

By Glenn Greenwald

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The Obama administration has made explicitly clear its intention to deny civilian trials to scores of detainees, by [sending some to military commissions](#) and [imprisoning others indefinitely without any charges](#) . And for

those cases where it has deigned to provide real due process -- such as its decision to try the 9/11 defendants in a criminal court -- it is moving in the wrong direction. Obama officials are [clearly signaling their intention](#)

to reverse that decision and instead place those defendants before military commissions, and yesterday,

[yet another](#)

piece appeared --

[this time in](#)

[Politico](#)

-- describing the beautiful, loving, cooperative relationship between Rahm Emanuel and Lindsey Graham, which is now "embracing a wide-ranging deal pitched by Graham that would shut down the prison [at Guantanamo]; provide funding to move detainees to Thomson, Ill.;

**keep the Sept. 11 trials out of civilian courts; and create broad new powers to hold terror suspects indefinitely**

." And the

[endless cavalcade of Rahm-planted, Rahm-Was-Right articles](#)

(see the

[latest from the](#)

[Post](#)

[today](#)

) invariably features his opposition to civilian trials for accused Terrorists as proof of his Centrist though mistakenly rejected wisdom.

In contrast to America's still-growing refusal to accord basic due process to accused Terrorists, consider how Pakistan [treats foreigners](#) [whom it apprehends within its borders](#) on serious charges of Terrorism:

SARGODHA, Pakistan -- Prosecutors seeking to **indict** five Americans on terror-related offenses presented their case to **a Pakistani judge** Tuesday, laying out **charges** including waging war against Pakistan and plotting to attack the country, a **defense attorney** said.

The men, all young Muslims from the Washington, D.C., area, were arrested in December in Punjab province not long after reaching Pakistan. . . . The men could be **indicted** on as many as seven charges during their next **hearing** on March 10, lawyer Hamid Malik told The Associated Press. The **judge** ordered the **defense** to review the **prosecution report** presented in the Sargodha **town court** and to **prepare a rebuttal**.

If there's any country which can legitimately claim that Islamic radicalism poses an existential threat to its system of government, it's Pakistan. Yet what happens when they want to imprison foreign Terrorism suspects? They indict them and charge them with crimes, put them in their real court system, guarantee them access to lawyers, and can punish them only upon a finding of guilt. Pakistan is hardly the Beacon of Western Justice -- its intelligence service has a long, clear and brutal record of torturing detainees (and these particular suspects claim they were jointly tortured by Pakistani agents and American FBI agents, which both governments deny). But just as is true for [virtually every Western nation other than the U.S.](#), Pakistan charges and tries Terrorism suspects in its real court system.

The U.S. -- first under the Bush administration and now, increasingly, under Obama -- is more and more alone in its cowardly insistence that special, new tribunals must be invented, or denied entirely, for those whom it wishes to imprison as Terrorists (along those same lines, my favorite story of the last year continues to be that the [U.S. compiled a "hit list" of Afghan citizens](#) it suspected of drug smuggling and thus wanted to assassinate [just as we [do for our own citizens](#) suspected of Terrorism], only for Afghan officials -- whom we're there to generously teach about Democracy -- to object on the grounds that the policy would violate **their** conceptions of due process and the rule of law). Most remarkably, none of this will even slightly deter our [self-loving political and media elites](#) from continuing to demand that the Obama administration act as self-anointed International Arbiter of Justice and lecture the rest of the world about [their violations of human rights](#).

**UPDATE:** This new ad -- from Liz Cheney and Bill Kristol's group "Keep America Safe" -- might truly be the most repellent and vile political ad of the last decade (h/t [Ben Smith](#)):

**UPDATE II:** Many Guantanamo detainees, including numerous defendants accused of being Al Qaeda operatives, have been represented by military lawyers. As but one illustrative example, Lt. Col. Yvonne Bradley waged a [relentless \(and ultimately successful\) campaign](#) to free Binyam Mohamed from Guantanamo despite accusations that he was an Al Qaeda Terrorist; meanwhile, Navy Lt. Commander Kevin Bogucki [aggressively fights the Obama administration](#)

in an ongoing effort to secure the freedom of his client, Kuwait Guantanamo detainee Fouad Al Rabiah, who "has spent seven years at the U.S. detention camp in Guantanamo Bay, Cuba, where he stands accused of conspiracy and providing material support to the Taliban and al Qaeda." According to the "rationale" from those vile McCarthyites, Liz Cheney and Bill Kristol, these military lawyers should be deemed America-hating Terrorist sympathizers as a result of that work. I'd like to hear those two say that these military lawyers are in league with the "Al Qaeda Seven."