

Jules Lobel and Jerry Starr: Guantanamo center stage
A searing theater work shows that no honor is to be found when
detainees are treated inhumanely
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This weekend, Open Stage Theatre will present the Pittsburgh premiere of "Guantanamo: Honor Bound to Defend Freedom," a docudrama based on the true stories of four British subjects incarcerated at the U.S. military prison in Guantanamo Bay, Cuba.

First produced in London in January 2004 to wide acclaim, the play explores who these prisoners are, how they came to be arrested, with what they are charged, how they're being treated and what their futures hold. "Guantanamo" answers these questions through the personal testimony of the prisoners, their families and attorneys as well as journalists and political officials.

The play is utterly timely, given the events of recent weeks. At this moment many of the Guantanamo detainees are engaged in a desperate, but largely ignored, hunger strike to draw attention to their plight. At the same time, the Bush administration has threatened to veto a major defense spending bill if it includes language prohibiting "cruel, inhumane and degrading treatment" of prisoners.

The administration has refused to recognize the "detainees" as prisoners of war protected by the Geneva Conventions and has incarcerated them indefinitely without due process. Worse, according to a 2004 International Red Cross report, the detainees are subject to interrogation tactics that are "tantamount to torture."

The Center for Constitutional Rights sued on behalf of the prisoners, but the White House argued that federal courts could not even hear the case. CCR challenged this position and, in June 2004, the U.S. Supreme Court ruled 6-3 that the prisoners could sue in court. Nonetheless, the administration continues to argue in the lower courts that the prisoners have no enforceable rights.

Prodded by international pressure, the administration set up hearings for each detainee. However, they were not allowed attorneys, nor could they see the evidence against them, most of which remains classified. A District Court in Washington subsequently ruled the hearings to be fundamentally unfair.

Consider the case of six detainees jailed by Bosnian authorities. Lacking sufficient evidence to justify further detention, the Bosnian Supreme Court ordered their release. The men then were transferred to U.S. custody in Guantanamo where they since have languished for more than three years. One, Mustafa Ait Idr, is alleged to have "associated with a known al-Qaida operative." Mr. Idr asked the hearing officer to name

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the "known" al-Qaida operative so he could "respond and defend [himself] against this accusation." The hearing officer said he did not know because that information was classified and could not be given to the prisoner.

The U.S. government, in effect, claims virtually unlimited power to hold people at Guantanamo. When asked by a federal judge whether the military could send to Guantanamo "a little old lady in Switzerland who had unknowingly given money to an Afghan charity associated with al-Qaida," the government lawyer answered "yes." When Secretary of Defense Donald Rumsfeld was asked how long these "enemy combatants" -- many of whom were not captured in Afghanistan -- could be held, he responded, until the war against terrorism is over. That would come, Mr. Rumsfeld elaborated, when there were no major terrorist organizations left in the world. In short, those accused, but not convicted of anything, could be incarcerated for the rest of their lives.

To further aggravate matters, the administration has abused the prisoners in its custody. Detainees have been deprived of food and water, intimidated by growling dogs, and subjected to deafeningly loud music, extreme temperatures, sleep deprivation and sexually degrading acts. The FBI has refused to participate in such interrogations.

Nevertheless, all of the above have been justified under the White House's definition of torture which allows interrogators to inflict mental harm so long as it is not "prolonged" and physical pain so long as it does not produce "serious physical injury, such as organ failure ..."

As to be expected, the 500 prisoners still at Guantanamo feel a profound sense of hopelessness. There have been at least 76 suicide attempts. More than 200 are participating in a hunger strike, 23 of whom have been hospitalized. Some prisoners claim to have been violently force-fed with serious medical consequences, moving a District Court judge to order the government to provide prisoners' medical records to their lawyers who are to be notified whenever forced feeding begins.

The Pentagon conflates the use of "judicial processes or international forums" with "terrorism" as a "strategy of the weak" to challenge our nation's "strength." We would argue the very opposite. This administration's disregard for the rule of law has fueled worldwide protest against us, even among our allies, and has boosted terrorist recruitment while, at the same time, undermining our own moral leadership.

One thing of which we are certain: This is a defining moment for American foreign relations.

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Performances of "Guantanamo" are at 8 p.m. Friday and Saturday and 2 p.m. Sunday at the Open Stage Theatre, 2835 Smallman St. in the Strip District. The event is a fundraiser for the Center for Constitutional Rights and the Open Stage Theatre; \$50 tickets are available through ProArts (412-394-3353); \$25 tickets will go on sale 30 minutes before each performance.