

PERHAPS HIGH VALUE INTERROGATION GROUP MEMBERS DON'T MAKE THE BEST DOCTORS?

As Josh Gerstein reported last week, the Public Defenders Office for Southern District of NY and DOJ spent much of Tuesday and Wednesday fighting about whether Abu Anas al-Libi should get a lawyer. On Friday, Lewis Kaplan (who also presided over the Ahmed Ghailani trial) decided he should not.

Then, sometime over the weekend (that is, no more than 2 days after DOJ won the fight to continue to keep al-Libi detained with no lawyer) al-Libi was brought to NY, though he won't show up in court until tomorrow.

One excuse the government is giving for the apparent change in plans is al-Libi's health problems.

Al-Libi has longstanding health issues and will get medical testing while in custody to determine whether he needs treatment, U.S. officials said.

As Gerstein also noted, al-Libi's floating interrogation came to an end before such time as the Red Cross would normally have opportunity to inspect the conditions of his detention.

All of which stinks.

I think several things may have happened:

- Something happened during al-Libi's interrogation that worsened, or threatened to exacerbate, his health issues and the government realized they needed those

health issues off their hands before they had another dead interrogee on their hands

- The government convinced itself they couldn't sustain an enemy combatant under the AUMF claim
- The government decided al-Libi didn't have much intelligence of worth so they'll just deal him off now as if the whole floating interrogation never happened

Meanwhile, the press is generally reporting al-Libi's (secret, over the weekend) arrival in NY as if it hails a new day, when the arguments the government made to detain him nevertheless remain unchallenged.

Update: This makes sense. Al-Libi had stopped taking food or water.

The decision to bring the suspect, Nazih Abdul-Hamed al-Ruqai, to New York came after he stopped eating and drinking aboard the Navy vessel, the San Antonio, which made his chronic health conditions worse, several officials said. Mr. Ruqai's wife has said that her husband has a severe case of hepatitis C.