

Michigan conference calls for defense of Arab, Asian immigrants

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Representatives of Arab-American and civil liberties groups from across the United States attended a two-day meeting last weekend in the Detroit suburb of Dearborn, Michigan to discuss methods of opposing the ongoing attacks on Middle Eastern and other immigrants.

The National Summit to Stop the Repression Against Muslim, Arab and South Asian Immigrants was held May 18-19 at the headquarters of the Arab Community Center for Economic and Social Services (ACCESS). The Detroit area has the largest concentration of people of Arab descent in the Western Hemisphere.

Speakers at the meeting detailed incidents of harassment and mistreatment of immigrants picked up in the government dragnet following last year's terrorist attacks. The attacks on Arab immigrants show no sign of abating. The government is continuing to withhold information about hundreds of immigrants it is holding without charges. Detainees are being denied access to attorneys, medical assistance and some are being kept in solitary confinement.

A report published by Amnesty International in March says an estimated 347 immigrants rounded up in the wake of September 11 are still in government custody. Those held are being denied their rights under the US Constitution and international law, which stipulate that anyone deprived of liberty must be informed of the reason, must be able to challenge the lawfulness of the detention, have access to legal counsel and be presumed innocent.

The conference in Dearborn opened with a panel discussion. Highlighting the assault on civil liberties, on the wall behind the speakers' table were copies of Freedom of Information Act forms returned by the government, with the names of those detained since September 11 blacked out.

Ijaz Manzoor Chaudry from Solidarity USA denounced the harassment and mistreatment of Arab-Americans: "Individuals are being arrested and detained indefinitely. Maneuvers are being used to curb federal criminal proceedings in order to move detainees to jurisdictions where the courts are known for speedy trials and infamous for their favoritism to the government." He described the

raids carried out in March by the FBI, immigration and customs officials on Arab-American organizations such as the International Institute of Islamic Thought and the Holy Land Foundation. All of the organizations targeted were well established and have been around for decades.

"In an especially troubling incident," Chaudry reported, "the Bush administration recently authorized raids on homes and businesses of 24 Muslim organizations and individuals. When these houses and offices were raided at least 15 agents rushed in simultaneously and searched the homes and offices for up to 11 hours."

He continued, "Can you imagine the horror when innocent law abiding American citizens would hear a knock on the door only to see a group of 10 to 15 government agents with guns telling them to put their hands up? These individuals were treated like suspects from the beginning. They were handcuffed for hours while their homes were ransacked and private property confiscated. Even items that had no relationship to anything were confiscated, like children's computer games, Social Security cards, jewelry, wedding invitation cards and puzzles. Most of these confiscated items have yet to be returned.

"A magistrate recently denied the request of these groups to return their property and to unseal the affidavit that authorized these searches. Government officials revealed in the same hearing that they have yet to detail all the items confiscated in these raids."

Chaudry pointed to other cases of mistreatment of Arab immigrants. An Indonesian engineer, detained without charges and held in solitary confinement, eventually accepted a plea bargain and now faces a deportation hearing. A Moroccan man, enrolled in an MBA program at a major university, went on a hunger strike after being denied legal counsel and held in solitary confinement for four weeks. A Saudi Arabian woman held along with her husband in Florida was denied medical treatment for her back problems.

San Diego attorney Randall Hamud spoke, describing his experience representing victims of the government's anti-Arab dragnet. Hamud currently represents several detainees

from the San Diego area. The men were arrested because they had casual contact with two of the alleged September 11 hijackers who resided for a short period in the San Diego area. Hamud said, “After 9/11 the FBI set on San Diego like locusts. My three clients cooperated with the FBI. Notwithstanding their cooperation they were arrested as material witnesses.” His clients were not charged with any crime. However, they were transported in chains to the notorious Metropolitan Correctional Center in New York, a high security prison.

“They were verbally abused by the guards,” Hamud continued. “They were called ‘f—ing terrorists.’ The average temperature of MCC prison is that of a meat locker. The guards used to brag that it is kept cold because it keeps the prisoners lethargic. The prisoners get to wear a single jump suit, bright orange, and have a single blanket on their bed. Not charged with any crime, my clients are in this environment.”

He concluded: “My clients were treated illegally and unconstitutionally. They were interrogated without being given their Miranda rights, the Constitution was thrown aside. One of my clients, Osama Awadallah, was eventually indicted for lying to the grand jury.”

US District Judge Shira Scheindlin recently threw out the indictment of Awadallah on the grounds that the statements on which it was based were obtained while the defendant was illegally imprisoned. She said the government abused the material witness statute, which states that a person may be detained if the government thinks they have information critical to a criminal proceeding. In her ruling, Scheindlin declared. “Relying on the material witness statute to detain people who are presumed innocent under our Constitution is an illegitimate use of the statute.” She pointed out that since 1789 no Congress has granted authority to hold innocent people in order to assure their appearance before a grand jury.

Hamud declared, “It is a hard fought victory that will have an impact on everybody. But we still have a terrorized community in San Diego.”

The defense attorney said one of his other clients is being held on a \$500,000 bail for allegedly lying on an immigrant application. “We had about \$450,000 raised in the San Diego Arab Muslim community. But when they found they had to go to court and identify themselves as contributors, they backed off.”

Jay Kaplan of the American Civil Liberties Union discussed the ongoing lawsuit to open to the public the detention hearings of Rabih Haddad, a Muslim cleric from Ann Arbor, Michigan who is being held for a minor visa infraction. On April 3 US District Court Judge Nancy Edmunds found it unconstitutional for the government to bar

the public from Haddad’s deportation hearings. The government has appealed the ruling.

The government arrested Haddad on December 14, 2001. The same day the FBI and the US Treasury Department raided the charity he headed, Global Relief Foundation, and its assets were frozen. Haddad was held in solitary confinement for months and permitted only one, 15-minute phone call to his family every 30 days. His wife and three of the couple’s four children now face deportation proceedings.

He explained that the state of Michigan had recently attempted to broaden the definition of terrorism to encompass acts of civil disobedience. The state had even proposed to block the public from seeing the contents of search warrants.

Imad Hammad, regional director of the American Arab Anti-Discrimination Committee, declared, “What the Arab community is facing is a different form of concentration camp.” He described how the government had attempted to deport him based on secret evidence. “For 21 years of my life it went from one stage to another simply because of my activities defending Palestinian human rights. I never committed any crime.”

While speakers gave compelling accounts of the assault on immigrants, they advanced no viable political strategy to fight the Bush administration’s assault on democratic rights. No one analyzed the political context of the Bush administration’s attack on democratic rights, nor did anyone challenge the rationale given by the government for launching its so-called war on terrorism. No mention was made of revelations that Bush was warned of the possibility of terrorist hijackings prior to September 11.

Most of the groups sponsoring the conference work closely with the Democratic Party. However, the Democrats have shown no interest in defending of the rights of immigrants. Former vice presidential candidate Joe Lieberman and other leading Democrats have solidarized themselves with the Israeli assault on the Palestinians and the Bush administration’s war on terrorism.



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