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In America's Shadow

His brother is being held virtually incommunicado in Guantanamo. But Abdullah al-Juaid still has faith in Allah, and (maybe) the U.S. justice system

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Three men in white robes hurried through the streets of Jiddah, Saudi Arabia, one Saturday evening this past April, after the last prayers of the day had rung out over the city. Two wore their beards long and scraggly and their robes just above the ankle, in the style of religious traditionalists.

A male secretary ushered them into the inner office of Saudi lawyer Ahmad Mazhar. Mazhar kissed each visitor twice on the cheek as they joined him around the coffee table.

"You have all the papers you need?" asked Abdullah al-Juaid. "Did you get my power of attorney?" Juaid, a 34-year-old radio communications trainer in the Saudi Army, is a fair, stocky man with dark, deep-set eyes and a white streak running down his thick, black beard.

Mazhar smiled. "I have everything," he said. Older than his three visitors, he looked weary but was dressed impeccably in a tailored off-white long robe, silver cufflinks and expensive leather shoes.

Mazhar, hired by the Saudi government as a consultant on the fate of the more than 120 Saudis held as suspected terrorists in the U.S. prison at Guantanamo Bay, Cuba, was preparing to fly to Washington to look into hiring American attorneys for the prisoners.

Juaid flicked back the red-and-white-checked headdress he was wearing and smiled impishly. "Do you want me to go with you? I'm ready, you know."

Even as a boy herding goats in the mountains of Saudi Arabia, Juaid had hoped to someday see America. But in the three years since his brother was captured in Pakistan, his curiosity had grown into an obsession with the U.S. legal system.

"I wish," Mazhar answered. "But the Interior Ministry made arrangements for only one person on this trip."

Mazhar stood up and passed around a silver platter of dried dates.

"There's nothing to worry about," he said to the three men, who all had brothers in Guantanamo. "Let your faith in God be strong. I've already been in touch with several lawyers who have expressed their willingness to work with us. I will go there and meet with them. The American justice system has proven its independence from the government. That is a point in our favor. Your brothers will be back soon, God willing."

Juaid said, "We put our faith in God first and you second."

The life of Abdullah al-Juaid can be divided into two distinct parts: the period since his brother was taken to Guantanamo Bay in January 2002, and the 31 years before that. The split was sudden, sucking him out of his quiet pastoral life in the mountain city of Taif, pitting him against

the world's most powerful nation and placing him in the middle of a major Supreme Court ruling against the U.S. government.

Few people could have been less prepared.

He was born with the help of a midwife in his parents' home, a corrugated tin shack inside an enclosure for the family's livestock in Taif, in western Saudi Arabia. His father sold fruits and vegetables at the marketplace, and eventually opened a small grocery store.

Abdullah, the fifth child out of 12 in the family, was a teenager in the 1980s, during the resistance to the Soviet Union's invasion of Afghanistan. The United States indirectly provided weapons and support to the mujaheddin (the word means "those who fight for the sake of God") battling the Soviet army, while Saudi Arabia provided subsidized airfare to its citizens who went to fight there. Saudi veterans returned home with tales of how small bands of mujaheddin had fought the Soviet forces armed mainly with courage and karamat -- otherworldly assistance. Their accounts spurred thousands of idealistic young Saudis to travel to Afghanistan to defend fellow Muslims from attack.

But Abdullah, who had dropped out of school after ninth grade, did not tread that path. He joined the Saudi army in 1988 at 18, and has never left. Ten years later, he returned to Taif. When he wasn't at work teaching soldiers how to use radio equipment, he was at home sharing meals with the family; or with his mother taking the goats out to graze, a staff in one hand and a thermos of cardamom-laced coffee in the other; or at the mosque praying with his younger brothers.

One of them, Abdul-Rahman al-Juaid, the 10th of the 12 siblings, was a gregarious and fun-loving teenager, an ardent fan of the local soccer team, Hilal. "He laughed all the time and was easy to be with," Abdullah remembers. "But he would get very upset if Hilal lost."

Although Abdullah was 10 years older, the two of them and another brother played soccer night after night, he says. On weekends they would play volleyball in the park or go on desert jaunts to hunt birds or ride camels and horses.

One day this spring, Abdullah and I were sitting at the Hilton hotel coffee shop in Jiddah when he opened a gray folder and extracted a picture. He studied the photo of himself, Abdul-Rahman, another brother and some friends at a park in Taif, and smiled. In the photo Abdul-Rahman, then almost 17, wore knockoff Adidas jogging pants and a bright pistachio-green T-shirt. He had an intelligent face, an open expression, a hint of a smile.

About a year after that picture was taken, Abdullah said, Abdul-Rahman started attending religious study circles in the evenings. He grew his beard long and wouldn't tolerate hearing music, which is forbidden according to the strict interpretation of a Koranic verse.

After high school, Abdul-Rahman moved to Mecca to study computer science at a technical college. He came home on weekends and, despite his stricter observance, Abdullah said, remained easygoing and fun. But the temper he had previously displayed when his soccer team lost found a new focus. "If we didn't pray on time, or if my father was watching the news and then music or a song came on, he would get angry, run to the television and turn it off," Abdullah recalled. The family eventually stopped watching Saudi television and subscribed to religious satellite channels instead.

Abdul-Rahman had spent less than a year in Mecca when he started pestering his father for permission to study religion in Pakistan. But "my father said, 'There are schools here, why do you have to go to Pakistan to study?'" Abdullah said.

One day in mid-2001, Abdul-Rahman excused himself early from a family party, saying he had something to do in the city of Medina. For two weeks, nobody heard from him. Then Abdullah got a call on his cell phone from Abdul-Rahman saying he was in Pakistan. Abdullah, relieved but angry, said he urged his brother to call his parents and come home right away. Abdul-Rahman made no promises. "If God wills it," he said before hanging up.

When Abdul-Rahman finally called his parents, his father refused to speak to him. By the beginning of September 2001, two months had passed without a word.

For weeks after the September 11 attacks on America, the family heard nothing from Abdul-Rahman. When the United States began air strikes on Afghanistan, Abdullah was frantic with worry, until he got a call from his younger brother. "I think he was a little scared," Abdullah said. "He said he was trying to get home but the borders were closed. He was in a hurry. He said he'd call back." Abdullah tried to return a call to the Pakistani number registered on his phone but got no answer. He started sleeping with his cell phone beside his pillow at night. He dropped in on Abdul-Rahman's friends, listened to the radio, watched several local news broadcasts daily and pored over local newspapers, looking for any trace of his brother.

Months later, he found one. A friend had spotted Abdul-Rahman's name on an Internet list of Arabs taken prisoner in Pakistan. Abdullah, who had never used a computer, beseeched his friend to show him the site.

Abdul-Rahman's name was one of the first on the list, he told me.

What date was this? I asked.

He riffled through papers in his gray folder, then read from a stapled sheaf: January 10, 2002.

The same Web site carried photos of the men in prison, which Abdullah said had been taken by journalists accompanying Saudi officials to Pakistan, and which were later reprinted in Saudi newspapers. He handed me a clipping. The young man in the photo was an older version of the carefree teenager in the pistachio-green T-shirt. His face had filled out, and he sported a full beard and a mud-colored Afghan woolen cap.

Immediately after seeing the Web site, Abdullah started calling the Saudi embassy in Pakistan, requesting that it get his brother released from prison. He even met with Pakistani laborers in Taif to see if they could help. The Saudi Interior Ministry set up a hotline for the families of the hundreds of Saudis missing or imprisoned in the chaos of the war. Abdullah called it every day.

Why was Abdul-Rahman arrested? I asked.

The Americans were looking for Arabs who might have been fighting with the Taliban, and the Pakistanis made money off them, Abdullah said. "They were sold like goats are sold, for a bunch of dollars." This has been a commonly reported allegation of Guantanamo detainees. A lawyer for several Kuwaiti detainees argued in federal court in Washington last month that they were innocent men who had been picked up by "bounty hunters" and turned over to the United States. The U.S. government has denied offering rewards for any but suspected terrorists identified by name.

One Wednesday in early 2002, Abdullah said, he was driving home following noon prayers when his cell phone rang. It was an official from the Interior Ministry. "Brother Abdullah," Abdullah recalled him saying, "I wanted to inform you that Abdul-Rahman is fine. He's in good health. He's now with the American government." He was being taken to Cuba, the official explained, for interrogations. As soon as the inquiry was over, he'd be back soon, God willing.

Abdullah was unusually still as he described the phone call to me.

"Did you ask him why Abdul-Rahman was being taken?" I asked.

He shook his head no.

"Why?"

"I couldn't speak."

"What did you do?"

He stared down at the carpet. "I started crying."

Just then the loudspeakers in the coffee shop where Abdullah and I were meeting began playing a Viennese waltz. Abdullah was disturbed. "Please ask them to turn off the music," he said. Once it was off, he continued his story.

He said he realized he needed to stay informed, so he went to a computer shop. "I want to buy the Internet," I told them, and they laughed at me," he said sheepishly. But he bought a computer and began going online regularly, tracking down information on the Guantanamo detainees. Keeping up with world events for the first time in his life, he came to understand things he'd never known.

"I used to think the United Nations was just another name for the United States," he said. "When I heard 'United Nations resolutions,' I thought it was resolutions the United States was making." He realized that conventions written in Geneva dictated the treatment of prisoners of war, and that they were not being applied to his brother. He read articles arguing that, by depriving his brother and others of a trial, the United States was violating international law. His childhood admiration for America hardened into bitterness and mistrust.

When I first met him, in May 2004, while I was working on an article for the Christian Science Monitor, his brother had been in Guantanamo for two years, and he was angry and frustrated. "They give animals more rights in the United States than they're giving my brother," he said. "Where is this great beacon of democracy and human rights the United States is supposed to be?"

Several months after the news that Abdul-Rahman was going to Cuba, the family received its first letter from him, via the Red Cross office in Kuwait. It had taken months to get there.

Abdullah said he made 10 copies to hand out to his siblings and read the letter to his illiterate parents.

My Dear Father and My Dear Mother, Happy Eid Holidays. I will be home soon, God willing. Don't forget me in your prayers. I am with the American government merely for some necessary interrogations.

Abdul-Rahman al-Juaid, Guantanamo Bay -- 2002

When he first sat with me, a female reporter, Abdullah, who had grown more devout since his marriage and his brother's incarceration, believed he was committing a sin and told me as much. He berated me for coming without a male guardian and talked to my shoulders or to the floor in

front of me, not wanting to look at my uncovered face. But he made the sacrifice for his brother's sake. Even a year later, I knew he sat with me, at great discomfort to himself, to help his brother, not to implicate him. And that is why the subject of Abdul-Rahman's presence in Pakistan before the war was one I broached carefully, albeit clumsily.

When I asked, for about the third time, why Abdul-Rahman was in Pakistan, Abdullah answered irritably. "I've already told you, he was studying there."

I stepped gingerly forward. "Did it ever cross your mind that maybe . . . he went to Pakistan for some other reason? Like jihad, for example?"

Abdullah's hands were folded in the lap of his long white robe, and he looked down without answering for a couple of beats. "We had our doubts," he said, nodding. "We had our doubts."

The Viennese waltz began again, and the waiter told me that management said the music must stay on. We were only halfway through the interview, but Abdullah started picking up his papers. "I can't stay," he said. "When I wasn't this devout I didn't listen to music, and now I listen to it inadvertently. Maybe that's why Abdul-Rahman is still behind bars. My sins could prolong his imprisonment." He gave me a copy of the Internet posting where he had first read of Abdul-Rahman's arrest in Pakistan, papers whose significance I would understand only later, and bade me goodbye.

Many of the letters the family sent to Abdul-Rahman were returned unopened, Abdullah said. The letters from Abdul-Rahman were sporadic, with sometimes a third of the lines blocked out in thick black marker by the military censors. And he seemed to have lost the confident optimism that he would be home soon.

Dear Abu-Abdullah, I am fine and in good health, praise be to God. Patient, waiting for recompense from God, knowing that God almighty puts people through hard times to test their love and faith in Him.

Abdul-Rahman al-Juaid, Guantanamo Bay -- 2003

Meanwhile, in the United States, lawyers for Kuwaitis and others at Guantanamo were fighting the detentions. They sued the government in 2002, asking that the detainees be either charged with specific crimes or freed. Abdullah followed the case closely. Twice federal courts ruled that the U.S. justice system had no jurisdiction over the men held at Guantanamo. In June 2003 the lawyers appealed to the Supreme Court, and began a months-long wait to find out whether the high court would hear their case. A Saudi government delegation had visited Guantanamo in the summer of 2002, bringing back a photo of Abdul-Rahman, which gave the family comfort.

Despite numerous attempts by Saudi, British and other lawyers to gain access to the detainees, the Pentagon allowed no phone calls, no lawyers, no charges, no trials. The detainees, the government said, were serious threats to U.S. security, and interrogating them was vital to the war on terror.

When the Saudi Interior Ministry appointed lawyer Mazhar in early 2003 to consult on the Saudi detainees, he quickly made Abdullah the coordinator for families in Taif. But the year of failed collective effort wore Abdullah down. "Nothing anybody did was able to get us permission to visit or even talk to the prisoners by phone," he said recently. "I started feeling that Abdul-Rahman had been banished, unreachable in a distant outpost, and only America had the key."

When the U.S. Supreme Court agreed in November 2003 to hear the Kuwaitis' case, excitement surged through the Saudi families. Not long afterward, Mazhar called a meeting in his office, he

and Abdullah recalled later. He told the six men gathered after evening prayers that day that he had decided to file a "friend of the court" brief in the case. He needed notarized powers of attorney from the families of the detainees as soon as possible. And he needed money to hire lawyers in the United States.

By 3 o'clock the following afternoon, Abdullah was back from Taif with his papers in order and a check for \$5,000, scraped together from friends and family. The Saudi brief, filed in Abdullah's name, argued that U.S. courts had jurisdiction to hear challenges to the Guantanamo detentions, and asked that the detainees be released or repatriated.

In June 2004 the Supreme Court ruled in the detainees' favor. I rang Abdullah on his cell phone and told him the news. But he kept asking me to repeat what I'd said, as if he didn't understand. I told him, the Supreme Court has ruled that Abdul-Rahman and the others can contest their detentions in U.S. courts.

"Does that mean I can see my brother?"

Not necessarily, I explained. It just meant he'd won the right to a hearing in an American court.

"Thank you, Umm Habib," he said, addressing me in the traditional respectful way, by the name of my eldest son. "Thank you. I have to hang up now. I have to call my parents," he said, as his voice broke with emotion.

This past May, I was looking through Abdul-Rahman's letters when I came across the sheaf Abdullah had given me, the Internet posting from January 2002 where he had first read of his brother's detention. "The story, names and code names of the prisoners in Pakistan," the headline read, in Arabic.

I found Abdul-Rahman's name, 10th on the list of 84, with the code name "Abu-Qutada from Taif." His family should be notified at this number, it said, giving the family's home phone number.

The story that followed recounted how, near the Afghan border, the "collaborator Pakistani government" had arrested the prisoners: "close to 160 mujaheddin who came to Afghanistan to defend Muslims . . . Most had come to Afghanistan before the crusader [U.S.] aggression and had not completed their training and so had decided to leave because they were not prepared for the coming war." The account described how the foreigners were hosted by Pakistani tribesmen, who urged them to hand over their weapons so as not to raise suspicions. "Then one dark night," the account read, "the traitors carried out their plan." The tribesmen led the visitors into a mosque, where they were suddenly surrounded by Pakistani government troops, who took the foreigners prisoner.

At one point, the account said, the prisoners turned on their captors, grabbing some of their weapons. "Of the brothers, 10 were killed, and we ask of God that he accept them; of the Pakistanis, 6 soldiers were killed . . . Many of the brothers escaped . . . The rest were captured by the Pakistani forces and taken to prison . . . in preparation for being deported. This is what America, which will receive them in Afghanistan, wants."

I was a little stunned at what I read. This was obviously taken from a jihadi Web site, and the clear implication was that all the names on it were in fact training to fight a holy war in Afghanistan. I went online and looked for the Web site, named al-Neda, but found no trace of it. The paper was also marked "Markaz al-Dirasat." I called Saud al-Sarhan, a Saudi writer who follows extremist Web sites, and he told me al-Neda and Markaz al-Dirasat were often identified with al-Qaeda but were no longer operational.

I mentioned the jihadi connection to Abdullah the next time I saw him. "The Internet is like a big market," said Abdullah, unfazed. "It's open to anyone. Anybody can write the name of my brother or anyone else on any Web site. It doesn't mean anything."

The excitement over the Supreme Court victory soon turned to frustration, as the case bogged down. By the spring of this year, lawyers for almost 150 detainees had petitioned the federal courts for a writ of habeas corpus, challenging the government's right to hold the detainees without charging them. But two judges had issued conflicting rulings, and the matter was on hold while an appeals court considered the case. Some lawyers had gained limited access to their clients in Guantanamo, but progress was slow. No one had filed a habeas petition on Abdul-Rahman's behalf. Lawyers from Weil, Gotschal & Manges, a well-known American firm, had offered to represent him for free, but Abdullah had turned them down. He said, "How do I know they're not actually working on behalf of the U.S. government and trying to incriminate my brother?"

In his latest letter, Abdul-Rahman almost seemed to be saying goodbye, his brother said.

I was remembering my childhood, and how I was raised with love amongst you, and I realized that I did not always behave the way I should have. My mistakes were many and your forgiveness was greater. I ask God and each one of you, but especially my father, to forgive me. Nobody knows how long we live, and the only truth is the truth of death.

. . . Abdul-Rahman al-Juaid -- 2005

But Mazhar was optimistic when I went to visit him after his trip to Washington to meet with the lawyers. He looked relaxed. He'd had some good meetings, he said, but hadn't hired anyone yet. He was expecting to file petitions on behalf of dozens of Saudi detainees, demanding that they either be charged and tried in U.S. courts or set free, as soon as the paperwork was in order and the budget from the Saudi government came through.

He said he expected at least half of those at Guantanamo Bay to go home soon. "Guantanamo has become a headache for the United States. It's creating a lot of negative publicity," he said. "Keeping these men there has not made it safer for Americans." The United States, he believed, was looking for a way out.

By August, Mazhar still hadn't gotten Saudi government funding to file the habeas petitions. But the U.S. government announced it had agreed to transfer most of the Afghan detainees at Guantanamo to Afghanistan, into the custody of the Afghan government. And the Saudi foreign minister said negotiations for a similar deal covering most of the Saudi detainees were at "an advanced stage."

Not long before the announcement of the Afghan deal, I met Abdullah and another man with a brother at Guantanamo. They had asked to see the habeas petition filed by Weil, Gotschal & Manges on behalf of five other Saudi detainees. The petition had been translated into Arabic, and was the first legal document concerning the detainees that they would be able to understand.

I asked Abdullah why he thought the United States was still holding his brother at Guantanamo. He said, "I think the Americans want concessions from the Saudi government."

"Like?"

He said, "I wouldn't be surprised if they've made the release of the Saudis conditional on Saudi Arabia allowing women to drive, or putting an end to the hijab," the veil worn by many Muslim women. "Maybe they've asked our government to remove some verses from the Koran."

"You think the American government would ask something like that?" I asked.

He gave me a wry smile. "After what I've seen over the past four years, I think they're capable of anything."

"The American government says the reason they hold on to the detainees is because they fear they would harm Americans if they were released," I said.

"After what they've done to them, you expect them to kiss their forehead?" Abdullah said. "Let me tell you something. I can guarantee that my brother will not harm one hair of any American here or anywhere. If he is released I give my word, I'll stake my life, that he'll do nothing of the sort."

"You'll lock him up?"

"I don't know what I'll do, but he won't leave my sight again."