

Minaret of Freedom Dinner 2004

5,000 Muslim Immigrants Unjustly Incarcerated in the U.S. since 9/11

Attorney and Author David Cole speaks about his book *Enemy Aliens*

Sharmin Ahmad: As you proceed with the dinner, we are looking forward to listening to a few distinguished voices of conscience. I'm sure that after the presentations they will open the door for more discussion and reflection. In the Holy Qur'an God describes Himself. Among His attributes are Truth and Light. And Truth is conceived as that Light, Light of the eternal spirit. I'm sure that the voices of conscience among us today will reflect that light of truth. Thank you so much.

Shahid Shah: I'm a product of American Public School. You don't have to laugh. Of course, we learned in school that freedom was created in the United States. As we grew up and went to college, we kind of found out that that wasn't the case. Maybe there are other lands that believe in freedom, that believe in liberty, and that I as an American, don't have to feel alienated by other groups that have those same feelings.

I'm also one of the co-founders of a company called ISIL where we've created an application program for computers called the Alim, which allows you to do research on Islam using fundamental and classical sources of knowledge. As we were doing that program, writing it, working it, and trying to sell it, and bringing more and more young people and others into Islam and into technology, I ran into brother Imad here. We started talking about why is it that when people think about liberty and economics and science and these kinds of things that we all learn about in high school and in college, why do they think that it's alien to Muslims, that Muslims wouldn't necessarily believe in those things? It's mainly because we Muslims haven't done our job to do the outreach, to talk to different groups and let them know we're not that different. There is no difference between Muslim and American.

Just a couple of years out of college, I went on to be one of the co-founders of the Minaret of Freedom. There are many ideas and concepts that we growing up as Americans tend to forget. We founded the Minaret of Freedom Institute to do that basic outreach, to be able to go to basic sources to show that Islam fosters liberty and private property. This is a think tank that bridges a gap, bringing two groups together.

That was the general idea when we started talking about it. What is it now? The Minaret of Freedom Institute is eleven years old this year. From the beginning, we wanted not just to think about stuff or to talk about stuff, but really do it. We're not just sitting around talking about creating position papers and hoping somebody will pick them up. We're going out there to the street and get the word out. We are a bunch of doers. And we really need your help. And that's how I introduce our president here to introduce our speaker.

Imad-ad-Dean Ahmad: Thank you Shahid. *As-salamu alaikum*. I hope you love what we're doing and you'll want to support it. We love freedom, and we especially love and appreciate the civil liberties that are part of the structure of this great country. What made America strong was not its natural resources. There are a lot of countries that have more natural resources than the United States. What made this country strong, for a long time, wasn't its military power. This country's military power is a product, not the source, of its strength. What made this country strong is freedom. Much of that freedom was freedom of commerce and trade. And those are things that we're interested in and we deal with. There are some things even more fundamental, however, and that's freedom of expression, freedom of religion, and freedom of speech. Those are now under attack, as you look at people being detained without cause. It's become so obvious now, when Cat Stevens, Yusuf Islam, is told he can't come to the United States. (As John Stewart said, they finally got him for writing Peace Train.) It's so obvious now, when Tariq Ramadan, who has reached out to the Muslim youth of Europe, calling for moderation and modernity with arguments well rooted in authentic Islamic tradition, is told he can't come here to work at the University of Notre Dame, not exactly a hotbed of terrorism. There is something radically wrong. When you look at Sami al-Arian and see that they haven't produced a shred of evidence for the awful charges they made against him, we begin to suspect that they want to silence him because he's spoken out so powerfully and so effectively for the Palestinians.

I could go on and on, but I'm not going to because you're all eager to hear from our main speaker. I am very honored and pleased and delighted that David Cole agreed to be here tonight. He is a law professor at Georgetown University, a man whom I respect personally, and whose work I admire enormously. I must agree with Ralph Nader, who, at last night's CAIR dinner said we need more lawyers like David Cole. If we had enough lawyers like David Cole, some of the things that are going on just couldn't happen. I wrote a review of Mr. Cole's book *Enemy Aliens* that you can see on our website, published in the AJISS (American Journal of Islamic Social Sciences). This is a wonderful book, and it's on sale in the back. And he will sign it for you if you'll buy a copy. You need this book. And not just you. You know the Prophet said "Those who are here tell those who are not here." I want you to read this book and then I want you to go out there to the other Muslims and the other people in the freedom community and tell them what's in that book. It is not just about the double standard in the war on terrorism. It is not just about enemy aliens. It's about a set of laws that can and will, if something isn't done, eventually be used against all Americans who don't tow the line to an increasingly authoritarian government. These laws could be used against anybody, and professor Cole has made the arguments very well.

I am looking forward to his presentation. Afterwards I'll be back to introduce a presidential candidate and some of the representatives of presidential campaigns who will give a short critique of what professor Cole has to say so we can get a flavor of where some of the presidential candidates feel on these important issues. And now my pleasure to introduce to you, professor David Cole.

[Applause]

David Cole: Thank you, I'm delighted to be here this evening to talk about the state of civil liberties in the wake of September 11th. It's important in talking about civil liberties in the wake of September 11th to be succinct, so I'll try to be.

A story that appeared in the New York Times in December of 2001, just three months after the horrific attacks of September 11th about a college in Sacramento that had invited an editor of a local newspaper to come and give a mid-term commencement address. She chose the topic for her address, "Civil Liberties in the Wake of 9/11." It made the New York Times because she was being hissed off the stage. Now the *New York Times* being, at that time anyway, the paragon of objective journalism, this was before the war in Iraq, went out and interviewed the students. And they quoted a student saying the reason she was being hissed off the stage had nothing to do with the content of her speech, it was simply because she went on for too long. Then, the *New York Times* being at that time the paragon of objective journalism, got a videotape of her presentation, which turned out to be 8 minutes long. The boos and hisses began at 4 minutes. Now you look like a better-behaved audience, so I hope you'll indulge me, but I'll try to be succinct.

I want to talk about where the most common themes that we hear when people talk about September 11th and that is that everything changed. And I think the people in this room know that in fact a more accurate statement would be that everything changed for some, none of it did for others. That there is an argument, a legitimate argument that in the wake of September 11th, seeing the depths to which humankind will go to inflict pain and suffering on innocent human beings and realizing the vulnerabilities that we face, for rethinking the balance between liberty and security. If, in fact, we can be made more secure by some marginal sacrifice of liberty, it may well be worth it. That is a legitimate discussion to have, but for the most part my contention is that we haven't had that discussion, because our government has said to us, "You don't have to make the difficult decision of which of your liberties. You, the mainstream Americans, don't have to make this decision of which of your liberties are you going to sacrifice in the name of a promise of greater security. Because we've got a better deal for you. We will target *their* liberties (meaning *your* liberties) for the security of mainstream Americans. And by *they*, they mean of course, principally foreign nationals, and Arabs and Muslims." It's an easy way for a politician to strike for battles between liberty and security, because foreign nationals can't vote, and because in this war context, Arabs and Muslims are them in an us-versus-them dichotomy which has taken hold in the country.

This is the easy way to strike the balance, but I would suggest there is a wrong way to strike the balance and a counterproductive way to strike the balance. It calls to mind for me an earlier period in our history, 1919, when there was a tremendous unrest in the United States, widespread unemployment, 1,600 strikes involving four million workers in that one year alone. The Communists had taken over in the Soviet Union; they were taking over eastern block countries; they were threatening several of the western block countries. All of it came to a head in the summer of 1919 with a series of terrorist

bombings. First mail bombs addressed to people like Supreme Court justices, Senators, the Attorney General. That was followed one month later in a single day, in the same hour, bombs went off in several U.S. cities. One of them blew up the home of Attorney General Palmer who lived in Georgetown. In the wake of those terrorist bombings, how did the government respond? They did not go out and catch the bombers and do them justice. The bombers were never brought to justice. Rather, what they did was go out and round up foreign nationals by the thousands, not on charges of being involved in bombing, or conspiring to engage in violence of any kind, but rather on technical immigration violations and guilt by association. At this point of course, guilt by association with the Communist Party.

Writing about that period, after the fact, Louis Post wrote that the delirium caused by the bombings turned into a direction of a deportation crusade with all the spontaneity of water seeking out the course of least resistance. What he meant by that, of course, was that the course of least resistance was for nationals and communists. It wasn't because they were the bombers, that they were targeted, but because they were the course of least resistance. In fact at the time the administration was asking Congress to allow it to use guilt by association against citizens, but congress said no. Twenty bills were pending in Congress to extend this concept, which applied only to foreign nationals, to citizens. Congress said no. But as long as they only did it to foreign nationals, congress stood silently by.

So let me talk briefly about the double standard that has been employed in the wake of September 11th to cheat, essentially, on the difficult question of which of our liberties ought to be sacrificed in the name of a promise of greater security. I think that with this double standard you have to start with John Ashcroft's preventive detention campaign. He announced his campaign in a speech on October 2001 in New York City to the U.S. Conference of Mayors, nationally covered in the press. In that speech he compared himself to President Robert Kennedy. (He's the only one who's made that comparison.) He said, just like Bobby Kennedy would arrest a mobster for speeding on the sidewalk, so, too, I John Ashcroft will use everything within my power, including immigration law, to target suspected terrorists, lock them up, keep them off the streets and prevent the next terrorist attack from occurring. And from that day forward he has talked about his paradigm of prevention. The argument is an understandable one. The argument is that it is not enough to catch the terrorists after the fact; especially if they're suicide bombers. We need to prevent them from engaging the attack in the first place. But when you use the coercive force of the law in a preventive future oriented way, you put tremendous pressure on the basic principles of the rule of law.

In the first several weeks after September 11th, every time John Ashcroft got on television told us how many people they had locked up, how many suspected terrorists. Almost like McDonalds has how many hamburgers they've sold. Se we've locked up 200 suspected terrorists. We've locked up 800 suspected terrorists. I'm here to tell you we've locked up 1,100 suspected terrorists. A few people started asking questions. How come none of these people, if they're suspected terrorists, has been charged with a crime of terrorism? And who are these people? What are their names? Where are they

held? Why are they arrested? And the government had no good answers to those questions. No good answers. So on November 5th 2001 the number was 1,182 the government announced that it was now too difficult to keep count of all the people they were arresting, and so they weren't going to give us an a cumulative total in the future. Since that time the government has acknowledge they've locked up over 4,000 foreign nationals in other anti-terrorism prevention campaigns, so in total over 5,000 foreign nationals have been locked up in preventive detention anti-terrorism initiatives since September 11th.

Now of those 5,000, how many have been convicted of a crime of terrorism? Zero. It used to be one. It used to be one for 5,000 until last month when a court in Detroit threw out the only terrorist conviction that John Ashcroft had obtained against the 5,000, more than 5,000 foreign nationals who had been subjected to preventive detention in the name of finding terrorists. So a record of now zero for 5,000. Most of these people were arrested initially on no charges at all. Picked up off the streets of America. Locked up and ask why, and the answer is we're not going to tell you because there are no charges. They were locked up in secret. So a wife whose husband didn't come home that night could call the FBI, the IRS, the local police and ask do you have any record of my husband and the answer would be no. Even if he was sitting in jail right behind the man who answered the phone. Because the policy was and is to this day that these arrests are secret. Hundreds of these people were eventually charged with immigration violations and tried entirely in secret. So again a woman could see her husband, the father of her children deported from this country with no opportunity even to addend a hearing that would decide his fate.

How were these people picked up? They called them suspected terrorists back when John Aschcroft was making the public announcements, but now we know from the office of the inspector general that people were picked up on such things as an anonymous tip that there are too many Middle Eastern men working at a convenience store down the street. So the FBI goes out to the convenient store, picks up the Middle Eastern men. Reading their name, they can't rule out that they're not a terrorist, they're treated as a suspected terrorist, locked up. They search around for some charge to hold them on, and then they investigate them to try to determine whether in fact he has any connection to terrorism. By the end of the day virtually all of these people, not only are not charged with a terrorist crime, but were affirmatively cleared by the FBI of any connection to terrorism. Yet they were held without bond, denied access to lawyers, and when many of them agreed to leave the country, said okay, I won't appeal my immigration status, I'll leave the country. The government said no, we're not going to let you leave the country until we have concluded our investigation of you. And so people sat in detention after a judge had ruled that they could leave the country. They sat in detention for two, three, four, five months simply because the FBI had not gotten around to convincing themselves that they were innocent. And then once they were determined to be innocent of any connection, then they were allowed to leave the country.

Now the government couldn't have gotten away with this with U.S. citizens. If John Ashcroft had locked up 5,000 U.S. citizens and had not a single terrorist conviction to show for it, he'd be out of a job. People would be marching in the streets. But because these were foreign nationals, people stood silently by. Most people stood silently by. And of course, most of the way that John Ashcroft was able to obtain these people was by exploiting the immigration law. Using immigration law for purposes it was never designed to serve. He couldn't do that against citizens because the immigration law applies only to foreign nationals.

These are the domestic detainees. They're the lucky ones. They're the lucky ones compared to the detainees in the war on terrorism outside the United States. In Guantanamo over 600 people detained there are locked up without charges, without access to lawyers, without access to the outside world. Why? Because the President has them an enemy combatant. Or as President Bush calls them, a bad guy. And the President's argument is that we can lock up any person anywhere in the world who the President calls a bad guy forever, without any trial, without any access to courts, because these people are foreign nationals, and, therefore, they have no rights. Even after the Supreme Court rebuffed the President this summer, the administration continues to take a position that the people are in Guantanamo because they're foreign nationals, have no rights whatsoever.

Some of those people on Guantanamo will get a trial. It will be a military trial under a military tribunal, under rules that permit the person to be tried and executed, executed on the basis of evidence that neither he or his chosen lawyer had any opportunity to see or confront. He can be executed on the basis of secret evidence. Now, who did this apply to? Under the terms of President Bush's military tribunal order issued in November of 2001, it applies only to foreign nationals accused of terrorism. Not to U.S. citizens accused of terrorism. Why is that? There's no legal bar against the applying military tribunals to U.S. citizens. In fact we did that in World War II and the Supreme Court upheld it. The reason is not legal; the reason is political. Dick Cheney explained it the day the order was issued when he got on television and said when a foreigner comes in the process, he doesn't deserve the same rights and guarantees as an American citizen. So again the message to the Americans was: look, it's not your rights we're taking away, it's their rights.

Ethnic profiling. We've seen the most extensive campaign of ethnic profiling under this administration than we have ever seen in this country since World War II. No we haven't locked up 110,000 people because of their ethnicity. But we have called in 80,000 men for special registration simply because they come from Arab and Muslim countries. We have sought to interview 8,000 men, by the FBI, simply because they come from Arab and Muslim countries. And by the way, none of those 80,000, and none of those 8,000 have been charged or convicted of any terrorist crime. And what does the government say when charged that this is ethnic profiling? Here I quote Michael Chernoff testifying in congress, who was then the head of the criminal division in the justice department under Ashcroft. He said, "We do not engage in ethnic

profiling.” Next sentence: “What we do is target foreign nationals based on country and passport.”

[Some laughter]

Cole: The Patriot Act, the worst provisions of the Patriot Act are not the ones that get on the press. The ones that get on the press are the ones that might apply to an American, like the libraries provision. That means that any American’s records could be seized without showing that they’re a foreign agent, without showing a foreign engagement of any criminal activity. That applies to anybody. Anybody who goes to the library, or at least thinks they should go to the library, and so everybody’s concerned about that, right? But the worst provisions are not those provisions. The worst provisions are those that apply to foreign nationals. They keep foreign nationals out of this country solely on their speech as Tariq Ramadan learned. They allow people to be deported from this country for innocent associations with any group that the government labels as terrorist. And they allow locking up foreign nationals without showing that they’re a danger to the community, without showing that they’re a risk of flight, and without charges of any crime whatsoever. Those are the worst provisions of the Patriot Act, but you don’t hear much about them because they apply to foreign nationals.

Maher Arar, a client of mine at the Center for Constitutional Rights, a Syrian-Canadian dual national, had been living in Canada for twenty years. Coming back to Canada from a trip abroad takes a flight that has a changed of planes in JFK. All he was doing was changing planes in JFK. The INS takes him into custody, puts him into a deportation hold, orders him deported based on secret evidence that he has no opportunity to confront or rebut. He says, well fine, deport me to Canada; that’s where I’m going anyway. I’ve got a connecting ticket, here. They said no thank you. Instead of putting him on his connecting flight to Canada, they charter a jet and send him to Syria, where he was tortured and locked up for ten months without charges, most of the time in a cell the size of a coffin. Now that we could not do to U.S. citizens. We exploited the immigration law to treat Mr. Arar and render him for torture.

Finally, consider Abu Ghraib. Consider this analysis from the Bush administration justice department on what you can and can’t do when interrogating people. This is from an August 2002 memo which was secret, which was released this summer of which was adopted by the military’s working committee on [Audio cuts out] months later in March of 2003 and was only repudiated after it became public. But before it became public, no repudiation whatsoever. The memo argued that the criminal ban on torture requires specific intent. So if the interrogator knows that his actions will inflict severe harm on the persons he’s interrogating, if he doesn’t specifically intend them to do so, he’s off the hook. Threats of death are also permissible, as long as they are not threats of imminent death. It is permissible to administer drugs designed to disrupt a suspect’s personality, as long as they do not, quote “penetrate to the core of an individuals ability to perceive the world around him.” It’s permissible to inflict mental harm, as long as the mental harm is not prolonged, and it’s permissible to inflict

physical pain, as long as it's less than the pain that accompanies serious physical injury such as organ failure.

Now this kind of argument and the kind of treatment that we saw depicted in the pictures from Abu Graib are not the kind of treatment that you would afford to any person who identified with and treated as an equal. It is only possible because it was being inflicted on people who were foreign nationals, on people whom we didn't treat as deserving of the same equal dignity and respect as ourselves. So time and time again we find a double standard in the way that we have struck the balance between liberty and security.

I want to close by suggesting that this is wrong and that it's counterproductive. Many people will say, and many Americans think, well foreign nationals don't have the same rights as citizens. Dick Cheney was right. When a foreigner comes to America he doesn't deserve the same rights he guarantees an American citizen. I will suggest that that is wrong with respect to the basic human rights that I've talked about this evening. It may be justified to distinguish between citizens and foreign nationals with respect to the right to vote, with respect to the right to run for office, with respect to the right to not be expelled from the country no matter how heinously you act. Those are legitimate distinctions between citizens and foreign nationals found in our constitution and reflected in most other liberal democracies. But if you look in our constitution, those are the only rights that are limited to citizens. The rest of the rights in the constitution, the First Amendment right to free speech and association, the Fourth Amendment of privacy, the Fifth Amendment of due process, the Sixth Amendment right to a fair trial, the Fourteenth Amendment right to equal protection, all of these rights extend to persons, not just to citizens. They understood at the time that they were drafted as not privileges of citizenship but as natural law rights that came from God, and God didn't only give them to people with American passports. Today, most constitutionalists don't believe in God-given rights. We have instead a kind of secular version of that, the human rights movement of the last 50 years, which we've seen all the human rights treaties all around the world, some of which we've actually signed, and abide by. Those treaties extend these rights to all human beings, and they all do so in the same predicate, on the basis of human dignity. And Americans have no monopoly on human dignity. So it is wrong to draw distinctions between foreign nationals and U.S. citizens with respect to these basic human rights.

Finally, it's counterproductive to do so. If all you care about is our security, this is a crazy way to go about it. Why? Because the end that we're engaging with. The end of not having another 9/11 is unquestioningly a legitimate end. Nobody wants to see another 9/11. Nobody would question our right as a nation to defend against that kind of an attack. So we're engaged in what ought to be a legitimate enterprise. But if you pursue a legitimate enterprise through illegitimate means, you sacrifice the legitimacy of the enterprise. And we have sacrificed the legitimacy of this enterprise. And when you sacrifice the legitimacy of your enterprise, it has devastating consequences.

You see those consequences around the world. You see those consequences in the fact that on September 12th of 2001 you had the world's sympathy. And today anti-Americanism is at an all time high around the world. In Turkey, one of our closest allies in the Middle East, our favorable rating has gone from 65% to 15%. In Egypt, which I'm told gets the second highest amount of U.S. aid after Israel in the Middle East, our approval rating is exactly 0%. If you look at what are the risks in that huge rise of anti-Americanism in a time when you would think people would be sympathetic to a nation under attack, where you find it, as I write out in my book, by looking at foreign press accounts and foreign government statements, we find it in criticism in the way we are going about the war on terrorism. In particular, the double standards we've employed imposing on their people, obligations we would not be willing to bear ourselves. That kind of anti-Americanism makes it much less likely we're going to get the cooperation we need to find the terrorists before they attack us, and makes it much more likely that Al-Qaeda and other groups will find willing recruits to their cause against us. So both for reasons for security and most of all for reasons of principle we ought to resist the temptation of striking the balance between liberty and security by adopting this double standard.

Let me close with a quote. I use this quote as the epigraph for my book *Enemy Aliens*. It comes from a Jewish Philosopher, Herman Cohen. He's writing about the Bible, but he could well be writing about the constitution. And what he said was, an alien needs to be protected, not because he was a member of one's family, clan, or religious community, but because he was a human being. In an alien, therefore, man discovered the idea of humanity. It seems to me that one of the great challenges we face in the wake of 9/11, in the wake of the pictures from Abu Graib, is whether we can reclaim that idea of humanity as we seek to make ourselves secure. Thank you very much.

[Applause]

I. Ahmad: We're going to now in a moment turn to the critiques from our other guests on the dais here. First, one last comment about Prof. Cole. As Shahid said about the Minaret of Freedom Institute, that we don't just write, we DO, so it is with Prof. Cole. He doesn't just write, he does. He's got clients he's defending out there on the line. We appreciate that very much.

[Applause]

I. Ahmad: We are a non-profit organization. We are a 501 organization, and so we do not take sides in the political races and partisan questions. So we invited all of the presidential candidates to come and to address professor Coles' comments. If they were unable to attend, we asked them to send a surrogate. Mr. Bush declined to come. We understand, he's very busy so we invited his people to send a surrogate. They sent a very polite letter saying no, we don't want to send a surrogate either. Mr. Kerry's campaign didn't respond at all. However we did get a regret from Mr. Petrouka's campaign of the Constitution Party. The other three candidates on the ballots in enough states to theoretically win the election did respond. The independent candidate Ralph

Nader was kind enough to send us Mr. Kevin Zeese and we'll be happy to hear from Mr. Kevin Zeese for six minutes for his comments on this issue.

[Applause]

Kevin Zeese: Thank you very much. Mr. Nader is sorry he can't be here. He's in Massachusetts starting his Northeast tour. The topic that we're talking about is the Muslims striving civil liberties in America. If you visit our web site you can see his positions on these issues, particularly on the bigotry as being shown now to Muslim Americans. It's not just the Patriot Act, and immigration laws, and racial profiling; it's the whole series of harassment that needs to be stood up to. What has always advanced our country toward a more just society is standing up when you're under attack. These days that's the Muslim and Arab community. Your standing up will make things better for all of us. And we need more like David Cole to stand up with you. In fact, Ralph Nader is urging more lawyers to respond to what's going on now.

We are told by the administration that we should live in fear, that there are cells within this country that are willing to sacrifice their lives in suicide attacks on Americans throughout the world and in the United States. We look at our schools, our power plants, our nuclear plants, our roads, our subways; we are open to attack. We are really insecure. It would be easy for somebody who was a suicide attacker to wreak havoc in this culture. I think it's important to ask why it's not happening. Are we being led down a path of false fear? Is the criminal gang that caused this worldwide war not as great as we're being told? Those are questions that need to be answered as searches are rounding up thousands of Muslim and Arab Americans. Are they really justified by this false fear?

The Patriot Act is a great example of our failure to ask questions. There was a rush to rapid action by our legislature in the Senate and the House, and neither John Edwards nor John Kerry stood up to that rapid attack on our civil liberties. They both voted for the Patriot Act, sadly. Only one Senator didn't, Senator Feingold from Wisconsin. Pieces of the act will run out next year, and hopefully Senator Kerry will find some backbone and stand up and not allow civil liberties to erode so rapidly. But this lapse in judgment is a serious matter.

What might be a key question is why do they hate us? No one raised the question to president Bush, "Do you really believe they hate us because we're free? Do you really believe that?"

Our foreign policy has emphasized military might, foreign aid to buy military weapons, and supports oligarchs and dictatorships. That's why they hate us, that our foreign policy blindly, unfairly, and consistently supports Israel without question no matter what human rights violations occur to the Palestinian people is why they hate us. And that's for a good reason. We don't ask that question is because we don't want to hear those answers. Ralph Nader feels that putting out the points about our foreign policy, particularly around Israel, is critical to us facing reality. In fact he's in a battle with the

Anti-Defamation League and going to continue next week with Abraham Foxman about the way that we are kow-towing to Israel without question. It's a critical issue.

Both major candidates are running on the politics of fear. They both show no respect to the Arab and Muslim communities. They don't attend these events. They ignore your concerns. They both play politics of fear. President Bush played politics of the fear of terrorism. John Kerry playing the politics of the fear of George Bush.

[Laughter]

In 2000 both the Muslim and Arab communities endorsed George Bush, and look what he's done for you. Now this year you're being pushed to vote for anybody but Bush. When you have three candidates running for office from two minor parties and as an independent who are urging you to stand for something. I know a great desire to vote for a winner. But voting for a winner who doesn't stand for your rights is not going to get you anywhere. Eugene Debs was a third party candidate in 1920. He ran from prison because he spoke out against the war when it was illegal to speak out against the war. He said, I'd rather vote for something I believe in and lose than vote for something I don't believe in and win. And that's the choice you're facing.

[Applause]

I. Ahmad: Thank you, Mr. Zeese. Now we'll be hearing from the Green Party candidate David Cobb's surrogate, Mr. Asa Gordon.

[Applause]

Asa Gordon: I would like to acknowledge the fact that the Green Party has received the Malcolm X award from the American Muslim Alliance. And Racism Watch recently rated all of the candidates. David Cobb received 60 out of 60 possible points. Ralph Nader got 57. The Libertarian candidate beat both Kerry, Bush, and the Constitution party candidate combined. Bush got one point above the lowest ratings.

I'm going to talk a little bit about the structural basis of our double standard. I'd like to start with a quote from Frederick Douglas. "The practical construction of American life is a convention against us. Human law may know no distinction among men in respect of rights, but human practice may. Examples are painfully abundant." (From "A Color-Blind Supreme Court," by Asa Gordon in the *World and I*, February edition).

Before you is someone who grew up under the process of double standards. I'm not dead. I'm not that old. I grew up in a segregated South. In my lifetime, I could not go to the University of Georgia. I went to what we called at that time, in Georgia, to be blunt, the "Nigger get out of Georgia" scholarship. That scholarship was a scholarship for any black, because the Southern states could not offer you the same degrees that you were seeking at their state colleges, they had to pay your out of state aid to go to any college outside of their state. I went to [college] on one of those scholarships, and

when I graduated I worked for 25 years as an astrodynamacist at Goddard Space Flight Center. One of the sources that I want to read to you that gets at the heart of the structure of the differences that we have in our system is *Social Darwinism in American Thought*. Just read chapter nine. “Imperialists calling upon Darwinism in defense of the subjugation of [other] races can point to the Origin of Species which are referred in a subtitle to *The Preservation of the Faded Races in the Struggle for Life*. Darwin had been talking about pigeons. But the imperialists saw no reason why his theories should be not applied to men. *Washington Post* (4/15/2004), “Nature makes no mistakes, Mr. Bush drove home the single-mindedness that has become the hallmark of his presidency, his greatest strength in the eyes of his admirers and a dangerous, never-change-course stubbornness in the eyes of his detractors. . . . language about America’s moral mission in the world seems drawn in the era of Teddy Roosevelt whose speeches he keeps on the coffee table at his ranch in Texas. He described an America chosen by God to spread freedom.” From the Israeli newspaper in June 2003, quoting Bush, “God told me to strike Al Qaeda, and I struck them. And then he instructed me to strike at Saddam, which I did.” A man who has been told by God to act is not going to listen to any intelligence that comes from mere man.

We have an administration that had invoked the synthesis of Manifest Destiny with neo-social-racial-national-Darwinism as its foreign policy. We have a man who invokes the passion of patriotism. Patriotism is indeed a two-edged sword. It emboldens the blood just as it narrows the mind. And just when the drums of war reach a fever pitch, and the blood boils and the minds close, there should be no need in the leaders in seizing the right of the citizenry. Rather the citizenry infused with fear and blinded with patriotism will offer all off these rights unto the leader, and gladly so.

It has been said that this administration has the support, overwhelmingly of those who go to church. I’m not impressed by those polls. In 1995 the largest protestant denomination of the United States, the Southern Baptist convention apologized for their church having committing slavery and segregation. Even more remarkably, the convention finally acknowledged the fact that it had been founded in 1845 in order to defend slavery as biblically sanctioned. And let’s understand the core of the beliefs that is the basis of the policy that is driving this administration. And look more toward a universal belief that it was in our constitution. But our constitution, let’s be clear, originally designed, as the electoral college was designed, to protect a white minority to frustrate a majority, that would interfere with the preservation of supremacy. And that is a democracy that they are talking about spreading throughout the world. Thank you.

[Applause]

I. Ahmad: Thank you Mr. Gordon. Our final commentator is Mr. Michael Badnarik, the Libertarian candidate for President of the United States.

[Applause]

Michael Badnarik: Good evening. Patrick Henry understood that there were three possibilities in life. The first possibility was you live life free in liberty. The second possibility is that you die fighting for your liberty. And the third option as to give up and live as a slave. As far as Patrick Henry and I are concerned, slavery is not an option. Therefore, the only options are liberty or death, preferably life in liberty. The choice of a balance between liberty and security is a false choice. The fact is that we are all mortal. Sooner or later, each of us will die. If we are forced to choose between liberty or security, as the balance suggests, we could on one hand hold liberty in highest esteem. Recognize that we live our lives with some lack of security, some danger in our life. And we will die. But we will have lived our life with liberty. The alternative is to focus primarily on security. And we could, you know, maximize our security by living our entire life in a cell. And we may be secure our entire life, without freedom, without liberty, and we will die having lived our lives as a slave. From my position I will not sacrifice liberty, at all, for anything. The Bill of Rights is not negotiable.

Now one of the problems that we're facing is a double standard. We were speaking about Abu Ghraib. The reason for the double standard, the reason for it to exist is the dehumanizing effect. We use labels to categorize one group of humans as substandard, subhuman, unlike us. And because we label them basically as animals, we seem to justify the fact that they have no rights. This is sad and unfortunate, and basically the comment earlier was that foreign nationals have no rights, and the only way that could be true, was if they were not considered human. And that is precisely what we have done throughout the course of history. We pit one group against another. We choose, generally, a minority. This particular subset of our population is sub-human. They don't deserve rights, which basically denies the concept of being human. Individuals have rights regardless of their gender, regardless of their religion, regardless of their ethnicity or their sexual persuasion, or any other distinction that we may be able to make superficially.

Now, one of the reasons that John Ashcroft likes to do that, he has this prevention strategy. The idea is that we're going to prevent the crime before it happens. There was recently a movie, a Tom Cruise movie called appropriately *Minority Report*. The idea that you can pretend to know what a person was thinking. But I am a Libertarian candidate, I am for everyone's individual rights. While I am very sympathetic to the special conditions that the Muslims are experiencing, I am concerned about even more than that. We have free speech zones in the United States. When I spoke recently at a college, I was obligated to speak in a huge auditorium, which was capable of holding over 300 students. Yet there were only fifteen to eighteen students in the first two rows. And I was told as a political candidate, I was required to speak in the auditorium because it was a free speech zone. The implication of course is that the rest of the university was not a free speech zone. And when I watched the Democratic National Convention on television, they had a free speech zone which consisted of a chain-link fence and razor wire. This is the United States. Anywhere I happen to be standing is a free speech zone. Anywhere you happen to be standing is a free speech zone, whether I happen to like what you're saying or not.

I'd like to address the wasted vote syndrome. The only wasted vote is when you vote for a candidate that you do not respect. The only wasted vote is when you vote for a candidate who is going to raise your taxes, continue the war, restore the draft, and pass additional laws like the Patriot Act. We're supposed to be the land of the free and the home of the brave. You cannot have one without the other. If you want to be free, you also have to be brave. And I encourage you to be brave enough to vote your conscience. I encourage you to be brave enough to vote liberty. Thank you.

[Applause]

I. Ahmad: Thank you Mr. Badnarik. As I said, we are a non-partisan organization, so we cannot give you advice on whom you should vote. However, I think it's within the province of our mission to make the following observations. There are two criteria that should weigh strongly in the decision of who you should vote for. Who is willing to talk to you? Where do candidates stand on your core issues. I would like to once again thank those candidates who were willing, directly or through their surrogates, to talk to us about where they stood on one very important issue for us. Thank you.

[Applause]

[End of Video]