

David M. Brahms: Guantánamo

Gitmo, that's the sobriquet that we Marines use for the Naval Base at Guantánamo, Cuba. A godforsaken place that spawned the events portrayed in the movie, "A Few Good Men." Gitmo, a long distance from Carlsbad, California where I chose to hang my hat after retiring from the Corps, far enough away to be totally out of my "brain-housing-group." Then a call from Rear Admiral John Hutson urging me to sign on to an amicus brief pertaining to one confined at the godforsaken place.

He wants me to speak up on behalf of a detainee who has been labeled an enemy of our country. It would be crazy to get involved with such. I live in a red area; liberals meet in telephone booths. My reputation, grounded in my long service to country and Corps, could be at stake and my work, defending military accused before courts-martial, could be placed at risk. I would be violating a fundamental tenet of taught by my mother: don't become controversial. No reason to sign on to this damned fool cause.

The admiral was insistent and a civilian attorney from a hi-falutin' Chicagolaw firm, Gary Isaacs, added his voice to the chorus and I surprised myself by saying yes. If you asked me at the time, I couldn't tell you why I did so; the best that I could have done is to say that it feels right. Now I can articulate the why.

My zeyde (Yiddish for grandfather) was a Latvian Jew who came to America shortly after the turn of the twentieth century. He came for the dream. Unlike his country of birth, the American rule of law kept at bay those who would out of hate prey on him and gave him a chance to live that dream. The rule of law is what distinguishes our country. It applies to all: minorities, the downtrodden and even to those who are alleged to be bad men.

I said yes, because the voice of my zeyde told me to. I did his bidding and became a part of defending the American way against those who would sully it for parochial ends.

Having joined the fray, the angst did not go away. Was I helping enemies of my country? Was there an imperative to act in ways that only seemed to be unlawful, but weren't. Shouldn't the president have a free hand to do whatever he believed was necessary to protect us against attack, to preserve the well-being of the nation? Perhaps there was a credible ticking time bomb scenario? Maybe I didn't have all the information I needed to make an informed choice.

Was I playing into a scheme by our enemies to use the law to color darkly the actions of our executive branch, to embarrass the nation? Was what appeared to me at the outset to be so right, really wrong? Was the law as bright-line as I thought it was?

Invited to be an expert witness on behalf of one of the Gitmo detainees, I said no. I can't help someone who was suspected of acting against our nation. Shortly after

communicating that decision there was a “huh moment.” There is no distinction between helping the detainees by speaking out against the manner in which they were being treated generically and testifying to that very matter in an individual case. Have I become a partisan intellectual dilettante, playing a game grounded in political distaste for the Bush administration, rather than speaking as a matter of conscience?

Notwithstanding all this angst, I stayed the course. The insistent voice of my grandfather was the constant. Thank you zeyde for helping me see what was right.