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Short film uses transcripts to recreate Guantanamo tribunal of suspected enemy combatant

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Sig Libowitz played a lawyer on TV before he became one in real life. Now, he's bringing his entertainment industry expertise to the debate over the rights of suspected enemy combatants.

Working from transcripts of the U.S. military tribunals at Guantanamo Bay, Libowitz crafted a 30-minute screenplay. "**The Response**" imagines one such tribunal, then follows three military judges into **the** deliberation room, where they try to answer the key question about Guantanamo: How do you balance civil liberties and national security? That debate was enough to lure three well-known actors to join Libowitz in a mock courtroom at the University of Maryland Law School, where "**The Response**" was shot over three days, for hardly any money.

"Most Americans are not aware of what is happening in these tribunals -- really not aware enough, in my opinion, of what is going on at Guantanamo," said Aasif Mandvi, who plays the suspected combatant. "It's just a really important little film, and I hope that people see it."

Mandvi is perhaps best known as a fake news correspondent on "The Daily Show with Jon Stewart," but on Friday he was clad in a beige prison jumpsuit and a Muslim skullcap and shackled to the floor of the courtroom.

Also appearing are Kate Mulgrew, who starred as Capt. Kathryn Janeway for seven seasons on "Star Trek: Voyager," and Peter Riegert, who gained fame in "Animal House" and more recently played a lawyer on "Law & Order: Special Victims Unit" and a corrupt politician on "The Sopranos."

Mulgrew, Riegert and Libowitz -- who played a Hasidic Jew with mob ties on "The Sopranos" and a public defender on "Law & Order" before getting his law degree at the university -- portray the judges.

The film offers an unprecedented recreation of the proceedings at Guantanamo, the U.S. military base in Cuba where the Bush administration opened a detention facility shortly after the Sept. 11 attacks to hold people suspected of ties to al-Qaida or the Taliban. As of late December, about 275 people were being detained there.

The terror suspects have no recourse in civilian courts. Their only opportunity to profess their innocence comes in the tribunals, which are intended to determine whether they are properly classified as enemy combatants.

The suspects appear before three officers who act as judges. They get no legal representation and are not permitted to review evidence against them. And if the judges determine that they are combatants, they can be detained indefinitely.

Law school professor Michael Greenberger, a former Justice Department counterterrorism official who consulted with Libowitz on the script, said Guantanamo has inspired debate about the constitutional guarantee of habeas corpus -- the right of individuals being detained to challenge their detention before a judge.

"Peter Riegert said to me 'What is habeas corpus?'" Greenberger said. "He's a very bright, intelligent, well-read man, and essentially we are all asking ourselves about an issue that was thought to be resolved

as fundamental tenet of democracy in 1789. It's so much a part of our fabric that we've never gone back to analyze it again."

The U.S. Supreme Court heard a challenge in December to the law that bars suspected combatants from challenging their detention in court, and a majority of the justices appeared poised to declare the law unconstitutional. A ruling is expected this spring.

Libowitz felt it was important to explore both sides of the debate -- the need to protect the country and the need to give people an opportunity to defend themselves.

"This is not an agitprop film," he said. "This is really something that takes a look at what's going on there from a very fair-minded perspective."

Mulgrew believes the treatment of Guantanamo detainees is "absurd." But she put those views aside to play a conservative colonel who thinks the president should have the right to detain people who could threaten national security.

Ultimately, "**The Response**" leaves the audience with the task of determining whether the detainee is truly a terrorist.

"Films are at their best when they're this intelligent, allowing audiences to judge for themselves whether they've got any gray matter at all on an issue of great importance," Mulgrew said.

The movie was funded by the law school's Linking Law and the Arts series, which attempts to address complex legal issues through theater and art.

It's not clear who will see "**The Response**." Law school dean Karen Rothenberg envisions it as an educational tool to be shown at other law schools, colleges and high schools. But she and Libowitz also plan to shop it around to film festivals and seek television distribution.

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