

By Debra Sweet

From [Debra Sweet](#) | Original Article

**A contradiction to ponder:**

1. A three-year investigation by the Department of Justice into the CIA operatives who carried out waterboarding, filmed the acts on 2 men, and then destroyed the tapes, ended this past November – with the government deciding not to prosecute *anyone*.

Jason Leopold, in

[Special Prosecutor Declines to File Criminal Charges Over Destruction of CIA Torture Tapes](#) wrote:

*It is widely believed that the videotapes were destroyed to cover up torture. It is also believed that the tapes were destroyed because Democratic members of Congress who were briefed about the tapes began asking questions about whether the interrogations were illegal, according to Jane Mayer, author of the book,*

[“The Dark Side”](#)

*and a reporter for The New Yorker magazine.*

2. A two-year secret federal investigation of the U.S. anti-war movement has been conducted by the Obama administration, apparently with a federal grand jury in Chicago hearing evidence from Prosecutor Patrick Fitzgerald, looking into “possible links between U.S. anti-war groups and foreign terrorist organizations,” according to the [Chicago Tribune](#). Fitzgerald issued subpoenas beginning in September 2010, delivered via FBI raids to their homes, for activists to appear before the grand jury. With all the records sealed by court order, it is impossible to know about the scope and intent of the probe.

**But knowing what we know about how the “war on terror” has been conducted, one can be suspicious that the aim of the first investigation was to find no crimes, while the aim of the second is to manufacture crimes.**

23 anti-war activists have now been targeted by the FBI, many through September raids that confiscated a wide range of personal material. In [FBI Raids Anti-War Activists' Homes in](#)

[Midwest](#)

after the initial raids:

, *Revolution* newspaper reported

The FBI spokesman in Minneapolis was quoted in the *Chicago Tribune*, “The warrants are seeking evidence in support of an ongoing Joint Terrorism Task Force investigation into activities concerning the material support of terrorism.” This was a charge which activists immediately dismissed as illegitimate and unjustified. No arrests have been made and the FBI admitted that there was no “imminent danger” to the public.

9 of the 23 activists have subpoenas compelling them to appear before the grand jury on Tuesday, January 25. Their profiles and background are posted by [The Committee to Stop FBI Repression](#).

According to the site:

These activists are involved in many groups, including the Twin Cities Anti-War Committee, the Palestine Solidarity Group, the Colombia Action Network, Students for a Democratic Society, and the Freedom Road Socialist Organization. These activists and many others came together to organize the 2008 anti-war marches during the Republican National Convention in St. Paul.

The Committee’s site [continues](#) in a section on Grand Juries:

Some of those targeted have traveled to other countries to understand our government’s role in places like Palestine and Colombia. While there, they met with people to learn about their experience facing brutal repression from U.S. sponsored regimes, and brought their stories back to people in the U.S. Hearing about the reality of U.S. military aid is not a crime, and yet this appears to be the target of this investigation.

The Committee’s [demands](#) are:

- **Stop the repression of anti-war and international solidarity activists.**

- **Immediately return all confiscated materials: computers, cell phones, papers, documents, etc.**
- **End the grand jury proceedings against anti-war activists.**

## **Grand Juries as Politically Repressive Tools**

It's important to know how grand juries are used in political investigations in this country. Glen Ford, in [President Barack "Midnight Raid" Obama: End Your Wars at Home and Abroad](#) writes

Grand juries are places where rights are butchered, and we can clearly see the broad outlines of a mass prosecution strategy unfolding, in which grand juries are the engines of political destruction.

*Revolution* newspaper gathered resources from the Center for Constitutional Rights in [The Grand Jury – The Grand Inquisition](#) and summarizes:

The person who has refused to testify [before a grand jury] can be brought back before the judge and held in what is known as "civil contempt" of the court. Without a trial, the judge can imprison the person for whatever is the length of the grand jury. Grand juries are normally 18 months, but there are special federal grand juries that are empanelled for 36 months, and this can be extended because it is "special."

Historically, the Justice Department and the FBI have used the subpoena power of the federal grand jury, coupled with compulsory immunity, to jail activists who refuse to cooperate with government investigations. In the 1960s and well into the '80s, there were many instances of courageous people who refused to testify before grand juries.

Joe Iosbaker, one of those originally subpoenaed [said in October,](#)

“We have nothing to say to a Grand Jury. Most people do not understand how secretive and undemocratic the Grand Jury is. I am not allowed to have my lawyer with me. There isn't even a judge. How strange is that? It is the U.S. prosecutor with 23 people they hand picked to pretty much rubber stamp whatever the prosecutor says. A person is defenseless in that situation.”

Maureen Murphy received a subpoena on December 21 to appear on January 25. In [explaining why she will not testify](#), she cites the danger not only to the activists in the United States by giving legitimacy to the investigation, but principally to those they could be forced to testify about in other countries

I have no intention to participate in the government's witch hunt. It is very clear that no crime has been committed and that the government's motivation in issuing these subpoenas is to have us name the names of other activists not only here in the United States, but also in places like Palestine and Colombia, where many of us have traveled to learn about the human rights situations in those places. We can only assume that the US government shares intelligence with the governments of Israel and Colombia, whose repressive military rule the US bankrolls at the US taxpayer's expense. And it is essentially a prison sentence or worse for human rights activists in Palestine and Colombia to be singled out and identified in this way. And I have no intention in playing any role in that.

Jess Sundlin, another whose home was raided, [said](#)

“If our friends choose not to testify, they could be imprisoned. It could be for months or even years, like in the case of Professor Abdelhaleem Ashqar, who faced the same prosecutor we face and who was investigated of violating the same law we are confronting. Before he was acquitted of the charges against him, Dr. Ashqar was sentenced to criminal contempt for refusing to testify before Fitzgerald's grand jury in Chicago. The punitive sentence against him was more than 11 years. Again, he was acquitted of the crimes the grand jury was investigating.”

**Needed: A Wave of Support for Antiwar Resisters**

On Tuesday, January 25, The Committee to Stop FBI Repression, and affiliated organizations are holding protests of the grand jury investigation in [dozens of cities](#) . I'll be in [Chicago](#) that day, outside the Federal Building, in support of those refusing to testify.

Jill McLaughlin, in [Reality And Morality: Standing Up To Repressive Forces While Standing Up For Humanity](#) expressed the mission of World Can't Wait in opposing this dangerous and repressive investigation.