George Daly

Island God of Torture

One night in August 2005 I read in the quarterly magazine of the American College of Trial Lawyers that the Center for Constitutional Rights in New York was looking for lawyers to represent prisoners at Guantánamo. I knew right away that I wanted to do it. I got in touch with my friend and fellow ACTL Member Jeff Davis, and he promptly agreed to join with me.

It took us nine months to get permission to visit our client. When we were finally cleared to go, Jeff and I decided that I would make the first visit. There are rampant tales of CIA agents trying (and sometimes succeeding) in tricking information from prisoners by falsely posing as their lawyers. I am well beyond the age of being a CIA agent and what hair I have is white, so we thought I would have a marginal advantage in convincing the client that I was truly his lawyer and not a government spy. And so one afternoon in the middle of May 2006 my translator and I left Fort Lauderdale in a driving rainstorm on a sturdy old LynxAir eighteen-seat metroliner that still has ashtrays in the seat armrests. We beat southeastward through the clouds for two hours, flying between Cuba and Haiti, then turned westward for half an hour underneath Cuba and then finally northward to Guantánamo. At the end of the final descent we banked in steeply to the runway so as to avoid overflying the guard tower that marks the boundary between Guantánamo and Cuba.

The next morning we were met by a Navy Chief, a pleasant enlisted man from the south side of Chicago who was to be our military escort for the day. He said he would take me to get my identification badge before we went to the prison. I knew the Chief was charged to stick close by us all day, so I started talking trash with him, hoping to get on his good side.

"Now Chief, if you're from the South Side of Chicago, you must be a bad dude."

"No worse than all the rest down here."

"Does that include the lawyers?"

"Hey, what is this, am I on trial? Come on, I got to get you badged."

"What's all this badge crap about?"

"They got to keep track of you while you're down here."

"But Chief, I don't like badges. I don't like having my picture taken. What if I just refuse to get a badge?"

"Well, 'refuse' must be the word for the day, because your detainee has refused to meet with you." Then he added, "Don't take it personally, this has happened before."

It was like being told a friend had died. I felt numb and we all were silent for a while. Then the Chief once again: “Maybe he’ll agree to see you tomorrow. That happens sometimes. Send him a note asking him to.”

The Chief took us to get a cup of coffee and let us talk things over. After a few minutes discussion I took my translator’s advice—he was a veteran down there—and we sent the prisoner a short letter asking him to see me the next day.

Happily the next day he agreed to meet. These meetings take place at “Camp Echo,” military language for Prison Camp E. From the outside Camp E looks like an ordinary county prison. There is an eight-foot chain link fence topped with barbed wire and then concertinas of razor wire. Inside the gate a highly serious enlisted woman searched us and had us sign in. Then we were escorted into an interior rectangular courtyard. If I had been dropped there from Mars, I would have instantly know I was in a military prison and not a civilian one. The entire courtyard except for the sidewalks was covered with blindingly white, neatly raked pea gravel. In a civilian prison this courtyard would have been packed dirt and occasional grass, and would have been used by the prisoners to exercise, smoke, and stand around. Here it was being used to project order and power. Sidewalks bisected the courtyard, forming four rectangles. Along the perimeter of each rectangle the gravel had been meticulously raked into low dikes or levees with sloping sides, about six inches high and six inches wide. They were perfectly flat along the top and down their sloped sides. The formed the four rectangles into four picture frames without pictures. Before we came into the courtyard we had been told not to get off the sidewalks. I’ve since heard other lawyers were told there were minefields inside the picture frames. Blinded by the whiteness of the courtyard I unwittingly stepped on one of the dikes. Nothing exploded. Everyone stopped for a moment but nobody said a word.

Afterward the interview with the client was over. Heading back to the ferry in our military jitney, the thought of Ryoanji exploded in my head. Ryoanji is a Zen monastery in Kyoto. Its courtyard contains several large stones surrounded by neatly raked white sand whorls. Like the courtyard at Camp Echo it is there to be looked at, not walked on. But it was the difference in their messages that so lanced me, the Zen message of quiet contemplation and the Echo message of power and order. Both courtyards are sacred spreads, but one is sacred to the Zen god of contemplation and interior knowledge, the other to the Devil’s Island god of torture. One is for liberation. The other is for domination.

Three weeks later, my client committed suicide. I don't know if he ever got the note I tried to send him. I don't know if anyone ever told him he was on the verge of being sent home. I'm still trying to find out via an FOIA suit—which of course is dragging on and on.