

# US student held in solitary confinement on terrorism charges

By Tom Eley  
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In a chilling example of the expanding prosecution of individuals on trumped-up charges of “terrorism,” Syed Hashmi, a 27-year-old US citizen and former student at Brooklyn College in New York City and at London Metropolitan University, is being held in solitary confinement in a federal prison on trumped-up charges of providing material support to Al Qaida. He could face as much as 70 years in prison.

In June 2006, Hashmi was arrested by British security personnel at Heathrow Airport, where he was waiting for a flight to Pakistan where he was to visit relatives. Eleven months later, Hashmi was extradited to the US, where he was placed in the Metropolitan Correctional Center in Manhattan under conditions of extreme isolation.

Hashmi grew up in a Pakistani-American family living in Queens, New York City. He majored in political science at Brooklyn College, graduating in 2003. He then studied international relations at London Metropolitan University, earning a Masters Degree in 2005.

The evidence against Hashmi is based on the plea bargain of Mohammed Junaid Babar, another US citizen arrested on five counts of aiding Al Qaida. In exchange for testimony against Hashmi and other cases pending in Canada and the UK, Babar stands to receive a substantially reduced sentence.

According to Babar, he stayed at Hashmi’s London apartment in 2004 en route to Pakistan to deliver items such as raincoats and waterproof socks to an Al Qaida representative. He claimed that Hashmi served as a conduit in this alleged pipeline of non-lethal material, by virtue of the fact that Babar kept the items in the student’s apartment. Hashmi is also accused of allowing Babar to use his cellular phone.

While the offenses Hashmi is alleged to have

committed occurred in Britain, he became the first person ever extradited by the British government to the US on terrorism charges, while never being charged in Britain itself. Under US law, any American citizen accused of aiding terrorism abroad may be charged in the US. The extradition strongly suggests that British authorities did not believe the evidence strong enough to support a prosecution there.

Hashmi’s former professors at Brooklyn College have recently circulated a “statement of concern” via e-mail. According to Jeanne Theoharis, Hashmi’s senior thesis advisor, “the statement makes no presumption about Syed’s guilt or innocence but focuses on the constitutional issues raised by his case and the ways his civil rights and liberties have been abridged.” Theoharis intends to present the petition to members of Congress, the Justice Department, and the media.

Hashmi faces severe isolation in prison, conditions imposed by the office of the US Attorney General under its so-called “special administrative measures” or “SAMs.” Theoharis described these medieval regulations:

“Hashmi must be held in solitary confinement and may not communicate with anyone inside the prison other than prison officials. Family visits are limited to one person every other week for one and a half hours and cannot involve physical contact. While his correspondence to members of Congress and other government officials is not restricted, he may write only one letter (of no more than three pieces of paper) per week to one family member. He may not communicate, either directly or through his attorneys, with the news media. He may read only designated portions of newspapers—and not until thirty days after their publication—and his access to other reading

material is restricted. He may not listen to or watch news-oriented radio stations and television channels. He may not participate in group prayer. He is subject to 24-hour electronic monitoring and 23-hour lockdown, has no access to fresh air, and must take his one hour of daily recreation—when it is given—inside a cage.

“Other factors compromise Hashmi’s right to a fair trial: the government may withhold evidence from his attorneys yet share that evidence with the judge; the government may share evidence with his attorneys but not allow Hashmi to see it [...] and the conditions of Hashmi’s detention may impair his mental state and ability to testify on his own behalf.”

Additionally, Hashmi’s attorneys have been required to submit to invasive personal interrogations in order to communicate with their client. Among other things, the lawyers are required to reveal their psychiatric and drug use history over the past ten years. Hashmi’s lead attorney, Sean Maher, has protested these requirements, arguing that they lay the basis for creating a separate class of government-approved terrorism defense attorneys.

Were the government’s case against Hashmi based solely on the limited accusations and threadbare evidence exacted from Babar’s plea deal, this would already demonstrate the despotic and quasi-legal character of arrests, prosecutions, and punishment in the so-called “war on terror.” But additional evidence seems to suggest that Hashmi has been singled out for his political activity as a student.

Theoharis has pointed out that Hashmi had written his senior thesis “on the treatment of Muslim groups in the United States post- 9/11.” As a student at Brooklyn College, Hashmi was also a member of a student group called Al Muhajiroun, which may have been related to an Islamic fundamentalist movement of the same name operating out of Britain. Babar, who has now turned state’s witness against Hashmi, once spoke as guest lecturer at one of Hashmi’s student organization events.

Hashmi’s case has been virtually ignored by the US and British media after a few celebratory accounts of his 2004 arrest.

The case of Syed Hashmi serve as a stark that the “war on terror”—which both Democrats and Republicans promise will continue indefinitely—can be increasingly used for the suppression of American

students and political opposition at home.

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