

The Long Ordeal of a Political Prisoner

Sami Al-Arian - Civil and Human Rights Advocate

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Sami Al-Arian is one of many dozens, likely hundreds, of political prisoners in the US today but is noteworthy because of his high-profile status and as an especially egregious example of persecution and injustice in post-9/11 America with its climate of state-induced fear and resulting repression with special targeting of Latino immigrants and all Muslims characterized as “Islamofascists” because of their faith and ethnicity. One of them is Dr. Sami Al-Arian – Palestinian refugee, scholar, academic, community leader, civic activist and advocate for freedom and justice for his people imprisoned since February, 2003 on trumped up charges explained below even after a jury exonerated him on eight of the false 17 charges against him, all the ones relating to violence and terrorism, and remained deadlocked 10 – 2 in favor of acquittal on the other nine. More on this below.

Al-Arian is a Kuwaiti-born son of Palestinian refugees forced to flee Palestine during the 1948-49 Nakba catastrophe when the new state of Israel’s “War of Independence” ethnically cleansed and willfully slaughtered 800,000 Palestinians, desecrated their sacred holy sites, and seized their lands. The final master Plan D (Dalet) was for a war without mercy against defenseless people in which unspeakable atrocities were committed while destroying 531 Palestinian villages, 11 urban neighborhoods in cities like Tel-Aviv, Haifa and Jerusalem, thousands of homes and vast amounts of crops. Al-Arian’s parents were lucky to escape the carnage and destruction alive.

Al-Arian came to the US in 1975, was denied citizenship, and taught computer science as a distinguished professor at the University of South Florida (USF) from 1986 until the worst of his ordeal began in February, 2003. It was because of his public, passionate and effective advocacy for human and civil rights and the liberation of his people long oppressed for six decades.

Al-Arian is a man of great distinction. He’s a devout Palestinian Muslim, imam of the Islamic Community of Tampa, and a respected and admired man of principle who helped empower the Muslim community through his dedicated hard work and personal relationships with other civic, political and religious leaders in Florida and across the country in spite of having to do it in a post-9/11 environment when all Muslims became suspect and were viewed as possible “terrorists.”

Post-9/11, USF president Judy Genshaft consorted with Florida Governor Jeb Bush suspending Al-Arian on September 28 with pay on phony grounds of campus safety. She then tried firing him falsely claiming he supported terrorists and damaged the university’s reputation even though he was a respected award-winning tenured professor guilty of no crime but his faith, ethnicity and courageous activism encouraging other Muslim Americans

to act likewise. Earlier in August, 1996, USF placed Al-Arian on paid leave pending the outcome of a FBI investigation into whether organizations he was involved with fronted for terrorist groups allowing him to resume teaching two years later when it uncovered nothing.

Days before his arrest, indictment and imprisonment in February, 2003, sensing what was to come after months of rumors, Al-Arian wrote: "I am crucified today because of who I am: a stateless Palestinian, an Arab, a Muslim and an outspoken advocate for Palestinian rights, but more a persistent defender for civil and constitutional rights on the home front." This was from a man Newsweek magazine called the premier civil rights activist in America for his efforts to repeal the use of secret evidence that became HR 2121 that only got as far in the 109th Congress as a favorable vote in the House Judiciary Committee, and it's now up to the 110th Congress to take further action.

Earlier, Al-Arian cofounded the Tampa Bay Coalition for Justice and Peace, a local organization opposing unconstitutional use of secret evidence and other civil rights violations as well as slanderous media attacks against Muslims and Arabs. He also cofounded the National Coalition to Protect Political Freedom, the nation's leading organization challenging the use of secret evidence serving as its first president in 2000. Because of his efforts, Al-Arian advised members of Congress and was invited to briefing meetings at the White House personally meeting Presidents Clinton and Bush.

Genshaft initially failed to remove him but acted summarily on February 26, 2003, a week after Al-Arian was arrested and indicted on charges from which no conviction later resulted. Genshaft then announced he was fired because his (entirely legal) non-academic activities and indictment conflicted with university interests meaning Genshaft sacrificed her integrity to serve the interests of the Bush administration's imperialist Global War on Terrorism directed against all Muslims unfairly targeted.

The Free Sami Al-Arian.com web site details the timeline ordeal he went through early on.

— He endured 11 years of FBI investigations, half a million phone wiretaps, searches and other harassment costing many tens of millions of dollars for his political activism and support of civil rights. During his trial, the government alleged he was connected to Islamic groups designated "terrorist" organizations meaning they supported freedom and justice for Palestinians and others and that Al-Arian advocated effectively for them.

— Investigations culminated on February 20, 2003. His family watched in horror as FBI agents and Joint Terrorism Task Force (JTTF) Department of Homeland Security (DHS) officers stormed his home at 5:00 AM guns drawn menacingly. They arrested him and three others separately on charges of supporting terrorism, conspiracy to commit murder, racketeering, giving material support to an outlawed group, extortion, perjury and other offenses later proved spurious in court. He was detained at a local jail where he went on a hunger strike to protest his politically-motivated incarceration.

The charges against Al-Arian falsely alleged he supported organizations claimed to be fronts for Palestinian Islamic Jihad on a US "terrorist" watch list. They were also made against two other organizations he cofounded - the Islamic Committee for Palestine (ICP) involved in raising awareness of the plight of Palestinians and World Islamic Studies Enterprise think tank (WISE) affiliated with USF, a research and academic enterprise promoting dialogue between Muslims and the West. Also cited was the Islamic Academy of Florida Al-Arian also founded that's one of the nation's top full-time Islamic schools with over 300 students from

preschool through high school. These organizations have nothing to do with violence or terrorism. In fact, two years earlier, federal immigration Judge Kevin R. McHugh ruled “there is no evidence before the Court that demonstrates (WISE and ICP were) front(s) for the (Islamic Jihad). To the contrary, there is evidence in the record to support the conclusion that WISE was a reputable and scholarly research center and the ICP was highly regarded.”

The Islamic Society of North America (ISNA) is as well which Al-Arian helped establish in 1981 and now is the largest grass roots Muslim organization in America contributing “to the betterment of the Muslim community and society at large....representing Islam, supporting Muslim communities, developing educational, social and outreach programs and fostering good relations with other religious communities, and civic and service organizations.”

— USF President Judy Genshaft ignored Al-Arian’s impeccable credentials and remarkable record of community service and achievements disgracefully firing him on February 27, 2003 acting as a stooge for the Bush administration.

— At his bail hearing on March 20 lasting four days, the government provided no evidence, no witnesses, and failed to show Al-Arian and his co-defendants were flight risks or threats to national security. Still, he and defendant Sameeh Hammoudeh were denied bail. The others got it.

— On March 27, Al-Arian and Hammoudeh were incarcerated in the maximum-security federal penitentiary in Coleman, Florida. They were placed in solitary confinement under atrocious conditions in what’s called the “Special Housing Unit” or “Shoe Unit” for the most dangerous convicted prisoners and held there and at other federal prisons for two and a half years until his first trial. Al-Arian was denied basic privileges convicted murderers have, wasn’t allowed contact with or family visits, didn’t receive adequate materials to work on his case, got limited access to counsel, and was subjected overall to harsh punitive treatment including strip searches and other indignities.

— Al-Arian was unable to raise needed funds for his defense, received court-appointed attorneys, later was allowed to fire them for lack of progress and acted as his own attorney with help from the National Liberty (civil rights) fund (NLF) taking up his case and organizing events across the country in his behalf.

— Al-Arian remained in prison until his trial in Tampa Federal District Court in June, 2005. Before it began, the American Association of University Professors (AAUP) condemned the University of South Florida for violating his rights to due process and academic freedom. In addition, Amnesty International wrote the Federal Bureau of Prisons condemning the conditions under which Al-Arian was held saying his pre-trial detention “appeared to be gratuitously punitive (and) the restrictions imposed on (him) appeared to go beyond what were necessary on security grounds and were inconsistent with international standards for humane treatment.”

Amnesty spoke out in this case while in others of equal importance it fails to or doesn’t go far enough when it does, especially when they involve US government-committed abuses. Al-Arian’s case is one of the latter as nothing about his treatment shows “appearance.” It was and continues to be an egregious example of willful, vindictive injustice against a courageous, distinguished man who, like all other state repression victims, is no match for the power federal prosecutors can marshal against him with intent to destroy him and make him suffer maximally throughout his ordeal.

In Al-Arian's case, it began with 11 years of investigations and harassment with trumped up charges leading to his incarceration and trial. While in prison, he endured a 23 hour lockdown in a rat and roach-infested cell; was denied religious services; got no watch or clock; and was held in a windowless cell in which artificial light never went off. He was also shackled hands behind his back and feet whenever outside his cell. When conferring with his lawyers, he was forced to make a long walk to reach them uncomfortably balancing his law files on his back because prison officials refused to help. During this time, Al-Arian also underwent a hunger strike for 140 days losing 45 pounds and endangering his life as he's diabetic.

— After three months of self-representation, Al-Arian hired respected Washington, DC attorney William Moffitt and local attorney Linda Moreno to represent him. Later it was learned federal authorities destroyed key evidence along with deliberately committing other injustices against him and stalling tactics delaying his trial nearly two and a half years following his arrest. All the while, he remained incarcerated under harsh conditions.

Al-Arian's Prison Odyssey Nightmare – February 20, 2003 to the Present

Dr. Al-Arian has been imprisoned since his arrest February 20, 2003 and initially placed in temporary confinement at Orient Road jail in Tampa, Florida. From there till today, his imprisonment odyssey was as follows:

- March 27, 2003: Maximum Security US Penitentiary, Coleman, Florida.
- February 9, 2005: Orient Road Jail, Tampa, Florida.
- May 4, 2005: Federal Correctional Institution, Tallahassee, Florida.
- June 8, 2006: Maximum Security US Penitentiary, Atlanta, Georgia
- June 22, 2006: Medium Security Federal Correctional Complex, Coleman, Florida
- September 20, 2006: Maximum Security US Penitentiary, Atlanta, Georgia.
- September 21, 2006: Federal Transfer Center, Oklahoma City, Oklahoma.
- September 25, 2006: Northern Neck Regional Jail, Warsaw, Virginia.
- January 3, 2007: Maximum Security US Penitentiary, Atlanta, Georgia.
- January 17, 2007: Federal Correctional Institution, Petersburg, Virginia.
- January 18, 2007: Alexandria Regional Jail, Alexandria, Virginia.
- January 19, 2007: Northern Neck Regional Jail, Warsaw, Virginia.
- February 14, 2007: Federal medical prison, Butner, North Carolina.

Al-Arian's Travesty of a Trial

The trial began in June, 2005, following 11 years of government hounding and three years preparing for it. It went on for six months costing prosecutors an estimated \$50 million all in

vain in the end, but then again maybe not as explained below. The prosecution called over 70 witnesses including 21 from Israel. It used portions of hundreds of phone calls selected from over a half million recorded from over a decade of harassing surveillance as well as claimed evidence from intercepted faxes, emails and what was seized from hours of intrusively searching the Al-Arian home. It also used phony evidence from Al-Arian's activist speeches; lectures; conferences, events and rallies he attended; articles he wrote; books he owned; magazines he edited; and other publications he read and more amounting to nothing other than his constitutional rights to speak freely, assemble in public and read whatever he chose in a country where those rights should mean something - but don't for Muslims and others targeted in the age of George Bush.

The defense responded to the witch-hunt prosecution calling no witnesses and presenting no evidence resting its case solely on Al-Arian's First Amendment rights. US District Judge James Moody denied Al-Arian's right to defend his activities based on Israel's theft and repressive occupation of Palestinian lands that led to his entirely legal activism against it.

Despite throwing the book and piles of taxpayer cash at him, the jury exonerated Al-Arian on December 6, 2005 after 13 days of deliberation as explained above. But this didn't end things as it never does when government prosecutors are out to frame and get someone targeted like Sami Al-Arian. Realizing his ordeal would continue unless he could reach accommodation with the government, he agreed to a plea agreement on March 2, 2006 to bring his case to a close not realizing it would not as hostile government prosecutors never let up on their targets till they convict, bankrupt, break or kill them, even though things don't always go as planned.

The Plea Agreement

Nonetheless, the written plea agreement stipulated the following:

- That Al-Arian engaged in no violent acts and had no knowledge of any in the US or Middle East.
- That he would not be required to "cooperate" further by providing information to prosecutors.
- And that he would be released for time served and voluntarily agreed to be deported.

In the meantime, the agreement was delivered to Judge Moody on April 17, 2006, and sentencing was scheduled for May 1, 2006 with Al-Arian forced to remain in custody pending his sentence and deportation even though as a Palestinian he's a man without a country unless one accepts him.

Under agreed terms, prosecutors abandoned their charges, and Al-Arian pled guilty to one watered-down count of providing services to people associated with the Palestinian Islamic Jihad. The Statement of Facts in the agreement include:

- Hiring an attorney for his brother-in-law, Mazen Al-Najjar (an adjunct professor at USF at the time) during his deportation hearings in the late 1990s. FBI agents arrested Al-Najjar May 19, 1997 using secret phony evidence to imprison him (largely on a minor immigration charge), hold him without charge for three and one half years before a federal judge ordered his release. He was then arrested again November 24, 2001 and finally deported August 21, 2002 ending a long court battle in another case of an innocent man denied his

constitutional rights because of his Muslim faith and ethnicity.

- Filling out immigration forms for a resident Palestinian scholar from Britain.
- And, not disclosing details of associations to a local reporter.

In return, the prosecution agreed to dismiss the remaining jury-deadlocked charges and not charge Al-Arian with other crimes. It also asked for no fine and recommended “the defendant receive sentence at the low end of the applicable guideline.” It further acknowledged Al-Arian committed no violence, and there were no victims. For his part, Al-Arian was forced to agree to an expedited deportation which he decided was worth it for his freedom and to be reunited with his family and bring his ordeal to an end.

It didn't happen even under a plea agreement Al-Arian was led to believe would involve a sentence of no more than time served. Judge Moody had other ideas sentencing Al-Arian to the maximum 57 months in prison, giving him credit for time served but leaving a balance of 11 months to be followed by deportation scheduled for April, 2007 now extended to October, 2008 from his new contempt charges explained below as his ordeal continues without end.

Last October, assistant prosecutor Gordon Kromberg, subpoenaed Al-Arian to testify before a grand jury investigating an Islamic think tank violating his plea agreement stipulating it was “to conclude, once and for all, all business between the government and Dr. Al-Arian.” His defense attorneys filed a motion supporting his right not to testify explaining he never would have agreed if he remained subject to be called in further government investigations. Doing so might entrap him in possible or interpreted perjury leaving him vulnerable to endless government opportunities to harass and reincarcerate him.

Judge Moody ruled against Al-Arian, and on November 16, he was brought before the grand jury and held in civil contempt for refusing to testify. A month later, the grand jury expired, and a new one convened with Al-Arian again subpoenaed to testify. Again he refused, was held in contempt which increases his sentence 18 more months without mitigation, in what's clearly the government's attempt to renege on its deal to keep Al-Arian locked up forever even though he committed no crimes and was exonerated by a jury in his trumped up trial.

Al-Arian is appealing his contempt sentencing and government violation of his plea agreement and is now represented by William Mitchell College of Law professor and past President of the National Lawyers Guild (1993 - 1997) Peter Erlinder as his lead attorney. In the meantime, he's still in prison while his ordeal continues. Erlinder's task is daunting against a government determined to resist and prosecutors ready to file new charges to keep Al-Arian imprisoned as long as the Justice Department wants him there.

With Al-Arian now being held on contempt charges, his original criminal sentence is not running concurrently. In addition, with two contempt charges, his initial 18 month add-on sentence could be extended to 36 months under “civil contempt” and much longer if the prosecution charges him with “criminal contempt.” It means despite the government's plea agreement to release him based on time served, George Bush's Justice Department, under rogue Attorney General Alberto Gonzales who flaunts the law, lied and Al-Arian can be held imprisoned for years without end as an innocent man guilty of no crime.

That's even clearer after a three-judge panel of the Fourth US Circuit Court of Appeals unanimously and "contemptuously" affirmed his civil contempt ruling March 23 saying his plea agreement "contains no language which would bar the government from compelling appellant's testimony before a grand jury" even though it clearly does in plain English stated above. So much for justice from right wing courts in the age of George Bush where there's none for administration targets like Al-Arian.

In the meantime, Al-Arian protested the only way he can, and news of it is prominently reported in the alternative media like this article, a growing number of others and in on-air interviews with his wife, family and others. He again went on a water-only hunger strike January 22 leaving him very weak, unable to walk or stand on his own, and needing to be confined to a wheelchair. It lasted two months but was ended at the urging of his family after losing 55 pounds or one-fourth of his body weight. His wife, Nahla, reports he's now slowly regaining his strength. In Al-Arian's case, continuing a fast is life-threatening because he's diabetic and should be ingesting regular sustenance to avoid serious health problems.

It took its toll earlier causing Al-Arian to collapse after which he was moved to a federal prison medical facility in Butner, North Carolina where he's too weak to walk and is now subjected to the shoddy kind of medical care everyone imprisoned gets. It's poor, indifferent and sure to be even worse for anyone in prison for political reasons any time but especially in the age of George Bush where justice is an illusion, and Sami Al-Arian's fate is at stake. His ordeal continues without end, but alternative media writers and commentators won't be silent about it or about others like him enduring the same ordeal of injustice for noble principles and a just cause people of conscience everywhere support and admire. Today, what happened to Sami Al-Arian can happen to anyone. Under George Bush rule, we're all Sami Al-Arians.

Secret US Prison Program for Muslims and Middle Eastern Prisoners

On February 16, 2007, lawyer and legal analyst, academic, author and journalist Jennifer Van Bergen disclosed the US has a secret new illegal prison program targeting Muslims in an online article in The Raw Story. It's designated for claimed "high-security risk" Muslim and Middle Eastern (Arab) prisoners to severely limit or cut them off entirely from contact and communication with the outside world violating federal law prohibiting such action according to Prison Legal News editor Paul Wright. He told Van Bergen "segregating prisoners based on their race, national origin or language directly contradicts the recent US Supreme Court ruling in Johnson v. California which held that the racial segregation of prisoners was illegal." Van Bergen also reported "Religious discrimination is (also) prohibited by Prison Bureau regulations." They stipulate "staff shall not discriminate against inmates on the basis of race, religion, national origin, sex, disability, or political belief (including) administrative decisions (involving) access to work, housing and programs."

The rule of law means nothing to the Bush administration that flaunts it including in its new covert program illegally instituted in December, 2006. It's called the special "Communications Management Unit" (CMU), and is presently (as far as known) only at the Terre Haute, Indiana Federal Correctional Institution but may also be intended for other federal prisons as well in an age of mass incarcerations in a nation with the largest prison population in the world growing by over 1000 new prisoners daily.

Van Bergen asserts the CMU program violates the Federal Administrative Procedures Act explicitly requiring all prison regulations comply with this law. As of mid-February, it housed

16 prisoners but was expected to be rapidly expanded to 60 – 70 and might end up with many more ahead in Terre Haute and elsewhere.

One of the Terre Haute prisoners is Dr. Rafil Dhafir, a Muslim American of Iraqi descent and practicing oncologist until his license was suspended. He was convicted in a politically motivated Department of Justice (DOJ) “kangaroo court” trial of violating the Iraqi Sanctions Regulations (IEEPA) using his own funds and what he could raise through his Help the Needy charity to bring desperately needed essential to life humanitarian aid to Iraqi people unable to get it because of the US/UN-imposed punitive sanctions from 1990 – 2003. For his “Crime of Compassion” (see dhafirtrial.net, Katherine Hughes), he was convicted of violating the sanctions and a total of 59 of 60 trumped up charges including tax fraud, money laundering, and mail and wire fraud resulting in a 22 year prison sentence he’s currently serving in Terre Haute far from his family in Syracuse, New York. He wasn’t charged with or convicted of “terrorism” or any act of violence, is not a “high-security risk” and yet is being treated like one because he’s a Muslim. He’s also, like Sami Al-Arian, a “trophy” in the Bush administration’s phony “war on terrorism” against Muslims demeaned and persecuted everywhere because of their faith and ethnicity.

People of conscience aren’t being quiet, and a small group of them in Dhafir’s home city Syracuse, New York protested former US Attorney General John Ashcroft’s presence on campus and speech at Syracuse University March 27. Ashcroft led the administration’s 2001 campaign for the passage of the repressive USA Patriot Act (written and on his desk before 9/11) used to convict and imprison men like Dhafir and Al-Arian unjustly. He was likely personally involved in orchestrating the government’s efforts to railroad two esteemed Muslim community members chosen for high-profile prosecutions, convictions, imprisonments and extra-harsh treatment under maximum security conditions and restrictions used only for the most dangerous criminals allowed more privileges behind bars than these pillars of their communities denied justice.

Muslim Witch-Hunt Harassment and Persecution In An Age of “Terrorism” and Endless Imperial Wars

In the wake of 9/11, all Muslims have been in the Bush administration crosshairs targeted with abusive harassment and persecution including mass roundups, detentions, prosecutions and deportations in an age of state-induced phony terror to scare the public enough to allow the government to get away with anything. It took full advantage and continues doing it today with a greatly enhanced Department of Homeland Security/Immigration and Customs Enforcement (DHS/ICE) campaign going after vulnerable undocumented Latino workers along with targeted Muslims and others designated threats to national security in an age when anyone is suspect if federal agencies say so. Who’ll object if it’s in the interest of “national security.”

It began shortly after the 9/11 attacks with the Bush administration declaring a permanent state of preventive war against claimed threats to national security, especially targeting Muslims abroad and at home. It resulted in two wars of illegal aggression without end and mass witch-hunt roundups at home in which constitutional and international laws are flaunted along with fundamental principles of human rights and civil liberties. In an atmosphere of state-induced fear trumpeted by the dominant media, the FBI swung into action in mass sweeps and detentions affecting many thousands of mainly Muslim immigrants, citizens and visitors picking the wrong time to be here.

Even before 9/11, the Clinton administration and Republican-controlled Congress legalized these activities in the 1996 Immigrant Responsibility Act (IIRAIRA) and Anti-Terrorism and Effective Death Penalty Act (AEDPA). They're harsh repressive laws denying targets their rights of due process and judicial fairness. Today they allow DHS/ICE agents the right to conduct wiretaps and searches (the Bush administration does without required warrants), conduct proceedings in secret courts with permanently sealed rulings, detain immigrants and other targets called "terrorists," deny them bail, deport them without discretionary relief, restrict their access to counsel, deny their right to appeal, and throw the book at them even for minor offenses.

The consequences for those targeted are devastating. It affected 5000 Muslims in the immediate aftermath of 9/11 with only three of them being charged with an offense and not a single "terrorist" nabbed to show for it even the 9/11 (whitewash) Commission admitted. Yet, those swept up then and now are generally detained on non-criminal administrative charges, often without their families' knowledge. They're kept in degrading and inhumane conditions - locked in cells 23 hours a day where lights never go off, kept in hand and leg shackles whenever outside them, harassed and abused without redress, and denied telephone calls and family visitations.

Many are dragged from their homes in the middle of the night or before dawn in paramilitary-style raids while others get picked up in the wrong place at the wrong time or for willingly coming forward as aliens when asked to and being punished for it. In the case of Rafil Dhafir, his door was broken down about 6:00 AM February 26, 2003 when 85 law enforcement agents showed up to arrest him including 15 from the FBI, five of whom held guns menacingly to his wife Priscilla's head traumatizing her from the experience as it would anyone. This is how things are done in a police state where victims have no choice but take the punishment or get shot or pummelled "resisting."

Innocent people like these undergo unspeakable humiliations and treatment even though most committed no crimes and the few who have only get charged with minor offenses with exceptions like Sami Al-Arian and Rafil Dhafir getting the book thrown at them because of their high-profile status even though they're innocent of any crimes. Virtually no one's been found guilty of terrorist-related offenses or violence, yet those rounded up are forced to undergo degrading indignities like strip searches, and are beaten and sexually abused for their race, faith, country of origin and immigration status because they're Muslims or impoverished Latinos here for jobs in an age when the rule of law is null and void and human rights and civil liberties are just artifacts from another era.

Early on, the Justice Department boasted it successfully deported hundreds of targeted individuals connected to 9/11 investigations. Estimates since from human rights groups, Muslim community leaders and organizations, peace groups and lawyers show the numbers skyrocketed amounting to many thousands more plus tens of thousands of others fleeing the country in fear after having been surveilled, interrogated and detained or arrested in a systemic reign of state terror pattern of abuse leaving scars that won't ever heal. Those here only as visitors won't ever return or have faith in this country again. All affected are devastated by the experience. It harms individuals, communities and families, tearing them apart and leaving them to wonder how they'll recoup after being through so much. This is the state of America today with horrific cases like Sami Al-Arian's and Rafil Dhafir's highlighting it.

Early on, those targeted were caught up in the post-9/11 FBI witch-hunt mass sweep called

PENTTBOM involving 4000 agents and 3000 support staff investigating 96,000 tips from the public in the first week alone after the attacks. By January, 2002, the ACLU claimed the FBI received half a million citizen calls with tips and leads resulting in investigations affecting 100,000 Muslims and brown-skinned people if only 20% of them were followed-up on.

Add to these what's gone on till today. Then highlight Muslims (like Al-Arian and Dhafir) targeted for supporting Islamic charities and organizations banned for their phony claimed links to "terrorist" groups, others for their activism, anyone with a police record even for minor indiscretions, and overall all Muslims under suspicion, potentially being watched and always fearing a pre-dawn knock on their door or the thud or crash of it being broken in and facing menacing FBI agents with guns drawn.

It never ends with the Washington Post reporting March 25 "thousands of pieces of intelligence information from around the world arrive (daily) in a computer-filled office in McLean (Virginia), where analysts feed them into the nation's central list of terrorists and terrorism suspects." It's called the Terrorist Identities Datamart Environment (TIDE) storing data about individuals the intelligence community thinks might harm the country. It's massive in size, includes foreigners and US citizens, ballooning from under 100,000 files in 2003 to about 435,000 now and growing daily in volume enough to overwhelm people assigned to manage it. Once put on the list, it's forever and can lead to thousands of horror stories of mixed-up names and unconfirmed information. It's part of what's going on today as part of a nightmarish Kafkaesque matrix of control in the age of George Bush where everyone is suspect, and no one is safe from a pre-dawn visit from law enforcers from which there's no return, guilty or innocent, if they want it that way.

Also instituted after September 11, 2002 was a program called the National Security Entry-Exit Registration System (NSEERS) affecting 24 Muslim or Arab countries plus North Korea. It's administered by DHS/ICE today to keep track of over 35 million people entering and leaving the country annually for any reason but only targeting Muslims for registration with further interrogation, photographing, fingerprinting, and denial of Sixth Amendment right to counsel and Fourth Amendment right to privacy for those singled out. The program is sweeping and expensive while being near worthless as a security measure, but its cost to Muslim communities in loss of dignity, unspeakable abuse, and overall punitive repression has been huge and devastating.

Drs. Sami Al-Arian and Rafil Dhafir are stark examples of its most egregiously harmed victims with no redress for them so far as their painful ordeals continue without end. This country prides itself on being a nation of laws respecting and protecting the rights of everyone. Untrue now or ever before and wiped from the books without pretense in the age of George Bush. What's happening to targeted Muslims and Latino immigrants today may be aimed at us ahead in an effort to silence all dissent and go after perceived enemies of the state including US citizens no longer safe at a time we're all "enemy combatants" if the Chief Executive says so.

Witness the case of Jose Padilla, a US citizen seized at Chicago's O'Hare Airport May 8, 2002 on a material witness warrant connected to the 9/11 attacks. He had no weapons on his possession at the time but was later charged, without evidence, with being part of a terrorist plot to detonate "dirty bombs" inside the country and declared by the president an "enemy combatant." He was then held in military confinement from May, 2002 till January, 2006 till the Department of Justice (DOJ) took over custody while his lawyers argued his case in New York district and appellate courts winning rulings in his favor to no avail.

The Bush administration challenged them getting the Supreme Court to agree in *Rumsfeld v. Padilla* 5 - 4 in June, 2004 dismissing the case as improperly filed and ruling for the administration subsequently in a follow-up decision on the Padilla case effectively giving the president the right to seize anyone, accuse them without evidence, and keep them interned anywhere, as long as he wishes, under any conditions on his say alone. And if district and appellate courts overrule the president, they don't count even when US citizens are arrested and held interminably with no evidence in degrading and inhuman conditions like those discussed above.

In the Padilla case, his attorneys argued they included abuses like Al-Arian and Dhafir endure including five years of solitary confinement as well as sensory deprivation, other periods of extreme noise, no right of counsel for two years, beatings, injections with mind-altering drugs, and denial of medical treatment all of which destroyed a human being making him unfit for trial and further punishing incarceration.

But that's not how US District Judge Marcia Cooke, and likely most others on the federal bench today, saw things. After nearly five punishing years of incarceration based on nothing more than charges filed with no corroborating evidence, she ruled on March 23, Padilla is competent to stand trial even though he's been turned to mush and likely is innocent of all charges. Jose Padilla along with Sami Al-Arian and Rafil Dhafir are today's examples of what Pastor Martin Niemoller warned about in Nazi Germany when the state targeted enemies removing them while no one protested.

Today in America, our turn may be next sooner than we think, and when it comes there may be no one left to help unless people of conscience act en masse in outrage and protest. In the age of George Bush, no one is safe, and a nation once proud is slipping much closer to passing from democracy to tyranny the way Chalmers Johnson explained it happened in the rise and fall of earlier empires.

Citing ancient Rome, he wrote in his new book, *Nemesis - The Last Days of the American Republic*, we "are approaching the edge of a huge waterfall and are about to plunge over it" with other notable figures believing we already have failing to heed Jefferson's words that "All tyranny needs to gain a foothold is for people of good conscience to remain silent" or Edmund Burke who said "The only thing necessary for the triumph of evil is for good men to do nothing." Hopefully there's still time to act. Are we paying attention? Do we understand today we're all Sami Al-Arians, Rafil Dhafirs and Jose Padillas.

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