

Chapter 1

Mukhtar Sheik Mohammed, clad in an orange jumpsuit, shuffled his shackled feet into Courtroom 10-D of the United States Second District Court. In the early warming days of May all of Manhattan was tense as the first trial of Guantanamo's "Notorious Seven" entered its second week. The pretrial motions and jury challenges were last week's history, but not the prosecution's litany of alleged terrorist attacks. It was 2016, thirteen years since his capture, and Mukhtar was determined to enjoy finally having his day in court. With a slight smile, he mouthed the words as the prosecutor led into the testimony of his prime witness. "... the 1993 World Trade Center bombings, the 2002 attack on the US Bank Tower, the Bali nightclub bombings, the American Airlines Flight 63 bombing, the Millennium Plot, the murder of Daniel Pearl, and the 9/11 attack on the Twin Towers." All painted as heinous acts, but to Mukhtar an impressive resume.

Once the prosecutor finished his pitiful attempts to condemn him for eternity, Mukhtar slouched down into his chair; his hands prayerfully peaked under his mustache, preparing to listen intently to the testimony of Captain Raul Roberto. He remembered. He remembered it all, but he wanted to hear every miniscule detail again and again, to fuel the fire of his revenge. "Now Captain Roberto, from your interrogation of the defendant, you have determined that the defendant was responsible for the planning and funding of attacks, is that correct?"

Mukhtar's eyes left the prosecutor and latched onto the soft-faced Army captain looking confident and self-assured. Mukhtar's lips curled as he listened and his mind returned to those sessions, the interrogations at Camp X-Ray. Beads of sweat broke out on his forehead as he recalled being strapped to the narrow board, his feet raised and head lowered over a basin of foul water, and Captain Roberto's face hovering over his.

There had been four soldiers with Captain Roberto in that tiny dark room. The soldiers waited while Roberto leaned over Mukhtar and asked, "Cozy?" Then, smiling, he added, "Raise his feet more. We want him to feel the full effect."

Roberto reached out his hand; a soldier placed a thin wet towel into it. He held it there, water dripping from its edges, over Mukhtar. Mukhtar felt the cold drops piercing his thin jumpsuit. He tried to suppress his emotions, but he could not. He was afraid and he had never felt fear like that. His eyes widened. Was he a coward? Had he always been a coward? No ... no, he must not show fear. *Allah, calm my spirit!*

"Now Mohammed, before I place this cloth over your face, you can tell me about your, shall we say adventures, and save on water. Or we can go ahead with this ... uh ... therapy, and you will tell us anyway."

A scream was all that emerged from his gagged mouth. Against all his efforts of control, his body quivered and squirmed against the coarse bands that secured him, one over his forehead, others over his arms and legs, and still another holding his torso to the board.

Watching him, Roberto smirked. "Oh I forgot, you're gagged. Well, fuck you, you shit, you're going to get it anyway!" He placed the towel tightly around Mukhtar's face, and motioned for one guard to hold it there while another dipped a pitcher into the foul pool and poured the contents over the cloth. Mukhtar screamed and gasped. His entire body strained against the bindings, his back arching off the board.

The captain raised his hand, and a soldier removed the towel from Mukhtar's face. He spit out the sodden gag, gasping and choking, and stared in narrow-eyed defiance at the cherub face.

Mukhtar found himself still staring when he shuttered back to reality, prompted by the sound of

the judge's deep, mechanical voice. "Your witness, Mr. Hussein."

"Thank you, Your Honor," his attorney said as he rose from his chair. Unlike the other lawyers for The Seven, all of them lawyers from the Center for Constitutional Rights, Hussein Rashid was Saudi. He was a portly man, fastidious in a black suit, who had a confident, almost arrogant air about him as he said, "Now Captain Roberto, you have testified that my client was responsible for planning the long list of attacks cataloged by the prosecution, is that correct?"

Mukhtar sat up in his chair, the thumbs of his clasped hands stroking the corners of his mouth to hide the growing grin. Rashid was a brilliant lawyer, but these were Mukhtar's words. Rashid was only the messenger. He could feel the tempo grow as the captain replied, "Yes sir, that is correct."

"Now, for the moment, let's consider just one of those attacks. The 9/11 attacks. The attacks on the buildings known as the Twin Towers. You have testified that my client planned and funded these attacks, is that correct?"

"Sir, that is correct."

"What is the basis for your testimony?"

"Sir, excuse me, sir?" Mukhtar was delighted at the hint of confusion in the captain's voice.

"Were you in the room when the defendant made statements that would lead you to believe that he was planning a terrorist attack?"

"No sir. It's based on the results I obtained from my interrogations, and on several classified documents we obtained that together linked him to the attack."

Mukhtar's eyes brightened. *Excellent, excellent, nibble-nibble my fish.*

"You more than just 'linked' him, did you not?"

"Yes sir. These documents indicated that he was the architect of the attack plan. He was also directing their activities, and providing funding to Mohamed Atta, Harwan al-Shehhi, Hani Hanjour, and the others involved in the attack."

I did more than that. The lazy camel herders did nothing but drink beer and talk of flying ponderous planes.

Rashid walked back to his desk and picked up some documents sheathed in plastic. "Your Honor, I would like the witness to review the prosecution's exhibit twenty-three. This is one of the alleged documents mentioned by Captain Roberto." He handed the documents to the captain.

Mukhtar's eyes met Rashid's and flashed him a spurring nod of approval as he continued.

"Now, Captain, would you describe these documents for the court?"

"Yes sir.... Sir, these are e-mails from classified sources."

Rashid smiled and shook his head, "No, I mean ... ah, perhaps it is the language. I meant, could you give a physical description of these documents?"

"Yes sir, I understand sir. They are hard copies of e-mails received at CENTCOM regarding the defendant's activities. It consists of about thirty redacted lines—"

"Redacted?"

"Yes sir. The classified information is blacked out."

"Can you read for me from whom this e-mail is?"

"No sir, I can't. As I said, it's classified, so it's blacked out."

"Ah, I see. Blacked out. Then perhaps, Captain, can you point to the line where the evidence could be read, if it wasn't blacked out?"

Yes, yes, that's it. Of course he can't, the fool. Mukhtar's fist tightened on the arms of the chair. *Go ahead, answer. Answer!*

"No sir, I can ... I cannot."

"Come, come now Captain. You have been over these documents many times. You are very familiar with them, are you not?"

"Yes sir, that's ... that's true I guess."

"Then you should be able to point to the line where the incriminating statements were made."

Mukhtar could see that Roberto was nervous; beads of sweat were forming on his forehead and his tan uniform showed darkening under the armpits. He studied the first document, then, biting his lip, he tentatively pointed to it.

Mukhtar pulled down tightly on his mustache, suppressing a victorious cry, feeling the prosecution's arguments crumbling like clay.

"Your Honor, if it pleases the court, let it be recorded that the witness pointed to line five of the document," Rashid said. "Now Captain, to what action does this line five refer to specifically?"

"Sir, I don't recall sir."

"I see. Well, no matter."

Mukhtar nodded ever so slightly, signaling that Rashid should begin the next leg of the attack. "So now Captain, you have stated that what you learned from the defendant during interrogation led you to this document and others like it. Is that correct?"

"Yes sir, I believe so, sir."

"Ah, good. Now, these interrogations involved the use of some drugs, did they not?"

"Yes sir. Medically supervised drugs were administered to make the defendant more cooperative—"

"More cooperative, you say? You mean, willing to say anything to avoid further torture."

Mukhtar's eyes narrowed. He was pleased with Rashid, and now looked for the response he had hoped to hear.

The prosecuting attorney, Hamilton Blair, jumped to his feet. "Objection, Your Honor!"

"Sustained," the judge said. "Mr. Rashid, you will refrain from such theatrics or I will find you in contempt. Captain, you do not have to respond."

Mukhtar's hope was fulfilled when temper replaced reason and Captain Roberto, incensed by the accusation, let fly. "Sir, the detainees at Gitmo had all received interrogation resistance training. Even in captivity, they were intent on fighting the United States. They considered themselves still in a combat situation, sir. They would piss on guards who got too close to the exercise yard fence, throw feces at them from their cells, and attempt suicide, as ways of fighting back. In the exercise yard, they organized

attacks over a period of weeks or months. They'd say anything—meekly and promptly follow our directions, all to gain access to lower-security areas to pass on instructions for the attacks. Sir, they would then recant their testimony and return to their belligerency, so they'd be placed back in their original cells. Sir, these are combatants, hard men intent on continuing their jihad. The only way to get the truth was to use BDNF13 on them.”

“And this BDNF13, how did it make them more cooperative?”

“It enhanced their fears, sir.”

“Could you give us some examples, Captain?”

“Yes sir. They would become terrified of the dark. And a woman in a bikini would make them go screaming berserk. They'd try to climb the walls.” Roberto laughed and added, “Hell, I thought she was kind'a hot.”

His face unreadable, Rashid said, “And how do you think they felt?”

“Like the cowards they were, sir—”

Mukhtar attempted to jump from his chair, but the heavy hands of the guards restrained him.

“So in this state of mind,” Rashid continued, “when the detainees were in this state of mind, this is when you would get the answers you were seeking? When they were screaming and climbing the walls, as you put it.”

“Yes sir, that is correct.”

Mukhtar's eyes locked with Rashid's in a knowing stare, and then with deliberation in his movements, Rashid turned his attention from Roberto to the judge. “Your Honor, I apologize for this, but the document I showed Captain Roberto was not the