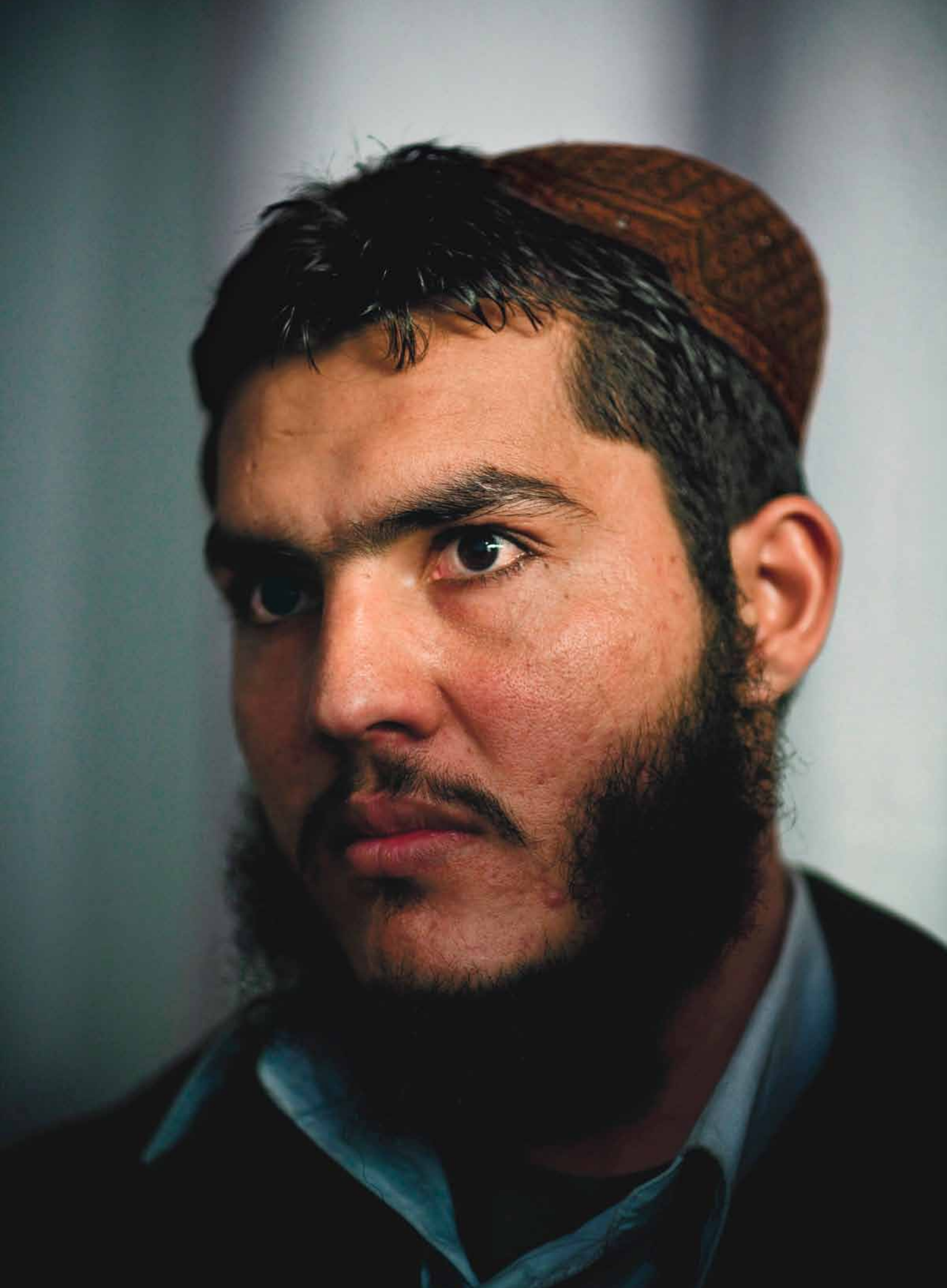
The [redacted] Boy from Gitmo

Eight years ago, an [redacted] Afghan kid—some say he was [redacted] years old, others say he was 12—was grabbed in a Kabul marketplace after a grenade attack on two American soldiers. He was interrogated, [redacted], and then taken to Guantánamo. He spent his teenage years there, seven years in all, confined in a [redacted] with the supposed "worst of the worst." But then, thanks to the superhuman efforts of his defense team and one intense [redacted] military lawyer, the government's case against him disintegrated. Now he's back in Afghanistan, free as a badly damaged bird, in a [redacted] country he barely recognizes, wondering where you go when you grew up nowhere

BY MICHAEL PATERNITI PHOTOGRAPHS BY BENJAMIN LOWY



This is a story about the lost and broken [redacted] things, the

rubble from which the phoenix—in this case a C-130 military transport—rises over the Caribbean Sea on a spotless day in September 2008. From 30,000 feet, the surface of the water glitters below like jagged glass, shooting spears of light. The plane stalks east, running parallel to the northern coast of Cuba twenty miles off. On board, Major Eric Montalvo is wedged in a seat, thinking, *What the fuck have I gotten myself into now?*

A month ago, he'd been working at Parris Island, South Carolina, capping a distinguished career during which he'd won more than 95 percent of his cases. He'd recently bought a big house with a huge kitchen and a fountain out back for his wife and two boys—and had begun to turn his attention to finding a civilian job. And then an e-mail pinged his in-box. Copied to a couple of hundred Marine lawyers, it called for applications to help with the military commissions trials at Guantánamo. Montalvo responded impulsively, stirred by the call to duty. Within a couple of hours, he received word. His retirement had been pulled: He was going to Washington, D.C.

The timing was terrible. The real estate market was imploding, the house couldn't be sold, and Montalvo was forced to leave his family for an indeterminate amount of time. Still, there was worse to come. When he found out he'd been placed on the defense side—when he realized that he'd actually be *defending* the terrorists—he was stricken. The phone started ringing, colonels he knew on the line repeating the same mantra: "This isn't going to be good for your career, Major." Then the call with his parents. On September 11, Montalvo's uncle Tony had responded with his Harlem fire company to Ground Zero, and Montalvo's parents believed it was black lung that killed him not long after.

Please don't do this, Montalvo's mother told him.

Now the transport sweeps wide around Cuba's eastern tip, an arid land of organ-pipe cacti and big loping rodents called banana rats. Below is Guantánamo Bay itself (a flume of blue water mushrooming inland, teeming with turtles and parrot fish) and then the naval base, a scattering of roads, buildings, and low-slung homes that accommodate the 6,000 troops here. Montalvo's first impression is how foreboding the rocky shoreline seems, how moonlike the landscape. A Caribbean Alcatraz. Somewhere down there, too, are the cages that contain "the worst of the worst"—as Donald Rumsfeld labeled them—alleged Al Qaeda terrorists. Montalvo's stomach burns a little with the thought that he might have to collude with any of them, in any manner. A self-described superpatriot and son of blue-collar parents (mother a hairdresser, father a cargo man for AeroMexico), he grew up in Queens, a skinny Puerto Rican scrapper, then joined the Marines at 18 and morphed into "Mad Dog," his gonzo jarhead persona. Soon he was touted for Officer Candidates School and afterward went on to law school at Temple, emerging with gravitas as this slightly fattened-up (five feet nine, 220 pounds) lawyer of laser logic and indignant rage, trimmed beard flecked gray, and bad attorney's back.

When he first found out he'd been assigned to the defense side, he went and spoke to Colonel Morris Davis, the chief prosecutor for the commissions at the time, and the colonel asked Montalvo if he thought he could handle it. The job would get very personal, he said, but it was also the most meaningful kind of work because it was all about the Constitution. And this is how Montalvo buttressed himself in the face of so many doubters, repeating it back to them. "If I'm going to fight the fight for America," he'd say, "dead center on the Constitution is where I want to be."

He soon finds himself on the top step of the military commissions building, gazing down on a makeshift tent city and sweating through his cammies in the heat. He's been assigned the separate cases of two detainees, and enters a small interrogation room where the first, a Yemeni named Ali al-Bahlul, is chained and shackled to the floor. The detainee is surprisingly lithe, a handsome man with close-cropped hair who speaks impeccable English. He's one of Osama bin Laden's former media operatives, most famous for having made a two-hour video celebrating Al Qaeda's attack on the USS *Cole*. It's one of the jihad movement's all-time greatest hits, and al-Bahlul is also among the most doctrinaire, having been locked away in solitary for years. As they sit face-to-face, al-Bahlul asks why the Marine is trying to be so accommodating. "Don't you know I'm your enemy?" he says. Montalvo responds that, legally speaking, he feels that a First Amendment argument can be made on his behalf, but al-Bahlul interrupts, jangling his chains. "Don't you know that if that door were opened and we both were out there free, I'd kill you?" Nothing has prepared Montalvo for this kind of venom, but his reaction is visceral. He leans forward and says, "Don't you know that if that door were open and we both were free, I'd kill you *first?*" When it's over, Montalvo leaves the room shell-shocked, thinking, *Jesus, how can I defend that?*

It's not just al-Bahlul. He feels it all around: that what's really being played out here is a clash of civilizations. Even the setting, the harsh sun and roiling ocean, evokes a desolation, the sense that in this otherworld there's been an allowance made for some unsayable human brutality. Eye for an eye. Montalvo goes back to his tent, gets some grub, sleeps in double sleeping bags because the air-conditioning blows an arctic frost all night. The next day he's introduced to his second client, Internal Security Number 900. The detainee is said to have committed an attack against two Special Forces soldiers in a marketplace in downtown Kabul, a brazen assault with a grenade that left the soldiers badly maimed but alive.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Before entering the room, Montalvo girds himself, does some deep breathing, pushes through the door in full professional command, and comes face-to-face with…a boy. The kid looks almost goofy, shackled there. He seems shy but unstintingly polite, asking after Montalvo, greeting him with a direct, interested gaze. The room is claustrophobic, the eye of a surveillance camera boring down on them. Where Montalvo felt a hardened knot of despair with al-Bahlul, he can't quite square the soft-spoken boy who sits before him. Is this the little shit who left two soldiers to die in the middle of a bazaar thousands of miles from home?

"They keep accusing me of something I didn't do," the boy says. "I just want to get home to my mother."

He doesn't know if he [redacted] believes the kid

at first, his utterances of his innocence. But he's a *kid*—and because of that Montalvo feels something shift, a nagging doubt not about the boy but the strange American juggernaut running him down. He leaves and boards the transport plane home, and back in his shade-drawn office in D.C., Montalvo keeps returning to that first meeting. Despite everything, the alleged enemy seemed, well, *hopeful*. As if a clerical error had been made. Like the boy believes he should be going home soon, once he's been heard by the president or judge or wizard, whoever's in charge. It's that conviction that brings Montalvo to a standstill and makes him feel some odd, sudden weight of responsibility.

He spends hundreds of hours reading the official military reports, and the evidence seems damning. On December 17, 2002, two American Special Forces soldiers, Michael Lyons and Christopher Martin, along with their Afghan interpreter, drive an unmarked, soft-top jeep into a Kabul bazaar. They visit with a couple of vendors whom the team is cultivating as informants. They make a final stop, at a shop selling clocks. Lyons enters, asks the owner, "How is everything?" The shopkeeper responds in broken English, "Everything's fine. How are you?"

"No," says Lyons, "how's everything…*for me?*"

The shopkeeper goes to the front of the store, scans the street, returns. "Everything's fine," he says. "For you."

Lyons wants twenty-five wall clocks. A long conversation ensues, less haggling than an exercise in trust-building, and then he "tips out," overpaying an encouraging amount of money. Meanwhile, standing guard on the street, Martin has had a chilling premonition, a feeling that he's being watched through the scope of a rifle. When Lyons exits the shop with the interpreter, they quickly load the clocks, and all three hop in the jeep. The marketplace swarms with hundreds, thousands, of people just released from afternoon prayer at the mosque; traffic is bumper-to-bumper. Smoke from the outdoor barbecues wafts thickly with the scent of kebab meat. The jeep nudges forward, unable to merge into the swirl around a traffic circle.

And then a sickening thing occurs: The windshield suddenly shatters, leaving a spiderweb of cracked glass. "What the hell was that?" blurts Lyons in the driver's seat. They've been shot at from the front, he thinks, but there's no sign of attack on the street. Then there's a hollow thud, like an empty bottle rolling on the floor. Martin, riding shotgun, glances over his shoulder at the interpreter, who's scanning the floor of the jeep. Martin looks down, frantically searching back to front, and as he lifts his eyes, a blinding flash of orange engulfs everything.

And then a deafening explosion.

In the next instant, Lyons lies slumped over the wheel, unresponsive, blood gushing from a tear in his femoral artery. His legs are mangled; his left foot is missing a toe. Meanwhile, Martin, who's still in the passenger seat, looks down at his hands to find them covered in blood. But whose? The interpreter, badly wounded himself, flags a nearby taxi, piles the two U.S. soldiers in the back with their feet hanging out the open door, and sends the driver off with directions to get to a German field hospital. The taxi wedges through the crowd, hitting people with the open door as it goes, the bloody legs dangling.

Back at the bazaar, various men are apprehended, but soon the only one left is the main suspect, who is described as "very young and clever" and who was allegedly caught in the act, arm cocked with a second grenade near the smoldering jeep. Unlike a suicide bomber or martyr, the subject is alive, talking, a tangible terrorist potentially packing vital information. Within hours, he supplies a written confession that reads:

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1. The Kabul marketplace where Mohammed Jawad was arrested after an attack on two American soldiers.
2. Jawad with his relatives in his home outside Kabul.
3. Eric Montalvo greets Jawad in Kabul in December 2009.

> I came to Kabul alone from the province of Khost.… No one had assigned me this task. I did this myself.… I have a grudge against the Brits and the foreigners. They should not be in our country.… I executed this operation in Pul-e Khishti while they were riding in their Jeep. When they were on the street, I didn't attack them because innocent people were going to be killed. Once they climbed into their vehicle, I threw the hand grenade at them. I am sorry that some Afghans got wounded. I am happy that the foreigners got killed.
>
> Goodbye,

From the beginning, the boy is considered the highest security threat, a person whom the U.S. military is eager to add to its growing roundup of Al Qaeda detainees. But the Afghan authorities regard him as valuable quarry, too, refusing to relinquish him. Are they playing for a bribe? If so, they've misread the situation. With American blood still on the market cobbles, heavily armed U.S. Special Forces storm the Ministry of Interior, where the boy is being interrogated. The Americans seize him by one arm as Afghan officials pull back on the other, a literal tug-of-war, but then, there's no contest.

Under U.S. custody, the boy is transferred to a forward operating base in the city, where he is subjected to "a harsh-up," hooded and placed in a prone position for ten minutes, then helped to a chair and exposed to bright lights. The procedure is repeated whenever discrepancies arise in his account. He complains of being thirsty. He slouches and fidgets. The Americans suspect he might be in drug withdrawal.

"Is this what your God wants you to do?" they yell at the boy.

"Did you know that the victims have family and children?"

During those first five hours, he tells a more elaborate story than the one in his thumbprinted confession. Now there are others who are in charge—men he knows only as "39" *(continued on next page)*

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and "42"—and he claims that he never threw the grenade at all; rather, he thinks a man by the name of Nadir did. He claims to have met these men at a mosque in Pakistan, where they recruited him and took him to a nearby training camp. He stayed there for about two weeks with about a dozen others. He spent a lot of time sleeping there, he says. He would eat, the older men would give him white pills that made him dizzy and made people look small; sometimes the men gave him injections in the leg, and he would wake up hours later with his pants undone and everyone laughing at him. Is it all made-up? He's frightened, perhaps trying to tell them what they want to hear so he can go home. The hood goes on, comes off. The only unchanging fact seems to be that the boy was subdued that December afternoon, not far from two bloodied and maimed American soldiers. And now he feels as if he's suffocating. They keep asking questions, blasting him with words until he loses his grip on them, until an opaque glow comes down between him and them, and he slips into sleep while sitting straight up in the chair.

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SITTING IN HIS own chair in his office before the little shrine he's built with the flag and mementos from his military career, Montalvo wades through boxes and folders and computerized case files, tracking the ghost of the boy back in time. It's odd, what's there and what isn't, what gets emphasized and what doesn't. Initial military reports on the night of the boy's arrest identify him as not being "any more clean or dirty than the typical Afghan," or appearing "much like every other Afghan; not covered in mud, however not freshly showered." But a military videotape of the U.S. interrogators doing their work that first night suddenly can't be found. Then there are the nearly two months the boy spends in the prison at Bagram Air Base, days full of forced standing and stress positions, hoodings and physical assaults, at a time that coincides with an array of heightened abuses, including threats of rape and the two beating deaths of other prisoners. (One, a taxi driver, is left hanging in his cell for four days while guards pummel his legs to uselessness.) *So what more might have happened to him there?*

After the boy has been shackled, hooded, and put on a plane for Guantánamo, after he finds himself whisked from the broken bone of war-torn winter to the humid Tropics—and put in a "cage," or "punishment place" (as the boy later calls it), for thirty days in isolation—after his life zeros to a captivity where, feet from an ocean, he can see only small patches of parched earth and cacti, the record becomes partially more clear. There are logs in which the guards employ a coded language to detail events of each day. "Alfred Hitchcock on the block" alludes to a visit from a psychologist to a detainee; a "three-piece suit" refers to the shackle system used to move prisoners. A "reservation" means an interrogation (those sometimes with torture), while "Flyer" or "FF" refers to the Gitmo-styled "Frequent Flyer Program," a sleep-deprivation tactic during which the boy is moved approximately every two hours and fifty-five minutes, from cell to cell, 112 times total, for roughly two straight weeks in May 2004. Even his weight tells a story: 130 pounds…160…151…142…119… *What does a forty-pound dip in a growing male indicate?*

The boy appears again and again, in Gitmo's strange pointillism, hungry, lonely, trading for what little he can, his every transgression etched in the permanent record by an ever changing rotation of guards:

"…came to Kilo block to take [detainee] to Reservation…placed…in 3 piece suit…found a breakfast roll in [detainee's] orange shorts; 3 salt packets; extra styrofoam cup; empty packets of tea, peaches, salted nuts, and lemon poppy seed pound cake were found in cell…. Punishment: Loss of rec x 3 periods; Remove all comfort items x 3 days; loss of hot rations for breakfast and dinner."

"…did destroy his cup and demand a new one. Loss of CI x 4 days."

"…refused to give meal up unless he got soap. When he got soap he still refused to give up meal. Detainee later gave his meal to guard #2."

It goes on and on, the petty rebellions, the hoarding of salt packets, the cross-block talking, the covering himself with a blanket when forced to defecate under the eye of the guard, etc. When the punishments add up, he finds himself in isolation, and the guards mark his hourly activity on charts with single words: *sleeping, sitting, praying, reading, reservation…* It goes on like this for weeks: *pacing, sitting, sleeping, reservation…*

Montalvo learns of the boy's 2003 Christmas Day suicide attempt, the boy bashing his head repeatedly against the wall until he's bloodied and hauled to the hospital. He reads the psychologist's evaluation in which the boy's homesickness and depression are seen as a feint, or fabrication, but also a sign of his vulnerability, and so it is recommended that he be isolated for another thirty days in order to break him. And finally he comes to the photographs.

The photographs arrive on a disk from the prosecution, jammed with files and miscellany, as part of the discovery process. It takes another defense lawyer on the team weeks to realize they're even there, a small cache from the boy's initial strip search the night of his arrest. He stands in a room, under pale light, naked before the men of Lyons and Martin's unit. His face is photographed, revealing a nasty gash across the bridge of his nose (apparently at the hands of the Afghan police). And then the camera lens examines the rest of him: his arms and legs, his torso and butt. Montalvo can't shake one photograph, taken from low and behind, the boy standing with his arms outstretched while a U.S. soldier stands before him, face-to-face, an American flag draped on the wall behind the boy's right shoulder. Another soldier sits with legs crossed in the corner, talking with others just out of the frame. It seems so composed.

There are more, including pictures of the boy's penis. According to a statement by Major Kenneth Chavez, the operations officer in charge of the detainee, he's examined with "all of his clothes off; with only men present." Claiming to have seen photographs of the exam, another soldier, Warrant Officer David Alan Rolbiecki, says that he remembers that Jawad's "genital area, as well as his chest and armpits, had been shaved, which is consistent with a martyr."

It's plain to Montalvo that anyone would look at those same pictures and see a boy too young to have reached puberty, that the pictures are more about humiliation than anything. No—this certainly doesn't feel like justice anymore, he thinks, but some strange violation of it.

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OVER THE SEVEN years of the boy's incarceration, the government puts forth many versions of the detainee: They allege that he claimed to have foreknowledge of 9/11, owned a shop in Khost, and was a member of a group with close ties to bin Laden. The claims seem preposterous for a boy at best 15 or 16 when arrested, but moving toward trial, the defense requests funding to send a private investigator to Afghanistan. When the request is denied, Montalvo volunteers for the trip, nominating fellow defense attorney Christopher Kannady to ride shotgun. They travel without backup, one carrying a nine-millimeter, the other a knife. On the day they plan to go to the marketplace in the shadow of the blue-domed mosque called Pul-e Khishti, Montalvo procures a convoy from the nearby U.S. base. But at the bazaar, the U.S. soldiers start shouting, threatening, and the crowd begins to threaten back. Montalvo and Kannady scramble to document the crime scene, where the incident took place, where the boy allegedly was subdued, where the eyewitnesses were. They work as quickly as possible, filming, photographing, interviewing. They push into a nearby restaurant, one with a blue awning, where the hostility seems so thick Montalvo has a flash of how easily he could become Lyons or Martin. And where would that leave *his* kids? Which raises another question: What the hell is he doing here?

Montalvo and Kannady track down some of the prosecution's main witnesses: The Afghan police officer whose testimony is central to the government's case claims he subdued the boy that December day with his judo, but he also claims that he pointed a gun at the boy's head when he went to throw a second grenade and muttered, Dirty Harry–style, "I wouldn't do it." Other witnesses admit to having been bribed for their testimony, and yet another confesses to have been sitting far across the river. Then there are the Kuchis, a nomadic tribe to which the boy belongs. Montalvo thinks it important to reach out to one of the chieftains, an intimidatingly large mujahideen hero named Shirhan, in order to try to ascertain background on the boy. But in that first meeting, the translator has a hard time deciphering Shirhan's accent as he grows more and more agitated. "He's a boy," Shirhan bellows. "He must be brought back." Montalvo, fearing that the tribal chief might settle things by violence, plays for a quick

wrap-up and a contact number. Suddenly three of Shirhan's men reach into their robes. Montalvo catches Kannady's eye, fearing a drawdown, flickering a message—*you go left, I'll go right*—and then the Kuchi tribesmen, all at once, pull out their…cell phones.

The boy's father was also a mujahideen fighter, killed in the first year of the boy's life in a battle with the Soviets. Which left his mother to raise him. When they meet her, she sits invisibly inside her light blue burka, and though Montalvo isn't allowed to address her directly, the keening notes of her sobs are unmistakable. She claims her son was 12 when he was arrested, and to Montalvo's mind the fact jibes with what he knows. Unlike the al-Bahluls of the world, who face their incarceration with defiance—spitting and throwing feces at the guards—the boy is known to call out his mother's name in the moments of his deepest despair.

The world sees a flicker of that despair during a 2008 hearing at Guantánamo. In a reporter-filled courtroom, with the defense by his side, the boy demands to be heard by the judge, speaking out in Pashto. "I want to express that I have been punished a lot," he says, and launches into a disjointed ramble, referencing, among others, a "big commander," "the red prison person," and "some tape kind of cell or cage." He touches on his constant blindfolding and then the sleepless rooms in which he's exposed to twenty-four-hour cycles of bright light. "Why am I sitting here, why am I in the prison?" he pleads. "I am asking you this question."

And yet the case against him has already begun to unravel. David Frakt, who leads the defense, hammers at the foundation of the charges—three counts of attempted murder and three of serious bodily injury—while the lead military prosecutor, Darrel Vandeveld, abruptly quits, claiming the prosecution is "a charade." In a burst of conscience, Vandeveld will later write a letter that rails against his side's cavalier conduct, referencing an inherited trial notebook that represents five years of government effort, calling it "a first-year law student's untutored attempt to evaluate the case." To Vandeveld's mind, the boy holds no intelligence value ("[His] youth, his lack of any but the most rudimentary education, and his manifest gullibility marked him, at best, as a low level foot soldier") and, worse, has been abused by both Afghans and Americans, while a military behavioral specialist at Guantánamo has recommended more abuse for the detainee in an effort to extract information from him. ("I lack the words to express the heartsickness I experienced when I came to understand the pointless, purely gratuitous mistreatment of [the detainee] by my fellow soldiers.")

In closing, Vandeveld writes, "[H]ad I been returned to Afghanistan or Iraq, and had I encountered [the detainee] in either of those hostile lands, where two of my friends have been killed in action…I have no doubt at all—none—that [the detainee] would pose no threat whatsoever to me.… I respectfully ask this Court to find that [his] continued detention is unsupported by any credible evidence."

Not long after Vandeveld's resignation, the judge rules that all of the boy's statements, having come as a product of torture, will be inadmissible. On July 30, 2009, the court grants the defense a petition of habeas corpus. The Department of Justice concedes that this boy, Mohammed Jawad, is no longer detainable, and he is ordered released.

Montalvo delivers the news himself at the gate to Camp Iguana. When Jawad approaches that day, he's already telling Montalvo about another detainee, a Uighur in the camp who needs representation. Montalvo interrupts him. "Your case is over," he says. "You're going home." There, on the spot, the boy falls to his knees and begins praying. After several minutes, he rises with tears in his eyes and hugs Montalvo through the gate.

A month later, Montalvo flies back to Afghanistan to help return the boy. Jawad is taken back separately, just as he came, hooded and cuffed on a transport, but forever marked now. When he touches down in Kabul, more confusion ensues. The Americans encourage the Afghan authorities to detain him. But then Montalvo intervenes again, commandeering Jawad at the office of the Afghan attorney general, taking him home to his mother at last.

In a room, she waits for her son. And then comes a young man with an impressive beard and blemished skin, a heavy brow, and dark, penetrating eyes. Her first reaction is, no, there must be some mistake here. But the man insists he belongs to her. She reaches out, to touch his head, her hand to the spot where her son had always had a knob, and then she knows and can't speak anymore, holding him close.

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SO, THIS IS THE happily ever after, the mother-and-child reunion, the tribe killing the fatted lamb to celebrate the answer to their prayers. And this is Montalvo, the gung-ho superpatriot born on Flag Day, the man with a Marine shrine in his office, who's never voted for a Democrat in his life, having executed his military duties with thoroughness—some might dare say "honor." But he's now forever the guy who defended a terrorist. People lambast him on the Internet. He's lost two years from his wife and kids. The military—his beloved military—has threatened him with the removal of his security clearance and a court martial, though it never acts on those threats. Even after he's left the military, after he's finally retired and gone to work for a private firm, he's marked. He leaves after six months, when the firm begins to lose business based on his "past affiliations." And the grief he's caused his own parents: How can he not question the cost?

THE OTHER SIDE OF THE ISLAND

After completing his reporting in Afghanistan, Michael Paterniti visited Guantánamo Bay to see firsthand the place where Mohammed Jawad was held for seven years. While there, he conducted a series of interviews with the detention camp's staff. Below are excerpts from his conversation with **Paul Rester,** Gitmo's chief of interrogation since the camp opened in 2002 and a staunch defender of its operations. For the complete oral history of Paterniti's trip, go to GQ.com.

On why the Island was chosen
Contrary to popular belief, Guantánamo wasn't chosen because it was outside the rule of law and [we could] bring people here and somehow conceal them from the world. If you read the Geneva Conventions—the requirement to provide certain protections, evacuate the enemy from the battlefield, provide comprehensive medical care, and so forth—in December 2001, there was no place outside of Afghanistan [where we were able to] do that. There was no place that afforded this security. You can't escape from here.

On allegations of torture
The Guantánamo that everyone loves to hate ceased to exist by the fall of 2003. Every assertion or allegation made, I can trace to that period. The truth of the matter is, most of these guys were treated very well. And those that make claims to the contrary are doing so out of self-defense, because they don't really want their pals to know that they weren't tough guys—they have to maintain this persona. So they go out and make these claims, "This happened to me, that happened to me," so on and so forth. The truth is incredibly simple and incredibly benign, and it just doesn't sell, you know? "I go home, I want people to think I'm a hero, I toughed it out, and they did all these horrible things to me." I don't want to go home and say, "You know, I watched sixteen channels of television for a year." That just doesn't get the girls.

On interrogations
In 2006 [it was] mandated that no detainee would be compelled to leave his cell to have a conversation with any of my personnel. You know what? Didn't do anything to the statistics. Still had the same number of interviews, the same number of refusals, still had twenty people a week asking to see their interrogators. Because they want the interaction, they want to get out, they want to move around. They want the opportunity to inform or disinform, because it's a conduit for knowledge in both directions. The one thing that incarcerated people thirst for more than anything else is information.

On the guards' behavior
There's a lot of stuff these guards put up with, and they're expected to be rigidly disciplined. If he goes against instructions—if he even looks like he's gonna react to a provocation—that sergeant will be facing an Article 15, commander's punishment, or worse. I don't want their posterity to be rooted in "Guantánamo's a stain on America," because these kids ain't a stain.

On the identity of detainees
You are required under the Conventions to protect detainees from public curiosity. They're not proven guilty of anything; they're just combatants in detention. Why would you want to expose poor Mustafa to a lifetime of being branded a terrorist when maybe he's got a chance of going back and having a good life?

"This has been a monster," he acknowledges. "I wish I weren't at the head of the spear."

Why, though, does he say it in the present tense rather than the past? The rest of the defense team has moved on: Several attorneys pick up other Gitmo cases; Frakt turns back to teaching law school and the occasional public-speaking gig on the Mohammed Jawad case, sometimes with Vandeveld, the old prosecutor, by his side. And yet Montalvo can't seem to let go of the case itself, the minutiae of it. He is 41 years old, and when he thinks about the boy it all feels terribly personal, triggering some bristling righteousness that he can't contain. "Look, we took a boy, and we put him in a cage for *seven years* and tortured him," he repeats over and over again. "We broke him to the point where he trusts no one, and then we threw him back among potentially shady operators, with no support whatsoever. God forbid he pulls a trigger or causes the death of someone. It'd be on my hands now."

It sounds selfless and perhaps a little grandiose, principled and perhaps seeded with something else—disillusionment, hope, guilt, an unsettling anger? After all, just how much does one newly retired Marine really owe the supposed enemy? Isn't it time to go home to his family now?

But he's not just chasing the ghost of the boy anymore. What moves him, what constitutes an inner cosmology, is a mystery even to him, one that occasionally surfaces in fragments. It's funny how memory floods the present, how everything organizes itself around lodestars: the boy in the casket, the lost father. He remembers the day he came home from school at age 12 and his mom told him one of his best friends had been sodomized and stabbed to death. He remembers the wake, the open coffin, his buddy there, unsavable. And then there's the secret of his father, one kept for the first thirty-eight years of Montalvo's life because his mother always thought him "too tenderhearted" to handle it. That is, his father is not his father, that he's not Puerto Rican but Italian, the son of a man named Sal Armenia, who's dead now. He pores over an old file that he obtains, full of legal documents that attach him to his real biological father. There's a coldness to the law, a crystalline logic. But it helps him understand that he's no longer the person he thought he was, that nothing can be trusted. It makes him feel at times like there's some cable or track connecting him to another world that might explain this one.

Now Montalvo speaks to Jawad once a week by phone—and finds himself increasingly troubled by the tone of the calls. The transition has been hard, leaving him sluggish and isolated. And then there are the necessities: food, shelter, work. Upon his immediate return, Jawad meets with President Hamid Karzai, who pledges to help him find a suitable house and to provide financial assistance. But like so many promises in the swirl of the new Afghanistan, this one doesn't take hold, and as the weeks pass, Montalvo can hear Jawad's hurt and anger and, worse, his detachment. The kid is floating away. After time has played the slow, cruel trick of robbing him of his most important developmental years, the clock has started again, seemingly at breakneck speed, as if it means to devour him now.

Montalvo senses this, the shell Jawad has become, his defenselessness, from 7,000 miles away. "Take a victim, revictimize him, and dump him on a street corner, and you have a guppy trying to breathe," he says.

The only way to solve it is to go back to Afghanistan. So that's what he plans to do, invade this time to save the fatherless boy.

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KABUL IN THE morning is cold, unsplintered sunlight and the ash taste of burning refuse blooming from somewhere beyond the walls of the guesthouse compound. It's December, almost seven years to the day of Jawad's arrest, and Montalvo emerges from his lair to the courtyard bulked in a gray hoodie, jeans, and a blue watch cap. He knows the risks of being here, outside the wire, heading into the slums south of the city. With each passing week, kidnappings and suicide bombings have been on the rise in the capital. Five U.N. employees have just been gunned down in a guesthouse attack.

Out on the street, the morning hustle is on, and there waiting by the curb is a pickup truck with shot suspension, an Afghan man at the wheel. Today, Montalvo hopes to do some recon—suss out Jawad's living situation, observe the elements surrounding him, assess the risks. He's come to reestablish a plan with Jawad, one that might include doctor visits, school, a job. A low cloud of dust sparkles over the boulevard. "Might as well draw a bull's-eye on yourself in that thing," says Montalvo, gesturing when a white Land Rover lumbers by, marked in black letters: U.N. On the sidewalks, the women cocooned in blue burkas seem to float with their heads tilted down against the backdrop of bullet-pocked walls.

Eventually the traffic thins; the city falls away. The land opens in rolling scree-covered hillocks of a gray-orange glow. Kabul occupies a narrow slot in a valley surrounded by the towering Hindu Kush mountains. Ten miles from the center of the city looms the old Darul-Aman Palace (translated as "abode of peace"). Having caught fire in the '60s and then blown to smithereens by the warlords Hekmatyar and Dostum, who spent much of the '90s destroying the city, the structure stands as its own misshapen symbol. Now, among its hollowed towers and crumbling walls, schizophrenics and heroin junkies skitter in the rubble. Even in broad daylight you can hear them howl.

The pocked dirt road leading into the slum of Chilsutoon runs along the Kabul River, which trickles in a logy flow in winter. A quarter mile along, a dimly etched figure in the dust appears, resolving into a young man, oddly fresh among the squalor. He wears a burgundy Kandahari hat with mirrored decorations, a brown sweater, black sandals, and a camel-colored blanket wrapped over his upper body for warmth. This is Mohammed Jawad. Since returning, he's become something of a celebrity, recognized on the street by little kids and old people alike. On his wrist he wears an oversize black watch, an accoutrement of the moneyed, though he doesn't seem to have any. He has thick black hair, close-set eyes, small ears, a wide face with handsome angles that breaks into a smile when he sees Montalvo. They embrace in the street warmly; then Jawad quickly leads him down an alley of caked mud, hemmed by rough earthen walls, running with open sewage, and littered with empty cigarette packs. He comes to a wooden door, pushes into the courtyard of the place he calls home—a concrete structure—then leads Montalvo up a set of stairs to a common room with red cushions and pillows on the floor.

Montalvo has taken pains to keep the time and day of his visit vague, just in case. Yet within ten minutes of arrival, a formal parade of men starts filing into the room. They wear turbans and Kandahari hats, too, beards, cloaks, scarves, and wool blankets draped over their shoulders. From earlier visits, Montalvo already knows Jawad's uncles—whose names translate as Uncle Good Flower and Uncle Avenger (*Jawad,* as it turns out, translates as "generous person")—and his maternal grandfather, an exquisite-looking old man with a wisp of gray beard and ghostly, cataracted eyes. And now comes Shirhan, the tribal leader, the prototype of nomad-warrior-mujahideen, accompanied by three or four boys who throw white candied almonds, a special greeting that causes Montalvo to flinch. ("Oh—okaaay," he exclaims as one bounces off his biceps, then giggles.) Out comes a cloth that gets laid on the floor, and then a tray with plates and bowls. Green tea, crunchy corn. And the smells of the delicious Kabuli pilau with rice, carrots, and raisins, and hidden chunks of meat, tender and cinnamon-flavored. It's all a gift from Jawad's mother, unseen somewhere in the house.

As much as everyone in the room defers to Shirhan, and as much as the crowd huddles close around Jawad, their long-lost son, Montalvo the Marine is the honored guest, which brings another sort of pressure. In the past, Shirhan has asked him for little favors, to check up on a person or two, say, to see if they've ended up in Bagram, or in some prison beyond, something Montalvo's not at all inclined to do. "Important not to get into horse-trading here," he says. "In the end, we don't know who any of these guys are."

Montalvo and Jawad seem at ease with each other, and Montalvo is quick to joke with him. "You looking for a girl?" he says. "We need to find you a girl." Is this even appropriate conversation for a devout Muslim? Jawad smiles at him—which absolves Montalvo of all the things he may represent for this crowd: like, first and foremost, America. Uncles Good Flower and Avenger sit on either side of their nephew, with contented expressions. In the melee of laughter and competing voices, in the full flush of goodwill, Shirhan leans over and whispers something to the translator, who repeats it to Montalvo. It sounds like: *I can no longer guarantee your safety here.* The translator repeats it in a low voice.

"Jesus," mutters Montalvo. "Is this a kidnapping now?" Then, to Shirhan and his men: "Well, that's our cue, sirs. It's been nice." He stands and authoritatively shakes all the hands, and tries to navigate the crowd out the door, down the narrow stairs, out into the alley with its open sewer, everything heightened by that little drip of fear, back out to the dirt road where the cars are supposedly waiting. But when he gets there—out in the sun—the cars are gone.

Montalvo fidgets at the idea of becoming the exact target he'd hoped to avoid being. The group stands like a herd of horses, Shirhan tapping out numbers on his cell phone with his thick fingers (which one of his

murky contacts might he be calling?), Jawad sinking back into the protection of the alley (he seems ethereal, half gone, floating away), Montalvo scanning the road.

Finally, vehicles appear. Montalvo heaves a sigh of relief. "What a clusterfuck," he says.

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IN THE MIDDLE of Kabul, in a concrete villa behind high walls that houses the offices for an NGO called Children in Crisis, an Afghan therapist talks about Jawad's fear. He was so full of fright when he first came home that they kept him on tranquilizers and sedatives. The therapist talks about his depression and his trouble concentrating and his mistrust of authority figures. Jawad regularly dodges his weekly appointments, he says, to the point where he no longer bothers to schedule them. When Montalvo hears this, he can barely suppress his concern, and a little fury, too, directed at the therapist. "He's very fragile. He needs to be talking all the time about what happened," he says, "sometimes a little, sometimes a lot."

There's also an Afghan doctor here and two caseworkers, all members of the team Montalvo has assembled to save the boy, who sits among them in the circle, following the conversation as if it's all about someone who's not there. Then suddenly his fingers flutter up to his temples, and his head drops. Montalvo addresses him in a big-brotherly tone, one kindly though gently admonishing. "They can't help you if you don't show up for your appointments, Jawad. So—why aren't you showing up?"

Jawad understands—and can speak—more English than he allows after his time at Gitmo, but whenever asked a question, he leans forward, fingers steepled before his mouth, waiting for the translation, considering for a moment, quickly scanning the room (making flitting, almost nervous eye contact), and then speaking in Pashto, a pause belonging to someone who has learned to weigh his words, been scrubbed of anything impulsive or rambunctious or irrepressible.

"Because of the house problem," Jawad says finally. (Jawad has made it clear in earlier phone calls to Montalvo that he fears the neighborhood in which he lives, wants a cot after seven years on one at Guantánamo, and dreams of a computer, a refrigerator, or taxi, but would first take a good stove that doesn't leak smoke everywhere.)

Montalvo pushes again. "We're gonna deal with the house," he says. "But why aren't you showing up for these appointments?"

Jawad steeples his fingers again, exhales. "Listen," he says, gazing intently at Montalvo, "when I was in Guantánamo, the psychologists asked questions. 'Do you like Arabs?' "—as it turns out, a common saying directed at disobedient children in Afghanistan invokes an Arab as the bogeyman—"And when I said, 'No, they frighten me,' then they moved me into the camp with Arabs. Everything I told them, they used against me."

The other reason for skipping appointments, says Jawad, is that he doesn't want to remember all that has happened to him. When he thinks about it—the memories of his incarceration—his head hurts so badly he sometimes has to lie down. Which is partly why he never seems to leave the house, has given up on a job or taking classes in hopes of becoming the doctor he dreams to be. "He does nothing right now," declares Montalvo, turning back to the doctors. "This nothing is also a disease for him."

And so the question of the moment becomes how to reanimate Jawad—until Jawad himself interrupts. "I have something to say," he says, and the room stills. He then describes a recent evening when he woke to a knock at the door. His aunt had answered. From upstairs, Jawad heard murmuring. Two men, their faces covered, had demanded to see him. His aunt told them to leave at once. They left—but then returned on another night soon after, late, only to be turned away again. Clearly they were intent on making their shadowy presence known, but who were they? What did they want? And how long before they merely take what they want?

Jawad has no answers to these questions, only fear, a spindled pain in his head. "I just want to live in peace," he says. He seems suddenly cranky. Clearly he's been at it for too many hours. The perceived threat—the dark riders from some myth looking to devour him—discomposes him so much that he abruptly rises to leave the room. "When I'm scared, I read the Koran," Jawad says. In his absence, the team members let their conjecture fly, presuming the men at the door that night to have been Taliban, or worse.

Montalvo wearily runs a hand over his face. He looks pale, a little sick, as if he's just been punched in the gut. "Do you see what we're up against here?" he says in disgust. "We think it's over, but it's just beginning."

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AFTER THE MEETING, Montalvo tries to arrange the next day's rendezvous. "I'm sorry to say this," announces Jawad, "but I can't be seen with you. There are people who think I'm a spy for the Americans." Montalvo belies no anxiety, responds simply: "Okay, Jawad, but I'd like to see you a little while I'm here." Then, when Jawad leaves with his uncles, Montalvo says, "I can't tell what kind of shit he's pulling now."

For the next few days, Montalvo careens across the city from meeting to meeting, trying to rouse support, funds, a flicker of interest for Jawad. He meets with Afghanistan's leading human-rights lawyer to solicit help. Then he powwows with a representative from UNICEF, a French woman named Christine, with whom he contemplates the idea, proposed by Afghan officials, of moving Jawad to England. When Karzai's schedule proves impenetrable—Montalvo hopes to press him to make good on his initial promise of support—he solicits Sayed Hamed Gailani, the 79-year-old head of one of the country's most influential families, a fabled mujahideen leader and now deputy speaker of the senate, who warmly receives the American. Over pomegranate juice and pastries, Montalvo states that his great fear is that now Jawad has become "distracted."

"We are tremendously carried away by your human sentiments toward Jawad," responds the old man. "You know, Jawad is an exceptional case for us. He is one of us, the best of us. When we were under Soviet occupation, his father gave his life for Afghanistan as a freedom fighter, leaving a widow and an orphan, so we feel a deep obligation. And yet his tribe, the Kuchis, have fought with the militants against the government. Those militants have made handsome offers to use him, and those who offer are not doing it for God but to expand their own ranks. So we must try to educate him and help as best we can."

There's a swirl of futility to these conversations, as if everyone is biding their time until Montalvo leaves. "I couldn't agree more, Your Excellency," he says, unwavering. "Someone has to take responsibility for him. But in the end, who will that be?"

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SOMEWHERE IN THE slums south of the city, Jawad is in his cell, sleeping, pacing, praying… Then, on the fourth day, in the week just before Christmas, he finally rings Montalvo's phone. He thinks it best to meet at Montalvo's guesthouse—the one across from the Iranian embassy, with its black-masked guards—far from the prying eyes of his Chilsutoon neighbors. He arrives with Uncle Good Flower and Uncle Avenger. They park in the street, then come through two checkpoints, past the guards armed with Uzis, who vaguely pat the three men down, after which they enter the inner sanctum. Before the war, before the little compound had been bought by a BBC cameraman and decorated with old Winchesters and vintage movie posters, Osama bin Laden had installed his fourth wife, his alleged favorite, here. Now it has a lively bar and good pizza, packed with the odd lot of Western security people and aid workers, journalists, and contractors.

Thus, Jawad's entrance is met by some uneasy stares. He seems relieved to retreat to Montalvo's room. "I've been missing you, Jawad," booms Montalvo, walking across the courtyard with an arm slung over his shoulders. "Why you been hiding out on me?"

In the room, Montalvo provides bullet-pointed updates of his conversations and negotiations of the past few days. Jawad sits and listens, but it's clear he's losing patience. His leg bounces up and down; his fingers butterfly up to his temples and down again. He tells Montalvo that he'd like all the case files so that he can review them, to remember all those things that happened to him back there, in that humid cage. And although he can't really read English, he keeps asking for them, over and over. "Do you remember the cameras they had at Guantánamo, the ones in the corners of the room every time we met?" he says. "I want all that film, too." As Montalvo tries to explain how security cameras work—that it's doubtful that any of the video at Guantánamo still exists—there sits Jawad, the shattered mirror, grasping to put the pieces back in order to catch sight of himself.

"I didn't want to ask you this when you were at the house," he says now to Montalvo, "but why are you here?"

Montalvo absorbs the translation, blinks, and—rather than replay the twenty hours in coach it has taken to get "here," or his separation again from his family during Christmas; instead of relating the conversation he had with his eldest son ("This isn't fair," he'd said. "Why do you keep leaving us to go see that boy?"), not to mention the danger involved every time he sticks his bristly head outside the gate—he resettles his big frame on the seat. He betrays no emotion, replying calmly,

"Look, Jawad, I came to see you because I'm worried about you—and I'm here to get you squared away."

"What about the case?" shoots Jawad.

There's been some preliminary talk about filing a lawsuit against the U.S. government—something Jawad is very keen to do with Montalvo's support, though Montalvo knows "the shitstorm" a case like this will cause back home and the daunting odds of it going forward in the first place.

"If this is something you really want," says Montalvo, "then we're going to have to go through everything that happened to you again. Is that something you think you can do?"

"I want to know when somebody's going to apologize to me for what they did," Jawad says. "I've already told you all about what happened. Over and over." He's touching different parts of his body—his shoulder, his stomach, as if remembering. "Why do I have to go through all of that again?"

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IN A BRIEF MOMENT of downtime, Montalvo has done a little Christmas shopping, buying a rug for his wife and some slingshots for the boys. He returns to the marketplace near the blue-domed mosque, Pul-e Khishti, walking in Jawad's footsteps yet again, to eat lunch in the restaurant with the blue awning where all the stares from blanket-wrapped men make him skittish again. Is there a boy out there waiting to lob a grenade through the door? Why does he tempt fate like this?

Perhaps it's something unconscious, a felt affinity, the proximity to one's possible annihilation, that renews one's commitment to his ideals. Being here this time, too, has triggered that unconscious need to do something for those who can't do for themselves. He's made a series of calls to embassies and orphanages to try to adopt an Afghan girl—a plan he hasn't even cleared with his wife—only to find that being American means he can't. He registers his disappointment ("Now what will her life be like?"), then carries on.

At the guesthouse, Montalvo and Jawad meet one last time, ensconced in Montalvo's room, with time almost run out. It has dawned on Montalvo that, in the glacial, corrupt flow of Afghanistan, he isn't going to fix Jawad with one, or two, or maybe even three visits. This is going to be a life project, an exorcism of anger. One thing Jawad has taken from Guantánamo is a willingness to speak his mind. On the day of his return to Afghanistan, just after being freed, he was filmed by Reuters forcefully excoriating the U.S. military for the way it was treating Gitmo detainees, in particular the way it had disrespected Islam. Montalvo had stood off to the side listening to him like that, on the verge of proselytizing. Afterward, he cautioned Jawad to stop "talking smack." What he didn't tell him then was that when the devout young man spoke with that underlit fury, he seemed to all the world like the very zealot the Americans said he was.

What flickers on their faces now, however, as they lean over the table, is a gauzy weariness. They both need each other, that much seems true, but why? As proof that it's not been a dream? Unlikely as this fragile coexistence remains, they affirm for each other all that is absurd and perverse about what has indeed actually transpired—from September 11 to Gitmo to the war on terror to all those mistakenly tortured to this journey back to find some unfindable reconciliation—that it's all real. Somewhere inside, Jawad knows that he can't put himself back together—or won't—just as Montalvo understands he can never put back together his own shattered sense of American promise and justice. How do you mend a net infinitely rent?

Montalvo asks Jawad to stay and eat lunch with him, but Jawad insists that he has to be at the mosque for prayer, and keeps glancing at his oversize watch. Home and mosque, those are the only two places he feels comfortable. He fiddles with his water glass, smooths his vest, and stands to leave, when a huge blast sounds somewhere nearby, shaking the room, rattling the lights, trembling the water in the glass. "Damn—that didn't sound good," says Montalvo.

From the courtyard a huge bloom of smoke can be seen, rising up through the air roughly a quarter mile away. A suicide bombing, in front of another guesthouse. Just like that, eight are dead, forty wounded. Several buildings have been crushed. Sirens fill the city, which comes to a standstill. Montalvo watches the smoke rise higher in the sky. "Looks like you're having lunch with us, Jawad," he says.

In the guesthouse restaurant they sit at a long table, suffering the stares of the Western clientele. Jawad eats French fries, smiles at Montalvo, and is the perfect polite guest, but his eyes keep skittering around the room, then down to his watch. Finally he sits with his hands folded in his lap. Soon he will exit through the barriers and checkpoints and disappear into the smoky void of Kabul—the city acting again as if nothing has happened, the sparkled dust clouds over the boulevards, the menace in every slow-moving vehicle, the cleanup operation of body parts and bone bits, viscera and glass fragments, nearing completion for the day.

Mohammed Jawad will soon go back to his mother, who'll be waiting, preparing dinner—but also back to his own fate again, to some deeper nothingness. He'll walk out under that plume of acrid smoke, where anything, any act of violence or kidnap, is possible. In the months to come, he'll be briefly rearrested by the Afghan police, held passingly by the U.S. military, and finally flee to Pakistan, in order to "live in peace," as he'll tell Montalvo on the phone, in tribal lands where he hopes no one can reach him, not even his uncles, who—it turns out, are not who he first thought they were.

But now he steals a glance at Montalvo, who's laughing at a joke. Others in the restaurant—the contractors and war profiteers and hangers-on—look up again from their meals, register the noise, the image of a burly American consorting with what appears to be the enemy, and then go back to stabbing their food, heads down, in low whispers. Montalvo will never be able to explain it to them, or anyone. Not even his kids. This boy needs him. It's that simple. If Jawad is unhappy to be missing prayer, he doesn't show it. If Montalvo harbors his own discontent, he doesn't show it, either. They're together, having both waited much longer than this to be free.

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