

# None dare call them prisoners

*America could use a little less compassion and a lot more force at Gitmo.*

BY RICHARD MINITER

**GUANTANAMO BAY, Cuba** - Military officers are forbidden to use the word "prisoners" when describing the 440 terrorists housed here. (The preferred term is "detainees.") But they talk about them constantly.

A favorite story: a detainee who lost a leg fighting S.S. forces in Afghanistan was given a prosthetic leg. Now he is back in Gitmo's base hospital because he broke his good ankle playing soccer. This detainee tale, usually told with a chuckle by uniformed officers, sums up America's absurd and politically correct exercise in terrorist detention.

There is little doubt this strange tale is true. Rear Adm. Harry B. Harris Jr., who commands the joint task force that guards and interrogates the Gitmo detainees, confirmed it to me. The military appears to like this story because it seems to show its good side: "Look, free medical care! Soccer fields! Fun in the sun for hardened terrorists! See how we care! Our critics couldn't be more wrong!"

The story also reveals something far more troubling, like what happens when a president and his staff listen too closely to critics who have quietly lost their minds. Some have compared Guantanamo to the Soviet Gulag, others to Nazi Germany. Even a brief visit to Gitmo reveals how delusional those critics are. Hint: the Gulag didn't provide Soccer fields and free dental care, and concentration-camp survivors did not gain so much weight that the Nazis had to treat them for diabetes.

Indeed, sometimes it seems those compassionate conservatives in the White House have also lost their minds. Striking the balance between humane treatment for detainees and foreknowledge of deadly attacks to save American lives is difficult, but the Bush administration seems to lean too far in the direction of the detainees. That means America might not be learning all it could about future attacks, thereby risking lives.

No reasonable person could say these detainees are mistreated, let alone tortured. Detainees are entitled to bottled water anytime they request it, day or night. Detainees are entitled to a full eight hours sleep and aren't to be awoken for any reason, except fire. They enjoy three meals and five prayers per day, without interruption. They are entitled to a minimum of two hours of outdoor recreation per day (some enjoy as many as 12 outdoor hours per day). Forget convicts - these detainees live better than many working Americans.

Respect for the detainees' religious rites could not be stronger. The caged terrorists hear the call to prayer five times per day. In one model cell I observed, the Koran dangled from the bars inside a surgical mask. The U.S. military provides the Koran in 11 languages. When I asked if I could pick up the Koran (I wanted to verify it was too big to fit down the cell's toilet), the guard told me I was forbidden to touch it. Why? He explained that non-Muslims may never touch Islam's holy book. Funny – I didn't know that Islam is now the established religion of the United States.

Of course, the U.S. taxpayer generously pays Muslim chaplains to minister to the detainees. Orange pylons in cell-block halls prevent guards from accidentally disturbing Taliban and al-Qaeda prisoners at prayer.

Finally, while detainees hear the call to prayer five times per day, they object to hearing "The Star-Spangled Banner" over camp loudspeakers.; a tradition at sundown on the U.S. base. So the military brass agreed to turn it down.

Food is strictly *halal*. (The guards eat the same chow as the detainees, unless they venture to one of the on-base restaurants.) Detainees have a choice of four *halal* meals (the Islamic version of kosher): standard, vegetarian, vegetarian with fish, and bland for those with digestive issues: A typical detainee meal, which I consumed at Gitmo, consists of rice, chicken, pita bread, an Arabic-style salad, Yoplait yogurt (Mountain Blueberry in my case), two juice boxes of Fruit Blasters brand orange juice, and a whole orange. I couldn't eat it all, but somehow they do.

This diet amounts to some 4,200 calories per day. On this meal plan, one detainee, who arrived at Gitmo weighing some 225 pounds, ballooned up to 405. Gitmo medical personnel say the average body-mass index of detainees has swollen from 23.3 to 26.4, from skinny to moderately obese. Weight gain is becoming a major problem, a camp doctor admitted, adding that he already treats a number of detainees for diabetes.

No expense is spared for al-Qaeda health care. Some 5,000 dental operations (including teeth cleanings) and 5,000 vaccinations on a total of 550 detainees have been performed since 2002, all at taxpayer expense; Eyeglasses? Nearly 175 pairs have been handed out. Twenty-two detainees have taxpayer-bought prosthetic limbs, mostly legs. Even depressed al-Qaeda fighters are prescribed Prozac. American Legion National Commander Paul A. Morin, who toured Camp Delta last February, has said the detainees receive better health care than many of our nation's veterans.

What if a detainee confesses to doctors a weakness that might be useful to interrogators, such as a fear of the dark? I asked the doctor in charge if he would share that information. "My job is not to make interrogations more efficient," he said, firmly. He cited doctor-patient privacy. (He also asked that his name not be printed, citing the potential for al-Qaeda retaliation.) Like the lawyers we will meet later, he seemed to put his professional ethics ahead of national security. Given that the doctor is a U.S. soldier, this is misguided.

Interrogations are limited to four hours and usually last two. And they are interrupted for prayers. A detainee can end an interrogation at any time. Interrogations are not video- or audio- recorded, perhaps to preserve detainee privacy. Interrogators are forbidden to threaten a detainee in any way. His food, water and Koran can never be taken away. All the military can do is confiscate his toothbrush and other "comfort items."

The only tool left to interrogators is bribery. Of course, this means little to them -- they didn't use toothbrushes in Afghanistan. One interrogator actually bakes cookies for detainees, while another serves them Subway or McDonald's sandwiches. Both are available on base. (Filet O' Fish is an al-Qaeda favorite.) No one seems to notice the "treat" offered to al-Qaeda is *non-halal*.

A multi-cell al-Qaeda network has emerged in the camp, Harris admitted to me. Military intelligence can't yet identify its leaders, but Harris notes that they have cells for monitoring the movements and identities of guards and doctors, as well as cells dedicated to training, recruiting, planning, for making weapons, and so on.

And they can make weapons from almost anything. Guards have been attacked with springs taken from inside sink faucets, broken fluorescent light bulbs and fan blades. "These folks are MacGyvers," Harris said.

Accidentally or not, U.S. lawyers are helping al-Qaeda prisoners continue to plot. Some 1,000 lawyers represent 440 prisoners. That translates to almost 2.3 lawyers per detainee, all working *pro bono*, and some of them toil away in the nation's largest law firms. These attorneys sent more than 18,500 letters into Gitmo to their clients in the past year. Detainees use the envelopes sent to them by their attorneys to pass messages. Guards are not allowed to look inside these envelopes because of "attorney-client privilege," even if they know the document inside is an Arabic-language note written by a prisoner and not a legal letter. When I asked an intelligence officer if the lawyers were asked if they could simply staple their letters shut instead of using envelopes, he said such proposals were rebuffed. They could use envelopes to contact their criminal clients in the United States; they couldn't see why their clients at Gitmo deserved anything less.

There is little doubt of the purpose of such note-passing and weapons-making. The military recorded 3,232 incidents of detainee misconduct between July 2005 and August 2006 -- an average of 8.8 incidents per day. These include 432 bodily fluid assaults (urine, feces, or a mixture of the two), 227 physical assaults, 99 food or water assaults, and 90 other physical assaults, such as stabbings.

One detainee slashed a doctor who was trying to save his life; now doctors must wear body armor to treat their patients. The "Manchester Document," an al-Qaeda training manual discovered in the United Kingdom in 2000, spells out what "the brothers" should do if imprisoned by a Western government. The short version: lie about torture and mistreatment, constantly assert their innocence, and use every legal loophole to tie the enemy (us) in knots. Does anyone doubt al-Qaeda has followed its playbook?

Last September, Gitmo received its first new arrivals in two years, when Sept. 11 architect Khalid Shaikh Mohammed and 13 other "high-value" detainees were transferred from CIA custody to the Department of Defense. This may be the start of a trend. The Bush administration seems to be determined to give all al-Qaeda terrorists a shot at legal tribunals

Are we concerned that some detainees may be innocent? You can rest easy. Most were captured on the battlefield, gun in hand. They are innocent only in the legal sense that everyone is innocent until proven guilty. A small warehouse in Gitmo houses what intel types call "pocket litter," a term that includes everything a detainee had in his hands or on his person at the moment of capture. One admitted al-Qaeda financier who said he moved some \$168 million for the terror network over the years was captured with more than \$500,000 in cash, in various currencies. Another was captured with bin Laden's personal satellite phone. Many were captured with notebooks containing bomb-making recipes. And so on. Twenty detainees have direct personal knowledge of the 9/11 attacks, and nearly all praise the atrocity. At least 20 detainees released from Gitmo have been killed or recaptured fighting allied forces.

Do you suspect that the information that the detainee passes is stale? Think again.

Abu Musab Ubaydah al Masri, an al-Qaeda chief in the Kunar province of Afghanistan, was captured Nov. 6, 2005, in Pakistan, based on information obtained from three Saudi detainees in Gitmo, Harris said. They even guided a police sketch artist in drawing his face.

Much has been written about the elaborate and unprecedented appeals process. Detainees have their cases reviewed once a year and are granted rights roughly equivalent to criminals held in domestic prisons. In what previous war were captured enemy combatants eligible for review before the war ended, I asked a military legal adviser. None, he said.

There is no solitary confinement at Gitmo. Detainees, can and do talk freely to each other in other cells, even in the maximum security camp. When I asked a guard about it, his response was priceless and typical: "We can't stop people from talking. It is inhumane."

As the terrorists chatted freely around us, I looked at the young MP and thought, "Even if they are plotting your death?"

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