

The Guantánamo Blog

From the Law Office of H. Candace Gorman

TUESDAY, NOVEMBER 17, 2009

THE MUZZLE IS OFF

In June of this year I received a call from a foreign reporter who asked if I could give her a profile of my client Al-Ghizzawi as he was on a list of men whom the US was looking for a new home and her country was considering accepting him. This was the first I had learned that Al-Ghizzawi had been "cleared" by the Obama review team for release. I gave her information about my client and for all I know a story was published about the plight of al-Ghizzawi at Guantanamo, his status as "cleared" and why he needed a country in Europe to take him.

A few days later an attorney from the *justice* department called to tell me that Al-Ghizzawi was cleared for release and we laughed about the fact that I already knew the information. However the laughing stopped when the attorney told me that the *justice* department had designated the information as "protected" and I could not tell anyone except my client and those people who had signed on to the protective order (a court document that outlines the procedures for the Guantanamo cases) about his status as "cleared for release." I told the attorney that he could not declare something "protected" that was already in the public domain. To make a long story short we were not in agreement and the attorney filed an emergency motion with the judge to muzzle me. Despite the fact that the information was in the public domain I was muzzled by the good judge who apparently doesn't believe that the constitution applies to me. I couldn't even tell Mr. Al-Ghizzawi's brother what I thought was good news (I didn't know then that this was just another stall tactic by the *justice* department).

Not only was I muzzled but Mr. Al-Ghizzawi's case was put on hold. The habeas hearing that we had been fighting to obtain literally for years was stayed by the judge despite the fact that the US Supreme Court held in June of 2008 that the men were entitled to swift hearings.... So much for the Supreme Court! The president asked the judges to stop the hearings for those men who were "cleared" for release and the judges have fallen into lockstep, shamefully abandoning their duties as judges. A few months later when I visited Al-Ghizzawi (at the end of August) he had just received word from his wife that she could no longer wait for his release and she asked him if she would sign papers for a divorce. Bad news is an every day occurrence for Al-Ghizzawi and he was holding up well despite this latest blow.

When I returned from the base I asked the *justice* department to allow me to contact Al-Ghizzawi's wife and tell her that he had been cleared for release. I hoped that if she knew he was to be released she would hang in there and not go through with the divorce. I was told they would get back to me. When they didn't I asked again but they still would not give me the ok. In Court papers I pleaded with the judge to let me tell Al-Ghizzawi's brother and wife, telling the judge about the wife's request for a divorce, but the Judge, the same Judge who has apparently decided to ignore the supreme court's directive for quick habeas hearings, ignored this plea as well.

I seriously thought about disobeying the order and trying to get word to Al-Ghizzawi's wife and then taking whatever lumps were thrown my way....however, despite the fact that the judicial system has failed Al-Ghizzawi and most of the men at Guantanamo I could not bring myself to blatantly disobey a court order. For five months I have kept this information confidential despite the injustice to both my client, Mr. Al-Ghizzawi, and to what *was* our rule of law.... until yesterday, when the muzzle was lifted.

This is only part of the story. I will be writing more about this in the future and our friend the [talking dog](#) has more to say on this.

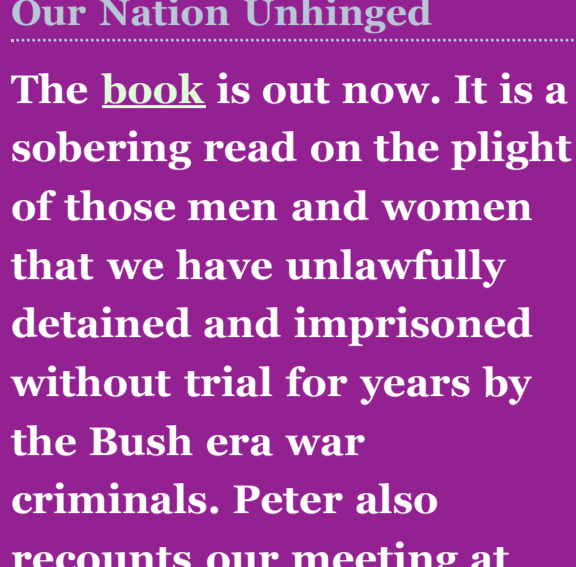
Click on the title for his take.

Meanwhile, if you hear from a habeas attorney that his or her case has been stayed you will know about the injustice that their client is continuing to suffer, you will know that the client has been cleared for release, that the attorney cannot discuss that fact and that the judge in that case has abandoned his or her duty to be a judge. You will also know that being cleared for release is just as meaningless as everything else that has been happening to these unfortunate men....because being cleared for release means nothing.

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Our Nation Unhinged

The book is out now. It is a sobering read on the plight of those men and women that we have unlawfully detained and imprisoned without trial for years by the Bush era war criminals. Peter also recounts our meeting at Guantanamo and follows some of the developments in Mr. Al-Ghizzawi's case. This is a must read.

WAR CRIMINALS WATCH

Keep up to date with the latest attempts to bring our war criminals to justice.

Ron Suskind's "The Way of the World"

If you have not read Ron's book then you do not have the whole story about what I have been doing to try to get my clients out of Guantanamo. Ron kept up with my activities and even followed me around on occasion to get the full story... then he weaved my story in with the stories of other individuals who are concerned with the direction of the United States. I recommend the book to all of you out there who also care about the direction that the US has gone these past eight years and want to work to change things.

H. Candace Gorman in the News

[My Experiences Representing Gitmo Prisoners](#)

[CAPTIVE FLOWER- on Huffingtonpost](#)

[The Way Of The World A Kinder, Gentler Torture-In These Times](#)

[Al-Ghizzawi is to blame- on Huffingtonpost](#)

[A Sickening Truth at Guantanamo- SALON](#)

[The Hippocratic Oath dies in Gitmo- In These Times](#)

[Catch 22 in the 21st Century](#)

[Third times the charm?- In These Times](#)

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[Suicide and Spin Doctors-In These Times](#)

[SHHH, MR. AL-GHIZZAWI'S TORTURE IS SECRET- Huffington Post](#)

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[Get Me Out of Gitmo - In These Times.](#)

[Torture by Another Name - In These Times](#)

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[Lawyers Say Frist is Lying - Capitol Hill Blue](#)

[Why I Am Representing a "Detainee" at Guantanamo - Huffington Post](#)

[A Legal Limbo - In These Times](#)

Documents and Resources

[Cruel and Inhuman: Conditions of isolation for detainees at Guantánamo Bay - Amnesty International](#)

[Seton Hall Report on Guantánamo Detainees](#)

[Report on Hunger Strikes - From the Center for Constitutional Rights](#)

[Faces of Guantánamo - From the Center for Constitutional Rights](#)

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[Human Rights Watch - Guantánamo Site](#)

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U.S. Government Sites

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