

March 31, 2004

The Honorable Judge Leonie Brinkema
U.S. District Court
Eastern District of Virginia
Alexandria, Virginia 22314

Dear Judge Brinkema:

On January 16, 2004, I appeared before Your Honor to acknowledge my role in aiding and abetting others in the use of firearms and an explosive in the course of a conspiracy to violate the Neutrality Act. I write to you today to reaffirm that admission of guilt, to reiterate my complete acceptance of responsibility, to explain to Your Honor my feelings about my actions and their consequences, and to provide some background about myself and my future plans. I have no doubt that in the course of the proceedings against me and during my co-defendants' trial that Your Honor has heard evidence of my past mistakes and errors in judgment—both individually and collectively—that are troubling, to me as well. I am deeply sorry for this and I urge you not to construe my letter as an attempt to provide excuses for my conduct; this is not my aim. But ever since my arrest, I have been told to be patient, and that I would eventually have a chance to tell my own story. I am grateful finally to be able to do so.

As I affirmed in the statement of facts that accompanied my plea, my unlawful actions in support of pro-Pakistan forces in Kashmir were wholly willful and voluntary; I alone am responsible for them. I wrongly believed at the time that my actions were legal, my state of mind shown in my repeated but erroneous remonstrations to Yong Ki Kwon in recorded conversations in April 2003 that “nothing we did was illegal.” I understand painfully today that ignorance of the law is no excuse. After researching the relevant case law extensively in the Alexandria Detention Center law library, listening to my able attorneys, and reading Your Honor's opinion denying our pre-trial motions, it is now quite clear to me that my actions were in fact unlawful and regrettable.

My ignorance of the Neutrality Act and the other U.S. laws involved in this case does not change the fact that these laws exist for a very good reason; namely, to protect the United States government's power to control its foreign policy and to protect its citizens. For example, the involvement of private U.S. citizens on one side or the other of a conflict as volatile as that in Kashmir could indeed have had serious consequences for American foreign policy and its neutrality with respect to that conflict.

I must emphasize that I have never undertaken any action with the intent of harming the United States. The sole motivation for my actions was the human rights of the people of Kashmir, Bosnia, Russia, and elsewhere, as well as the security of my friends and family after the vicious terrorist attacks of September 11, 2001. The end, however, never justifies the means. As an American citizen and a Muslim, it is incumbent upon me to seek lawful means of achieving my positive goals.

At the same time, I acknowledge that I exercised exceedingly poor judgment in intending to help a militant anti-Indian group in the wake of the 9/11 attacks, and herein lies what may be the most far reaching and regrettable consequence of my actions. A volunteer who teaches in the Alexandria jail remarked to me one day that, when she read about my case in the newspaper, she felt afraid and apprehensive about Muslims in America. Her reaction was no doubt typical, and understandably so. As I will explain, one of my primary goals since converting to Islam in 1992 has been to facilitate understanding between America and Muslims at home and abroad. It is distressing that one result of my actions might have been to unravel everything for which I worked.

The most immediate impact, however, has been on my family. My aging mother lost her job with the federal government when her supervisor learned about my case. My four young children – Fatima, age 5; Hamza, age 3; Aisha, age 2; and Hasan, age 1 – no longer have me in the home to read to them, play with them, or sing them to sleep. My wife has had to rely on charity and welfare to make ends meet while taking care of the home alone. It is the separation from my family that has caused the most grief to myself and my loved ones.

As I share with Your Honor some background about myself and the events that bring me before you today, I would like to begin with an overview of the principles I try to live by, and that have informed my activism and writing.

One day my freshman year in high school, my principal, Mr. Pries, called me into his office. I was expecting to be chewed out for something, but instead, he smiled, looked me in the eye and asked me, “Who are you?” I was a little confused and mumbled an answer, an incomplete one. I had never really thought about it, so I didn’t know what to say. “When you can answer that question,” he said, “I’d like you to come back and tell me.”

His question planted a seed in me; not a seed of doubt, but of clarity. It dawned on me that the answer to it was the most important piece of knowledge I would acquire, if I could. The question always returned, despite the considerable distractions of being a teenager. I realized that I would not have been so baffled had I been asked this question just a few years earlier. It struck me then that you can learn your true nature only by retrieving and holding on to who you were as a child.

I learned that being true to one’s self means to believe in God alone and do the right thing, that is, that which is pleasing to Him. We know what that is from the revelation given to the prophets, but this is only a reminder. Before all else, we know what is right because it is inherent in our own souls, though we often fail to follow it, and I am the first to admit my failures and weaknesses. In every moment and aspect of our lives, we find the opportunity to do right with the time and resources apportioned to us. As for me, I feel especially inclined toward two goals: to help those who are oppressed or suffering, and to help end conflict and strife.

I strive to help those facing oppression because I believe in the sanctity of life, and I hate that the strong should harm the weak, or violate their rights. I believe each of us has the responsibility to help those who suffer, regardless of whether they are our neighbors or on the other side of an ocean. I believe as Dr. Martin Luther King believed, that injustice to anyone, anywhere is injustice to everyone, everywhere.

The best way to prevent injustice is to teach tolerance, empathy, and respect for life. When this fails, the way to end injustice is to help the party in the wrong realize that it is in their best interest to respect the rights of the oppressed. This involves time-tested means of diplomacy, the first of which is wise speech. As God said to Moses and Aaron: “Go, both of you, to Pharaoh, for he has indeed transgressed all bounds. But speak to him mildly; perchance he may take warning or fear (God).”¹ And if this fails, there are other means, like shining a light on hidden injustice by means of research and the pen, or by using other means of pressure and influence. And though I find conflict

¹ The Qur’an 20:43-44.

repellent and believe it should be avoided at all reasonable cost, I believe there are just wars, like the fight against fascism and genocide in World War II.

As for my second goal, that of reducing conflict and strife, I focus on relations between Islam and the West. I have personal knowledge that there is no inherent conflict between these two because I am a Muslim and a Westerner, with no cognitive or spiritual dissonance. It is further proof of the possibility and desirability of reconciliation that, throughout history, the healthy exchange of ideas and culture between these great civilizations has resulted in some of mankind's most shining moments: Muslim Spain, the Renaissance, and the early-to-mid period Ottoman Empire, epitomized by tolerant, multicultural Bosnia. In reality, though hardliners will disagree, there is no dichotomy between seeking to restore the rights of the oppressed on the one hand, and seeking reconciliation between Islam and the West on the other.

The fact that the entire world will benefit from peace with America is not, of course, the only reason that I promote dialogue and reconciliation. I don't want to see America harmed because I'm an American, and I understand the fundamental goodness of the American project and my fellow Americans. I have indeed criticized the current administration, but few would claim that to have an unfavorable opinion about some of a government's policies makes one somehow prone to anti-American violence. I'm reminded of a work by editorial cartoonist Don Wright, depicting the Statue of Liberty with a smudge on the hem of her dress labeled, "Watergate." A character stands gazing up at her, saying, "She still looks pretty good to me."

I have never had any interest in harming America; I want to make this nation better. My America is not the mistakes of a few but the beauty of its institutions and people. My America is the sincerity, wisdom, and diligence of my uncle, an Illinois farmer. My America is the intensity of the East, the politeness of the Midwest, the traditions of the South, and the tolerance of the West. My America is standing with my dad under St. Louis' Gateway Arch on the banks of the Mississippi, drinking root beer and the wind blowing in my hair. My America is eating kosher hot dogs with my kids at a Cardinals ball game. My America is visiting a town in Pennsylvania, founded by and named after my ancestors over a century ago, or visiting a restaurant in Alexandria founded by a chef who got off the boat ten years ago. My America is showing my wife, new to this country, around the halls of Congress, where grand laws are cobbled together by former lawyers and used car salesmen,

carrying out the designs, for the most part, of 18th century philosopher kings. I know my country, and I know the good that it has done and the good it can continue to do, if we remain vigilant.

I am not able to drop by my old high school principal's office now, and may not be able to do so for a long time. But if I could, Your Honor, I would tell him that I have my answer to his question: I am a creature of God, bound to do the right thing with the resources, time and skills I have been given. And although I have clearly made mistakes of fact and judgment and thereby have broken the law, I have done so through the pursuit of the twin goals of standing up for the rights of the oppressed, and seeking an end to brewing world conflict.

This idealism is part of my heritage and has been ingrained in me from birth, and even before. My father is a humanist, a student of Western philosophy, and an artistic and commercial photographer. My mother, a Catholic, became a nun at age sixteen, and played the cello in a symphony. After leaving the convent, she obtained a degree in education from an historically black college and began teaching at impoverished public schools in the inner city.

I was born in St. Louis, but spent my early years on a farm in central Missouri before moving back to my hometown so my father could be closer to his job and my mother could resume teaching. In 1975, my parents adopted my sister Anne from Vietnam after watching a documentary about children who had been orphaned in the war there. My parents welcomed numerous foster children into our home, explaining to me that we had a responsibility to help those less fortunate than ourselves.

Although we were not well off, my test scores allowed me to receive scholarships and attend some of the best private schools in the city. As a teenager, I volunteered at homeless shelters (sometimes with my father) and was a founding member of an extracurricular civil rights club in my high school. Always an avid reader, I began devouring literature on human rights, history, and social justice. And although I cut school as a freshman and failed nearly every class that year, my quest to find myself through helping others drove me to begin applying myself. In my junior and senior years, I was getting A's and B's and taking advanced placement courses for college credit. With my mother's help, I taught myself how to play the piano. I wrote and self-recorded several compositions with piano, vocals, and other instruments. Shortly after my graduation from high school, I joined the Webster University Choir in its production of Handel's "Messiah."

During the early 1990s, social events like the Persian Gulf War, the Los Angeles riots, and racial tensions in St. Louis led to considerable friction and debate on my high school and college campuses, leading me to look for solutions in the writings of social justice theorists from across the social, religious, and political spectrum. I also began a parallel search to renew my faith in God and find spiritual solutions to personal problems I had been dealing with at the time. A song I wrote at age sixteen reflected this quest:

Don't know where I'm going, but I know where I want to go
And how I'm going to get there, I will probably never know

But by age nineteen, I had found Islam, and the balanced answers therein to my spiritual crisis, as well as a deep reserve of wisdom from which to draw guidance for the problems of society around me. At first, my parents were puzzled by my conversion, but they became very happy when they saw how happy I was and how our relationship improved and we drew closer than we had been since before my turbulent teenage years.

I had learned about the religion by reading Malcolm X's autobiography in high school. I was moved by Islam's role in the civil rights leader's transformation from a delinquent to a bitter racial extremist and ultimately to a balanced advocate for dialogue, human rights and dignity. Through conversations and reading, I learned of Islam's deep spiritual and intellectual traditions. My conclusions were confirmed by visits to a local mosque, where I found peace and tranquility and a harmonious, gloriously diverse community.

Shortly after converting in 1992, the Muslim community in St. Louis was inundated by a flood of refugees from the war in Bosnia, a conflict I did not understand in a region I only vaguely remembered from history class. I began volunteering with the mosque to help the refugees resettle, helping to drive them to appointments, distribute furniture and mosque funds, and provide counseling. As I worked closely with these traumatized people, I followed the news coverage of the genocide being waged against them in their homeland. I was struck by footage of emaciated civilians in Serbian concentration camps and news of rape camps and massacres, which recalled Europe in the 1940s.²

² Frank Brostrom, an FBI agent in St. Louis, informed me during a voluntary telephone interview that I was not being prosecuted for my efforts on behalf of the people of Bosnia and Kosovo because the United States did not remain neutral in those conflicts. Serbian leaders, including former Serbian president Slobodan Milosovic, are now on trial or wanted for genocide and crimes against humanity in Bosnia and Kosovo.

My religion, as well as everything I had been raised to believe and my inborn desire to help the helpless and unfortunate, led me to the conclusion that I should do whatever I could to aid these people. I saw myself as a citizen of the world, believing that victims had a right over me whether they were my neighbors or separated from me by an ocean or borders. I read the repeated threats and condemnations of the Serbs by the United States, the United Nations and the international community. And I found in the Qur'an verses which I knew to be true: "Whoso saves the life of one human being, it shall be as if he had saved all of mankind," and, "Whoever intercedes in a just cause shall have the reward thereof."³

And so, despite a total lack of training or interest in military matters, I decided to leave my studies in political science at American University in Washington, D.C., to fight for the rights and lives of these innocent people. I traveled to the heart of the conflict, and joined a unit of foreign volunteers over a six-week period. I engaged in firefights to help repel Serbian forces from villages full of innocent women and children whom they sought to "ethnically cleanse." During a month on leave in Sarajevo, I taught English to elementary school students. I also witnessed first-hand a massacre of sixty Bosnian civilians in an open-air market by Serb gunners firing from the hills around the city.

In stark contrast to the twisted version of "jihad" espoused by al-Qaeda, I never witnessed or heard tell of any deliberate killings of civilians by my unit or anyone else in the Bosnian army. In fact, the parent brigade of my unit issued a field manual laying down the rules and ethics of warfare in Islam as provided for in the Qur'an and words of the Prophet: no harming civilians or clergymen, no targeting of houses of worship, no harming animals or even cutting down trees and crops. Those I encountered seemed to understand that the only legitimate reason for warfare in Islam is self-defense or removal of oppression. As the Qur'an states:

And why should you not fight in the cause of God, and of the weak and ill-treated?
Men, women, and children whose cry is: "Our Lord! Rescue us from this town,
whose people are oppressors. And raise for us from You one who will help!"⁴

While the true concept of *jihad*⁵ is reflected in these virtually universal values, it is far from that espoused by a small coterie of extremists who claim to act in the name of Islam, and yet

³ The Qur'an 5:32 and 4:85.

⁴ The Qur'an 4:75.

transgress every known moral code and are themselves oppressors. To hear extremists discuss Islam is to encounter a religion alien to that taught by the Prophet Muhammad, who said, “Those who go to extremes in their religion will be destroyed.” He counseled that extremists might amaze the people with their outward display of piety, but would “fly out of Islam as an arrow leaves a bow.” Whereas authentic Islam sanctifies life and the rights of the individual and community, extremists promote violence against innocents and against those who disagree with their deviant views.

Unlike extremists, at no time was I ever motivated by a desire to impose my religion on others, to “kill the infidel,” or to battle America or the “the West,” nor did I hear any such sentiments from my compatriots or superiors in Bosnia. Not only was al-Qaeda not, to my knowledge, involved in the war in Bosnia—claims by “experts” who never traveled to the region notwithstanding—but the first time I heard the name Osama bin Ladin at all was in a well-known 1996 article in Britain’s *Daily Telegraph*. It may seem sentimental, naive, or even quixotic, but I viewed my actions as being in the tradition of the knights of the Middle Ages or Hemingway’s idealistic adventures in Europe’s struggles against fascism and tyranny described in “For Whom the Bell Tolls” and “A Farewell to Arms.”

It is quite natural that, due to the fact that I have come to Your Honor’s attention in the context of a criminal prosecution’s focus on certain conduct, there may be an impression that my energy and resources have been solely devoted to involvement in conflicts overseas. This is far from the case. When I returned to the United States from Bosnia in 1995, I redoubled my efforts to help resettle Bosnian refugees in St. Louis. I helped them acclimate to life in their new country, and used my newly acquired language skills to translate in court, provide counseling to traumatized and suicidal victims of war, and advocate for social assistance. I also served as an on-call translator for the International Institute, a St. Louis refugee resettlement agency.

In 1996, while continuing my studies at American University in Washington, D.C., I worked for a Muslim political advocacy group. There, I analyzed a slate of candidates for Congress nationwide and compiled the research into a voter’s guide to the 1996 elections. That summer, I traveled to Bosnia again to work for a relief and development agency. In Sarajevo, I served as the agency’s liaison to NATO and the United Nations. I left to help found the American-Bosnian Business College in Zenica. There, I conducted public relations, wrote a grant proposal to

⁵The term *Jihad* embodies a spectrum of meanings, only one of which means “fighting” in the context relevant here.

the UN, performed administrative duties, wrote advertising, and taught several English classes. On that trip, I met and married my wonderful wife, Mirsada.

On our return to Washington, D.C., in 1997, I joined the Council on American-Islamic Relations (CAIR), the country's foremost Islamic advocacy and civil rights organization, as a researcher and then Civil Rights Coordinator. I conducted research to support civil rights cases and issue campaigns. I also personally intervened in dozens of workplace discrimination and public accommodation cases, moderating in complicated disputes that often required compromise on both sides, and advocating for discrimination victims and winning restitution for them when appropriate. I organized training conferences and seminars for American Muslims seeking skills and insight on political participation and activism. I met with members of Congress like Representative Darrell Issa and Representative Dennis Kucinich, and attended numerous Congressional hearings and a White House function, where I was honored to meet and be photographed with President Clinton.

Russia invaded Chechnya for the second time in 1999, carpet bombing villages and cities and rounding up men, women, and children indiscriminately. Their actions drew strident protests from the international community and human rights organizations, and my outrage and empathy quickly coalesced into a resolve to help. First, however, I sought to clarify whether my participation in that conflict would violate any U.S. laws.⁶ Although the State Department had been meeting with Chechen government officials,⁷ America had not become involved militarily as they had in Bosnia or Kosovo.

Therefore—I believe it important for the Court to know—at a gathering at the National Press Club (“NPC”), I asked Ambassador Philip Wilcox, former State Department Coordinator for Counterterrorism, whether fighting in Chechnya would be considered terrorism. His explanation was very important to me and so I recall it very clearly. Ambassador Wilcox explained that terrorism, according to the U.S. government, is premeditated political violence against non-combatants and that involvement in insurgencies or in paramilitary activities against other combatants is not terrorism. I

⁶ I felt this to be necessary because—although the adversary was Russia, a country that had been a mortal enemy of my country nearly my entire life—the affection of the public and political leaders for the American-allied mujahideen who defeated the Soviet Union in Afghanistan in the 1980s was quickly becoming a distant memory. This, as well as a spate of high-profile terrorist acts and inflammatory statements by al-Qaeda claiming to speak in the name of all Muslims, contributed to a gathering wariness in the West toward the notion of Muslims involved in armed conflicts.

⁷ Shortly before leaving the country, I attended a more public meeting with a Chechen diplomat in the Washington, D.C. offices of the State Department's Radio Free Liberty/Radio Free Europe.

discussed the issue again with Ambassador Wilcox about two weeks later in the U.S. Capitol Building after he testified before the Senate, and he repeated his view.

As I was not aware of any attacks by the elected government of Chechnya against Russian non-combatants (although, since that time, rogue groups have perpetrated such acts), and as I was not aware of the existence of the Neutrality Act, I concluded that going to help defend innocent Chechen civilians would not violate our nation's laws. Unfortunately, I later promulgated this apparently mistaken interpretation of the law among my friends, and elsewhere. As I later wrote in an email from Bosnia in April 2002: "I have had conversations on a couple of occasions with this Wilcox on this topic and he repeated the same thing to me, that there is nothing illegal under US law about being involved in combat against other combatants, regardless of whether it's a US ally."

My reasons for going to Pakistan en route to Chechnya, and the manner by which I did so, are given in more detail in the statement of facts I filed with the Court, but I want to emphasize that all the information I had about Lashkar-e-Taiba ("LeT") gave me a favorable impression of the group. First, I understood that LeT was closely aligned with the Pakistani government, a key United States ally. Second, my research revealed that LeT was not on the U.S. list of banned terrorist groups. Third, my internet research revealed LeT's condemnations of terrorist attacks on civilians. Finally, I read an April 2, 2000 *Washington Post* article by Pamela Constable that mentioned LeT's thriving community in Muridke, Pakistan. All of these factors gave me the impression that LeT was above board and not an extremist group.

When I arrived at LeT's offices in Lahore, Pakistan, I saw first-hand the idyllic farms, university, and living arrangements I had seen described in the *Washington Post* article by Pamela Constable. For their part, they were impressed with what they considered to be my knowledge of public relations and political strategy. My first step was to confirm the group's opposition to Al-Qaeda and terrorism in general.⁸ Abu Umar, a top LeT official, assured me they vociferously opposed attacks on civilians as anti-Islamic and viewed Osama bin Ladin as an extremist with "deviant" views. He also related to me that an individual had visited them from Britain from the

⁸ Confirming this was critical to me staying and visiting LeT. Indeed in February of 2000, just two weeks before obtaining a visa to Pakistan, I published an article in an influential, widely read Muslim Internet publication stating that "the U.S. obviously has a legitimate interest in seeing Bin Laden brought to trial" for the 1997 bombings of the American embassies in East Africa. "In Search of a New Enemy," Iviews.com, Feb. 7, 2000. I added that he was "isolated from the larger Muslim community" and thus not a significant threat--in hindsight, naively underestimating the horrific damage that a handful of isolated people could and would do less than two years later. The article earned me

militant pro-Bin Ladin group Al-Muhajiroun. (As president of the Muslim Students' Association at American University in 1997, I expelled a member of this group from our club because I considered their views dangerous and extremist.) Abu Umar said the visitor had brought newspaper articles quoting his group's leader praising an airline hijacking, so Abu Umar told him to leave, saying, "What kind of *da'wa*⁹ is this?" Abu Umar also stated that LeT was ideologically opposed, as I was, to a "clash of civilizations" between Islam and the West, and considered this concept a threat to Muslims' interests worldwide. I encouraged them publicly to state these convictions, and later helped them do so.

The LeT official stated that the inclusion in some of their materials of images of burning U.S. flags was simply a figurative representation of their opposition to American foreign policy, and that "fighting America" was nowhere on their agenda. I also understood the psychology of the Muslim world, and that, although leaders and groups typically pay at least lip service to widespread dissatisfaction with American policies as a means of rallying support and maintaining credibility, this is hardly a sure sign of designs of violence against America. I urged Abu Umar that LeT should remove those images, as they might send a message they did not intend to convey, and they began doing so.

As I was relatively ignorant of the Kashmir conflict, I spent a great deal of my time at the LeT offices reading reports by Human Rights Watch ("HRW") and Amnesty International. Their descriptions of the suffering of the Kashmiri people moved me, and convinced me that theirs was a worthy cause. "Indian forces in Jammu and Kashmir continued to violate human rights with impunity . . . military-led cordon and search operations continued to result in violations of fundamental human rights," read HRW's 2000 World Report, citing the Indian forces for "detention, torture, and summary execution" of suspects.

At the same time, I read the human rights organizations' condemnations of attacks against civilians by some of the myriad insurgent groups in the region. Although for their part, LeT, as far as I was aware, believed that these attacks violated Islam and harmed their cause, they agreed to my suggestion that we set up a meeting between their military leaders and international human rights groups to discuss their concerns. I returned to the U.S. before the meetings came to fruition.

some accolades, but also much criticism from extremist circles.

⁹ *Da'wa* means the call to the religion of Islam, or a conveyance of the true message of the religion.

Ultimately, however, what most convinced me to help the people of Kashmir was a visit to an LeT hospital there. There, I met a nine-year-old boy, a victim of the Indian army's cross-border shelling. He had been playing in his front yard when a mortar round landed near him, nearly severing his legs—and though pale and weak, he smiled when he saw me and was told I had come to Kashmir to help. I knew that this boy was only one of the thousands of Kashmir's innocent victims. The boy was still in my mind when I visited the front line that night with some LeT representatives, Pakistani soldiers, and a Pakistani army officer. When the officer asked me if I wanted to shoot a few rounds over the front line in the general direction of an Indian military bunker, I did so, which I now understand constituted unlawful engagement in a foreign conflict. This was an action that I voluntarily described to the FBI and Assistant U.S. Attorney when questioned in early September 2003 within days after the Court's appointment of my current counsel.

I was enthusiastic about helping LeT convey what I saw as their authentic concept of struggle on behalf of the oppressed, and their opposition to terrorism and a clash of civilizations. I felt that these sentiments would have credibility and carry considerable weight with Muslims around the world if they were promoted by a group like LeT, which had a reputation for battlefield prowess and bravery. As I saw it, the main obstacle to promoting these views until that time was that extremists could claim their proponents were stooges of the West who cared nothing for oppressed Muslims of the world—a claim few would make about LeT.

And so I wrote a number of articles for the organization, most written after discussion with and the approval of Abu Umar. One was a public letter to ABC president David Westin, which I distributed widely on the Internet. It stated in part:

Lashkar-e-Taiba has no interest in fighting America, since America is not fighting us, and this is the ruling of the Qur'an...Lashkar-e-Taiba is fighting against the terrorist state of India for the rights of all oppressed human beings: Muslim, Sikh, Buddhist, even Hindu. This fight in Islam is called jihad...

Finally, Lashkar-e-Taiba has no organizational affiliation or ties with Usamah bin Ladin. Our organization is not involved, nor has it ever been involved, in any activities in America or East Africa. *We condemn all acts of violence against civilians and those who commit such acts, whether Muslim or non-Muslim* [emphasis added]. Islam does not allow the killing of peaceful, innocent, unarmed civilians.

Immediately following a wave of bombings on churches in Indonesia on Christmas Eve, 2000, I wrote a news release condemning the attacks and distributed it widely in the name of LeT with their

approval. The headline was “Kashmir Mujahideen Condemn ‘Horrific, Inhuman’ Attacks on Indonesian Churches’.” Some excerpts:

These bombings are a horrific and inhuman assault on innocent civilians who gathered solely for the sake of worship,’ said Abu Umar, Lashkar-e-Taiba director of foreign affairs. ‘The goal of the criminals who carried out these attacks was to tarnish the religion of Islam and cause the further deterioration of relations between Muslims and Christians.... Anyone who would murder families and their babies for some cheap political goal is worse than an animal.

In a December 2000 letter to *The Los Angeles Times* in response to an article that mentioned LeT, I wrote in the group’s name, with Abu Umar’s approval:

It is said that pirates operating off the coast of colonial America used to bribe local officials in towns they were about to attack to spread the word about their brutal and fearsome qualities, thus ensuring a quick surrender.

If our organization was actually a band of terrorists bent on ‘perhaps even conquering the world,’ we would certainly seek out the services of reporter Robin Wright, whose front page article published on an Islamic holiday seemed designed to provoke maximum fear of Muslims...

Unfortunately for Wright’s thesis, however, the real Lashkar-e-Taiba bears only a vague resemblance to the group described in the article...we are not involved in attacks on innocent civilians, nor are we a part of the all-encompassing, omnipotent Osama Bin Laden conspiracy that the West is currently hallucinating about.

We have no interest in targeting anything other than the Indian military’s brutal occupation of Kashmir...

Also in December 2000, I wrote a public letter to Steven Croft, an editor at “60 Minutes,” which stated:

The truth of the matter, had you chosen to pursue it, is that Lashkar-e-Taiba, Pakistan, the Muslim world, and all informed people of conscience desire that India end its illegal occupation of Kashmir and that peace, order, and justice be established in that land. Until such time, we are committed to ousting India’s out-of-control army by military means within the boundaries of Islam. We do not target innocent civilians, Indian propaganda notwithstanding, and we condemn in the strongest terms those who do.

One of the areas in which my and Abu Umar’s beliefs coincided was on the issue of avoidance of a clash between Islam and the West. I wrote two opinion pieces in LeT’s name on this issue, in

accordance with my goal of reducing tension and facilitating dialogue by helping to cool off rhetoric, identify Muslim grievances, and articulate them in a logical manner and respectful tone. One of the pieces was entitled, “Dangerous Elements Agitating for Clash of Civilizations.” Some excerpts:

[T]he interests of the US and the world’s Muslims overlap to such an extent that having peaceful relations between them is mutually beneficial. This is why Islamic organizations, including Lashkar-e-Taiba, have called for a dialogue to facilitate understanding.

Members of Islamic and Western civilizations should see each other as human beings, not as bizarre inhuman barbarians. Lashkar-e-Taiba will continue to work towards the goal of intercultural understanding, even as we continue to fight against the brutal occupation of our Muslim land in Kashmir.

On a major Islamic Internet news site, I published another article on this topic in LeT’s name, again with Abu Umar’s approval, which read in part:

The primary fallacy underpinning American foreign policy in the region is the idea that the global Islamic awakening is an inherent danger to the United States...to suggest that opposition to ‘democracy’ is the source of Muslim anger with the US is uninformed and ethnocentric.

A policy based upon the notion that the Islamic revival is inherently anti-American and thus must be suppressed is a self-fulfilling prophecy. A non-hostile relationship with the grassroots of the Islamic world is vastly more beneficial to America’s national security interests than friendly relationships with regimes that are useful in the short term for their complacency but that are doomed by their autocratic domestic behavior.

[Rather than attacking the Islamic awakening] the incoming [Bush] administration should enter into a dialogue with its leaders, who are generally more representative of the Muslim world than its political rulers. Such a dialogue would help the United States understand why Muslims are sometimes angry at its actions, and thus build a foreign policy toward the Islamic world that will reduce the aggregate level of tension in a world that does not need a cold war.

There are common threads throughout these and much of my writings: the primacy of civilizational dialogue and avoidance of conflict, a tolerance for—if not necessarily agreement with—the values and traditions of both sides, a need to meet in the middle to resolve differences. Although I drew upon my own values in these works, I found inspiration in the thinking of a brilliant and pragmatic set of current and former U.S. government scholars and diplomats like Edward Djiridjian, Philip Wilcox, Ronald Neumann, Larry Johnson, and Graham Fuller, who advocated for a U.S.

foreign policy based on engagement with and understanding of Islam as opposed to the unilateralism espoused by other government officials. For years I had been studying their writings, listening to their lectures, and interacting with them in Washington, D.C. When I traveled to LeT and talked with Abu Umar and other LeT officials, it was precisely these views that I presented to them and used to demonstrate to them that there are indeed U.S. government officials who were interested in constructive dialogue.¹⁰ To a certain extent, I saw my layman's diplomatic efforts as an attempt to reduce tensions and misconceptions.

It might be suggested that Lashkar-e-Taiba were, in reality, supporters of Al-Qaeda and its methodology, and were simply lying to me and the world by publicly promulgating the above sentiments. My response is that, judging from the first hand information available to me, this is highly improbable. While Pakistan is battling Al Qaeda and winning accolades from President Bush—Secretary of State Colin Powell recently announced that the administration had given Pakistan the status of “major non-NATO ally”¹¹—LeT's nexus with that nation's military and intelligence community is undisputed, a fact I witnessed firsthand. (*The Washington Post* reports that the State Department was reluctant to declare LeT a terrorist organization for fear of alienating the Pakistani government.)¹² And, those familiar with Al-Qaeda's propaganda will note its blind, total, unswerving reverence for Osama bin Ladin, and the ever-present threat of excommunication for those who would dare criticize him; it is unlikely that an Al Qaeda constituent group would do so either publicly or privately. Furthermore, it is a well-known fact that a central goal of terrorism is to spread and maximize irrational fear. With the articles I wrote with LeT, they sought to marginalize and downplay Bin Ladin's rantings—precisely the opposite of what would be expected from an anti-American terrorist group. Thus, it is consistent with my knowledge and experience that the inflammatory rhetoric attributed to LeT is probably superficial puffery, and the handful of anecdotes interpreted by some to suggest ties to Al Qaeda have other, more sound explanations. I am, however, the first to acknowledge that my knowledge of LeT is not all-encompassing and is limited to my own experiences and opinions. To the extent that I may have been wrong about LeT, I condemn any

¹⁰ For example, in a November 2002 interview I conducted with Graham Fuller, former Vice-Chairman of the National Intelligence Council at the CIA, he said, “[i]ndividuals in the West need to start understanding Islam a lot better; it tends to be quite stereotyped, especially in political expression.” This interview was published on AtrueWord.com on November 6, 2002 and was reprinted on major Islamic and Arab news-sites and the *White House Bulletin*.

¹¹ “Musharraf Cites Nuclear Dealings,” *The Washington Post*, March 19, 2004, pA16.

¹² “Va. ‘Jihad’ Suspects: 11 Men, Two Views,” *The Washington Post*, August 8, 2003, pA1, A9.

statements or actions that contradict the values I have always embraced, and which I have described in this letter.

At this juncture, perhaps I should explain that my work on these articles, and my writing in general, is informed by my experience that attempts to attack extremism while standing at the opposite extreme of the spectrum will always fail. The vast majority of Muslims—those in the middle—will never be persuaded of anything by those whom they perceive to be attacking, not extremism, but Islam and Muslims themselves. One pundit wrote recently that she is “hanging on to Islam by her fingernails,” and yet she claims to be puzzled as to why Muslims ignore her. Another commentator, Tarek Masoud, wrote days after September 11, 2001, that Muslims should submit happily to racial and religious profiling and quit complaining about hate crimes. Such writers are seen as little more than token Muslims preaching to a choir of Islamophobes, and as utterly lacking in credibility.

I am an authentic American and an authentic Muslim; thus, I have a dual responsibility and my voice has dual authority. Whichever audience I address, I speak their language, using arguments that will resonate and vernacular they will understand. I praise their good qualities, and I demand change for the better. Whichever audience I address, I make it clear that I seek reform from within, not from without. I am trying to fix the engine at the source of its failure, not just curse and bang on the hood.

To that end, I make a conscious effort in most articles or debates to balance my calls for reform with a similar demand for change by “the other side.” When I criticize Hamas for its attacks on civilians, I criticize Israel for its brutality. When I have poured scorn on Al-Qaeda, I have praised those bravely fighting oppression while adhering to Islamic rules of warfare. This is why I condemned terrorism while writing in the name of LeT, then later quoted those words to bolster my own push for moderation. In the end, there are certainly things I have written that in hindsight I wish I had not because they are things that can easily be understood not in the spirit in which they were intended. I hope only that the Court will consider my writings in that spirit in which they were intended, the spirit of engagement and dialogue, which I have tried to explain to the Court in this letter.

And while I am an advocate for the Muslim point of view, those familiar with my writing and activism know that I strive equally against all injustice, not just that by non-Muslims against Muslims. As the Prophet once said, “Help your brother, whether he is the oppressed or the oppressor.” A man

asked, “I understand why I should help him if he is the oppressed, but why should I help him if he is the oppressor?” The Prophet answered: “Help him by preventing him from oppressing others.” I have tried to accomplish this with my writing; in one of many examples, in an unfinished essay entitled “Muslims, Respect Life,” found by the FBI on a computer of mine that was seized in March 2003, I admonished terrorists who would kill children. Therein, I wrote, “Muslims, look upon a child and wonder at its beauty.”

I write this way to make it clear that I write neither for the pleasure of those seeking evidence for their prejudices against Muslims, nor for those seeking to justify their contempt for the West. I write because I want to change the world; I am a partisan of the truth, regardless of who is displeased thereby. I believe that truth is arrived at by communication and dialogue, so I listen closely to those who disagree with my views and I ignore those who say I have no right to express them. At the same time, I have learned from the way that some of my writings have been misconstrued, and have vowed to express myself in a way that leaves no doubt about my positive message.

My assertion that the Muslim world and the West should jettison many entrenched positions and meet in the middle to resolve their grievances, and my practice of being brutally honest about the flaws and positive qualities of both sides, has left me unpopular with hardliners on both sides of the debate. My arrest was celebrated on the Internet by those of the far right, while fans of Bin Ladin saw divine poetic justice for my criticism of their hero. My view, and my style of speaking the language of my audience regardless of which side I address, has made me vulnerable to being misunderstood and to having my words taken out of context by both sides. As I stated, I have changed my tone and now write with considerably less ambiguity, and I regret the way I have expressed myself on occasion, but I believe it is worth incurring a certain amount of vulnerability if I can retain credibility and the proper perspective: that the road to peace and justice on earth is a two-way street.

Returning to my time in Pakistan in 2000, after about three weeks, my visit to Pakistan was drawing to a close. I was amazed that I felt so homesick; I had been thus afflicted only mildly as a younger man during the wars in the Balkans. My wife Mirsada was visiting her family in Bosnia, and pregnant with our second child, and I had begun to miss my family deeply. When I left, I told LeT officials I would continue to help them convey their political views, and they assured me that any Muslim who wanted to live on their campus and help with their publications, teach in their university,

or obtain military training was welcome. They extended a personal invitation to me, assuring me housing for my family and me and a good job with their communications department should I choose to return.

I caught the bus from Sarajevo's airport to my wife's hometown, and she and my daughter Fatima met me at the bus stop. My eyes teared up when I saw them sitting there, and I saw how my daughter had grown in only the few months since I had seen her last. At last it had finally hit me: the adventurism of my younger days was over, and I was now a husband and a father.

As I sit in jail, one of my fondest memories is when, shortly after returning to St. Louis, my daughter and I sat in amazement on a grassy hill while what seemed like dozens of birds flew ellipses around us, almost close enough to touch. In those days, and as she grew older, we grew so close that at times we seemed to be a single person. And I thought of when I was a child, how I used to lie in bed asking my father about the stars and other mysteries, and how he seemed to know everything. I reproached myself for having come close to depriving my unborn son of his right to such memories.

At home in St. Louis, I also remembered a silent commitment I had made to my mother. When I was sixteen, I washed dishes at an ice cream shop. One day, I came out of the kitchen to bus the tables, and I saw an old woman sitting alone in the nearly empty dining room. She was slowly eating a single scoop of ice cream, the cheapest thing on the menu, and she looked very sad. I returned to the kitchen feeling that I should maybe say hello, or even sit and keep her company. I worked up my courage and decided to join her, but when I walked out, she had gone. At that moment I resolved that my mother would never be alone. Shortly after, I wrote a poem about what had happened:

Whose mother was that woman? And where was the child
Who should have shared her ice cream and held her as she cried
And where was I?

Now back in America with my growing family, I began to understand the significance of an Islamic tradition. A man once approached the Prophet Muhammad and said that he wished to fight in the path of God, seeking His reward. The Prophet asked: "Are your parents still alive?" The man said that they were. "Do you seek a reward from God?" the Prophet asked, and the man said yes. "Then go back to your parents," the Prophet answered, "and serve them well." From then on, I resolved, I would put my family first.

I returned to the Washington, DC, area in about August of 2000, and shortly thereafter, my son Hamza was born and a year later, my daughter Aisha. I rejoined CAIR as a Communications Specialist, writing news releases, researching and drafting reports, giving seminars on political activism, and meeting with Congressmen and their aides. One of my most important tasks was investigating and documenting complaints of discrimination for inclusion in CAIR's annual civil rights reports. I continued to work on religious accommodation cases, and helped to win rights for, among others, Muslim and Christian firefighters in Washington, D.C.

A few months after returning from Pakistan, I abandoned writing for Lashkar-e-Taiba, after the aforementioned political position papers and statements condemning attacks on civilians. I did, however, continue to engage in vigorous, sometimes acrimonious dialogues about terrorism—both with Muslims and non-Muslims. For example, shortly before the terrorist attacks of September 11, 2001, I wrote the following as part of an exchange with a noted far-right commentator, Daniel Pipes:

There is extremism among Muslims. Some of what you describe as “Islamism” is extremism. Most of what you describe as “Islamism” is Islam. Usama bin Ladin is an extremist; I've been saying it for years. Hamas are extremists. Not because either chose to resist oppression (in the former case, the invasion of the Soviet Union, in the latter, of course, your regime's occupation), but because they suffer from major defects in their *'aqeedah* [beliefs or creed], the effects of which are manifested in the despicable crimes they commit and erase many times over whatever positive qualities they have or had. For whatever minuscule advantage they might possibly achieve from these misguided activities, they do the most damage to their own souls, to Islam, to their own cause, and not least to innocent people.¹³

It is important to note that the vast majority of these writings and discussions occurred in forums that were virtually exclusively Muslim. In other words, my efforts were not an insincere effort at creating a pleasant and moderate public persona, but rather, an immersion into the front lines of debate on the side of morality and principle, at great risk to my credibility and, potentially, my health.

Another debate typical of those I was involved in also occurred just weeks prior to 9/11. It began with an August 9th posting on an all-Muslim discussion group by a Chicago Muslim denouncing the bombing of a Sbarros restaurant in Jerusalem that had just been carried out. In the message, he wrote: “I really don't see how anyone can Islamically justify under any circumstances the killing of women and children...These types of attacks are not jihad, but murder.” I oppose the Israeli

¹³ I posted this debate as message #2619 on Chicago-Net in February 2002, but the exchange originally occurred before September 11, 2001.

occupation of Palestine, but I also oppose attacks against civilians as a means of removing it. And so I replied: “I agree. If the Israelis are unjust for killing a Muslim child, then this action is just as horrifying.” That response set off a debate that spread over two Muslim discussion lists and continued, ironically, up until the terror attacks in New York, Virginia, and Pennsylvania.

In another message in August 2001, I wrote that Hamas’ “tendency to believe that the ends justifies the means, and to give a low priority to consulting the Qur’an and Sunnah before acting, leads them to do things like...murder women and children.”¹⁴ Then, I circulated a USA Today news story about the bombing, with the comment, “How miserable I would feel to stand before Allah with this action on my record of deeds.”

In response to my remarks, one of the discussion group members wrote that “using terms such as ‘and murder women and children’ is uncalled for,” to which I replied, “it seems very clear from the evidence...that these people were killed unjustly. Thus I used the term murder; because we should not take the killing of another human being lightly. So why is it NOT murder?”

Analyzing the attackers’ action from the standpoint of Islamic law, I wrote that “targeting civilians is a *bid’a*¹⁵ that flows from the tendency of [Hamas] to do whatever is expedient and ‘Islamicize’ it as an afterthought...with this targeting of civilians, they are taking something that is not of Islamic origin (in fact, it is a product of Palestinian rage, despondence, and raw desire for revenge), and applying some Islamic terminology to ‘Islamize’ it.” Some in the debate attempted to rationalize the terror attack by giving reasons for its permissibility; I wrote that they were “simply falling into the trap of [Hamas’] tendency to do whatever is expedient and useful and try to justify it later...these are typical Hamas talking points...repeated in rote fashion.”

Three days later, the debate was still raging, and while some were supporting my position, others were sitting on the fence, and still others strongly disagreed. To one, I wrote: “No matter how you slice it, a Sbarros packed to the rafters with families and children is not a legitimate military target, and it is pretty shameful to even entertain this thought. So don’t lose sight of Islam’s criterion for right and wrong as a consequence of your admirable anger over the occupation and oppression of Muslims.”

¹⁴ The *sunnah* means the “way” of the Prophet Muhammad, or the collected body of reports of his actions and sayings; along with the Qur’an, one of the two central sources of legislation in Islam.

¹⁵ A *bid’a* is a blameworthy and impermissible innovation in Islam; considered misguidance.

Then, I drew the discussants' attention to the dangers of Osama bin Ladin, quoting a LeT official's criticism of bin Ladin. Someone then wrote that he was "very, very surprised at this flawed analysis," and that I had been "very, very unjust" for criticizing Bin Ladin. I responded that while real mujahideen were those trying to liberate the oppressed in Chechnya and Kashmir,

As far as Usamah, the only actual operation that can be pointed to is the embassy bombings . . . which were a travesty and obviously another example of an un-Islamic methodology . . . the LeT brother I mentioned also pointed out that these people around Usamah have also negatively influenced some of the Taliban with regard to killing civilians and Muslims.

This stance that I took, just twenty-three days before the terrorist attacks of September 11, 2001, earned me much criticism. When I argued that Muslims should not only oppose attacks like that on the Sbarros, we should condemn them publicly, one writer said I was calling for this only "so the kuffar [disbelievers] can be pleased with us." Another writer wrote:

Is this Mr. Abu Hamza¹⁶ now going around badmouthing al-Zuwaihiri¹⁷ and other mujahideen who have taken refuge in Afghanistan. Isn't this is the same person who supports CAIR? According to his logic, we should also support the collaborators in Palestine. No wonder he is talking about the martyrdom operations in Palestine as if the Muslims are trying to kill children. Such Abu Hamzas serve the enemy while they defend traitors.

Undeterred, I replied to these attacks:

Do you think I care if, by defending the Qur'an and Sunnah, I irritate those who want to follow their own *hawaa* (desires)? Nope. So make whatever inferences you want to unjustly make about me being somehow 'soft' on the Israelis.

It might be said that this flood of words in defense of Islam's concept of respect for human life was futile. However stridently I debated, there was no way to alter the fact that nineteen misguided men were days away from crashing airliners into the largest office buildings in the world, killing over three thousand people and setting off a war that continues until today.

¹⁶ I often signed my e-mails "Abu Hamza," a nickname meaning "father of Hamza," and obviously not a "terrorist alias" since everyone knew who I was (hence the reference to my job at CAIR), and given that my son's name was Hamza. During the war in Bosnia, before my children were born, I was known by my first name, Ismail.

¹⁷ This is a reference to Bin Ladin's right-hand man, Ayman al-Zawahiri, whom I had criticized.

On the morning of September 11, 2001, I arrived at CAIR's Capitol Hill building a few minutes to nine. I had just sat down at my desk when I heard my boss holler my name from the conference room. I ran to see what was the matter, and saw the images on our television of smoke pouring from the first tower. The first words out of my mouth were, "I hope Muslims didn't do this." We spent the first hour in shock and denial, and then, when the next plane hit the building, my supervisors and I quickly began drafting a statement condemning the attack, which was ultimately adopted by eleven national Islamic organizations and published as an advertisement in *The Washington Post*. It read in part: "We condemn in the harshest terms the cowardly and senseless acts of terror perpetrated against innocent American citizens, brothers and sisters, fathers and mothers, in New York and Washington, DC on Tuesday."

We heard the explosion when the plane hit the Pentagon, and the networks began reporting another plane in the air headed for Washington. I headed for the roof of our building to clear my head, and watched people streaming from Congressional office buildings in panic, police cars tearing around the streets, and fighter jets streaking overhead.

I got home that night at close to midnight. I had spent the whole day furiously typing the reports of hate crimes, from insults to threatening phone calls to assaults. Most of those calling our office were women. Although many police and law enforcement agencies were cautioning against scapegoating, we began receiving reports of FBI and INS harassment of Muslims and Arabs. At the same time, I spent hours over those days shuttling people back and forth to the Red Cross to donate blood for the victims as part of a drive organized by our organization. The next few days were a blur; I was getting little sleep at night and even less food. My next door neighbor stopped letting her son play with my daughter.

For years, I had been saying that it would take only one terrorist attack by someone slipping through the cracks to demolish everything we had been working for, and my worst nightmare had come true. I took a few moments from my hectic work to send an email to my usual online discussion group condemning an extremist agitator for praising the attacks in the media, saying he was "throwing fuel on the fire" and doing the work of the enemies of Islam. As I had repeatedly done in the past, I surmised that a good way to convince the Muslims with whom I had debated on the Internet of the un-Islamic nature of the attacks was to show that even mujahideen condemned them. To that end, I visited Lashkar-e-Taiba's web site to see whether they had condemned the attacks, and

I was grateful to see the first sentence: “Islam does not allow the mass killings of innocent women, children, or old people.” I copied the text on the front page and emailed it some friends, with the subject line, “Lashkar-e-Taiba Condemns Attacks on US.” And, in my capacity as a CAIR representative, I gave interviews to several media outlets condemning the attacks. I told *The Detroit News* that they had “set back our agenda by ten years.”

As the harassment and hate crimes mounted, dozens of reports of which I was receiving every day, I became increasingly concerned for the safety of my family. And although I was meeting with Department of Justice officials and working with the FBI on reports of hate crimes, I perceived a gathering (but, I thought, quite understandable) hysteria on the part of law enforcement about Muslims. I concluded that to remain with my family in what I perceived to be as potential danger would be Islamically impermissible, and so I resolved to leave the United States for a time until I thought it might be safe to return. As I explained in my statement of facts, my family and I relocated to Bosnia. From there, I made plans to establish a new life for us in a Muslim country.

One of the options I considered was to move my family to Pakistan and take LeT up on their open invitation to live and work with them on their communications efforts—again, this was not an activity that I thought would be illegal. I also considered staying in Bosnia—a land that I loved and had family ties to—and explored the possibility of opening a business exporting Bosnian products to the United States. As I wrote in an e-mail from Bosnia on October 10, 2001: “I plan on getting some beehives with a friend here who already has some—honey is basically the best business in Bosnia right now.”

Ultimately, though, I decided that Bosnia was not right for us because of the poor educational prospects for my children. I looked into Malaysia as a home, and spoke with several Bosnians who had studied there about life in that country. I also actively pursued a visa to Saudi Arabia, where I had a job offer to work with a political think tank. The offer and the visa fell through, but I did complete a research project for the organization, which I understood to have been financed by the Saudi royal family. My paper, entitled “U.S. Public Opinion Toward Islam and Muslims After the Sept. 11 Attacks,” was translated into Arabic and distributed to policy makers, members of Saudi royalty, and the religious establishment. It was also published in English on IslamToday.net, a popular Muslim web site. In the paper, which I began in January 2002 and completed in March 2002, I analyzed over a dozen public opinion polls and consulted fifty-six sources to conclude that:

[American] public opinion of Islam and Muslims deteriorated [after 9/11], but not irretrievably. Potentially ominous signs were tempered by positive ones. Hostility and suspicion increased but were not as broadly felt nor as intense as might have been expected.

Thus, it is clear that, although I had initial concerns for my safety, I bore no bitterness toward my country (though I maintained a healthy—not to mention legal—cynicism about the administration’s policies) and had no illusions that America was my “enemy.” Or, as I would write a few months later,

[I]t’s a testimony to the American people’s progress and tolerance that there hasn’t been systematic rioting or lynching of Muslims in the US...after all, in other parts of the world, Muslims are slaughtered for far less significant reasons than 3,000 people dead and several billion dollars worth of damage. That’s not to belittle the 9/11-fueled murders that did occur, but overwhelmingly, Americans have maintained relatively tolerant attitudes toward Muslims in America...¹⁸

Shortly after I arrived in Bosnia, as the world expected, the U.S. launched a war against the Taliban rulers of Afghanistan in response to their sheltering of Al Qaeda and failure to hand over Osama bin Laden for trial. While I would have preferred that the Taliban had worked out a satisfactory arrangement with the United States as a means of avoiding bloodshed, I categorically felt that the U.S. action was justified by any legal standard. I discussed this with several friends in Bosnia upon my arrival in early October 2001.

In fact, as I stated before, I had long believed – and stated publicly – that the U.S. had an obvious and legitimate right to see Bin Ladin tried for crimes stretching back as far as the 1997 embassy bombings in East Africa. It emphatically was not my view then, nor is it of course my view now, that the war was a legitimate “jihad”—not for Muslims in general, and especially not for American Muslims. And although I expressed admiration for John Walker Lindh’s pre-9/11 willingness to give up a life of comfort and ease to support what he thought was a good cause, I believed very strongly that the Taliban were the wrong cause and that, as I told *The Washington Post* in October 2002, Lindh was profoundly naive to have latched onto them.¹⁹ His error was compounded if he made no effort to abandon the Taliban after the 9/11 terror attacks. My view that Muslims in certain circumstances have the right to defend themselves, but only as a last resort and following a strict moral code, in no way implied that I would ever justify a contravention of U.S. and

¹⁸ “Pity Me, I’ve Been Victimized,” AtrueWord.com, November 25, 2002.

¹⁹ “A Union of Muslim, American; For Many, Heritage Day Marks a Step From Shadow of Fear,” *Washington Post*, October 7, 2002, B02.

Islamic law for the sake of a group I had consistently described as criminals and deviant extremists. Indeed, just as weeks before the vicious attacks of September 11, 2001, I waged a fierce Internet debate against terrorism and Bin Ladin, I fought just as strenuously from Bosnia after the attacks against the notion of American Muslims fighting against the United States.

Writing research reports and battling what I saw as extremism on the Internet took up only so much of my time. With plenty of time on my hands and living in such an idyllic and stress-free environment, I was drawing ever closer to my family. I used to take my children out for ice cream and for amusement park rides. We romped with the sheep that the ancient, good-natured shepherd used to graze in the rolling fields near our home. We went on nature walks in Bosnia's lush green mountains, where the kids would collect wildflowers, snails, bugs, and pretty rocks, and, when they tired, I gave them rides on my shoulders as we descended into our town in the valley. My wife and I even got a couple rare chances to go out on the town by ourselves, since we had the luxury of having the kids' grandparents nearby. That was the last time my wife and I went to a movie theater together alone; we had ice cream and went for a stroll through the city afterwards.

As we ran out of money, and as it became clear that I would not be able to get a visa or a job in another country, and as I saw the post-terrorism backlash against Muslims subsiding, my wife and I decided to return home to America. When I was contacted by FBI agents shortly after I arrived, I met with them voluntarily, answered their questions about myself and my experiences during the Bosnian war, and offered to answer any further questions they might have. Later, I met with the St. Louis agents a second time and testified before a federal grand jury there. After that, the St. Louis agents contacted me several times in Washington, D.C. with additional questions. I continued to answer their questions and my discussions with law enforcement stopped only on the advice of my attorney, a long-time civil rights activist, when it became clear that I was a target of investigation. Our discussions resumed immediately after Your Honor appointed my current counsel.

Back in St. Louis with my parents, we were comfortable in our spacious home in a quiet neighborhood and close to good schools, parks, a riding stable (where I took my daughter for lessons), and my old mosque. But I could find no good paying jobs that suited my qualifications, my wife missed her friends, and I missed the activity of Washington, D.C. Thus, we came back to the area, where I quickly found work in my old field of activism.

My work was varied, and rewarding. I edited and wrote a good portion of a report for CAIR entitled, “American Muslims One Year After 9/11,” which chronicled the unequivocal response of American Muslims to the terror attacks, and the progress made in repairing the damage the terrorists wrought to communal relations in this country. I also worked night and day for months at a Republican Party-affiliated think tank, where I helped stage an academic and political conference—sponsored by Dow Jones—on financial opportunities in the Muslim world. After the conference, we mingled at a meet-and-greet in the U.S. Capitol Building with members of Congress, their staffers, and diplomats. I began networking in pursuit of a goal of landing a job on the Hill, a pursuit that was ultimately interrupted by my legal problems. I wrote a news release on behalf of the Muslim community that was distributed in the conservative group’s name, marking the first anniversary of the terror attacks. Around that time, I also became the proud father of my fourth child, Hasan.

I moved on to become Communications Director for the Muslim American Society (MAS), a national religious, social, and political organization with tens of chapters and headquartered in Alexandria, Virginia. I set up their communications department, and became a spokesman for the group; I appeared on several radio stations, wrote an opinion piece that was published in *The Detroit Free Press*, *The Philadelphia Inquirer*, and *The Miami Herald*, wrote several statements and articles, and appeared in a BBC documentary: all as an advocate of the moderate Muslim voice and condemning extremism and terrorism at every opportunity.

One of my most important initiatives at MAS was to design, along with a colleague, a new system for political activism that sought to overcome the limitations and paradigms associated with most Muslim activism of the previous decades. We identified ten social and political issues in which there was a relatively clear Islamic point of view on the matter, which had a serious local impact, and which lent themselves to coalition building and broad cooperation among many segments of the community—issues like alcohol abuse, gambling, and education. Then I began developing training programs and activist kits for each of those issues, with sample position papers, news releases, flyers, pamphlets, and action plans that would empower *each local Muslim community*—not some distant organization based in Washington, D.C.—to make a real difference on the ground in a way that made sense to them. We decided to implement one of the issue campaigns ourselves in order to work out the kinks, learn from experience, and make the materials as practical and useful as possible for when we eventually launched the project publicly. We chose the issue of gambling in Maryland because it

was topical and local. We implemented our program, joining a diverse coalition of religious, ethnic, and business leaders; we learned as we went, motivated mosques to enter the unfamiliar territory of working on social issues with non-Muslim groups, forged bonds that I hope continue to this day, and won accolades from our new friends for helping to defeat gambling in the Maryland legislature.

Another project that I am proud of is a series of workshops I participated in regarding the importance and technique of political participation, civic activism, building ties with non-Muslim community groups, and our duty to our fellow Americans to improve our neighborhoods and society. Two colleagues and I traveled personally to mosques from San Diego to Richmond to deliver these lectures and seminars, and we received much positive feedback from the Muslims we trained. This initiative was covered in a number of newspaper articles, including an *Associated Press* article. My area of expertise was media relations, and I taught Muslim communities how to build a relationship with their local media. One point I insisted on making to every audience was to debunk the anti-semitic canard that the media are “controlled” by Jews out to get Muslims. Rather, I argued, lingering misconceptions about Islam and a lack of attention paid to our community is the fault of the Muslims themselves, and our failure thus far to effectively engage and communicate with the larger society, of which the media are only one segment.

As an illustration, in April of 2003, I spoke at a mosque in Chicago, and I asked the members of the community about their neighbors. I was told, “Oh, they’re Polish, they just stick to themselves.” I admonished them that this was the pot calling the kettle black, and outlined some steps they could and should take to reach out to their neighborhood; they were not an island, I told them—they needed to be *of* the community, not just *in* the community.

During this time, in my private capacity, I launched a Web log or “blog” as a means of stimulating conversation and debate between Muslims and non-Muslims; my principle was that we might not agree, but at least we can discuss, and we might even learn something from each other. Soon after, two colleagues and I launched an Internet news and commentary magazine called “A True Word” (www.atrueword.com) with the intent of fostering dialogue between Islam and the West and asking Muslims to face up to the reality of our need for reform. The project was lauded in the media—and attacked by extremists—as a responsible voice of moderation and reconciliation.

I was let go from MAS when, on the way home from that trip to Chicago, my boss and I were met at O’Hare airport by law enforcement agents who informed us that I was on a federal terrorism

“no-fly” list and would have to take a train home. But I continued to work on rewarding projects and strive for the rights of others. I wrote more articles for “A True Word,” and was even subcontracted to co-author a study on Palestinian suicide bombers for novelist Tom Clancy—research he was reportedly very happy with. In June, I joined the firm of my attorney, who specializes in civil liberties and immigration, as a public relations consultant and lobbyist. In the short time I spent there, I met with U.S. Representative John Conyers of Michigan, had a letter published in the newspaper, designed posters and pamphlets, and submitted several opinion pieces to numerous newspapers.

It was during this time that my legal problems escalated. As it was quite clear to me that I would soon be arrested, I began preparing my family for the ordeal. I obtained commitments from the Muslim community that they would be taken care of, and I even rented a modest house with a beautiful yard, a home that would be big enough for my wife and four children in which to play, grow, and live life without me. We lost the house when I was arrested, since the community could not sustain the payments while supporting all of my co-defendants. As your honor might expect, I have been devastated, not by the loss of my freedom, but by the loss of my family. As a man, I admit I pride myself on being “strong,” and I am trying my best to remain patient—but I feel shattered, and the pieces of me lie with my wife Mirsada and my precious Fatima, Hamza, Aisha, and Hasan.

I am not bitter about my arrest. I realize that the government has a legitimate interest in protecting the public from terrorism, and that in this post-9/11 environment, it must take all reasonable precautions. I have repeated this often to law enforcement, and I said as much to the FBI agents who arrested me. As I wrote in March of 2003, in these times, “law enforcement should at least keep tabs on those suspected of being responsible for violence overseas.”²⁰ It is also quite clear to me now that I crossed the line and, in my ignorance and phenomenally poor judgment, broke the law. I will live with regret for my actions and their consequences for the rest of my life.

Had I known that my conduct—at the core of my plea agreement—was illegal, I would have done many things differently. I never would have encouraged anyone to visit LeT. I never would have bought and shared the videos of war footage. I never would have played paintball, nor would have done any numbers of things, had I known that they constituted overt acts of an illegal conspiracy.

²⁰ “Al-Arian case: Misplaced priorities,” *Miami Herald*, March 7, 2003.

Now that I have learned of the illegality of the involvement by U.S. citizens in overseas conflicts, as an American and a Muslim, I have no choice but to forsake that course of action. Islam places great emphasis on the rule of law, and the Prophet repeatedly exhorted the Muslims to obey those in authority. “It is a glorification of God,” the Prophet said, “to respect a just ruler.” This is the case in a free society, such as the United States, but it is also true even at the opposite extreme because in the case of tyranny, then a Muslim is still under a duty to obey the law. Imam Malik, one of the earliest scholars of Islam, once said: “Sixty years of oppression under an unjust ruler is better than one hour of anarchy.” This is a principle that I have long promoted. For example, in a message from Bosnia in April 2002, I reminded American Muslims that their citizenship binds them to the rule of law as they would be bound by God to any contract they entered into: “Being a citizen means that in return for discharging certain duties, you are granted certain rights, etc.–yes, in fact, an agreement, or ‘social contract,’ in Rousseau’s words.”

In “A Farewell to Arms,” Ernest Hemingway chronicles the travails of an American idealist as he leaves the foreign army he has joined, in order to care for his wife and unborn child. While I, too, have bid my own farewell to arms, I will never abandon the ideals that have motivated me: helping those who suffer, fostering dialogue, and ending conflict. But I can continue to give life to those ideals as a father, husband, son, and citizen of my country. The Islam that I know does not set up a dichotomy between caring for our families and doing good in the world. The Qur’an says that the true servants of the Most Merciful God are “those who say, ‘Our Lord! Give us wives and children who are the comfort of our eyes. And make us leaders of the righteous.’”²¹

God has indeed blessed me with a wife and children who are a comfort to me. I do not know how much time I will serve in prison, but I cannot and will not, God willing, lose hope that we will be reunited. Wherever I am, and in whatever capacity I am able, I will do my best to help raise my children as my parents raised me, by trying to make fewer mistakes, and by trying to act as an example and guide to good character, with the same hope that all parents have, that they turn out better than me. I dream of seeing them grow to manhood and womanhood; I dream of giving them and my wife a home with gardens, a tree house, maybe even horses. And, in my dream, my parents

²¹ The Qur’an 25:74.

would live with them; “And, out of kindness, lower to them the wing of humility, and say: ‘My Lord! Bestow on them Your Mercy, even as they cherished me when I was little.’”²²

And as an American and a Muslim, I pray that God will make me a “leader of the righteous,” whether with my writing from behind walls, or as a neighbor and member of my community. I will advocate for what is right for my fellow man and caution against what is bad. My country and my religion allow me all the opportunities I need to leave this world a better place than it was when I entered, and there need not be any inconsistency between the two. As the Prophet said: “One who works hard on behalf of old women and the poor is like a mujahid in the path of God,” and, “The best jihad is a word of truth to an unjust ruler.” And I will continue to stretch out my hand as an American ambassador to the Muslims, and as a Muslim ambassador to America, to reconcile the peoples of these two great civilizations and in the process, God willing, preclude further violence and suffering.

I do not offer Your Honor any excuse for my conduct, nor do I believe it is ever acceptable to break the law, even in ignorance. I only ask Your Honor to see me for who I am, a well-meaning but flawed person with a loving family and a sincere desire to do better next time, if given a chance. I appreciate the thoughtful, deliberate way that Your Honor has approached this affair, and I thank you for your time and patience.

Sincerely,

Randall Ismail Royer

²² The Qur’an 17:24.