

# EMBARRASSMENT-FREE SHOW TRIALS

The Miami Herald (which is doing good work on the Gitmo show trials) has a description of some of the ways the military is ensuring that the Gitmo show trials don't lead to the release of any embarrassing information.

A defense lawyer lets slip at the war court convening here that a battlefield commander changed an Afghanistan firefight report in a way that seemed to help a U.S. government murder case. Reporters hear the field commander's name but are forbidden to report it.

In another case, a judge approves the release of a captive's interrogation video showing the blurred face of an American agent. But a federal prosecutor on loan to the Pentagon withholds it "out of an abundance of caution."

Even as the U.S. government edges toward full-blown, war-crimes trials by military commission here, with more hearings next week, all sides are grappling with what information can be made public and what must be kept secret.

Consider: A new courtroom here sequesters Pentagon-approved spectators behind a soundproofed window. If a terror suspect tries to shout about his treatment in U.S. custody, a military censor can mute the audio feed that observers hear.

Under rules that protect interrogation techniques, the Pentagon's war court won't let the reputed 9/11 architect, Khalid Sheik Mohammed, say he was waterboarded – something the CIA director, Air Force Gen. Michael V. Hayden, confirmed on Feb. 5.

This will, I suspect, make for a very interesting First Amendment case before the show trials are done (and yes, the ACLU is already working on just that thing). Until those cases work their way through the courts, though, I hope we see more articles like this. They expose the degree to which these are show trials. And the degree to which the military is worried about not just sensitive security information, but also embarrassing information such as the name of the Colonel who allegedly framed Omar Khadr for murder, will be released.

And if there were any doubt about the speciousness of the claim, compare what Gordon England says when he has a pragmatic reason to want to avoid showing Khalid Sheikh Mohammed publicly:

Gordon England, deputy secretary of defense, issued a memo banning the release of Guantánamo detainee photos. The Pentagon is bound by the Geneva Conventions not to humiliate detainees, it said, and “We respect the dignity of all persons.”

Then this, ‘Geneva Conventions prohibit the use of images that could be deemed ‘propaganda,’ and because I don’t know or can control what others may do with it – I don’t want to be in the position of violating the law – thus I’m exercising caution.”

With the seeming ubiquitous pictures of KSM just after he was arrested—in which he happened to look like the hairy drunk who lives next door.

I guess some propaganda is more embarrassing than other propaganda.