Contents

"A President Beyond the Law" by Anthony Lewis, May 7, 2004 • ix

> Interviewer's Preface by Ellen Ray • xii

Interviewee's Preface by Michael Ratner • xv

CHAPTER ONE

Guantánamo and Rule by Executive Fiat • 1

Guantánamo Explained • 1
The Center for Constitutional Rights's Involvement • 7
The End of the Rule of Law • 12
Rule by Executive Fiat • 15

Enemy Combatants • 25

CHAPTER TWO

Abuse and Torture • 30

The United Nations Convention Against Torture • 30
The Trip to Guantánamo • 35
Interrogations • 41
Rendition • 49

CHAPTER THREE

Guantánamo: Testimony and Case Details • 55

False Confessions • 55

Guantánamo as a Model for Iraq • 58

The British • 63

The Afghans and the Pakistanis • 65 The Children • 68

CHAPTER FOUR

Military Commissions and the Supreme Court • 70

The Commissions • 70

The Supreme Court and Guantánamo • 80

conclusion • 92

APPENDIX ONE

Documents • 94

Lease of Coaling or Naval Stations Agreement Between the United States and Cuba (1903) • 94

Platt Amendment (1903) • 100

Military Order of November 13, 2001 (Military Order No. 1) • 102

Geneva Convention Relative to the Treatment of Prisoners of War (III) Article V • 109

Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Part I, Articles 1–16) • 110

Memorandum from Alberto R. Gonzales to the President (January 25, 2002) • 117

Memorandum from Colin L. Powell to Alberto R. Gonzales (Counsel to the President) and Assistant to the President for National Security Affairs Condoleezza Rice (January 26, 2002) • 124

News Transcript from the United States Department of Defense (February 13, 2004) • 129

White House Fact Sheet on Status of Detainees at Guantánamo (February 7, 2002) • 147

Letter from Shafiq Rasul and Asif Iqbal to Members of the Senate Armed Services Committee • 150

Press Release "Officials Set Up Review Procedure for Guantánamo Detainees," American Forces Press Service • 155

Press Release "CCR Calls Guantánamo Review Policy 'Inadequate and Illegal" • 157

APPENDIX TWO

Further Reading • 159

Web Sites with More Information • 160

the course of the second of th

And the state of t

The termination of the first form the property against the first form