

Britain: Jury in alleged transatlantic bomb plot trial fails to convict on central charges

A political conspiracy

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The conclusion of the trial of those accused of plotting to blow up transatlantic airlines in 2006 has created a major crisis for the Labour government and the security services. It has revealed the gaping disconnect between public opinion and official propaganda on the “war on terror.” So great is the damage that within days of the verdict the Crown Prosecution Service announced its intention to demand a retrial.

On August 10, 2006, British security services dramatically announced they had foiled an imminent attack on a number of transatlantic planes flying out of London. Described as the most significant terror plot since 9/11, the early hours saw a series of raids in southern England and the detention of some 24 young men, predominantly British citizens of Pakistani origin, including a Muslim charity worker and an employee at Heathrow airport.

London’s Heathrow airport—the world’s largest in terms of international passenger traffic—was shut down, thousands of flights were cancelled and an indefinite ban was imposed on hand luggage.

Police and government officials reported that the men had intended to use liquid chemicals, disguised as drinks, to cause a series of explosions on up to 17 aircraft in midflight.

Deputy Commissioner Paul Stephenson of the Metropolitan Police said the intention was to “cause untold death and destruction and, quite frankly, to commit mass murder.” Then Home Secretary John Reid said that the scale of the plot was potentially larger than 9/11 and that the loss of life “would have been on an unprecedented scale.”

In the United States, President George W. Bush told a press conference that the plot was a “historical reminder that this nation is at war with Islamic fascists who will use any means to destroy those of us who love freedom, to hurt our nation.” Michael Chertoff, as homeland security secretary, said the plan was “suggestive of an Al Qaeda plot,” was “well advanced” and “really quite close to the execution phase.”

Some two years later—after a five-month trial costing £10 million—on September 8, a jury was unable to agree that such a plot ever existed, and failed to convict the eight men on trial on the prosecution’s central charge of plotting to explode transatlantic aircraft.

The court had heard that “martyrdom videos” recorded by six of the defendants had been found in which they threatened death and destruction, and that evidence gathered by undercover officers and through surveillance techniques proved that the men had established a bomb factory in an east London flat.

The prosecution said that evidence also established that the bomb plot had been hatched in Pakistan and that when defendant Abdulla

Ahmed Ali was arrested, he had a “blueprint” for the plot in a pocket diary. A computer memory stick containing details of flights and airport security arrangements had also been uncovered.

The eight denied such a plan. Ali said that the videos were intended to form part of a documentary highlighting Western attacks on Muslims in Afghanistan, Iraq and Lebanon. Ali, Assad Ali Sarwar and Tanvir Hussain pled guilty to conspiracy to cause explosions, but said these were only ever intended as a publicity stunt to draw attention to the video and were never intended to cause harm.

The jury rejected this claim and convicted the three of conspiracy to murder. But it was deadlocked on the central charge of conspiring to explode airliners.

The four other men—Waheed Zaman, Umar Islam, Arafat Waheed Khan and Ibrahim Savant—had admitted conspiring to cause a public nuisance. But the jury was unable to reach verdicts on them in relation to charges of conspiracy to murder.

Even more damaging from the standpoint of the prosecution’s case, Mohammed Gulzar—who was described as the plot’s ringleader but who always denied any involvement—was acquitted of all charges. He cannot be retried, but the Home Office has said that Gulzar, who is from Birmingham, will be subject to control orders curtailing his movements.

Furious response to the verdict

The verdict has brought a furious response from the government, security services and the media.

The trial judge, Mr. Justice Calvert-Smith, has been singled out for criticism. He had led a slipshod trial, it was alleged, in which he had pandered to the juror’s every whim—allowing them a holiday, and even time off for a family emergency.

Given the need to maintain juror continuity in such a lengthy case, the judge (in this instance, a former director of public prosecutions) was in fact required to set a holiday period at the start of the hearing and to make certain arrangements for other exigencies. After the jury had deliberated for 11 days without reaching agreement on the central charge, the judge had directed that he would accept a majority verdict of 11-1 or 10-2, which it subsequently failed to achieve.

The jury itself has also been denounced as lax and incompetent. Typical of this approach was Max Hastings in the *Daily Mail*, who

complained that the jurors' conclusions could only lead people to assume "either that those responsible for protecting us do not know what they are doing; or that some jury members are stunningly indifferent to the activities of allegedly would-be mass-murderers."

Amidst suggestions that the verdict proved it was necessary that lengthy, "complex" trials should not be heard by jurors, Frances Gibb in the *Times* cautioned that "jurors must ensure that they do not fuel the opinion that, in long trials at least, their time is up."

In reality, the jury demonstrated a high degree of concern for points of law. They rejected the three main defendants' claim that they were only seeking minor explosions for propaganda purposes, but were not satisfied "beyond reasonable doubt"—the burden of proof at trial—that they had specifically intended to explode bombs on transatlantic flights.

The jury's diligence was such that Justice Calvert-Smith praised their conduct at the end of the trial. Excusing them from any further juror service for their lifetimes, he described them as a "unique bunch of 12 people" and said they could "Depart this court with the full-hearted thanks of the community for your service to it, which is far beyond the duty for most jurors, and my personal thanks."

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The Crown Prosecution Service's announcement that it intends to seek a retrial of the seven demonstrates only contempt for due process. Having failed to secure the conviction it required, the CPS intends to keep going until it succeeds.

On the face of it, this determination seems perverse. Why the concern with proving the specific charge of intention to explode transatlantic aircraft? After all, the three have been found guilty of conspiracy to murder, which carries a life sentence.

Moreover, it is abundantly clear that the jury could not reasonably convict on the central charge. Within days of the initial raids and arrests, it was already apparent that there were gaping holes in the assertions by US and British authorities that they had stopped an imminent terror attack. Reports stated that no bombs had actually been assembled; that none of those detained had purchased airline tickets and some did not even have passports.

In short, nothing presented during the trial proved that aircraft had been targeted.

But an enormous *political* investment has been made in this case.

As the *World Socialist Web Site* explained in "The politics of the latest terror scare," the alleged plot was seized on not because of supposed security considerations but "for transparently political purposes of a deeply reactionary character. It has, rather, to do with the machinations of the clique of political gangsters—Dick Cheney, Karl Rove, among others—who run the US government."

The context of the terror plot, the WSWS stated, was the ever-bloodier quagmire faced by the US-led occupation in both Iraq and Afghanistan and the politically explosive failure of the US-backed Israeli assault on Lebanon. With Bush's approval ratings plummeting, Republicans feared a wipeout in the upcoming November elections.

"The answer of the Cheney-Rove conspirators is to engineer a new wave of panic and hysteria in an attempt to once again stampede voters behind Bush's 'war on terrorism.' They did the same in 2004, when in the run-up to the election the government suddenly

announced a plot to attack major financial institutions in New York, Washington and Newark, New Jersey—a plot that came to nothing."

This is now so clearly a matter of record that Simon Jenkins in the *Guardian* notes, "It has been an open secret in police circles that Operation Overt, the most complex in counter-terror history, was sabotaged by the American vice president, Dick Cheney, desperate for a headline boost to the Republicans' 2006 mid-term elections."

He cites the recent book "The Way of the World" by Ron Suskind, the *Wall Street Journal's* former senior national affairs writer. This sets out how, after Prime Minister Tony Blair had informed Bush in July 2006 of the British intelligence services' two-year-long investigation, Operation Overt, into alleged Muslim extremists, "Cheney then privately dispatched the CIA's operations director, Jose Rodriguez, to Islamabad to secure the arrest of one of the British suspects, Rashid Rauf, believed to be a possible link with al-Qaida," Jenkins writes.

The capture of Rauf (who subsequently and inexplicably escaped detention) created panic in London, as "the police had desperately to round up as many suspects as they could find overnight," and "all for the mid-term elections."

So rushed were the arrests that Blair had left for his Caribbean holiday just 48 hours before, and neither the head of the Metropolitan Police Special Operations department nor Britain's transport secretary was aware that the raids were imminent until the last moment.

That did not prevent the British government using the scare for its political objectives—in pressing for the extension of the period in which detainees could be held without charge for 90 days.

As the WSWS stated, "There undeniably is a conspiracy. It is a plot to use terrorist threats, real or imagined, to terrorise the American people, intimidate them, disorient them, and accustom them to accept the militarisation of every aspect of their lives and the destruction of their democratic rights. The centre of this conspiracy is the American government itself."

It is this political conspiracy that the British authorities are seeking to perpetuate in demanding a retrial.



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