

Yasmin Zainulbhai: Zoom Out for a Broader Look: An Unclassified Tale

Perhaps it is natural that fragments of our representation would appear in my dreams. In January 2008, just a few weeks into my work as a law student intern with the Fordham International Justice Clinic, my sleep was occasionally invaded by a strange jumble of images: overhead views of the U.S. Naval Station at Guantánamo Bay, Cuba, orange jumpsuits, mountains of legal documents. Later in the semester I would find myself unsurprised by this sort of occurrence; in fact, my dreams would become more specific, reflecting the everyday workings of our clinic. So it was perhaps inevitable that around April, I began to find myself particularly haunted by a set of information that carries a great amount of weight in Guantánamo litigation, and to which I have no access: Classified Information.

We currently represent two clients at Guantánamo Bay. While we have been fortunate to participate in the litigation, we have faced an additional obstacle to those faced by every habeas lawyer: law students are barred from applying for security clearance. Since 2005, the Department of Justice has refused to permit law students to apply for security clearance, effectively denying us access to a large portion of the allegations against our client, and ensuring that we are unable to visit our clients at Guantánamo Bay. It sounds unthinkable, and yet, for the many law students working on Guantánamo litigation, this is a fact of our representation.

Given this obstacle, we gleaned information from wherever we could. Instinctively, we turned to our trusted and often-searched source of information: Google. One day early in the semester, as we struggled to grasp the complicated and difficult history behind the Guantánamo detentions, we went to GoogleMaps and typed in "Guantánamo Bay." First, a text bubble appears, asking us if we would like directions to Guantánamo Bay. Out of curiosity, I tried this. I typed my New York address into the address bar, and received this message in response: "We could not calculate driving directions between this address and Guantánamo Bay NAS Station, Cuba."

We then clicked on "satellite image." The image is clear, providing an overhead, satellite image of barren-looking land, curving around a blue bay. Boats, with white wakes behind them, dot the water. The scene appears peaceful; it is only upon scrolling to the right that a jumble of buildings and roads appear. This is what we were looking for—this is the detention center, the camps. A zoom bar on the side invited us to explore more closely. We zoomed in, clicking again and again, as though this would give us a better glimpse of what lay inside, perhaps some insight as to what life is like for our clients. Finally, we focused in on a group of buildings and clicked to zoom in further. Suddenly, however, the image went blank, and a message appeared: "We are sorry, but we don't have imagery at this zoom level for this region. Try zooming out for a broader look."

Although we were not surprised by this message, it also felt particularly disappointing. Zooming out was the opposite of what we were trying to do. We were trying to zoom in—to learn specifics, about what life is like for our client, about why the government keeps him at Guantánamo. Sadly, there was information that even Google, our trusted friend, could not provide.

And so, Classified Information took on near mythical importance in our minds. It was as though, tucked away somewhere in a folder stamped "CLASSIFIED" in huge black letters, were the answers to all our questions. In late March, several months into our time at

the clinic, our team began work on a document, compiling information and organizing it into a chart. The purpose of this document was simply to aid our representation, to organize and focus our work. The going was slow and tedious, and required that we read through a large set of documents. The night after we had finalized the document and sent it out to other Guantánamo counsel, I had a strange dream. I dreamt that the entire document we had just completed had actually been done before, but that it had been deemed classified. Since we had no access to Classified Information, we had just recreated work that had already been completed by other counsel. Of course, this wasn't actually the case, but still, the dream made me wonder: were we overestimating the importance of Classified Information? Does it really contain the answer to why our client is still detained at Guantánamo Bay? The difficulty is that we can't truly know the answer to this question—without access to Classified Information, it's impossible to assess its true weight.

We will continue to be haunted by the strict control on information that pervaded every aspect of Guantánamo litigation, and by everything that the United States government would not permit us to know.