



## *Guantanamo: A Turning Point in American History (2002-Present)*

### TEACHER'S GUIDE

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#### OVERVIEW

Students will learn about domestic and international rules of law, specifically in relation to Guantanamo Bay Detention Center (GTMO). U.S. Supreme Court cases will be used to illustrate the legal issues raised by GTMO. Video interviews with former Guantanamo detainees and various other witnesses to Guantanamo will be used to solidify student understanding of the key political, social and historical issues raised by the detentions at GTMO. Students will also be given a vocabulary sheet and engage in a class-wide activity aimed at encouraging them to develop and express their own viewpoints. Students will engage in conversations with other students who share their viewpoint, as well as students with whom they disagree.

#### ADAPTATIONS

We encourage teachers to make this lesson their own by adding activities and discussion questions that best fit their classroom environments. The following supplemental materials are merely suggested talking points; please pick and choose what works best for your students. For teachers with the flexibility of extending this lesson beyond one or two classroom periods, the supplement “Extended Activities” gives useful suggestions for expanding and solidifying student understanding of this subject matter. These activities can also be used for cross-curricular learning among multiple educational departments.

#### STUDENT EVALUATION

Suggested tools for student evaluation include:

1. Voluntary and/or mandatory participation
2. Participation/written assignment for the Voice Your Opinion section
3. Participation in the Classroom Activity

#### ADDITIONAL RESOURCES

**For further information about the Witness to Guantanamo project:**

<http://witnessstoguantanamo.com/about-the-project/>

**More on the terms Enemy Combatant and International Law:**

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=942058](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=942058)

(“Chasing Enemy Combatants and Circumventing International Law: A License for Sanctioned Abuse” by Professor Peter Jan Honigsberg of the Witness to Guantanamo Project)

**More on relevant Supreme Court Cases mentioned in the lesson:**

[www.oyez.org](http://www.oyez.org)

[www.wikipedia.org](http://www.wikipedia.org)



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[www.supremecourt.gov](http://www.supremecourt.gov)

<http://projects.nytimes.com/guantanamo>

WARM UP

(SLIDE 2)

**Note for teachers:** *The warm-up can be collected before the lesson begins and may be used at the end of the lesson in order to give students the opportunity to evaluate whether their viewpoints have changed. Student work time should take no longer than 4-5 minutes.*

**SUGGESTED INSTRUCTIONAL POINTS:**

- **Overview of lesson:**
  - January 11, 2012 marks the 10<sup>th</sup> Anniversary of the opening of the prison facilities run by the U.S. in Guantanamo Bay, Cuba to hold alleged terrorists after 9/11.
  - Critics of the actions taken by the U.S. government after 9/11, including the use of Guantanamo as a detention site, argue that these actions are in violation of previously established rules of law and human rights. However, others argue that the government's actions are not in violation of domestic and international rules.
  - During today's lesson, I want you to think about where you fall in this debate and why.
- **Witness to Guantanamo / Video clips:**
  - We will be watching interviews conducted by The Witness to Guantanamo Project, housed at The University of San Francisco School of Law. The project is working to create a historical time capsule of Guantanamo's detention center by filming video interviews with former Guantanamo prisoners, prison guards, lawyers, interpreters, interrogators, military officials, medical personnel, chaplains, family members of detainees and others.
  - By watching these first-hand accounts, we will get a better picture of what it is like to be inside Guantanamo. This will better inform our opinions as to whether the rules of law have been violated by the use of this detention facility.
- **Respect / Sensitivity of Material:**
  - Please show me you are the respectful and intelligent learners I believe you to be by being mindful and respectful of today's complex and sensitive topics.
- **Evaluation of Student Performance/Vocabulary:**
  - On the front of this in-class worksheet is a vocabulary list. Words from this list will be highlighted in yellow on the Powerpoint.
  - I would also recommend thinking about how you stand on some of the controversies we will explore today; forming an opinion and backing this opinion up with evidence will be important for a follow-up exercise
- **Limited scope of today's lesson:**
  - Today's topics are so complex that we cannot possibly cover every relevant issue. If you have thoughts/questions that are beyond the scope of what we are discussing, please jot them down and see me after class.
  - By the end of today's lesson you should all be able to:



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- Explain why we are learning about Guantanamo.
- Articulate the role of Guantanamo in our post-9/11 world.
- Describe who has been and is currently being held at Guantanamo.
- Explain the criticisms associated with the detentions and interrogations at Guantanamo.
- Articulate the domestic and international rules related to the detention of prisoners at Guantanamo.
- Describe whether the detentions and interrogation methods used at Guantanamo are consistent with American notions of fair play and justice.

#### UNDERSTANDING THE SIGNIFICANCE OF TODAY'S LESSON

(SLIDE 3)

#### SUGGESTED INSTRUCTIONAL POINTS:

- Be sure that students know what “domestic” and “abroad” mean. Reiterate that highlighted words can be found on the vocabulary sheet.
- **Questions you may want to ask:**
  - *Why might it be important for the U.S. to follow domestic and international laws?*
  - *What might happen if the U.S. breaks international laws?*
    - **Hint:** *The very real possibility of other countries reciprocating with their treatment of U.S. soldiers in the future based on America's behavior during the past decade.*
  - *Should the U.S. be obligated to follow the same rules during times of peace and times of war? Should political leaders be able to adapt the rules during times of war? What might be the danger of putting these types of decisions in the hands of our leaders?*

#### CHAPTER 1: SETTING THE STAGE

(SLIDE 5)

#### SUGGESTED INSTRUCTIONAL POINTS:

- Before we explore the issues concerning the detention and interrogation of individuals at Guantanamo, we need to understand the events leading up to the opening of Guantanamo and the environment in the U.S. just before Guantanamo was chosen as a site to detain and interrogate alleged terrorists.

#### THE 9/11 TERRORIST ATTACKS

(SLIDE 7)

#### SUGGESTED INSTRUCTIONAL POINTS:

- On September 11, 2001, 19 al Qaeda terrorists orchestrated a series of attacks on the United States.
- **Twin Towers:** In New York City, hijackers took control of two passenger airplanes and crashed them into the Twin Towers, killing a total of 2,753 people (*bottom left picture*).
- **The Pentagon:** Approximately one hour later, several other hijackers involved in the terrorist plot crashed another passenger plane into the Pentagon, killing 184 people (*bottom middle picture*).



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- **Pennsylvania:** A half hour after the Pentagon was hit, another passenger airplane crashed in a Pennsylvania field after passengers attempted to overcome the hijackers. All 40 passengers aboard died (*bottom right picture*).
- **Responsibility:** al-Qaeda, a terrorist organization led by Osama bin Laden, took responsibility for the attacks. Terrorism is the use of randomly targeted violence aimed at inducing fear in order to coerce governments into meeting the demands of terrorists. The United States has taken a very public position in its refusal to work with terrorists.

#### AMERICANS REACTED TO 9/11

(SLIDE 9)

#### Teachers may want to share their stories about where they were when 9/11 happened.

- Teachers may want to ask for a volunteer or two to share stories their parents, or other significant others have told them about 9/11.
- Teachers may want to provide other examples of pivotal moments in U.S. history, like 9/11 and how Americans will forever remember where they were when they heard the news (*for example: The Bay of Pigs, the assassination of JFK and the fall of the Berlin Wall*).

#### Some statistics, gathered by Gallup polling, just after the 9/11 attacks:

- 87% of Americans saw 9/11 as the worst news event of their lives
  - 77% showed loved ones more affection
  - 74% prayed more
  - 71% felt more depressed
  - 70% cried more
  - 60% attended memorial services
  - 59% were scared to fly on commercial airplanes
  - 20% knew someone missing, hurt or killed
- Encourage students to think about what it feels like to be attacked on American soil. We hear of wars abroad, but how is it different when it is a surprise attack here?

#### THE NATION RALLIED 'ROUND THE FLAG

(SLIDE 10)

#### SUGGESTED INSTRUCTIONAL POINTS:

- **The Rally 'round the Flag Effect:** a term used to explain the increased short-term popular support for the President of the United States during times of international crisis or war.
- Tends to decrease criticism over political decisions as citizens often support the decisions policymakers make in times of crisis.
- Think of an example to relate this to students' lives (*Sometimes people talk about a person they would trust to lead them out of a burning building, or a person they would trust to survive in the woods*).
- **Questions you may want to ask:**
  - *Why do you think people rally round the flag during times of crisis/war?*
  - *Should political leaders be given free reign during times of crisis? Why/why not?*
  - *What are possible consequences of this?*

- **Statistics About Rallying ‘round the Flag after 9/11:**
  - The surge in approval for President George W. Bush reflects the largest short-term increase in Gallup history.
  - Bush's overall job approval of 90% is the highest presidential job approval ever measured by Gallup. Before 9/11, his approval rating was 51%.
  - Approval of Congress was also at a record high.
  - The vast majority of Americans approved of the way President Bush dealt with the terrorist attacks.
  - On September 12, 2001 dozens of members of the U.S. Congress from both the Republican and Democratic parties stood side by side on the steps of the Capitol pledging their support to Georges W. Bush in a rare display of unity.

THE GOV'T DETAINED FOREIGN NATIONAL MUSLIM MEN IN THE U.S.

(SLIDE 12)

**SUGGESTED INSTRUCTIONAL POINTS:**

- After al-Qaeda took responsibility for 9/11, there was a general fear about foreign national Muslim men.
- Just hours after 9/11, an FBI mission, whose codename was “Pentagon Twin Tower Bombings” (or PENTBOMM), was launched to figure out who was responsible for the terrorist attacks.
- On November 13, 2001, President Bush issued a Presidential Military Order that gave the executive branch the power to:
  - Arrest those suspected of connection to terrorists or terrorism
  - Hold persons without charges being filed against them
  - Hold persons without giving them a court hearing
  - Hold persons without giving them access to a lawyer
- During this time, 1,500-2000 foreign national Muslim men living in the United States were seized and detained in-custody in the U.S. They were held, without access to their legal rights, as well as their family or friends, until it was determined they were no longer a threat. This FBI program went against basic Constitutional standards of due process and fairness as people were locked up based merely on suspicion.
- “Due process”: (*noun*) A 5<sup>th</sup> Amendment right of the U.S. Constitution that guarantees the government will take certain legal proceedings before taking away one’s right to life, liberty or property; it is designed to protect the people from unfair government persecution.
- **Questions you may want to ask:**
  - *What might be the danger of holding people, without proof, until they are cleared?*
  - *Were all foreign national Muslim men suspected because the terrorists responsible for 9/11 were Muslim?*
  - *Should non-citizens have been treated differently from citizens?*
  - *What would it be like to know you could be held indefinitely without trial?*
  - *Have you ever felt targeted about aspects of yourself that are beyond your control? How so? Was this fair?*
  - *Can you think of examples in your life where you were blamed for the actions of others without proof? How did you feel?*



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*CONGRESS INCREASED THE PRESIDENT'S POWER*

*(SLIDE 14)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- Remind students about concepts related to the separation of powers:
  - A model where the government is divided into branches, each with separate and independent powers and areas of responsibility.
  - Makes for a system of checks and balances where no branch has more power than the other branches.
  - In the U.S., branches are divided among the executive, legislative and judiciary.
  - Example of separation of powers- Congress has the sole power to declare war.
- On September 18, 2001, Congress passed a resolution entitled “The Authorization for Use of Military Force Against Terrorists.”
  - This resolution gave the U.S. permission to use its armed forces against those responsible for the 9/11 terrorist attacks.
  - In this resolution, Congress granted the President the authority to use “all necessary and appropriate force” against those people he determined “planned, authorized, committed or aided” the 9/11 attacks.
  - This resolution also gave the President the power to attack those people who harbored such terrorists.
  - The Bush administration would later use this increased power to wage war against Afghanistan, try alleged terrorists in military commissions rather than in U.S. courts, and engage in electronic surveillance and wire tapping without first obtaining a warrant by a court of law.
- **Questions you may want to ask:**
  - *Why is the separation of powers an important political doctrine in the U.S.?*
  - *Can you think of examples in U.S. history where it has been important?*
  - *What are some potential dangers from increased presidential power?*
  - *How would you feel about the U.S. government listening in on your conversations?*
  - *Is that kind of monitoring acceptable or even necessary during times of crisis or war?*

*PRESIDENT BUSH DECLARED A “GLOBAL WAR ON TERROR”*

*(SLIDE 16)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- On September 20, 2001 – 8 days after the terrorist attacks – President George W. Bush addressed Congress and declared a U.S.-led “Global War on Terror.”
- President Bush’s speech declared:
  - “The terrorists” were the perpetrators of 9/11.
  - Their actions had started a war.
  - The war was not limited to those responsible for 9/11, but extended to anyone that helped them.



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- President Bush said, "Our 'War on Terror' begins with al-Qaeda, but it does not end there. It will not end until every terrorist group of global reach has been found, stopped and defeated."
- No expected end date for the war was given.
- The U.S. is still technically engaged in the "War on Terror," but President Barack Obama has rarely used this term. In March of 2009, the Department of Defense officially changed the name of this operation from the "Global War on Terror" to "Overseas Contingency Operation."
- Since this time, President Obama has urged his staff members to avoid using the term "War on Terror."
- **Questions you may want to ask:**
  - *How might this war be different from other wars?*
  - *What are the differences between wars against entities (such as countries) v. wars against intangible things (such as poverty, drugs, terrorism)?*

#### CHAPTER TWO: GTMO OPENS

(SLIDE 18)

#### SUGGESTED INSTRUCTIONAL POINTS:

- On January 11, 2002 a detention center for suspected terrorists was opened at Guantanamo Bay Naval Base in Cuba.

#### BACKGROUND ON GUANTANAMO

(SLIDE 19)

#### SUGGESTED INSTRUCTIONAL POINTS:

- The U.S. has leased Guantanamo from Cuba since 1903, when a treaty between Cuba and the U.S. gave the U.S. the power to lease the southeastern portion of Cuba.
- Students may find it interesting to know that, while the U.S. gives Cuba a check for a few thousand dollars each year (for the lease of this land), the Cuban government has only cashed the very first check (which Castro claimed was a mistake) because of political differences.
- Cuba claims it no longer wishes to lease this land to the U.S. (due to differences in politics since the Castro regime). However, the U.S. does not want to give the land back to the Cuban government.
- The land has primarily been used as a U.S. naval base. Since 2002, a portion of it became a detention center to detain and interrogate prisoners from the "War on Terror."

#### BACKGROUND ON GUANTANAMO

(SLIDE 20)

#### SUGGESTED INSTRUCTIONAL POINTS:

- Since its opening 10 years ago, Guantanamo has held 779 men, representing citizens from approximately 48 different countries.
- Men were captured in overseas battles, mostly from Afghanistan, and flown to Guantanamo to be detained and interrogated.



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- While 600 detainees have been released or transferred out of Guantanamo, the majority of these men spent years locked up at the detention center, often without charge or access to due process rights.
- 8 detainees died while in custody of U.S. officials. The U.S. claims these deaths were either due to suicides or natural causes, but critics question the cause of some of these deaths.
- Some detainees were teenagers when captured and first detained.
- Today, 171 prisoners remain indefinitely detained at Guantanamo.

VIDEO: GETTING TO GTMO (LENGTH: 4:10)

(SLIDE 21)

### SUGGESTED INSTRUCTIONAL POINTS:

- The Witness to Guantanamo Project ([www.witnesstoguantanamo.com](http://www.witnesstoguantanamo.com)) is creating a video history of GTMO.
  - The project has filmed in-depth interviews with former detainees and others involved with Guantanamo, and is archiving the videos for history. Former detainees, prison guards, chaplains, attorneys, medical personnel, interpreters, military officials, interrogators and others closely associated with the naval base have all provided unique perspectives on the detention center. They show the humanity of all those involved in a very controversial issue.
  - Nearly 80 interviews have been conducted to date and the result has been a collection of compelling stories and varying perspectives.
  - The goal of these videos is to provide current and future generations of students, researchers and policymakers with a realistic version of U.S. actions inside Guantanamo, following the 9/11 attacks.
- The speakers in these clips are:
  1. **Terry Holdbrooks**, served as a prison guard at Guantanamo from June 2003 until July 2004, converting to Islam during this time.
  2. **Shafiq Rasul**, a British citizen who was returned to the U.K. in March 2004, three months before the U.S. Supreme Court ruled on the case of Rasul v. Bush (see below). No charges were brought against him.
  3. **Ruhal Ahmed**, left England for Pakistan in September 2001, joined by two other British citizens, Shafiq Rasul and Asif Iqbal. They were captured in January 2001 and detained until March 2004. They were released by British police without charge.
  4. **Brandon Neely**, a former prison guard who now works as a police officer in Texas.
  5. **Ayub Muhammed**, born in East Turkestan (now controlled by China) and left home at 16. He was captured in Pakistan and detained from December 2001 to May 2006. He now resides in Albania.
  6. **Saber Lahmar**, a French National who won his Habeas Corpus petition after being detained at Guantanamo for over eight years.
- Camp X-Ray—a section of the camp with open-air cages that have been described as “dog kennels”—was used to hold the prisoners for more than three months until more permanent facilities were built.
- **Questions you may want to ask:**
  - *Why might this project be important?*

- Hint: the importance of learning about history so as not to repeat past mistakes; how their generation will impact the on-going “War on Terror.”
- *What would it feel like to not know where you were being brought, how long you would be detained and interrogated, and have no access to friends, family members, lawyers or even someone who speaks your language?*

CHAPTER 3: INSIDE GTMO

(SLIDES 23-29)

**SUGGESTED INSTRUCTIONAL POINTS:**

- Instruct students that the next portion of the slide show is a series of photographs from inside Guantanamo. These slides help to imagine what it would be like to be detained inside Guantanamo Bay Detention Center.
- All photos were taken by military photographers and approved for release to the general public.
- The U.S. government screens the photos taken by journalists visiting Guantanamo for security reasons. Critics suggest that if the military had nothing to hide, then journalists should be allowed to take photos and distribute them to the general public without filtering.
- When photos such as those on slide 24 and 25 were released to the general public it caused an uproar over the potential mistreatment of detainees (note: masks and goggles worn by detainees on slide 25) and the possible security breaches of releasing such photos to the public. Later photos became less candid as security over photos was tightened following this controversy.
- **Questions you may want to ask:**
  - *Should journalists be allowed to release any photos taken at Guantanamo?*
  - *What do students notice about this photo on slide 24 when the first detainees arrive? About the demeanor of the soldiers? Of the detainee?*
  - *If you were detained at Guantanamo, who would you miss and what would you fear, especially if family members did not know of your whereabouts?*
  - *How would you pass the day?*
  - *Encourage students to use their five senses to imagine detention at Guantanamo. Sensations to consider include the blinding from goggles, the deafness of earmuffs or the heat of living in an outdoor cage in Cuba.*
  - *What would it be like to be held indefinitely without due process rights?*

VIDEO: LIFE INSIDE (LENGTH: 3:20)

(SLIDE 32)

**SUGGESTED INSTRUCTIONAL POINTS:**

- This video montage offers insights about life inside the detention center.
- The speakers in these clips are:
  1. Bisher al-Rawi, a British citizen who was held at GTMO from 2003-2007. No charges were ever brought against him.

2. Moazzam Begg, a British citizen who was captured in Afghanistan where he lived with his wife and three children. He was held at GTMO from 2002 – 2005. He now lives in the U.K. No charges were ever brought against him.
3. Brandon Neely, a former prison guard who now works as a police officer in Texas. In 2010, he flew to the U.K. to meet former detainees with whom he had reconnected via Facebook.
4. Brahim Yadel, a French citizen who was released in France in 2009.
5. Shafiq Rasul, a British citizen who was returned to the U.K. in March 2004, three months before the U.S. Supreme Court ruled on the case of Rasul v. Bush (see below). No charges were brought against him.

*CHAPTER 4: THE CONTROVERSIES*

*(SLIDE 34)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- Immediately after Guantanamo opened, many questions were raised about the legality and constitutionality of detaining suspected terrorists on land outside of the United States. People were equally concerned about human rights violations, such as torture. At Abu Ghraib prison in Iraq, reports surfaced in 2004 of human rights violations including torture such as waterboarding, rape, and homicide by U.S. soldiers to prisoners. This led to greater public interest about what may have happened or be happening at Guantanamo.
- The U.S. had long stood as a world leader in human rights, and holding detainees indefinitely, often in isolation and incommunicado, offshore without access to an attorney was a marked departure from its previous policies.
- The primary controversies surrounding Guantanamo include:
  - How were detainees captured?
  - Why were they sent to Cuba?
  - Was torture used?
  - What legal rights applied to the detainees?
  - Were any of detainees innocent?

*HOW WERE DETAINEES CAPTURED?*

*(SLIDE 36)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- There were two ways detainees were sent to Guantanamo. They were either captured during the war in Afghanistan or turned over to the U.S. in exchange for a monetary reward. This meant that people in Afghanistan and Pakistan sold suspected terrorists to the U.S., often for hundreds and possibly even thousands of dollars. In these very poor countries, that was a significant amount of money.
- **Questions you may want to ask:**
  - *What potential problems arise with bounty systems?*
  - *How is it possible to determine the motivation of the people turning others in?*

WHY CUBA?

(SLIDE 39)

**SUGGESTED INSTRUCTIONAL POINTS:**

- “Jurisdiction” refers to the power of a government to hear cases and implement laws within a certain geographic region. Anywhere within the United States is under U.S. jurisdiction. The U.S. does not have the power to enforce and implement laws outside of its jurisdiction.
- **Questions you may want to ask:**
  - *Why might the U.S. have chosen to detain individuals outside of the U.S.?*
  - *What rules may the government have been trying to avoid?*
    - Hint: Due process of law under the U.S. constitution, and the Geneva Conventions under international law.
  - *What would have been different about detaining prisoners in U.S. prisons?*
  - *Did these suspected terrorists pose too large a threat to the American public to be held on U.S. soil?*
  - *Could the U.S. court and prison system handle these suspects? What was different about them?*
  - *Is a special court and prison system justified in times of war?*

WAS TORTURE USED?

(SLIDE 41)

**SUGGESTED INSTRUCTIONAL POINTS:**

- Reported forms of torture at Guantanamo have included:
  - Erfing (where prison guards enter the cell in riot gear and mace and severely beat the detainee, sometimes for only a minor infraction).
  - Force feeding.
  - Long periods of solitary confinement and isolation.
  - Frequent flyer program (where detainees are moved from cell to cell every three hours to disorient them and disrupt sleeping patterns).
  - Death threats.
  - Forced nakedness.
  - Beatings.
  - Subjecting detainees to extreme temperatures.
  - Religious and racial harassment.

**SUGGESTED INSTRUCTIONAL POINTS:**

- **Convention Against Torture:** Just like the Geneva Conventions (more information on them below), the Convention Against Torture is a treaty, or a binding agreement, with rules that signatories of the treaty are obligated to follow. The U.S. has signed the Convention Against Torture.
- **Torture:** What happens if countries have different definitions of torture? That is why the Convention Against Torture has provided an exact definition of what torture is- so that all countries have a clear understanding of what they are prohibited from doing. The Convention Against Torture defines torture as:
  - An act performed by a public official- which is anyone working for the government.
  - Acting in an official position, meaning that he/she is not doing it on his/her personal time or as a citizen, but is performing it based on the power he/she has as a public official.
  - The act inflicts severe mental or physical pain.
  - The purpose is to get information out of the person being tortured.
  - If all four of these requirements are met, then torture has occurred.
- **Scenario:** Would the following be in violation of the Convention Against Torture? An on-duty police officer arrests someone he suspects is guilty of murder. He takes him back to the police station and puts him in complete isolation for two full days in order to wear him down. When the suspect emerges and refuses to talk, the police officer puts him in solitary confinement for another two days. When the police officer takes him out of isolation and the suspect still refuses to answer questions about the murder, he puts him back in isolation.

**Answer:** (*Students may disagree*) Yes, this is a violation of the treaty because it is at the hands of a public official, acting in an official position, inflicting serious mental pain in order to extract information about the murder. (*Students might disagree as to what constitutes “severe” and/or “mental suffering.” This is okay because it touches on an important aspect of the lesson.*)
- **The Torture Memos:**
  - Legal memos written by The Department of Justice for The Bush administration, used to justify the harsh treatment of detainees.
  - The memos were released by The Pentagon in 2003.
  - They listed approved “harsh interrogation” methods to be used on detainees at Guantanamo including:
    - clothing removal
    - use of dogs and other phobias
    - hooding
    - deception/psychological punishment
    - long periods of isolation
    - yelling
  - These memos concluded that the Constitution, specifically the 5<sup>th</sup> Amendment right to due process of law and the 8<sup>th</sup> amendment right against cruel and unusual punishment, do not apply to enemy combatants held outside of the U.S.
  - At the bottom of one memo written by a military lawyer is a handwritten note from Secretary of Defense, Donald Rumsfeld, that says, “I stand for 8-10 hours a day, why limit making the detainees stand

for 4 hours at a time.” This indicated that the Bush Administration was looking to expand the possibilities of what could be done to detainees during interrogations, sparking some to accuse the U.S. government of engaging in torture.

- Bush administration lawyers suggested it was torture only if it resulted in death, organ failure or serious impairment to bodily functions.
- The release of the torture memos sparked strong questioning from the media and the public about what was happening at Guantanamo and an outcry for greater government transparency.
- The memos suggested that government officials could not be prosecuted and convicted for violating the Constitution by denying detainees due process rights and by treating them in a cruel and unusual manner because “We believe that he [President Bush] could argue that the executive branch’s constitutional authority to protect the nation from attack justified his actions.” (from The Torture Memos)

- **More on teaching students about the torture memos and the concept of torture:**

- [http://www.pbs.org/newshour/bb/terrorism/jan-june08/harsh\\_04-02.html](http://www.pbs.org/newshour/bb/terrorism/jan-june08/harsh_04-02.html)
- Another concept that you could use to explain the universality of agreement against torture is “Jus Cogens,” or compelling law. This refers to a rule that is so widely accepted by the countries in the international community that it becomes a rule for all. This means that regardless of whether or not a country agrees with one of these rules, that country must still follow it, since the overwhelming majority of the world has agreed upon the rule. Thus, even if a country did not sign the Convention Against Torture, it is still obligated not to torture. These rules are considered so important to the concept of treating people humanely that there can never be an excuse to break them.
  - Examples of “Jus Cogens” include the outlawing of genocide, slavery, piracy and torture.
- Released Guantanamo detainees from Great Britain who were never charged with a crime initiated a lawsuit against the U.S. government, alleging torture and other human rights violations. U.S. courts for several reasons, including the protection of state secrets, dismissed their lawsuit.
- **Questions you may want to ask:**
  - *Are there situations when torture is acceptable?*
  - *Do you think some types of torture are more acceptable than others?*
  - *How do you think the use of torture may have impacted the reputation of the United States?*

WHAT LEGAL RIGHTS APPLY?

(SLIDE 45)

**SUGGESTED INSTRUCTIONAL POINTS:**

- Domestic Rules of Law- The U.S. government is bound by its obligation to follow domestic rules of law. The word “domestic” refers to something related to the home, so, in this context, domestic means rules in place within the U.S.
- We look to The U.S. Constitution as the foundation of our domestic laws.
- Applicable laws about behavior during war come from The Geneva Conventions and the Convention against Torture.



*DUE PROCESS*

(SLIDE 46)

**SUGGESTED INSTRUCTIONAL POINTS:**

- According to the 5<sup>th</sup> Amendment of the U.S. Constitution, “No person shall be deprived of life, liberty or property without due process of law.” This means the government must respect all of a person’s legal due process rights before the government takes away that person’s life, liberty or property.
- For example, if the government accuses someone of a crime and wants to put that person in prison for this crime, the government is obligated to give a person *notice* about the charges against him/her. This means this person must know he/she is being charged with a crime. The person is also entitled to a *hearing or trial* where he/she is guaranteed an *attorney* to represent him/her. There must also be a *fair and impartial judge* presiding over the hearing/trial. The person accused of the crime is also guaranteed the right to *habeas corpus*, which means that a person has a right to be brought before a court to contest his/her detainment before trial.
- This rule allows the government and its people to pursue justice, without violating the rights of the accused.

*HABEAS CORPUS*

(SLIDE 47)

**SUGGESTED INSTRUCTIONAL POINTS:**

- According to Article 1, Section 9 of the Constitution, “The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.”
- Habeas corpus originated in 14th century England to prevent kings from imprisoning people indefinitely without charging them with any crime.
- Habeas corpus is the right to a hearing on whether a person should be held after being arrested.
- A habeas corpus petition is filed with a court by someone who objects to his own or another person's imprisonment or detention.
- Under the Constitution, the president cannot take away the right to habeas corpus, only Congress can, and only during an extreme emergency or rebellion.

*GENEVA CONVENTIONS*

(SLIDE 49)

**SUGGESTED INSTRUCTIONAL POINTS:**

- A convention is the same thing as a treaty in international law. A treaty is a binding agreement among countries; like a promise. A country that signs and ratifies a treaty, agreeing to follow it, is a signatory. The U.S. and nearly all countries in the world are signatories of the Geneva Conventions and, thus, must follow the rules within this treaty.
- Humanitarian law- One set of rules in the Geneva Conventions covers action in times of war and methods of fighting, and requires combatants (those people fighting in the war) to distinguish or differentiate between civilians and military personnel. This means that civilians (people who simply live where the war is being fought



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but are not participating in fighting the war) cannot be killed during the war. People in the military, on the other hand, can be killed, captured or injured during war, as these are people that have been trained and are prepared to fight and kill. There are also rules that say civilians and military prisoners (soldiers that have been captured by the opposing army) must be treated humanely. This means that troops must treat captured soldiers humanely. They cannot be killed or tortured and must be returned to their home country after the war is over.

- There are two types of combatants in international law- lawful combatants (those troops who follow the rules of war) and unlawful combatants (soldiers who do not follow the rules of war).
- People involved in or around the war that are *not* directly involved in the armed conflict are called non-combatants. These people include civilians not involved in the conflict.

*WHAT LEGAL RIGHTS APPLY?*

*(SLIDE 51)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- Enemy combatants- After 9/11, the Bush administration began referring to the detainees and other alleged terrorists as “enemy combatants.” Because he did not call them lawful or unlawful combatants and because “enemy combatants” had never been used as an accepted term in international law before, there were no international rules on how to treat “enemy combatants.” By calling them “enemy combatants,” the Bush administration tried to circumvent the rules of the Geneva Conventions.

*WERE ANY OF THE DETAINEES INNOCENT?*

*(SLIDE 53)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- While numbers vary, according to an interim report by Mark Denbeaux (Professor at Seton Hall School of Law and Counsel to two Guantanamo detainees) in which he analyzed Department of Defense Data about 517 detainees:
  - 55% of detainees were not determined to have committed any hostile acts against the United States or its coalition allies.
  - Only 8% of the detainees were characterized as al Qaeda fighters.

*CHAPTER 5: THE LEGAL BATTLES*

*(SLIDE 54)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- We will now talk about three of the Supreme Court cases dealing directly with issues at Guantanamo. Each of these cases was brought before the Supreme Court in order to determine whether certain aspects of what happened at Guantanamo were constitutional. Remember that, based on the separation of powers doctrine, the Supreme Court, and the judicial branch in general, has the sole power to determine whether an action is in conformity with the law and the Constitution.



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*BATTLE 1: RASUL V. BUSH*

*(SLIDE 56)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- **The case-** Shafiq Rasul, a British citizen and former detainee, v. President George W. Bush. The U.S. military seized Rasul and several other British citizens, along with one Australian citizen, in Afghanistan and Pakistan. After the men were brought to Guantanamo, their families sought a writ of habeas corpus in U.S. courts on their behalf. That is, the families asked the U.S. courts to determine whether the men had been wrongly captured and imprisoned. The families claimed that 1) since the detainees were not given attorneys, a trial, or hearing and 2) because they were being held without charges, the U.S. government was in violation of the 5<sup>th</sup> Amendment's right to due process. President Bush on the other hand, argued that since Guantanamo was in Cuba and not in the U.S. (even though Guantanamo was under the control of the U.S.), the Constitution did not apply to the men.
- **The question-** The issue the Supreme Court had to decide was whether U.S. courts had jurisdiction, that is, whether it had the power to hear habeas court cases brought by detainees held in Guantanamo.
- **The ruling-** The Supreme Court decided that even though Guantanamo is in Cuba, it is, in fact, under the control of the U.S. military and considered within U.S. jurisdiction. Therefore, the rule of law applied.

*BATTLE 2: HAMDAN V. RUMSFELD*

*(SLIDE 58)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- **The case-** Salim Ahmed Hamdan, a citizen of Yemen and the personal driver and bodyguard of Osama bin Laden, was captured by the U.S. military during the war in Afghanistan. He was then transported to and detained at Guantanamo, and was to be tried by a military commission (or tribunal). Military commissions, a court system outside of the realm of the U.S. judicial branch, were set up by President Bush to try Guantanamo detainees. Hamdan's lawyers brought a lawsuit against Donald Rumsfeld, the former Secretary of Defense, arguing that the military commissions violated the U.S. Constitution and Geneva Conventions. One of the specific issues that Hamdan raised was that much of the evidence used in the trial was "classified." Thus, Hamdan was not permitted to know what the evidence was against him. This made it extremely difficult for Hamdan to defend himself against the government's accusations.
- **The question-** The issue for the Supreme Court was whether the military commissions or tribunals were lawfully established. That is: Did they give detainees enough due process rights?
- **The ruling-** The Supreme Court sided with Hamdan and against the government, ruling that the military commissions were in violation of the Geneva Conventions and the U.S. Constitution because they did not provide sufficient due process rights. The court also noted that the president could not create the commissions by himself, as he had done, but that the commissions had to be created by Congress and the legislation had to be signed by the president.



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*WHAT ARE MILITARY COMMISSIONS?*

*(SLIDE 59)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- On the November 13, 2001, President Bush issued a military order to create special military commissions or tribunals.
- In the order, the President specifically stated that the rules of evidence used in regular courts would not apply.
- Military tribunals do not provide as much due process rights as our regular court system or our military justice system..
- According to the President's order, the following people can be tried by military commissions:
  - Person who is believed to be a member of the al Qaeda terrorist organization.
  - Person who has engaged in or conspired to commit terrorism.
  - Person who has aided or abetted terrorists.
  - Person who has harbored persons intending to cause injury to the U.S. or its citizens.
- Military tribunals have been historically used for trying war criminals. A war criminal is a combatant who violates the international laws of war. This is different from the kinds of people that President Bush wanted to prosecute in the military commissions he created.
- A good resource for further understanding the differences between the military justice system, military commissions and U.S. Courts: <http://downloads.ncss.org/lessons/660203.pdf>

*WHAT ARE MILITARY COMMISSIONS?*

*(SLIDE 61)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- The key point is that military commissions operate outside of the U.S. legal system. However, they may be legitimate if they are used to try people under the international laws of war **in a war zone**, where it is often much more difficult to follow all the procedural rules of due process available in a court at home.

*BATTLE 2: CONGRESS & PRESIDENT RESPOND*

*(SLIDE 62)*

**SUGGESTED INSTRUCTIONAL POINTS:**

- In the wake of the Hamdan v. Rumsfeld decision holding that the Executive branch does not have the power to establish military commissions without Congressional approval, Congress passed The Military Commissions Act of 2006.
- The Act created new military tribunals, which are still in effect today. The 2006 act provided a few more rights to defendants than were available under the military commissions created by President Bush. However, they still limited the rights of defendants and allowed for certain kinds of evidence to be admissible, evidence that would not be admissible in a regular court. In 2012, President Obama plans to try a number of detainees in military tribunals.

BATTLE 3: BOUMEDIENE V. BUSH

(SLIDE 64)

**SUGGESTED INSTRUCTIONAL POINTS:**

- **The case-** Lakhdar Boumediene, the plaintiff, was Algerian and arrested by the Bosnian police. The police turned him over to the U.S., based on the U.S.'s accusation that Boumediene was involved in a terrorist plot. Boumediene sought a writ of habeas corpus, arguing that he had been wrongly detained at Guantanamo. The government argued Boumediene could not file this writ, a due process right, because of The Military Commissions Act of 2006. This act denied federal courts the jurisdiction to hear habeas corpus petitions filed by foreign citizens detained at Guantanamo.
- **The issue-** Whether Guantanamo detainees have a right to habeas corpus and to challenge the legality of their detention in a federal court.
- **The ruling-** The Supreme Court sided with Boumediene, ruling that all detainees at Guantanamo have the constitutional right to habeas corpus in U.S. federal courts.
- Justice Kennedy, writing for the majority opinion, said, "The laws and Constitution are designed to survive, and remain in force, in extraordinary times."
- Justice Scalia, writing for the minority, wrote, "[This decision] will make the war harder on us. It will almost certainly cause more Americans to be killed."
- In response to the ruling, the Bush administration said it would abide by the court's decision, but did not agree with it.
- **Helpful resource for teaching students about Boumediene v. Bush:**  
[http://www.pbs.org/newshour/extra/features/us/jan-june08/gitmo\\_6-17.html](http://www.pbs.org/newshour/extra/features/us/jan-june08/gitmo_6-17.html)

CHAPTER 6: GTMO TODAY

(SLIDE 66)

**SUGGESTED INSTRUCTIONAL POINTS:**

- The key point for this chapter is that GTMO remains open with no plans for its closure.

WHAT HAPPENED AFTER PRESIDENT OBAMA WAS ELECTED?

(SLIDE 67)

**SUGGESTED INSTRUCTIONAL POINTS:**

- During his campaign for President, Barack Obama, a lawyer himself, spoke out against Guantanamo, declaring its use unconstitutional and illegal.
- Days after he took office, President Obama pledged to close the facility and transfer detainees to U.S. prisons where they would await their right to a formal trial, but Guantanamo remains open and in use today.
- Guantanamo will continue to be used in the future, as President Obama signed legislation in 2011, which allowed for the *indefinite* use of Guantanamo Bay.



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- On December 31, 2011, President Obama signed the National Defense Authorization Bill. One part of this bill gives the President power to detain and indefinitely hold American citizens suspected of terrorism. President Obama says he will not use this provision, but this does not prevent future presidents from doing so.
- For more information, direct students to: <http://www.nytimes.com/2012/01/01/us/politics/obama-signs-military-spending-bill.html>.

#### 171 MEN REMAIN AT GTMO

(SLIDE 69)

#### SUGGESTED INSTRUCTIONAL POINTS:

- Guantanamo remains open today with approximately 171 detainees. Many may stay there indefinitely because the U.S. will not release them until their country is more stable (for example Yemen). Others fear torture or persecution (for example the Uyghurs, a group of Muslims who lived in East Turkistan, in China, fear that if they are returned to China they will be persecuted and even likely tortured and executed. They are waiting for another country to offer them a safe haven).
- Great resource for understanding the changing population of the prison over time: <http://projects.nytimes.com/guantanamo>.

#### VIDEO: REFLECTIONS (LENGTH: 4:02)

(SLIDE 71)

- The effects of 9/11, including the use of Guantanamo, have continued to plague U.S. foreign and domestic policies for more than 10 years. Some scholars have adopted the name “The Long War,” to describe what they view as a difficult, if not impossible, war to win, given the difficulty of fighting an ideology–terrorism–with military force alone.
- These videos show how Guantanamo continues to impact many lives.
- **Questions you may want to ask:**
  - *Is there a quote from one of these reflections that speaks most to you?*
  - *Is there a speaker in this montage that you strongly agree with or disagree with?*

#### VOICE YOUR OPINION

(SLIDES 74-76)

#### SUGGESTED INSTRUCTIONAL POINTS:

**Note for teachers:** *Ask volunteers to read the question, pro & con opinions on each slide and engage in a classroom discussion around these questions. If it works best for your classroom, you could also have students write their opinions down on paper and pass them in, either as a classroom activity or as homework.*



**SUGGESTED INSTRUCTIONAL POINTS:**

**Note for teachers:** *After the Voice Your Opinion section, explain to students you will be splitting the classroom into three sections- 'Agree,' 'Disagree,' and 'Unsure.' Explain which parts of the room represent which opinion. You could read statements aloud, and students will be asked to listen and decide whether they agree or disagree. Once in their position, volunteers will be asked to relate the statement and their opinion to the lesson about Guantanamo.*

**Rules should be set up before the activity in terms of whether students can change their position and move to a different part of the room, what is expected in terms of respect and listening, whether a student can pass on explaining his/her answer, and what sorts of behaviors will halt the activity.**

**Statements:**

- If I were arrested, I would want the right to habeas corpus.
- In times of war, a president should be allowed to take away the right of habeas corpus.
- The U.S. handled things as well as it could have following 9/11.
- Our U.S. court system is capable of trying alleged terrorists, and we do not need military commissions.
- The military commissions at Guantanamo keep dangerous terrorists off our shores.
- The world was different after 9/11 and we need to respond accordingly.
- We cannot fight an ideology like we fight other wars.
- U.S. citizens should be treated differently from non-U.S. citizens when prosecuted.
- The 'War on Terror' will continue indefinitely.
- Torture should be permissible during interrogations of detainees.
- Guantanamo should be closed.



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#### EXTENSION ACTIVITIES

*These activities can be used as a way to extend the lesson beyond the classroom, possibly as extra credit assignments. Allowing students to choose an aspect of the lesson that was of particular interest to them may be a meaningful way to encourage continued learning, as well as to reinforce other skills students have worked on throughout the year (including writing biographies, research papers and position papers). These activities could also be used as a way to encourage cross-departmental learning.*

#### Security and Privacy

1. Proponents of increased security in our post-9/11 world argue that it is necessary to prevent future terrorist attacks. These people may support giving up some civil liberties, including privacy rights, in the name of protection. Critics of increased security measures claim they infringe upon Constitutional rights. Research both sides of this argument and write a position paper. Remember to choose a side and support this viewpoint with evidence. Do not forget to address the concerns of the other side. What is their viewpoint? Why do you disagree with it?
2. One result of increased security efforts included the passage of the U.S. Patriot Act. What were the largest effects of this Act? What were the most controversial pieces of this legislation? Write a report explaining this legislation to someone who may never have heard of it. What effects has this Act had on issues of security and privacy? Take a stance on this legislation and explain why you support or do not support it, along with evidence to back up your position.
3. One result of 9/11 was the opening of Guantanamo as a detention center for “enemy combatants” engaged in the “War on Terror.” Similar responses to national emergencies have happened in the past. Research one of the following historical events, taking the time to write about what happened and put this event in its historical context. Then compare and contrast this event with the use of Guantanamo in the “War on Terror.” Some choices include the Alien and Sedition Acts of 1798; President Lincoln’s suspension of Habeas Corpus in 1861; the Red Scare/Palmer Raids of 1918; the WWII Executive Order 9066 providing for Internment camps to hold Japanese-Americans in 1941; and the McCarthy Hearings of 1954.
4. The war in Afghanistan, “Operation Enduring Freedom”, was launched in order to defeat terrorists as part of the “War on Terror.” Choose an aspect of war that interests you—spending, casualties, progress—and write a report detailing how this aspect of war has played out in Afghanistan. In your opinion, has the war in Afghanistan been successful? Why or why not? Write your report in the form of a letter to one of your local representatives, explaining how you feel about the U.S. involvement in Afghanistan, including why you do or do not support the war. What should this representative do at this point? End involvement? Stay the course? For extra points, send the letter to your representative and turn in the letter you receive as a response (which will be returned to you).

#### Osama bin Laden

1. Research and then write a short biography on the life of Osama bin Laden. Who was he? What did he stand for? What was his childhood like? What led to his creation of al Qaeda? Why? Where was he trained? Describe his relationship with the U.S. over time?
2. Research and then write a position paper describing the CIA mission charged with his assassination (“Operation Neptune Star”). Then research and write about the reactions to his death. In the U.S.? Around the world? Why were people upset when the news came of his death? Why were people happy? Then take a stand.



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How do you feel about Osama bin Laden's death? Would you have executed this mission if you were president? Why/why not? If not, then provide an alternative scenario that you would have preferred. Defend your position. Do not forget to address the viewpoints that fall on the opposite side of the argument.

#### Planting a seed of change

1. Take a survey at your school and in your communities. What do people know about Guantanamo? What misconceptions do people have about Guantanamo? Do students or community members know about the domestic and international rules of law, as well as the Supreme Court cases that you learned about in class? Do people understand the controversies surrounding Guantanamo? What types of questions do people usually have about Guantanamo? Once you have done your research and interviewing, create a pamphlet, informational video, presentation or speech that could inform the public about this current and controversial topic. Once you have created this product (make it interactive and interesting), think about the best way to distribute it to the general public and present it.
2. Respond to Clive Stafford's Smith quote: "If you want America to be safer or Britain to be safer, there is a simple solution. The solution is to behave decently...The effective enforcement of basic human rights is the greatest anti-terrorism weapon in our arsenal.
3. Research the use of mental and physical torture at Guantanamo. What types of torture were used at Guantanamo? Why was torture used at Guantanamo? Do you think torture should be permissible during interrogations or elsewhere? Why or why not? Consider discussing the long term impacts of mental torture versus physical torture.
4. Some of the detainees were juveniles when captured. Write a brief biography of one of one. Compare and contrast your teen years with theirs.
5. Start your own blog. Start discussion pages regarding issues and topics surround Guantanamo. Invite your friends to join and comment on their thoughts. Post recent articles and past articles that deal with these issues in order to better inform your community. Think about contacting other schools to participate in the discussion. Brainstorm ways to make the blog interactive and applicable. Are there events you could work on organizing to spread the word about this issue?
6. Go to the Witness to Guantanamo website ([www.witnesstoguantanamo.org](http://www.witnesstoguantanamo.org)). Go to the "interviews" tab at the top of the page and then choose "other voices." Click on the photo of Brandon Neely, the former prison guard, and watch the video entitled "Facebook." Then browse through the website (under the "former detainees" tab under the "interviews") and find a former detainee that is of particular interest to you. Write the detainee a two-page letter asking him questions about his experience. **(Note: This letter will not actually be sent directly to the detainee. If students are interested in sending letters to the Witness to Guantanamo project for possible inclusion in the site, please have them send the letter to [witnesstoguantanamo@gmail.com](mailto:witnesstoguantanamo@gmail.com).)**
7. Go to the Witness to Guantanamo website ([witnesstoguantanamo.com](http://witnesstoguantanamo.com)). Under the "interviews" tab, click on either former detainees or other voices. Watch at least four videos. Be sure that at least two of these videos come from former detainees. Then write a summary of the four videos that you watched. Remember that you can watch as many of the videos as you like but choose the four you find most interesting on which to write your summaries. Each summary should be at least 5-6 sentences. After watching these videos, think about which video *of a former detainee* you find to be most powerful or intriguing. Show this video to at least one other person (examples could be your mom, dad, grandma, sister, friend, teacher). Then ask for this person's reactions. What



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type of questions might this person want to ask the former detainee? Write down the person's reactions and questions to the video and turn them in as part of the assignment.

**8.** Plan an open-mic night, where people from your school and community are invited to participate in discussions about Guantanamo and our post-9/11 world. Brainstorm ways to get the word out about it. Invite writers, poets, singers to share their thoughts on the topic in their chosen medium. Be prepared with discussion questions. Choose a moderator for the event. Choose a venue. Perhaps talk with school administrators about creating your own "coffeehouse" at your school. Is it possible to turn this into a school event? Are there knowledgeable speakers you might be able to invite?

**9.** Put yourself in a detainee's shoes and try to imagine experiencing the types of things he experienced. Think about things like how you may have been picked up and designated an "enemy combatant" (think about the two ways detainees were sent to Guantanamo). What was it like arriving at Guantanamo? What was it like to live at Guantanamo? How were you treated? Describe your experiences. What were the people like around you? Did you form a support network with other detainees? What kinds of thoughts did you have on a daily basis? What did you think about most? What did you want most? What was most frustrating about being detained? Try to really step into the shoes of a former detainee. What did you see? Feel? Hear? Smell? Taste? Touch? You can either imagine your own type of story about what this felt like or you can base your experience on a story we heard from the video clips (or both). *Next choose one of the formats below to express yourself.*

**a.** Write a poem about what it would be like to Walk a Mile in the Shoes of a Former (or Present) Detainee at Guantanamo. Be sure to address everything listed above. Use relevant poetry techniques to make your poem more powerful.

**b.** Write a letter to a family member or friend from Guantanamo to express what you're going through. Be sure to address everything listed above.

**c.** Write a play detailing the interactions and thoughts of people at Guantanamo (including detainees, guards, medical personnel, etc). Be sure to write the stage directions as well as the lines of each character.

### President Obama

**1.** Write a letter to President Barack Obama detailing what you learned about in this lesson. Be sure to touch on domestic and international rules of law and how these relate to Guantanamo, as well as the Supreme Court cases that you learned about. Then choose a side. Do you support closing Guantanamo or keeping it open? Tell the President about your opinion, and support your viewpoint.

### In the news

**1.** Each time you find something in the newspaper (whether online or in print) relating to 9/11 or Guantanamo, bring it in along with a short report detailing exactly what the article is about and how it relates to what we learned about in class. What is the controversy? Which side do you fall on? Why? How does it relate to what we learned about in class? Be prepared to share this current event with the class. Bring in 1-2 discussion questions to share with the class in order to inspire a better discussion about the topic.