

REMEMBER WHEN THAT “RECIDIVIST” JABIR AL- FAYFI SAVED AMERICAN LIVES?

It's recidivist season again, when the DNI releases data about how many Gitmo detainees have “reengaged” and fear-mongering reporters (including, uncharacteristically, Mark Hosenball) then describe how many “recidivists” from Gitmo there have been.

Of course, even while DNI brags about how detailed the new numbers are, they are just that. A list of numbers: 12, 28, 52, 0, 0, 3, with just the following description of what DNI considers “reengagement” (or, of course, engagement for the first time, but no one wants to admit that throwing someone innocent in Gitmo for a decade might radicalize someone) in terrorism.

Definition of “Terrorist” or “Insurgent”

Activities. Activities such as the following indicate involvement in terrorist or insurgent activities: planning terrorist operations, conducting a terrorist or insurgent attack against Coalition or host-nation forces or civilians, conducting a suicide bombing, financing terrorist operations, recruiting others for terrorist operations, and arranging for movement of individuals involved in terrorist operations. It does not include mere communications with individuals or organizations—including other former GTMO detainees—on issues not related to terrorist operations, such as reminiscing about shared experiences at GTMO, communicating with past terrorist associates about non-nefarious activities, writing anti-U.S. books or articles, or making anti-U.S.

propaganda statements.

Without a list of actual names, no one can check DNI's claims or—as I did when the House Armed Services Committee last engaged in this game—point out that someone who once was claimed to be a recidivist, Mazin Salih Musaid al-Awfi, had actually infiltrated AQAP, and then returned to Saudi Arabia to provide lots of intelligence on the organization.

So let me remind the fear-mongers of another so-called recidivist who provided key intelligence: Jabir al-Fayfi. At least according to the claims made about the plot he tipped off, the toner cartridge plot could have caused real damage to airplanes or, possibly, the American synagogues to which the toner cartridges had been sent.

Jabir al-Fayfi, who surrendered to Saudi authorities on 16 October, told officials about the plan by al-Qaida in the Arabian Peninsula (Aqap), the Yemen-based terror cell of which he was a member.

US officials said earlier that an alert from Saudi Arabia led to the interception of two explosive devices on planes, hidden in packages addressed to Chicago-area synagogues, travelling via Britain and Dubai.

And yet two years ago, the fear-mongers would have been pointing to him as proof that no one should ever leave Gitmo.

Mind you, I'm not supporting the use of prison camps to coerce people to spy for us, though clearly this recidivism fear-mongering should at least acknowledge we did that in some cases.

And I'm not saying an assessment of our release decisions and practices should get no review. Not only is it worthwhile to track under what circumstances people engage or re-engage in terrorism after having been held in a prison

camp for long periods, but I suspect a review of which detainees our allies asked for and why might raise some interesting questions (in one case I will probably show at more length some time, a Saudi detainee was only slotted for transfer after DOD started claiming he had ties to Lashkar-e-Taiba).

But I remind that, at least in Fayfi's case, a so-called recidivist saved lives because of the context (as described by Hosenball) of this particular recidivist season: the discussion about releasing five members of the Taliban as part of a larger peace deal.

The increase in the apparent recidivism rate, while not large, comes at a delicate time for President Barack Obama, and could further complicate his attempts to negotiate a peace deal with Taliban insurgents in Afghanistan.

As a "confidence building" measure, the Taliban have insisted on the release of five specific Taliban leaders currently held at Guantanamo. The Obama administration has been working on a plan under which the detainees could be transferred to the Persian Gulf state of Qatar but still held in detention.

Lawmakers, mostly Republicans, have indicated they will try to block the release of senior Taliban detainees, and the latest recidivism statistics could add fuel to their efforts.

We have, by all accounts, accomplished the original objective in Afghanistan, to eliminate al Qaeda from the country (though we have inflamed a number of non-Al Qaeda extremist groups in Pakistan along the way).

Meanwhile, members of the Afghan security services continue to engage in friendly fire attacks on Americans. These are senseless deaths, all the more so since we have already accomplished our original objective in

Afghanistan.

How many American lives might we save if we send these Taliban members back?

We'll likely never have that discussion.

Instead, the debate will be limited to the mindless recitation of numbers—12, 28, 52, 0, 0, 3—divorced from any discussion of what is best for this country.