Detained Muslim cleric secretly moved to Chicago

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In a case that threatens to set a precedent for further attacks on democratic rights in the US, Rabih Haddad, co-founder of Global Relief Foundation (GRF) and a prominent Muslim cleric, has been arrested and secretly removed from Michigan. Neither his lawyers nor his family were contacted about the transfer.

On January 15 a spokeswoman for the US Marshals office in Chicago acknowledged to the media that Haddad was in that office's custody and was being detained at Chicago's Metropolitan Corrections Center.

Haddad was arrested on a visa violation, however his lawyers speculate that he was taken out of state to be questioned before a federal grand jury. The Islamic charity he co-chaired, Global Relief, was raided by the federal government on the grounds that it might have helped fund alleged terrorist organizations in the Middle East. Participants in the raid, which took place on the same day as Haddad's arrest, included agents from the Treasury Department, the Federal Bureau of Investigation (FBI) and US Customs.

The various government agencies have cited the USA Patriot Act, signed by President Bush on October 26, as the legal justification for their actions. The law gives government agencies the right to detain immigrants, eavesdrop on telephone calls and email and share sensitive details of investigations with other agencies, including the CIA.

A federal grand jury in session in Chicago has begun an investigation of GRF and the Benevolent International Foundation (BIF), another Islamic charity proscribed by the Bush administration. Last month, the Treasury Department froze the accounts and seized the files of both the GRF and BIF. Lawyers for the charities deny the organizations have any links to terrorism, and the groups say they collected $8 million last year for clothing, food and medicines to be sent to Muslims in war-torn areas such as Bosnia, Afghanistan, Chechnya and Palestine.

Chicago Tribune reports that a grand jury has been convened, but no evidence substantiating the government's position has been released. Representatives of GRF assert the charges are baseless, noting that the Clinton administration had investigated the organization and found no links to terrorist organizations.

"They are trying to find any and all leads they can come up with on terrorism," said Roger Simmons, a Chicago attorney for Global Relief. "The net they have cast is extremely broad.... It's not a criticism, it shows how dangerously little the government knew. They will never come up with anything."

Haddad, 41 and a native of Lebanon, was arrested at his home in Ann Arbor, Michigan on December 14. Government agents did not initially give a reason for his detention, but he was later cited for overstaying his tourist visa.

According to his lawyer and other legal experts knowledgeable about immigrant law, visa violations of this nature were considered minor offenses before September 11. However, in line with the present assault on democratic rights, the government has now used these technical violations to carry out the arrest and detention of hundreds of Middle Eastern immigrants.

Haddad's primary legal council, Ashraf Nubani, said Haddad is facing "removal proceedings," even though he has filed for a permanent visa. In 1999 Haddad's tourist visa expired; he filed for permanent status in April 2001.

"It was an oversight," said Nubani, commenting on Haddad's visa expiration. "He has come into the United States six times and he has always maintained his nonimmigrant status. He has been very vigilant to do that. This was an exceptional circumstance that led to this point," he continued, referring to the September 11 attacks.

"He had no idea there was a problem. He came in legally, and if there was a problem, he should have been

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told about it immediately and sent back on the next plane. You can't tell me that they can read the license plates of cars in Afghanistan, but missed someone's expired visa."

The government's proceedings in this case have been extraordinary in every way. Clearly the Bush administration is using the Haddad case as a precedent for the broad use of repressive powers against immigrants and citizens alike. For example, at Haddad's January 2 hearing, immigration judge Elizabeth Hacker denied Haddad the right to post bail, a decision that keeps him in jail indefinitely. In addition Haddad has not been allowed to attend his hearings, forced instead to watch the proceedings on closed-circuit television.

Moreover, the court closed the hearing to the public, including Haddad's family and the press. When US Representative John Conyers attempted to attend the January 2 hearing he not allowed into the courtroom.

Nubani said he is appealing the bail bond decision and is asking the court to allow Haddad the right to rejoin his family, a right afforded to any other defendant charged with a visa violation. He noted that Haddad's eight-year-old son was having a hard time with his father's detention and had to be restrained the last time he visited his father in prison.

One option being considered by Nubani and the legal team is filing a motion for political asylum. Haddad is a native of Lebanon, a country controlled internally by the Syrians, who have established a repressive regime.

Noel Saleh, another member of Haddad's legal team, said the government has never been honest about Haddad's case. "It is outrageous that he has been held without bail on a visa violation," charged Saleh. "This is not normal. Most cases are heard in a public court, but that is not what they want the public to think. They want the public to think that this is the normal process that they are upholding."

When Saleh heard that Haddad had been moved from his cell in Monroe County, Michigan, he suspected the reason was the grand jury investigation under way in Chicago. Saleh said the order "was placed under seal so we were never told what their plans are."

"This is a special interest case," he continued. "Whether it was [Attorney General John] Ashcroft personally, I don't know, but it is the Department of Justice at a high level, a very high level," he said, which is making the decisions in this case.

When Haddad was arrested, the INS would not allow him to contact either his wife or his lawyers for 48 hours. His lawyers have also pointed out that during the month-long period of his detention he has been kept in solitary confinement and denied contact with anyone inside the prison, except prison officials.

"There was no accident that Rabih Haddad was arrested the same day that Global Relief was frozen," continued Saleh. "It was a given that this was going to be a special interest case, and it is a given that he is being persecuted because of his membership on the board of directors of Global Relief. It has nothing to do with this overstaying of a visitor's visa."

"They don't tell anyone where he is," said Salma Al-Rushaid, Haddad's wife. "I can't understand all of this secrecy."

A spirited demonstration of approximately 75 Haddad supporters was held outside the court hearing on January 10. Haaris Ahmad, executive director of the Council on American-Islamic Relations—Michigan (CAIR), one of the leaders of the group sponsoring the demonstration, told the *WSWS*, "This is not about one man. It is about defending the principles that our nation was built on. We are here to support him and demand fairness that was not accorded."

Ahmad said this was a clear case of racial profiling. In the past, he explained, once you filed for permanent status the issues related to your past visa were then ignored. "This is a Catch-22," said Ahmad. "He traveled in and out of the country. He has respected the laws of this country. Once he applies he is eligible to stay. We believe it is to make an example of him."

He continued, "They [the government] claim he has no community ties, but what do you see here [pointing to the demonstrators]? This is a broad-based coalition, not just the Muslim community. It shows that he is a member of the overall community."

"Last night the Ann Arbor City Council passed a resolution in support of pastor Haddad," Ahmad added. "This is a high-profile case, but it has been done, unfortunately, to over 700 people that we know of, some of them as young as 19-years-old—kids who happened to be working at a gas station to make some extra money."

Lawyers for Haddad said the next hearing on his removal from the US is scheduled for February 19.

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