

Fallacy of American Justice

By [Dr. Elias Akleh](#)

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When twelve good American jurors acquit a group of defendants from all charges, and twelve other good American jurors convict them of all the charges in a second trial, one cannot help but wonder what kind of judicial system we have. And when the defendants are a group of compassionate Americans, who raise funds to feed hungry families, to open schools to educate young minds, and build clinics and hospitals to care for the sick, the disabled and the elderly, one wonders what had happened to compassionate America, who offers aid to poor nations. The trial case of the Holy Land Foundation, a charity that provided aid to impoverished families in other countries as well as some American families, raises such wonders.

After the attacks of 9/11 and the enactment of the American Patriot Act, the US government was granted unchecked total power to designate any organization as a terrorist entity, shut it down, freeze its assets and prosecute its members as “enemy combatants”. Since then the government had shut down thousands of Middle Eastern and Islamic organizations, but failed to produce any tangible evidence to prosecute any one individual.

Muslim charities, in particular, were targeted. Muslim charities such as The Goodwill Charitable Organization and Al-Mabarrat Charitable Organization in the Middle Eastern community of Dearborn, Michigan were accused of having ties with extremist groups in Lebanon. They were closed and their assets have been frozen. Other Islamic charitable organizations were also shut down, such as Global Relief Foundation, Benevolence International Foundation, Al-Haramain Islamic Foundation, Islamic American Relief Agency and Kind Hearts USA.

None of these Islamic charitable organizations had attracted much attention like the case of the Holy Land Foundation (HLF), the largest Muslim charity in the US. The charity was founded in 1989 in Culver City in California, and based in Richardson, Texas. It provided humanitarian relief to Palestinian refugees in Israeli occupied Palestine, in Lebanon, and in Jordan. It also offered aid to other war victims in other countries including Bosnia, Albania, Chechnya and Turkey. Through its charitable programs the HLF assisted impoverished families, cared for orphans, funded schools and helped disadvantaged students and kept them off the streets into summer camps, had built clinics and hospitals in response to crises and emergency situations to care for the sick and disabled, and had helped rebuild Palestinian homes that were illegally demolished by the Israeli army. This charity had also given humanitarian aid to local needy American communities helping victims of Texas tornadoes and the Oklahoma City Bombing. Its members, including many local non-Muslim American citizens, had also provided continuous volunteering and services in the Dallas/Fort Worth area.

Being the largest Islamic humanitarian fund raiser in the US the HLF had been, since 1992,

the target of investigation and surveillance of the FBI, who had been tapping the private phones of its active members in addition to every phone line of its offices, and had bugged its meeting rooms. The FBI had also been sharing its “intelligence” reports with the Israeli government, the Palestinian National Authority and other foreign governments about the activities of the HLF.

Riding the anti-Islamic sentiment after the attacks of 911, President George Bush, in his December 2001 press conference in the Rose Garden, announced that he has decided to shut down the HLF offices accusing it as a front for Hamas. Hamas, like all resistance groups to the illegal Israeli occupation of Palestine, is designated a terrorist group by the Israeli-Lobby- controlled Bush administration. HLF’s offices were, thus, raided, shut down, and all its records and its paper trails were confiscated. Yet, no evidence has been introduced linking HLF to Hamas. So in July 2004 the accusations were changed to providing Palestinians with humanitarian assistance through Zakat committees that were “somehow linked” to Hamas. Zakat committees are charitable institutions that exist in every Islamic country since charity is an Islamic religious duty. Although not charged with paying money to Hamas, providing money for the purchase of weapons or for engaging in violent acts, five HLF principals and volunteers were arrested.

The Zakat committees, the HLF were charged of assisting, have been the recipient of funds from the International Red Cross and USAID, an agency of the State Department, through non-governmental organizations, who are still doing business with these Zakat committees. Edward Abington, the former number two intelligence official at the State Department and ex-US Consul in Jerusalem, stated to the court that he was never informed in his daily intelligence briefing that these Zakat committees were part of Hamas. None of these Zakat committees, receiving HLF aid, are listed in the terrorist list of any American agency. The accusations did not allege, and no proof was introduced, that HLF funds to these Zakat committees had ever been misused or funneled to support any violent act.

The HLF’s troubles started in May 2000 when the Jewish American Stanley and Joyce Boim were somehow “persuaded” to sue the HLF in an attempt to connect the charity to the 1996 death of their 17 years old son in the Occupied West Bank of Palestine. Although the Boims were not able to produce any tangible evidence or proof that could tie the HLF with the death of their son, a federal jury, on November 2004, awarded them \$52 million in compensation, and a US magistrate judge tripled the amount, setting the damages at \$156 million. When HLF attorneys appealed the case, a federal court of appeals reversed the ruling in December 2007, and the 7th US Circuit Court of Appeals stated that the Boims had failed to produce any evidence linking their son’s death to the HLF. This was an obvious attempt to harass the HLF, to get it entangles with the time consuming judicial systems, to exhaust and divert its finances and efforts away from its main goal of providing aid to needy families.

After six years of investigation and preparation the HLF case was presented to the court. In October 2007, and after 19 days of deliberations, the jury of eight men and four women deadlocked on most of the 197 counts against the five defendants. Returning zero guilty verdicts, Judge A. Joe Fish had to declare a mistrial. Yet, insisting on retrial, the prosecutors dropped some of the charges against the defendants in an attempt to simplify the case. The retrial started on September 15th and the prosecutors, prepared with more conniving manipulative methods to produce emotional rather than logical judgment from the jury, achieved on Monday November 24th guilty verdicts on tax evasion, money laundering and

conspiracy charges.

The verdicts were based on the testimony from an anonymous alleged Israeli intelligence agent accusing Hamas of terrorism, and the video tapings of protesting Palestinians burning Israeli and American flags. The prosecutor's deliberations were focused on criminalizing Hamas and its activities rather than HLF. There was, again, no proof of any wrong or illegal action by the HLF or its representatives, and no proof that the Zakat committees were controlled by, or have any connection with Hamas. One should remember that the Israeli government, itself, had originally created, financed, and armed Hamas in the hop to oppose, fight and weaken the Fatah Palestinian Authority. The jurors were presented with videos showing Hamas violence but there was no presentation of any videos showing Israeli army murdering Palestinian children that provoked Hamas violence.

It is obvious that this case has nothing to do with the HLF and its members. It has nothing to do with fighting terrorism and halting any financial support to terrorist groups. It was a political rather than a criminal case. The case was about cutting each and every life line to the besieged and impoverished Palestinians, who are resisting the illegal and immoral occupation of Palestine. Imprisoned in large concentration camps, bombed, tortured, starved and completely isolated from the outer world, Israel is hoping to subjugate the Palestinians into accepting the terrorist illegal Israeli occupation of Palestine as a Jewish (extreme fundamentalist religious) state.

The HLF case, as well as all the cases of the other Islamic and Middle Eastern charitable organizations that have been shut down, demonstrate clearly that the American justice system has been turned into a proxy judicial system serving Israel and its skewed perspective of justice on the expense of good humanitarian American citizens.

Sixty years ago the Zionist terror organizations massacred whole Palestinian communities, completely destroyed hundreds of their towns, conducted ethnic cleansing by evicting Palestinians out of their cities, usurped Palestinian land, erased Palestine off the map and established the terrorist state of Israel illegally in its place. Israel has violated international laws and invaded its neighboring countries using illegal and American-made and supplied weapons. Israeli army is still terrorizing the Palestinian people, murdering their children, demolishing their homes, usurping their lands, imprisoning them into the largest concentration camps in the whole world, bombing and starving them in a whole-nation-genocidal operation. Unfortunately, successive American administrations had encouraged this genocide by providing unconditional political, financial, and military support to terrorist Israel.

Feeding hungry children is a divine act, not a crime, but feeding (with weapons) occupying terrorist Israeli army is the ultimate crime.

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Articles by: **Dr. Elias Akleh**

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