleet Week, 2006. When I first saw this photo, I thought that the image created the illusion that the ship was holding the Statue of Liberty, but it turns out that is part of the ship's structure and not Liberty's torch that we see. I still can't quite shake that metaphor, however.

I fought what seemed to be a one-person battle over what appeared to me to be efforts by the United States to rehabilitate the image of the USS Bataan. In 2010, I pointed out the depravity of using a ship that once was a floating torture chamber as a hospital ship during Katrina and then after the earthquake in Haiti. And then I completely went ballistic when the Bataan Rehabilitation March came even closer to home with the disgusting spectacle of the torture ship being used to stage a college basketball game. At least Mother Nature won that particular round, as the game had to be cancelled at halftime when the surface of the court became unplayable due to moisture as the ship cooled in evening air.

The whole concept of the floating

“interrogation” ship is being used again by the US and the naturally arising question is that if no less than Charlie Savage is being used on the preemptive “nothing to see here, move along” gov-splaining of the use of the ship is needed, is the US reverting to the torture practices that were carried out on the Bataan? But this time, instead of the USS Bataan, the interrogation of Abu Anas al-Libi is being carried out on the USS San Antonio. The San Antonio can be considered the poster child for all that is wrong with military procurement systems today:

Five years ago, the USS San Antonio (the first LPD 17 class ship) entered service. Or at least tried to. The builders had done a very shoddy job, and it took the better part of a year to get the ship in shape.

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Although the San Antonio did get into service, it was then brought in for more inspections and sea trials, and failed miserably. It cost \$36 million and three months to get everything fixed. The workmanship and quality control was so poor that it's believed that the San Antonio will always be a flawed ship and will end up being retired early.

Just as the San Antonio was “commissioned” and then towed back for repairs because it couldn't move on its own, the “interrogation” that is currently underway for al-Libi is a false start and a “clean team” will have to be brought in for any interrogations that will be used should al-Libi ever be brought to trial. From the gov-splanation:

Q. What will happen next?

A. If the Obama administration follows the model it set in 2011 in the case of a Somali man, Ahmed Abdulkadir Warsame, after the intelligence interrogation is

finished, it will give Mr. Ruqai a break of several days, allow the Red Cross to visit him and send in a “clean team” of fresh F.B.I. interrogators who have not been briefed on what he said to the interrogation group. The new team will read him a Miranda warning, including whether he waives his right to be questioned with a lawyer present, then ask him a new round of questions intended to gather evidence that could more clearly be used against him in court.

And just why is the stupid ploy of a prison ship being used again?

Q. Why did the United States put him on a ship?

A. The Obama administration lacks a clear place to house newly captured Qaeda detainees for intelligence interrogations. It still wants to close the prison at Guantánamo Bay, Cuba; though Congress has blocked it from doing so, the administration has held the line at adding any new detainees there. For a time, the United States brought some detainees to the prison at Bagram Air Base, in Afghanistan, but it has now largely transferred that facility to the control of the Afghan government, which does not want to deal with detainees from elsewhere. Were Mr. Ruqai to be brought to a military base on land somewhere, it could raise legal issues with the host government, and were he to be brought onto United States soil, he could arguably have an immediate right to a lawyer. Holding him – and possibly transporting him – on an American vessel in international waters avoids potential diplomatic and legal headaches.

Ooops. What was that about “could raise legal issues”?

Q. Does the interrogation raise any legal issues?

A. Possibly.

Savage goes to great lengths to claim that Obama has ended the “interrogation policies”, or torture, from the Bush administration and that all interrogation will be under the guidelines of the Army Field Manual, but as Jeff Kaye has pointed out repeatedly, Appendix M of the Army Field Manual still allows practices that are indeed torture that has been used in both Afghanistan and Guantanamo. And AP gets more information on the legality of this entire approach from Hina Shamsi of the ACLU:

“It appears to be an attempt to use assertion of law of war powers to avoid constraint and safeguards in the criminal justice system,” said Hina Shamsi, an attorney with the American Civil Liberties Union and the director of the civil rights organization’s national security project. “I am very troubled if this is the pattern that the administration is setting for itself.”

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The ACLU’s Shamsi said it’s a good thing that al-Libi was not being held secretly, as was the policy during the Bush administration. But, she said, al-Libi should be entitled to counsel and a speedy trial.

It would appear that the workmanship in crafting a terrorist detainee interrogation program is held to the same quality standards that were used in constructing the USS San Antonio. Both seem in distinct danger of simply sinking at sea at any moment.