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Father Denounces Hamdi's Imprisonment

Son Posed No Threat to U.S., He Says

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The father of Yaser Esam Hamdi yesterday criticized the U.S. government for holding his son in solitary confinement as an "enemy combatant" for nearly three years but praised the Supreme Court decision that led to Hamdi's release Monday.

"It was totally unfair that he was there for so long and in a prison cell by himself," Esam Hamdi said in a telephone interview from the family home in Saudi Arabia, which was crowded with friends and well-wishers. He said his son never posed a threat to the United States and went to Afghanistan, where he was captured in 2001 with a Taliban military unit, only to do relief work.

But Esam Hamdi thanked the Supreme Court for the June ruling that allowed his son to challenge his detention. "That tells me the American justice system is a fair system, and I really appreciate the Supreme Court's fairness in Yaser's case," said the elder Hamdi, who also thanked his son's attorneys and "the American people, because we know that many people thought Yaser was treated unfairly."

The U.S. government freed Yaser Esam Hamdi, 24, and flew him home to his family Monday, ending a three-year case that became one of the prime legal battlegrounds in the war on terrorism. The release followed intensive negotiations between Hamdi's attorneys and the government and a two-week delay caused by concerns the Saudi government raised about the deal.

A federal judge in Norfolk officially dismissed the case against Hamdi on Monday, a decision that appeared on the court docket yesterday. U.S. District Judge Robert G. Doumar had ordered the government to produce Hamdi at a hearing yesterday if he had not been released.

Hamdi initially was held at Guantanamo Bay along with other detainees until authorities learned that he was born in Louisiana, where his father had been working as a petroleum engineer, and was a U.S. citizen. After that, he was held in military brig.

Government attorneys justified Hamdi's detention with a Defense Department declaration that he had joined a Taliban military unit, received training and acknowledged loyalty to the Taliban. Yesterday, in response to the comments by Hamdi's father, a Pentagon spokesman said Hamdi was detained "because of the threat he posed to the United States and the intelligence value he possessed due to his involvement with a Taliban military unit."

The spokesman, who would not give his name, said Hamdi was released because he no longer was a threat.

But Esam Hamdi said his son "has nothing at all against America and absolutely was never a threat to America." He said Yaser Esam Hamdi was in Afghanistan for less than two months before being captured and was merely "in the wrong place at the wrong time." He would not elaborate.

The elder Hamdi declined to make his son available for an interview but said he is "doing fine and feeling great that he is home. We were praying to Allah to get him home, and we always knew this day would come."

While Esam Hamdi said the family is looking forward, he criticized the federal appeals court that sided with the government in the Hamdi case. The Richmond-based U.S. Court of Appeals for the 4th Circuit had ruled that the military -- not the courts -- had sole authority to wage war and that courts should defer to battlefield judgments.

But in June, the Supreme Court ruled that although the government had the authority to detain U.S. citizens as enemy combatants, Hamdi had the right to contest his detention in court.

"I don't think the 4th Circuit did a fair job," Hamdi's father said. "They were not listening to the case."