

By Glenn Greenwald

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*Tarek Mehanna is seen in this image from video footage taken in Boston in 2009. □ (Credit: Reuters/WHDH-TV)*

In one of the most egregious violations of the First Amendment's guarantee of free speech seen in quite some time, Tarek Mehanna, an American Muslim, was [convicted this week](#) in a federal court in Boston and then sentenced yesterday to 17 years in prison. He was found guilty of supporting Al Qaeda (by virtue of translating Terrorists' documents into English and expressing "sympathetic views" to the group) as well as conspiring to "murder" U.S. soldiers in Iraq (

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, to wage war against an invading army perpetrating an aggressive attack on a Muslim nation). I'm still traveling and don't have much time today to write about the case itself — Adam Serwer several months ago wrote an [excellent summary](#) of why the prosecution of Mehanna is such an odious threat to free speech and more background on the case is [here](#), and I've written before about the [growing criminalization of free speech](#) under [the Bush and Obama DOJs](#), whereby Muslims are prosecuted for their plainly protected political views — but I urge everyone to read something quite amazing: Mehanna's incredibly eloquent, thoughtful statement at his sentencing hearing, before being given a 17-year prison term.

At some point in the future, I believe history will be quite clear about who the actual criminals are in this case: not Mehanna, but rather the architects of the policies he felt compelled to battle and the entities that have conspired to consign him to a cage for two decades:

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#### TAREK'S SENTENCING STATEMENT APRIL 12, 2012

Read to Judge O'Toole during his sentencing, April 12th 2012.

In the name of God the most gracious the most merciful Exactly four years ago this month I was finishing my work shift at a local hospital. As I was walking to my car I was approached by two federal agents. They said that I had a choice to make: I could do things the easy way, or I could do them the hard way. The “easy ” way, as they explained, was that I would become an informant for the government, and if I did so I would never see the inside of a courtroom or a prison cell. As for the hard way, this is it. Here I

am, having spent the majority of the four years since then in a solitary cell the size of a small closet, in which I am locked down for 23 hours each day. The FBI and these prosecutors worked very hard-and the government spent millions of tax dollars – to put me in that cell, keep me there, put me on trial, and finally to have me stand here before you today to be sentenced to even more time in a cell.

In the weeks leading up to this moment, many people have offered suggestions as to what I should say to you. Some said I should plead for mercy in hopes of a light sentence, while others suggested I would be hit hard either way. But what I want to do is just talk about myself for a few minutes.

When I refused to become an informant, the government responded by charging me with the “crime” of supporting the mujahideen fighting the occupation of Muslim countries around the world. Or as they like to call them, “terrorists.” I wasn’t born in a Muslim country, though. I was born and raised right here in America and this angers many people: how is it that I can be an American and believe the things I believe, take the positions I take? Everything a man is exposed to in his environment becomes an ingredient that shapes his outlook, and I’m no different. So, in more ways than one, it’s because of America that I am who I am.

When I was six, I began putting together a massive collection of comic books. Batman implanted a concept in my mind, introduced me to a paradigm as to how the world is set up: that there are oppressors, there are the oppressed, and there are those who step up to defend the oppressed. This resonated with me so much that throughout the rest of my childhood, I gravitated towards any book that reflected that paradigm – Uncle Tom’s Cabin, The Autobiography of Malcolm X, and I even saw an ethical dimension to The Catcher in the Rye.

By the time I began high school and took a real history class, I was learning just how real that paradigm is in the world. I learned about the Native Americans and what befell them at the hands of European settlers. I learned about how the descendents of those European settlers were in turn oppressed under the tyranny of King George III.

I read about Paul Revere, Tom Paine, and how Americans began an armed insurgency against

British forces – an insurgency we now celebrate as the American revolutionary war. As a kid I even went on school field trips just blocks away from where we sit now. I learned about Harriet Tubman, Nat Turner, John Brown, and the fight against slavery in this country. I learned about Emma Goldman, Eugene Debs, and the struggles of the labor unions, working class, and poor. I learned about Anne Frank, the Nazis, and how they persecuted minorities and imprisoned dissidents. I learned about Rosa Parks, Malcolm X, Martin Luther King, and the civil rights struggle.

I learned about Ho Chi Minh, and how the Vietnamese fought for decades to liberate themselves from one invader after another. I learned about Nelson Mandela and the fight against apartheid in South Africa. Everything I learned in those years confirmed what I was beginning to learn when I was six: that throughout history, there has been a constant struggle between the oppressed and their oppressors. With each struggle I learned about, I found myself consistently siding with the oppressed, and consistently respecting those who stepped up to defend them – regardless of nationality, regardless of religion. And I never threw my class notes away. As I stand here speaking, they are in a neat pile in my bedroom closet at home.

From all the historical figures I learned about, one stood out above the rest. I was impressed by many things about Malcolm X, but above all, I was fascinated by the idea of transformation, his transformation. I don't know if you've seen the movie "X" by Spike Lee, it's over three and a half hours long, and the Malcolm at the beginning is different from the Malcolm at the end. He starts off as an illiterate criminal, but ends up a husband, a father, a protective and eloquent leader for his people, a disciplined Muslim performing the Hajj in Makkah, and finally, a martyr. Malcolm's life taught me that Islam is not something inherited; it's not a culture or ethnicity. It's a way of life, a state of mind anyone can choose no matter where they come from or how they were raised.

This led me to look deeper into Islam, and I was hooked. I was just a teenager, but Islam answered the question that the greatest scientific minds were clueless about, the question that drives the rich & famous to depression and suicide from being unable to answer: what is the purpose of life? Why do we exist in this Universe? But it also answered the question of how we're supposed to exist. And since there's no hierarchy or priesthood, I could directly and immediately begin digging into the texts of the Qur'an and the teachings of Prophet Muhammad, to begin the journey of understanding what this was all about, the implications of Islam for me as a human being, as an individual, for the people around me, for the world; and the more I learned, the more I valued Islam like a piece of gold. This was when I was a teen, but even today, despite the pressures of the last few years, I stand here before you, and everyone else in this courtroom, as a very proud Muslim.

With that, my attention turned to what was happening to other Muslims in different parts of the world. And everywhere I looked, I saw the powers that be trying to destroy what I loved. I learned what the Soviets had done to the Muslims of Afghanistan. I learned what the Serbs had done to the Muslims of Bosnia. I learned what the Russians were doing to the Muslims of Chechnya. I learned what Israel had done in Lebanon – and what it continues to do in Palestine – with the full backing of the United States. And I learned what America itself was doing to Muslims. I learned about the Gulf War, and the depleted uranium bombs that killed thousands and caused cancer rates to skyrocket across Iraq.

I learned about the American-led sanctions that prevented food, medicine, and medical equipment from entering Iraq, and how – according to the United Nations – over half a million children perished as a result. I remember a clip from a *'60 Minutes'* interview of Madeline Albright where she expressed her view that these dead children were “worth it.” I watched on September 11th as a group of people felt driven to hijack airplanes and fly them into buildings from their outrage at the deaths of these children. I watched as America then attacked and invaded Iraq directly. I saw the effects of 'Shock & Awe' in the opening day of the invasion – the children in hospital wards with shrapnel from American missiles sticking out of their foreheads (of course, none of this was shown on CNN).

I learned about the town of Haditha, where 24 Muslims – including a 76-year old man in a wheelchair, women, and even toddlers – were shot up and blown up in their bedclothes as they slept by US Marines. I learned about Abeer al-Janabi, a fourteen-year old Iraqi girl gang-raped by five American soldiers, who then shot her and her family in the head, then set fire to their corpses. I just want to point out, as you can see, Muslim women don't even show their hair to unrelated men. So try to imagine this young girl from a conservative village with her dress torn off, being sexually assaulted by not one, not two, not three, not four, but five soldiers. Even today, as I sit in my jail cell, I read about the drone strikes which continue to kill Muslims daily in places like Pakistan, Somalia, and Yemen. Just last month, we all heard about the seventeen Afghan Muslims – mostly mothers and their kids – shot to death by an American soldier, who also set fire to their corpses.

These are just the stories that make it to the headlines, but one of the first concepts I learned in Islam is that of loyalty, of

brotherhood – that each Muslim woman is my sister, each man is my brother, and together, we are one large body who must protect each other. In other words, I couldn't see these things being done to my brothers & sisters – including by America – and remain neutral. My

sympathy for the oppressed continued, but was now more personal, as was my respect for those defending them.

I mentioned Paul Revere – when he went on his midnight ride, it was for the purpose of warning the people that the British were marching to Lexington to arrest Sam Adams and John Hancock, then on to Concord to confiscate the weapons stored there by the Minuteman. By the time they got to Concord, they found the Minuteman waiting for them, weapons in hand. They fired at the British, fought them, and beat them. From that battle came the American Revolution. There's an Arabic word to describe what those Minutemen did that day. That word is: JIHAD, and this is what my trial was about.

All those videos and translations and childish bickering over 'Oh, he translated this paragraph' and 'Oh, he edited that sentence,' and all those exhibits revolved around a single issue: Muslims who were defending themselves against American soldiers doing to them exactly what the British did to America. It was made crystal clear at trial that I never, ever plotted to "kill Americans" at shopping malls or whatever the story was. The government's own witnesses contradicted this claim, and we put expert after expert up on that stand, who spent hours dissecting my every written word, who explained my beliefs. Further, when I was free, the government sent an undercover agent to prod me into one of their little "terror plots," but I refused to participate. Mysteriously, however, the jury never heard this.

So, this trial was not about my position on Muslims killing American civilians. It was about my position on Americans killing Muslim civilians, which is that Muslims should defend their lands from foreign invaders – Soviets, Americans, or Martians. This is what I believe. It's what I've always believed, and what I will always believe. This is not terrorism, and it's not extremism. It's what the arrows on that seal above your head represent: defense of the homeland. So, I disagree with my lawyers when they say that you don't have to agree with my beliefs – no. Anyone with commonsense and humanity has no choice but to agree with me. If someone breaks into your home to rob you and harm your family, logic dictates that you do whatever it takes to expel that invader from your home.

But when that home is a Muslim land, and that invader is the US military, for some reason the standards suddenly change. Common sense is renamed "terrorism" and the people defending themselves against those who come to kill them from across the ocean become "the terrorists" who are "killing Americans." The mentality that America was victimized with when British soldiers walked these streets 2 ½ centuries ago is the same mentality Muslims are victimized

by as American soldiers walk their streets today. It's the mentality of colonialism.

When Sgt. Bales shot those Afghans to death last month, all of the focus in the media was on him-his life, his stress, his PTSD, the mortgage on his home-as if he was the victim. Very little sympathy was expressed for the people he actually killed, as if they're not real, they're not humans. Unfortunately, this mentality trickles down to everyone in society, whether or not they realize it. Even with my lawyers, it took nearly two years of discussing, explaining, and clarifying before they were finally able to think outside the box and at least ostensibly accept the logic in what I was saying. Two years! If it took that long for people so intelligent, whose job it is to defend me, to de-program themselves, then to throw me in front of a randomly selected jury under the premise that they're my "impartial peers," I mean, come on. I wasn't tried before a jury of my peers because with the mentality gripping America today, I have no peers. Counting on this fact, the government prosecuted me – not because they needed to, but simply because they could.

I learned one more thing in history class: America has historically supported the most unjust policies against its minorities – practices that were even protected by the law – only to look back later and ask: 'what were we thinking?' Slavery, Jim Crow, the internment of the Japanese during World War II – each was widely accepted by American society, each was defended by the Supreme Court. But as time passed and America changed, both people and courts looked back and asked 'What were we thinking?' Nelson Mandela was considered a terrorist by the South African government, and given a life sentence. But time passed, the world changed, they realized how oppressive their policies were, that it was not he who was the terrorist, and they released him from prison. He even became president. So, everything is subjective - even this whole business of "terrorism" and who is a "terrorist." It all depends on the time and place and who the superpower happens to be at the moment.

In your eyes, I'm a terrorist, and it's perfectly reasonable that I be standing here in an orange jumpsuit. But one day, America will change and people will recognize this day for what it is. They will look at how hundreds of thousands of Muslims were killed and maimed by the US military in foreign countries, yet somehow I'm the one going to prison for "conspiring to kill and maim" in those countries – because I support the Mujahidin defending those people. They will look back on how the government spent millions of dollars to imprison me as a "terrorist," yet if we were to somehow bring Abeer al-Janabi back to life in the moment she was being gang-raped by your soldiers, to put her on that witness stand and ask her who the "terrorists" are, she sure wouldn't be pointing at me.

The government says that I was obsessed with violence, obsessed with "killing Americans."  
But, as a Muslim living in these times, I can think of a lie no more ironic.

-Tarek Mehanna  
4/12/12