

Portland man indicted on terrorism charges

Hector Cordon**5 May 2003**

With the indictment of Maher (Mike) Hawash on terrorism charges this past Monday, the Bush administration has added another sordid chapter to an already grim story. Hawash, a member of the Muslim community in the Portland, Oregon area, has been charged with three counts of aiding terrorism. The complaint alleges that Hawash conspired to levy war against the United States, provide material support to Al Qaeda and contribute services to Al Qaeda and the Taliban in Afghanistan.

The purported evidence in the affidavit supporting the indictment includes claims that Hawash became withdrawn from his neighbors after the 2001 invasion of Afghanistan, grew a beard and spent more time at home.

The FBI's Joint Terrorism Task Force arrested Mike Hawash, a 38-year-old Palestinian immigrant and computer engineer at Intel Corporation, on March 20. Since then he has been held in solitary confinement, without charges, as a material witness in a FBI terrorism investigation. Hawash's case has become nationally known due to the controversy surrounding his lengthy imprisonment. A 1984 law, the material witness statute, allows the government to arrest and jail any person who may have information related to a criminal investigation in order to testify before a grand jury.

Hawash's friends and coworkers are outraged at the brutal manner in which the government arrested him and treated his family. At the same time that Hawash was arrested in his company's parking lot, his wife and three children awoke to FBI agents—clad totally in black, wearing bullet proof vests and carrying assault rifles—searching their home. Since then, their oldest son has been afraid to return to their house.

They also question the novel interpretation of the material witness statute made by the Bush administration in order to hold Hawash and other

Middle Eastern men for indefinite periods of time.

Prior to the September 11, 2001 terrorist attacks, the use of the material witness statute was limited to a narrow application of holding frightened or reluctant witnesses in cases involving organized crime. In other words, witnesses who might face intimidation in order to prevent their testimony, or who are likely to flee. Neither of these qualifiers applies to Mike Hawash, a well-educated man with many ties to his family and community.

According to the *Washington Post* of November 24, 2002, since 9/11 "authorities have arrested and jailed at least 44 people as potential grand jury witnesses in the 14 months of the nationwide terrorism investigation, but nearly half have never been called to testify before a grand jury, according to defense lawyers and others involved in the cases." It is unknown whether these 44 cases represent all those arrested after September 11, 2001 under the material witness statute, since the Department of Justice refuses to comment, citing court orders and grand jury secrecy rules.

Monday's indictment also links Hawash to six Portland area residents who were arrested in October of last year. They face the same charges as Hawash with the additional charge of "possession of firearms in the furtherance of crimes of violence." Jeffrey Leon Battle, Patrice Lumumba Ford, Muhammad Ibrahim Bilal, Ahmed Ibrahim Bilal and October Martinique Lewis, all Portland-area residents, have been jailed since October of last year with a trial date set for this October 1. Habis Abdulla al Saoub has also been indicted but has not been located.

The complaint alleges that Hawash traveled with all but Lewis in an attempt to enter Afghanistan in order to wage "jihad" against U.S. troops. Lewis is charged with participating in the conspiracy by wiring money to the group from the US.

In spite of allegations that Battle, Ford, al Saoub, and

the Bilal brothers had talked of attacks against schools and synagogues, there is no indication that the Justice Department can go beyond accusations of travel in China, and heated rhetoric on the part of some of the defendants. Hawash's indictment is even more tenuous having simply traveled with the other men while in China.

Unable to produce the terrorist cells within the United States, on whose existence his government has justified a broad-ranging attack on democratic rights, the Bush administration is forced to create them out of thin air. The loss of freedom, and the emotional and financial toll that this policy takes on its innocent victims, like Mike Hawash and his family, is seen merely as collateral damage.

It is no coincidence that a crisis of proof of a terrorist threat in the US emerges as the Bush administration faces a similar crisis in Iraq; namely the absence of the *casus belli* of the war, the alleged existence of weapons of mass destruction. As domestic policy is transformed more and more openly to coincide with Washington's foreign policy goal of unrestrained exploitation and repression, the use of frame-ups and state violence within the US is becoming standard procedure. The American ruling elite is dispensing with democratic niceties as it seeks to subject America, as well as Iraq, to its global ambitions.

Supporters of Mike Hawash and his family have set up a web site to campaign for his freedom at: www.freemikehawash.org.



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