



Written by [Thomas R. Eddlem](#) on January 27, 2009

Phony Guantanamo Recidivism Numbers?

Now experts in the matter are suggesting that the [Pentagon study exaggerated the number](#), as has happened in the past.

Seton Hall Law School Professor Mark Denbeaux has authored a [study](#) on the Pentagon's claim, including an exposé of exaggerated Pentagon statements back to March 2004 about Guantanamo detainees who allegedly went "back into the battlefield" against Americans. Denbeaux found that some so-called Guantanamo recidivists had never appeared on any official list of Guantanamo prisoners. Although the government number has been more marked by a lack of names and specifics, Denbeaux proves that the majority of alleged recidivists who were named by the Pentagon had not conducted attacks against Americans or coalition members. Counted among the recidivists are people who had been arrested or killed by governments in Russia, Turkey, and Morocco for unspecified reasons.



Most troubling of all is Denbeaux's reprint of a July 12, 2007 Pentagon press release entitled "Former Guantanamo Detainees Who Have Returned to the Fight." The press release, which was removed from the Defense Department website, included non-combatants among those who were alleged to be conducting "anti-coalition militant activities." The press release read in part: "Although the US government does not generally track ex-GTMO detainees after repatriation or resettlement, we are aware of dozens of cases where they have returned to militant activities, participated in anti-US propaganda or other activities through intelligence gathering and media reports. (Examples: Mehsud suicide bombing in Pakistan; Tipton Three and the *Road to Guantanamo*; Uighurs in Albania)."

That the Defense Department would lump in the "Tipton Three" is revealing. These three British friends were imprisoned unjustly for two years in Guantanamo and have lived without incident in England since their release. Their "anti-coalition militant activity" consisted solely of consenting to be interviewed for a [critically acclaimed](#) video documentary on their imprisonment, *The Road to Guantanamo*. Denbeaux writes: "For the Department of Defense, however, the men's participation in *The Road to Guantánamo* — in the absence of any other allegations — appears to be enough to justify their inclusion among the 'at least thirty former GTMO detainees [who] have taken part in anti-coalition militant activities after leaving U.S. detention.'"

Equally troubling is the Defense Department's listing of the released Uighurs, who were completely exonerated by an internal military hearing. They've done nothing wrong. However, one of them wrote



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an [op-ed column](#) for the *New York Times* proclaiming that “I was locked up and mistreated for being in the wrong place at the wrong time during America’s war in Afghanistan.” He also said in the same editorial: “The United States [is] a country I deeply admire.”

That’s “suspected of going back into the battlefield”? Only if you are delusional.

But there’s a lot of that going on at the Pentagon these days. Yes, there’s more. Pentagon press spokesman [Geoff Morrell gave the following explanation](#) during questioning during that same January 13 press conference:

Q. Geoff, when these numbers have been released in the past, there’s been discussion among critics that, actually — that this should not be titled recidivism, but that, possibly, some of these individuals may have turned to terrorist activities as a result of the treatment or their detention at Guantanamo — in other words, that they may have — not have had these inclinations prior to having arrived there.

MR. MORRELL: So they were innocently picked up on the battlefield, or —

Q. Well, is that something that you’re willing to potentially acknowledge, that maybe —

MR. MORRELL: I have no — I have no reason to acknowledge it at this point. I’ve seen no indication that that — to be the case.

Q. But is there — are — is there confirmation that, in these numbers — that every one of these individuals was deemed an enemy combatant and —

MR. MORRELL: Well, if they were being held at Guantanamo Bay, they were being held there for a reason.

Q. And why were they released?

MR. MORRELL: Because, at some point, somebody made a decision that they were no longer deemed to be a threat, or that the country that they were being returned to would have been responsible for their safekeeping.

In short, though claiming that the released Guantanamo detainees are recidivistic, the Bush administration is either admitting its vetting and release process for prisoners is inept and that that guilty persons are regularly released, or that former Guantanamo detainees who were innocent of any wrongdoing are, in fact, holding a grudge and joining terrorist groups when they are released. Morrell indicates that the former is the case when he says that “they were being held there for a reason.” He implies that no innocents were arrested and detained.

But Morrell is lying, and he knows it. There are plenty of well-publicized cases of innocents at Guantanamo. Here are a few: [Murat Kurnaz](#), [17 Chinese Uighurs](#), [Mustafa Ait Idir](#), [Muhammad Saad Iqbal](#), and [the Tipton Three](#).

We know that coalition forces employed unreliable bounty hunters to apprehend most Guantanamo suspects. Denbeaux proved that two years ago in [a different study](#) using the Pentagon’s own statistics. The fog of war is far more fitted to the detention of innocents than ordinary police actions.

When the United States detained innocent people, didn’t give them a hearing to prove their innocence, and then tortured them, there’s bound to be some hard feelings. Not everyone is going to be as mild as that Uighur who wrote for the *New York Times*.

Most people would understand this if they try to imagine themselves being imprisoned away from their family for five years or more of torture and isolation. It’s not just the five years of torture, it’s the loss of five years of children’s birthdays, wedding anniversaries, and hardships placed upon family members.



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Even if we accept at face value the Pentagon's highly questionable figure of 11 percent recidivism among Guantanamo inmates, that's a lot lower than the recidivism rate among American convicts for just about any crime tracked by the FBI. That hardly sounds like the "[worst of the worst](#)."

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