

December 14<sup>th</sup>, 2007

## ***The Torture of Abdul Hamid al-Ghizzawi***

**By Leonard Fein**

Here is a thought experiment: Imagine what it would have meant for America today had these steps not been taken, had the military remained segregated. Plainly, and in addition to the continuing insult to black Americans and the reduced effectiveness of the military itself, the nation would be markedly disadvantaged on the world stage.

The time when formal racial discrimination could be indulged in by an international power was plainly over (and then some). And it was just 44 years ago that such discrimination was terminated.

Now flash forward 44 years. Is it thinkable that the United States, if it seeks to remain a great power, can still persist in its violation of international law and common codes of decency, claiming to itself the right to torture people it thinks may have information that would help defend this nation from its enemies?

Well, perhaps you will say that if there's a ticking bomb and the only way to find where it's been hidden is to torture your captive, torture may be excused. Surely we do not torture gratuitously, without some urgent (albeit inherently inadequate) purpose?

But: Consider the case of Abdul Hamid al-Ghizzawi, a Libyan meteorologist who has now been held in Guantanamo for more than five years. Al-Ghizzawi has had hearings before two Combatant Status Review Tribunals.

A November 2004 tribunal unanimously determined that there was no factual basis for concluding that he should be classified as an enemy combatant. Ordered to re-open its hearing, the tribunal came again to the same unanimous conclusion.

Shortly thereafter a second tribunal was formed and held a hearing in Washington, D.C. — without the knowledge of Al-Ghizzawi — and decided to find him to be an enemy combatant, this despite the fact that no new evidence was introduced.

It is impossible to say how many of those being held in Guantanamo are, indeed, enemy combatants. The processes that would tell us that are deeply flawed, deeply and fatally. (See, for example, the testimony of former Lieutenant Colonel Stephen Abraham before the House Armed Services Committee on July 26, 2007.)

But it is possible to know what happens in Guantanamo. We know about Al-Ghizzawi because of a detailed statement of the Committee on Human Rights of the National Academy of Sciences, the National Academy of Engineering and the Institute of Medicine.

Since Al-Ghizzawi arrived at Guantanamo, his health reportedly has deteriorated dramatically. He evidently suffers from hepatitis B and tuberculosis, but has received no medical treatment for either condition despite his repeated requests and those of his lawyer.

On December 7, 2006, he was among several hundred detainees randomly selected and moved to the newest detention camp at Guantanamo, Camp 6, which was designed to hold the majority of the detainees. According to Amnesty International, and in contravention of international standards, all detainees in Camp 6 are held under conditions of “extreme isolation and sensory deprivation for a minimum of 22 hours a day in individual steel cells with no windows to the outside.”

Their cells reportedly are extremely small. The only source of light is fluorescent lighting that is on 24 hours a day and the only air is air-conditioning, both of which are controlled by the prison guards. The detainees reportedly are allowed two hours of “recreation time” a day to be spent in a metal cage measuring four feet by four feet. (That’s 1/3 the size of a ping-pong table.)

Al-Ghizzawi’s lawyer says that his guards frequently give him his “rec time” in the middle of the night or, sometimes, in the middle of the day when the cage is in the hot sun. Detainees in Camp 6 have no access to radio, television or newspapers. They are given one book a week.

According to his lawyer, Al-Ghizzawi’s eyesight has deteriorated so significantly that he is now unable to read. Thus he now spends his time pacing in his cell. All of the detainees at

Guantanamo reportedly are forbidden telephone calls and family visits, and most are not allowed to touch another human being. The detainees are not given any blankets. Their only cover is a plastic sheet.

There is no reason to believe that Al-Ghizzawi's treatment is exceptional. If his is at all an exceptional case, it is exceptional because he has twice been unanimously declared not to be an enemy combatant.

Cannons of crisis, behind us, before us, volley and thunder, deafen our sensibilities. It is hard to focus on one man unjustly tortured — for surely the circumstances of al-Ghizzawi's detention amount to torture — or even on hundreds perhaps unjustly held, cruelly treated.

And it is hard to know how much damage Guantanamo does to perceptions of America by others, to our blundering effort to “win the hearts and minds” of people worldwide. (The end of segregation in the military, many historians believe, owed less to Truman's courage than his concern with international opinion, what with the Cold War and the emergence of the Third World.)

The CIA destroyed the tapes of its interrogations; we can only speculate regarding what horrors they contained, what disgust they'd have provoked. But there's horror aplenty that continues, with our permission, 24/7 — torture of named people in a named place.