

# ASSYMMETRICAL SELF-GAGGING

Seton Hall has a new report out today on the purported suicides of three Gitmo detainees—Yassar Talal Al Zahrani, Mani Shaman Turki Al Habardi Al Tabi, and Ali Abdullah Ahmed—who all died on June 10, 2006. The report catalogs the many reasons to doubt that these men engaged—as the government claimed when they died—in asymmetrical warfare by committing suicide all at the same time. As the report describes, for the three detainees to have really committed suicide, they would have all had to have done the following:

- Braided a noose by tearing up their sheets and/or clothing
- Made mannequins of themselves so it would appear to the guards that they were asleep in their cells
- Hung sheets to block the view into the cells, a violation of SOPs
- Tied their feet together
- Tied their hands together
- Shoved rags in their mouths and down their throats
- Hung the noose from the metal mesh of the cell wall and/or ceiling
- Climbed up on to the sink, put the noose around their necks and released their weight, resulting in death by strangulation

- Hung dead for at least two hours completely unnoticed by guards

In other words, the cover story the government has offered to explain why all three of these detainees died at the same time doesn't make any sense.

Now as it happens, just last week the Obama Administration filed an argument saying two of these detainees, Zahrani and Ahmed, could not sue the government for their treatment because the parts of the Military Commissions Act that prohibit court review of detention remains in place, in spite of the Boumediene decision that threw out the habeas restrictions. Here's that filing.

I've leave it to the lawyers to assess the merits of the suit. But this report makes it clear that the government may have reason to want to avoid discovery in this suit.