African bombing verdict could presage new US attacks in Middle East and Asia

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Guilty verdicts handed down May 29 by a federal jury in a trial stemming from the 1998 bombings of US embassies in East Africa could set the stage for a new round of American military aggression in the Middle East and southern Asia.

The New York jury found all four defendants guilty on all 302 counts in a conspiracy case that blamed the organization led by fugitive Saudi millionaire Osama bin Laden for actions ranging from the 1993 ambush of US combat troops in Somalia to the attack last October on the USS Cole in Yemen.

Mohammed Rashed Daoud al-'Owhali was convicted for having helped manufacture the bomb and ridden in the truck that carried it to the Nairobi, Kenya embassy, where 213 people died. The jury found Khalfan Khamis Mohamed guilty of participating in the attack on the embassy in Tanzania, killing 11 others. Both face the death penalty.

Two other defendants face life sentences. They are Wadih el Hage, a Lebanese-born American citizen, who was found guilty of organizing an East African terrorist cell based on evidence that he worked as bin Laden's personal secretary, and Mohamed Sadeek Odeh, who ran a fishing operation for bin Laden's organization in Kenya, and was accused of helping to organize the Nairobi blast.

The trial featured the testimony of a former bin Laden aide and defector, Jamal Ahmed al-Fadl, who admitted to having embezzled money from the organization and acknowledged that the US government had paid nearly $1 million to secure his cooperation.

Key to the prosecution was the admission of confessions which, according to defense attorneys, had been coerced from three of the defendants by US agents and Kenyan police while the defendants were held incommunicado in Kenya and denied the right to counsel. Also admitted was evidence gathered against a fourth defendant through warrantless searches and wiretaps.

The central thesis of the prosecution's case was that the bombings of the US embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania were part of a global terror campaign waged against Americans and orchestrated by bin Laden, who was named as a codefendant. Washington has failed to capture him despite offering a $5 million reward.

The prosecution's flimsiest case was the one made against el-Hage, the Lebanese-born American. His attorney presented extensive evidence, including the testimony of a Kenyan gem trader, indicating that el-Hage was engaged in legitimate business while living in Kenya and working in commercial enterprises owned by bin Laden. He left a year before the bombing and there was no evidence linking him to the blasts.

While the prosecution presented no proof that he had participated in any terrorist act, it insisted that he “worked for a group that he knew was fighting America.”

This was a key theme in the prosecution's case. Those on trial were accused not merely of killing civilians in the embassy bombings, but of being part of a worldwide conspiracy aimed at thwarting US interests in the Middle East, including the 1993 attack on US troops in Somalia.

Defense attorneys countered by pointing out that the US military had conducted murderous raids in the Somali capital of Mogadishu in an attempt to wipe out leaders opposed to Washington's intervention. It was these attacks, they said, which provoked popular outrage and resistance from the Somali people, leading to American casualties.

The attempt to treat such resistance as crimes of

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conspiracy and murder to be tried and punished by American courts represents an ominous perversion of the US judicial system, virtually turning it into an arm of American militarism.

"The rule of law is more powerful than any terrorist bomb," Barry Mawn, the head of the FBI's New York office declared after the verdicts. Notwithstanding such sanctimonious rhetoric, there are indications that Washington intends to use the verdicts to justify new military strikes against perceived opponents of US foreign policy.

The Clinton administration launched such attacks in the immediate aftermath of the embassy bombings, firing off 79 cruise missiles. The weapons were launched against Afghanistan in an apparent attempt to assassinate bin Laden—the high explosives missed their intended target, but claimed the lives of 24 others—and the Sudan, where they destroyed a pharmaceutical plant that Washington had falsely claimed was producing chemical weapons for bin Laden's organization.

Following the May 29 verdict, US officials acknowledged that military strike teams had been formed and trained for the purpose of intervening in Afghanistan where bin Laden still lives in exile.

In a column hailing the verdict, the *Wall Street Journal* gave clear expression to plans for further military action. It insisted that criminal trials and legal punishments were not sufficient, and provided a menu of possible targets of new military assaults.

"Seeing acts of terror as battles, not crimes, improves the US approach to the problem," according to the *Journal* column. "It means that, as in a conventional war, America's armed forces, not its policemen and lawyers, are primarily deployed to protect Americans.... If a perpetrator is not precisely known, then those who are known to harbor terrorists will be punished. This way, governments and organizations that support terrorism will pay the price, not just the individuals who carry it out."

The same column asserted that organizations under bin Laden's umbrella ranged from Hezbollah in Lebanon to Islamic groups in Algeria and Egypt "as well as a raft of Iraqis, Sudanese, Pakistanis, Afghans and Jordanians."

In an attempt to forestall the first-ever imposition of the death penalty against an alleged foreign terrorist, defense attorneys sought to highlight US actions in the Middle East that have provoked widespread anger toward Washington. In the political vacuum created by the capitulation of the old Arab secular nationalist movements, much of this animosity has been channeled into Islamist organizations like that of bin Laden. Many of these groups had at one time or another enjoyed covert US support as counterweights to the nationalist and left-wing movements. Bin Laden's own group arose out of the CIA-backed forces combating the former Soviet-aligned government in Afghanistan.

The evidence presented by the defense included testimony from former US Attorney General Ramsey Clark, who has made several fact-finding trips to Iraq. Clark stated that US bombings during the Persian Gulf War followed by severe economic sanctions have wreaked havoc on the country's economy, infrastructure and health care system, leading to the deaths of hundreds of thousands of innocent men, women and children.

The jury was also shown videotape of a 60 Minutes television program featuring then-Secretary of State Madeleine Albright. Confronted with evidence that more than half a million Iraqi children have died as a result of US actions against Iraq and asked whether the pursuit of US policy in the region justified such a human toll, Albright responded, "We think the price is worth it."

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