

# Bipartisan Revolt in Senate Defies Cheney Thuggery

by Edward Spannaus and Nancy Spannaus

A bipartisan group of Senators handed Vice President Dick Cheney and company a major defeat on July 26, when 48 Senators voted against ending debate of the Defense Authorization bill. Senate Republican Leader Bill Frist then pulled the entire defense bill off the Senate floor, rather than allow Republican-sponsored amendments to be adopted which President Bush had threatened to veto—a threat which Cheney had personally delivered in a meeting with senior Republican Senators.

At issue were a number of amendments to the defense bill, particularly those which would set standards for the treatment of detainees, including compliance with the Geneva Conventions, and one relating to the Pentagon's base-closing plans. Cheney—the embodiment of the “Imperial Presidency”—threatened a veto of any Congressional enactment which would “interfere” with the President's conduct of the war on terrorism, or his ability to shut down military bases.

The Senators who defied Cheney's threats on the military handling of detainees were not just any old Senators. They included John Warner (R-Va.), the chairman of the Senate Armed Services Committee, and two other members of the Committee, Lindsey Graham (R-S.C.), a former military prosecutor, and John McCain (R-Ariz.), who, as a prisoner of war in North Vietnam, was subjected to torture and brutal treatment.

All of this makes no difference to Cheney. According to a well-informed Washington intelligence source, Cheney and his staff are at war with Warner, McCain, and Graham, and Cheney is applying the “Bush Doctrine” (“you're either for us, or against us”) to these senior Republican Senators.

In seeking to legislate standards for detention and interrogation of detainees, the Senators were simply carrying out the mandate of the U.S. Constitution, which, in Article I, Section

8, gives Congress the authority to “make Rules concerning Capture on Land and Water,” and for the “Regulation of the land and naval forces.”

## Constitutional Authority

Among the amendments being offered to the Defense Authorization bill were the following:

- McCain Modified Amendment No. 1557, to provide for uniform standards for interrogation of persons under the detention of the Department of Defense.
- Warner Amendment No. 1566, to provide for uniform standards and procedures for interrogation of persons under the detention of the Department of Defense.
- McCain Modified Amendment No. 1556, to prohibit cruel, inhuman, or degrading treatment or punishment of persons under the custody or control of the United States Government.

These would seem to be coherent not only with the human rights standards of the United States, but also with the Geneva Conventions Treaty which the United States has signed, as well as good policy. But they conflict with Dick Cheney's agenda. In his meeting with the three senior Republican Senators on July 21, Cheney warned them that their bill setting standards for the treatment of detainees, would usurp the President's authority. According to the July 24 *Washington Post*, this is the second time that Cheney has met with them “to tamp down what the White House sees as an incipient Republican rebellion.”

## The Army Field Manual

What was most worrying to the Cheney gang at the White House, was the fact that they knew that other Republicans, as well as most Democrats, would support these Republican-

sponsored amendments. That's why Cheney's first step was to try to prevent McCain, in particular, and the others, from introducing the amendments at all. But, on Monday, June 25, McCain went ahead.

His statement on the floor of the Senate included the following:

"Let me begin by noting that the Army Field Manual and its various editions have served America well, through wars against regular and irregular foes. The Manual embodies the values Americans have embraced for generations, while preserving the ability of our interrogators to extract critical intelligence from ruthless foes. Never has this been more important than today in the midst of the war on terror.

"To fight terrorism it is obvious that we must obtain intelligence, but we have to ensure that it is reliable and acquired in a manner that is humane. To do otherwise not only offends our national morals, but undermines our efforts to protect the nation's security. Abuse of prisoners harms—not helps—us in the war on terror, because inevitably these abuses become public. When they do, the cruel actions of a few darken the reputation of our honorable country in the eyes of millions. Mistreatment of our prisoners also endangers U.S. service members who might be captured by the enemy—if not in this war, then in the next.

"The Army Field Manual authorizes interrogation techniques that have proven effective in extracting life-saving information from the most hardened enemy prisoners. It also recognizes that torture and cruel treatment are ineffective methods, because they induce prisoners to say what their interrogators want to hear, even if it is not true, while bringing discredit upon the United States. It is consistent with our laws and, most importantly, our values. Let us not forget that al-Qaeda sought not just to destroy American lives on September 11, but American values—our way of life and all we cherish. Now, as our friends in London and elsewhere find themselves confronting the same evil, preserving the common values we hold dear is more important than ever. We fight not just to preserve our lives and liberties but also our morals, and we will never allow the Terrorists to take those away. In this war that we must win—that we will win—we must never simply fight evil with evil."

On July 24, some 11 retired military leaders had issued a statement endorsing the McCain amendment to make "the interrogations of detainees in DoD custody to conform to the U.S. Army Field Manual on Intelligence Interrogation (FM 34-52), and prohibiting the use of torture and cruel, inhuman and degrading treatment by any U.S. government agency." The signers included former Congressman and Ambassador Douglas "Pete" Peterson, and two other former Vietnam POWs and retired Navy Commanders; they were prisoners in North Vietnam for six, seven, and eight years, respectively. Other signers were retired flag officers from all four uniformed services, including former Centcom chief Gen. Joseph Hoar (USM), and retired Adm. John Hutson,

whose testimony to the Senate Armed Services Committee in mid-July was excerpted in the July 29 edition of *EIR* magazine.

In their statement, issued as a letter to McCain, the military men wrote:

"It is now apparent that the abuse of prisoners in Abu Ghraib, Guantanamo, and elsewhere took place in part because our men and women in uniform were given ambiguous instructions, which in some cases authorized treatment that went beyond what was allowed by the Army Field Manual.

"Administration officials confused matters further by declaring that U.S. personnel are not bound by longstanding prohibitions of cruel treatment when interrogating non-U.S. citizens on foreign soil. . . . The United States should have one standard for interrogating enemy prisoners that is effective, lawful, and humane. Fortunately, America already has the gold standard in the Army Field Manual. Had the Manual been followed across the board, we would have been spared the pain of the prisoner abuse scandal."

## Frist Fails

Majority leader Frist, who owes his very political existence to Cheney, did his best to whip the troops into shape, but failed. When he called the cloture vote on June 26, the White House's estimate of its lack of control was shown to be true. Seven Republicans voted against Frist's attempt to shut down debate. They were Wayne Allard of Colorado, Susan Collins of Maine, Lindsey Graham of South Carolina, Trent Lott of Mississippi, John McCain of Arizona, Olympia Snow of Maine, and John Thune of South Dakota. As a result, the cloture vote wasn't even close, falling 10 votes short of what was necessary. (Three Democrats voted with the Administration.)

Nor were the military standards amendments the only ones Cheney had to worry about. Also filed was a motion by Sen. Carl Levin (D-Mich.), No. 1494, to establish a national commission on policies and practices on the treatment of detainees since Sept. 11, 2001. When it was filed, it was not at all clear if some Republicans would not join in that amendment on the floor, when it was voted on. In addition, the Administration faces a full-scale revolt from Republicans, led by Senator Thune, against the closing of military bases in time of war. And Sen. Kay Bailey Hutchison, Republican of Texas, is on the rampage against the closing of veterans hospitals, 18 of which are on the Administration's chopping block, during a time of war.

At present, all of these amendments remain live, and open for debate, at the point the Administration seeks to push through the Defense Authorization bill. Democratic Senate leader Harry Reid has proposed that debate and votes occur in August, by extending the Congressional session. The Administration clearly hopes time will be on its side, in trying to smash the opposition before the bill comes up for a vote, and has acted to put off the vote until after Labor Day.