



Latin America
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Latin America News & Views

An occasional series of viewpoints from the Latin American press

A Shameful Law: Reactions to the Military Commissions Law from Latin American Editorial Pages

“A Shameful Law” Colombia’s *El Tiempo*, editorial October 2006

September 28th will go down in history as a sorrowful date for the United States and democracy worldwide....

The law approves the outrages committed by George Bush’s government in the last few years against those accused of terrorism, and incorporates alarming restrictions on human rights: the government is authorized to apprehend in any country, any foreign citizen suspected of collaborating with terrorism (according to the government’s own definition) and characterize anyone as an “illegal enemy combatant.” This characterization is enough to get subjected to a regimen of reduced rights approved by the Capitol, which would include indefinite detention without appeal in jails only known and operated by the military, and suspension of habeas corpus. No civilian court could intervene in these cases, except to review final verdicts. The President will define the acceptable tortures and interpret unilaterally the Geneva Conventions....

To approve this code, worthy of military dictatorships, the White House sowed electoral panic in the Congress.... Saying “He who does not vote for this bill is with the terrorists.”

The approval of this horrible law opens a dangerous Pandora’s box. U.S. democracy has been a worldwide example in the last two centuries. Now, its limitations will inspire cutbacks in other laws.... Countries that cooperate broadly with Washington, like Colombia, have the right to ask themselves if extraditing their citizens accused of terrorism, so that they submit to a regime like this, would not violate their own Constitution. And there are more questions.... With what moral authority can the United States continue to issue certifications of good democratic conduct to other countries?

“The CIA’s Secret Prisons” Argentina’s *La Nación*, editorial, October 4, 2006

It seems damaging to the storied democratic traditions of the United States to have resorted to secret prisons located outside the country in order to avoid investigating suspects within the limits of U.S. institutions and legal frameworks, operating instead on their margins....

The war against terrorism must be implacable, but it cannot be used to justify actions that harm fundamental human rights. This should be true even though the terrorists themselves will not respect these rights.

The respect for civil and political liberties and for human rights is the very basis of the moral superiority of civilization, separating it from terrorism and totalitarian experiences. To set these principles aside signifies giving in to terrorism, and represents a loss of moral authority which inspires us to fight for liberty, tolerance and respect for diversity.

**Jorge Montaña, Vice President of Mexican Foreign Affairs Council
Mexico's *El Universal*, October 4, 2006, op-ed**

[The military commissions law] cancels habeas corpus, equivalent to our right known as “amparo,” available to any prisoner. Despite having the legal basis to challenge an unfair detention, prisoners will be deprived of the right to demonstrate it. In its extreme, this provision could be applied to legal immigrants, who could be imprisoned on the merest suspicion. Given the electoral pragmatism which demands more firmness in dealing with terrorists, it doesn't matter that this takes [the United States] back hundreds of years, and ignores that Americans were the first to consecrate these rights in fundamental texts. Another section justifies torture by not defining cruel and inhumane treatment, leaving it to the discretion of the CIA to decide which interrogation tactics to use, which implies that using the argument of national security, anything goes.... In a race to keep control of both houses, Republicans led by President Bush fixed these rules and accepted the costs of an undeniable step backwards. The Democrats betrayed their principles to avoid campaign ads that paint them as soft.... Now, they have a backward law, that in no way will protect them from terrorism, but surely they hope that their candidates will be rewarded with votes inspired by fear.

By Lisa Haugaard with research assistance from Patrice Mobley, October 2006