

Released Guantanamo Detainees Return To Battle

This [via [Belmont Club](#)]

"We've already had instances where we know that people who have been released from our detention have gone back and have become combatants again," said Rep. Porter J. Goss, Florida Republican, chairman of the House Permanent Select Committee on Intelligence.

is reminiscent of [this](#).

Fri, 07/09/2004 - 02:02 | [digg](#) | [del.icio.us](#) | [permalink](#)

Don't release them after you torture them!

by a reader on Sat, 07/10/2004 - 22:50 | [reply](#)

Riiight

When faced with theories:

a) These are zealous combatants whose commitment to killing for their cause is much stronger than their concern over repeated detention by Americans.

and

b) These are innocent people who happened to end up in American detention and turned to active combat because of American torture.

What kind of person thinks b) is more plausible?

Gil

by [Gil](#) on Sun, 07/11/2004 - 19:50 | [reply](#)

Re: Riiight

I didn't say "These are innocent people who happened to end up in American detention and turned to active combat because of American torture." I wanted to bring up torture because "**The**

World" consistently ignores or glazes over aspects of reality that

don't fit their "theories". e.g. That the Guantanamo detentions are in violation of the Geneva Convention - that the U.S. signed. The the Bush admin violated the U.S. Constitution requiring a declaration of war - in which case they would be POWs not illegal combatants. Of course "**The World**" in its wisdom knows that it is OK to violate such documents as long as you are working for a "higher" moral purpose.

by a reader on Tue, 07/13/2004 - 01:53 | [reply](#)

making things up..?

when has the world ever invoked argument by "higher" moral purpose? source plz.

-- Elliot Temple

<http://www.curi.us/>

by **Elliot Temple** on Tue, 07/13/2004 - 04:42 | [reply](#)

to 1:53 GMT

I'm against torture and all, but

1. Detained unlawful combatants (to the extent that these are who is housed at Gitmo) do not enjoy Geneva Convention protections. That's their fault not ours, for having engaged in some set of behaviors or another which causes them not to fit the definition of people covered by the Geneva Conventions. (People tend to assume the Geneva Conventions (of which there are more than one) all say something akin to "Signatories must be Nice to all people under all circumstances"; this is not the case.) There may be some being held at Gitmo who *do* fit the definition of someone covered by Geneva Convention protections - we'd have to check - but I don't guess you know one way or the other any more than I do. If so (it's certainly possible), those individual cases ought to be remedied to be sure they are being given GC-conforming treatment.

Of course, none of that need entail releasing them back into Afghanistan anytime in the near future.

2. Whether they are illegal combatants is not determined per se by whether the US declared war. On the other hand, someone in the Bush admin may have actually made that argument (I don't know - it does sound familiar). What I do know is that the US Declaring War would not automatically transmogrify all belligerents into legal combatants entitled to full GC protections. It doesn't really work that way, they have to satisfy some criteria (chain of command, distinguishing mark or uniform, can't engage in war crimes, etc.)

(Incidentally a better bet for you here, if you want to complain about torture, is just to bring up the international treaty on torture (I'm not sure that's what it's called), which I believe the US has signed...you would actually have a point there, probably...).

3. The "War Powers authorization" system of commencing war is

not my favorite thing in the world, but it has passed Constitutional muster according to the Supreme Court, and anyway, if the Bush admin violated the Constitution in commencing a war within the rubric of the War Powers Act, then so did the Clinton admin, Bush 1 admin, etc. And at least they did their thing under an actual Congressional act; for Korea and Vietnam they just kinda called them "police actions"... As I'm sure you well know there's been no "Declaration of War" since WW2, making this kind of a silly complaint.

--Blix

by a reader on Tue, 07/13/2004 - 07:50 | [reply](#)

Re: making things up..?

I don't mean "higher" in the sense of a "higher authority", only in the sense that the of waging war seems highest value - to which all other values are subordinate. But there is more to it than that; "**The World**" doesn't even acknowledge that certain values might be significant (such as constitutionality). This implies to me that "**The World**" has contempt for such values - that the end justifies the means.

by a reader on Wed, 07/14/2004 - 23:55 | [reply](#)

Bizarre

Some bloke wrote:

'I don't mean "higher" in the sense of a "higher authority", only in the sense that the of waging war seems highest value - to which all other values are subordinate.'

Waging war is not a high value, it the least crappy of a crappy set of choices.

'But there is more to it than that; "**The World**" doesn't even acknowledge that certain values might be significant (such as constitutionality).'

We don't fetishise the Constitution and mention it all the time. America might be a better place in some ways if the US government stuck to the powers awarded to it by the Constitution. However, I fail to see the relevance of this as it would still require the government to defend America and part of that would involve fighting a war against Islamists, rogue regimes and so on who want to murder Americans.

'This implies to me that "**The World**" has contempt for such values - that the end justifies the means.'

A bizarre interpretation of the World's writings to match a bizarre complaint about them.

by [Alan Forrester](#) on Thu, 07/15/2004 - 01:03 | [reply](#)

Where does it end?

If "the world" has no problem with violating the constitution to wage war what else is it willing to accept? Rounding up people with arabic sounding names? How about conscription? Here's your chance "**The World**". Tell us...is the war still worth fighting if our children are forced into the military? Come on TCSer's, carefully nurture your children - so we can throw them into the meat grinder when they turn 18!

So what if you end up becoming more like your enemy, it is still worth it.

by a reader on Fri, 07/16/2004 - 03:50 | [reply](#)

err

Are you saying that rounding up arabs into camps is only wrong b/c of what the Constitution says?

-- Elliot Temple
<http://www.curi.us/>

by [Elliot Temple](#) on Fri, 07/16/2004 - 15:41 | [reply](#)

No...

I'm asking what other (presumably) values "**The World**" would abandon in the name of fighting Islamists.

by a reader on Sat, 07/17/2004 - 01:20 | [reply](#)

If...

...you were a tree...

'If "the world" has no problem with violating the constitution to wage war what else is it willing to accept?'

Yes, that tricky word 'if'. Meaning 'on condition that' in this context. I have yet to see any specific allegation about what part of the Constitution you think the World is in favour of violating.

by [Alan Forrester](#) on Sun, 07/18/2004 - 01:02 | [reply](#)