

US Deports Professor Sami Al-Arian

One of the ugliest post-9/11 trials was the terrorism prosecution of a Palestinian immigrant, Dr. Sami Al-Arian, for using strong words in criticizing Israel and backing Palestinian rights, a case that amounted to thought crimes. It has now ended with Al-Arian's deportation, note Flynt and Hillary Mann Leverett.

By Flynt Leverett and Hillary Mann Leverett

Earlier this week, the U.S. government deported our friend and colleague, Dr. Sami Al-Arian, from the United States. Turkey has granted him sanctuary.

Since we first met Dr. Al-Arian a few years ago, he and his family have set standards for faithfulness, moral steadfastness, and commitment to truth to which we can only aspire. More broadly, the U.S. government's treatment of Dr. Al-Arian underscores an urgent reality: how the West treats Muslims, in the Middle East, where they are the overwhelming majority, and in diaspora communities in the West itself, is the defining moral and political challenge of our time.

The U.S. government's actions against Sami Al-Arian and his family should remind all of us how badly the United States is failing that challenge.

Sami Al-Arian was targeted by the U.S. government because, during the 1990s, he emerged as one of the most prominent and effective advocates for Palestinian rights that U.S. officials had ever faced.

To offer some insight into his case and what it means, we highlight here two pieces. One, by Glenn Greenwald and his colleague at *The Intercept*, Murtaza Hussain, see [here](#), assesses the U.S. government's case against Dr. Al-Arian as a glaring example of post-9/11 "America's eroding democratic values."

This article explains how, as "part of a broader post-9/11 campaign by the U.S. government to criminalize aid and support to Palestinians," Dr. Al-Arian was "indicted on multiple counts of providing 'material support' to [Palestinian Islamic Jihad] and fundraising on their behalf in the United States."

As the article recounts, "For most of the three years after his arrest, Al-Arian was kept in solitary confinement awaiting trial. During this time, he was regularly subjected to strip-searches, denied normal visitation rights with his family, and allegedly abused by prison staff. When Al-Arian's case did finally reach trial after years of harsh imprisonment, prosecutors failed to convict Al-Arian on even one charge brought against him. Jurors voted to acquit him on the

most serious counts he faced and deadlocked on the remainder of the indictments.

“The outcome was hugely embarrassing for the U.S. government. Despite having amassed over 20,000 hours of phone conversations and hundreds of fax messages from over a decade of surveilling Al-Arian, the [Justice Department], even with all the advantages they enjoyed in terrorism cases in 2003 (and continue to enjoy today), was unable to convince a jury Al-Arian was the arch-terrorist they had very publicly proclaimed him to be.

“Indeed, instead of producing evidence that Al-Arian was involved in actual ‘terrorism,’ the government attempted to use as evidence copies of books and magazines Al-Arian had owned in a failed effort to convince the jury to convict him of apparent thought crimes. This effort failed and a jury ruled to acquit Al-Arian on 8 out of 17 charges while failing to come to a verdict on the remainder.”

The article goes on to describe how, after his trial, “Al-Arian agreed to a plea bargain on the remaining charges by pleading guilty to one count of providing ‘contributions, goods or services’ to [Palestinian Islamic Jihad], a decision he says he undertook out of a desire to end the government’s ongoing persecution of him and win his release from prison.”

Still, “despite this plea, Al-Arian was not released from prison”; instead, the U.S. government plunged him into a legally Kafkaesque series of additional imprisonments on “civil contempt” charges. Finally, in 2014, after years of relentlessly persecuting Dr. Al-Arian, “the Federal government quietly and unceremoniously dropped all of their charges against [him].”

The second piece we want to highlight is a statement by Sami Al-Arian, released after his departure from the United States. We append it below.

“To my dear friends and supporters,

“After 40 years, my time in the U.S. has come to an end. Like many immigrants of my generation, I came to the U.S. in 1975 to seek a higher education and greater opportunities. But I also wanted to live in a free society where freedom of speech, association and religion are not only tolerated but guaranteed and protected under the law. That’s why I decided to stay and raise my family here, after earning my doctorate in 1986. Simply put, to me, freedom of speech and thought represented the cornerstone of a dignified life.

“Today, freedom of expression has become a defining feature in the struggle to realize our humanity and liberty. The forces of intolerance, hegemony, and exclusionary politics tend to favor the stifling of free speech and the suppression of dissent. But nothing is more dangerous than when such suppression

is perpetrated and sanctioned by government.

“As one early American once observed, ‘When the people fear their government, there is tyranny; when the government fears the people, there is liberty.’ Because government has enormous power and authority over its people, such control must be checked, and people, especially those advocating unpopular opinions, must have absolute protections from governmental overreach and abuse of power.

A case in point of course is the issue of Palestinian self-determination. In the United States, as well as in many other western countries, those who support the Palestinian struggle for justice, and criticize Israel’s occupation and brutal policies, have often experienced an assault on their freedom of speech in academia, media, politics and society at large.

“After the tragic events of September 11th, such actions by the government intensified, in the name of security. Far too many people have been targeted and punished because of their unpopular opinions or beliefs.

“During their opening statement in my trial in June 2005, my lawyers showed the jury two poster-sized photographs of items that government agents took during searches of my home many years earlier. In one photo, there were several stacks of books taken from my home library. The other photo showed a small gun I owned at the time.

“The attorney looked the jury in the eyes and said: ‘This is what this case is about. When the government raided my client’s house, this is what they seized,’ he said, pointing to the books, ‘and this is what they left,’ he added, pointing to the gun in the other picture. ‘This case is not about terrorism but about my client’s right to freedom of speech,’ he continued.

“Indeed, much of the evidence the government presented to the jury during the six-month trial were speeches I delivered, lectures I presented, articles I wrote, magazines I edited, books I owned, conferences I convened, rallies I attended, interviews I gave, news I heard, and websites I never even accessed.

“But the most disturbing part of the trial was not that the government offered my speeches, opinions, books, writings, and dreams into evidence, but that an intimidated judicial system allowed them to be admitted into evidence. That’s why we applauded the jury’s verdict.

“Our jurors represented the best society had to offer. Despite all of the fear-mongering and scare tactics used by the authorities, the jury acted as free people, people of conscience, able to see through Big Brother’s tactics. One hard lesson that must be learned from the trial is that political cases should

have no place in a free and democratic society.

“But despite the long and arduous ordeal and hardships suffered by my family, I leave with no bitterness or resentment in my heart whatsoever. In fact, I’m very grateful for the opportunities and experiences afforded to me and my family in this country, and for the friendships we’ve cultivated over the decades. These are lifelong connections that could never be affected by distance.

“I would like to thank God for all the blessings in my life. My faith sustained me during my many months in solitary confinement and gave me comfort that justice would ultimately prevail.

“Our deep thanks go to the friends and supporters across the U.S., from university professors to grassroots activists, individuals and organizations, who have stood alongside us in the struggle for justice.

“My trial attorneys, Linda Moreno and the late Bill Moffitt, were the best advocates anyone could ask for, both inside and outside of the courtroom. Their spirit, intelligence, passion and principle were inspirational to so many.

“I am also grateful to Jonathan Turley and his legal team, whose tireless efforts saw the case to its conclusion. Jonathan’s commitment to justice and brilliant legal representation resulted in the government finally dropping the case. Our gratitude also goes to my immigration lawyers, Ira Kurzban and John Pratt, for the tremendous work they did in smoothing the way for this next phase of our lives.

“Thanks also to my children for their patience, perseverance and support during the challenges of the last decade. I am so proud of them. Finally, my wife Nahla has been a pillar of love, strength and resilience. She kept our family together during the most difficult times. There are no words to convey the extent of my gratitude.

“We look forward to the journey ahead and take with us the countless happy memories we formed during our life in the United States.”

Flynt Leverett served as a Middle East expert on George W. Bush’s National Security Council staff until the Iraq War and worked previously at the State Department and at the Central Intelligence Agency. Hillary Mann Leverett was the NSC expert on Iran and from 2001 to 2003 was one of only a few U.S. diplomats authorized to negotiate with the Iranians over Afghanistan, al-Qaeda and Iraq. They are authors of *Going to Tehran*.
