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Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Would His Father Have Come Forward If He Thought Torture Loomed?

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It took a great deal of courage for Alhaji Umaru Mutallab, the father of the alleged Christmas bomber, to walk into the US embassy in Lagos, Nigeria in November, and warn officials that his son had become radicalized. A year ago, he might not have trusted the United States enough to do so.

When President Obama took office he immediately announced the closure of the secret prisons operated by the CIA that had been the site of torture and other ill-treatment of detainees in the name of the Bush administration's "war on terror." Before the 9/11 attacks, the United States had a global reputation for treating prisoners justly. Detainees who had been picked up by the US during the early days of the conflict in Afghanistan have reported being tremendously relieved to discover their captors were American because they believed the Americans, unlike soldiers from many other countries, would treat them humanely. Sadly, they were frequently mistaken.

The Bush-era regime of secret detention, abusive interrogation and indefinite detention without trial seriously jeopardized the United States' ability to fight terrorism. Interrogators were given the green light to use never-before sanctioned abusive methods to try to obtain information from suspects, despite evidence that abusive and coercive interrogation produces bad information. Much of the intelligence that interrogators gathered was later shown to be false or insignificant. At the same time, US abuses against prisoners at Abu Ghraib and Guantanamo angered many Muslims, serving as a recruiting tool for militant groups in Iraq and elsewhere. In the end, the very actions that the US government claimed would make the country safer instead endangered it further.

The US' regaining of its moral authority began with the announced closure of the secret prisons and the one year deadline for closing Guantanamo. While there remains much to be done, the Obama administration's movement towards restoring the rule of law with respect to the United States' treatment of terrorism suspects has already had positive effects. Ask yourself this: *If the US still operated secret prisons, and the legal regime that permitted torture were still in place, what father would warn the US authorities that his own son posed a threat?*

If Alhaji Umaru Mutallab, a prominent Nigerian former banker, thought his son might be whisked off to a secret prison and interrogated for months or even years without access to a lawyer, he would surely have been less likely to walk into that embassy in Nigeria and provide information about the danger the United States faced. A lot of things went wrong in the months leading up to the attempted Christmas bombing, but one thing went right: a worried father saw the US as an ally rather than an enemy.

Mutallab's willingness to come forward and warn the US embassy in Lagos illustrates how important the US' global reputation is in fighting terrorism. An important way to thwart terrorist attacks is to win the trust of those who might alert the United States when they suspect something is underway. On July 21, 2005, just two weeks after the deadly bombings of London's public transport system, information from relatives of would-be perpetrators and tips from the general public led to the arrest of those responsible for the attempted second set up bombings. Similarly, in August 2006, a British Muslim who found an acquaintance's behavior suspicious led the police to discover a plot to bomb several transatlantic flights using liquid explosives.

It is only by working with allies around the world that the US can hope to obtain the sort of intelligence information that should have stopped Abdulmuttallab from ever getting on that plane. As has now been made very clear, our allies are not only government intelligence agencies; they are also ordinary men and women who want to keep the world safe.

Abdulmuttallab apparently intended to die on Northwest Airlines Flight 253. He probably never spent a moment thinking about what might happen to him if he failed. But fail he did, and his immediate transfer to the criminal justice system, including getting access to a lawyer, has surely been noted around the world.

Treating terrorism suspects as criminal suspects is not only about the individual, it is also about the government that detains them. A government that treats suspects fairly, questions them lawfully and prosecutes them vigorously and justly, is a government that can rely on allies and partners around the world in the fight against terrorism. If the US maintains its renewed commitment to using the time-

tested federal courts for prosecuting terrorism suspects, along with addressing weaknesses in intelligence-sharing systems, the next Abdulmuttallab will be much less likely to ever make it onto a plane.

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