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YOSSARIAN IS BACK?

When I visited my client Mr. Abdul Hamid Al-Ghizzawi at Guantánamo in September 2007 he brought with him two letters that he had been working on since summer. The letters, written in Arabic, were six pages and one page in length. The six page letter described the torture that Al-Ghizzawi had been subjected to since being picked up by the bounty hunters and the one page letter contained instructions upon his death. Mr. Al-Ghizzawi wanted to spend our meeting going over the letters so that if they got “lost” in the mail the information would be recorded in my notes.

We spent most of our first of two meetings with Mr. Al-Ghizzawi reading his letters to me and elaborating or explaining as necessary as I took notes. At the end of our two day visit I had nineteen pages of notes. Most of these concerned the torture Al-Ghizzawi was subjected to while in the hands of the U.S., but as his physical health deteriorated Al-Ghizzawi has been preparing for his own death. Al-Ghizzawi is not concerned with his death, but he is concerned about his wife and young daughter. He wonders if it is possible that whatever disease is killing him was in his system before he ended up at Guantanamo and whether his wife and young daughter might have been exposed to those illness(es) that are killing him. As he gets no answers from the military, he can only fear the worst. In addition to preparing for me his last will and testament, Al-Ghizzawi also gave me instructions upon his death. His instructions were simple: he wants to have his body tested to determine what has killed him and wants the results provided to his wife so that she and his daughter can be tested to make sure they do not have the same disease(s). I did not have the heart to tell him that his simple request would never be honored by my country. I promised him I would do the best I could.

As required, I submitted my attorney-client notes to the government at the end of my visit and Mr. Al-Ghizzawi’s letters were turned over to the guards so that they could be mailed to me. Both would be read by the government censors before being sent to me. A month later I received the one page Last Will and three pages of the six page letter describing his torture. A memo from the government explained that the other three pages of the six page letter were being held at the secure facility because they were “classified.” I was astonished that the government was classifying as “secret” the torture Mr. Al-Ghizzawi was subjected to by our government.

It would be another month before I would get my notes back from the government *sans* two pages the government declared “classified.” When I received my notes by fax there was a memo telling me that pages two and five of my nineteen pages of notes were “classified”. Even before I reviewed my notes I knew that some of the information that

was deemed classified in Mr. Al-Ghizzawi's letter was not being considered classified in my notes. To figure out what was being "classified" from my notes I would have to travel to Washington, D.C. to review everything in the secure facility. Another attorney suggested that I submit my notes sentence by sentence in an effort to determine what information was "classified." I literally took the twenty-plus sentences from the two pages of notes that the government said were classified and typed each sentence separately onto sheets of paper on the government's "secure computer" at the secure facility. I knew all twenty sentences could not be considered classified, and this was a way to figure out exactly which facts the government was trying to keep out of the public eye. As I sat there typing these sentences one by one I was trying to guess which were the classified facts. I submitted the twenty pages with sentences that said such things as:

"They beat him if he made any sound or if he complained about how much it hurt."

"Had several body cavity searches with crowds around him laughing."

"They took pictures of him naked. Men and women were watching him and laughing."

"They were brought out to the runway naked.... While they were standing on the runway they were made to sit like a dog on all fours- pictures were taken- they were made to pose with their heads all held a certain way with the goggles on."

I submitted the line-by-line notes to the government and less than a week later I received by fax sixteen of the twenty pages marked unclassified. In a subsequent visit to DC I reviewed the four sentences that were still considered classified. It was then that I realized that information that was determined to be classified in my notes were cleared in the three pages of Mr. Al-Ghizzawi's letter that were unclassified. Although it took months to work through this, in the end everything that Al-Ghizzawi told me was cleared either in his letter to me or in my notes.