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THE WAR ON TERROR HITS A BUMP IN LODI

BY ALEXANDER COCKBURN

A terrorism trial of two Muslims in federal court in Sacramento has thus far left the FBI looking culpably manipulative, extremely credulous, and prodigiously extravagant. At the center of the case are two Pakistanis living in Lodi, a small town south of Sacramento. One, 23-year-old Hamid Hayat, a cherry picker, stands accused of being a terrorist who trained at an Al Qaeda camp and returned to the U.S.A. to wreak havoc. The other, his 48-year-old father, Umer Hayat, is charged with lying to the FBI about his son's activities. If found guilty, the son faces 39 years in prison, the father 16. The case is being followed with apprehension by all Muslims here.

Their ordeal began last summer, when Hamid Hayat, fresh back from a two-year trip to Pakistan where he has spent half his life, was called in by the FBI and interrogated three times.

The California-born Hamid is evidently a simple fellow. At his first interview in the FBI he betrayed no alarm at the prospect of interrogation by men who believed they were on the verge of breaking a major terror ring in Lodi. He complimented one of the agents on the style of his shoes and in general made every effort to be helpful. So did his father, Umer whose job is driving an ice-cream truck. The FBI also grilled them intensively last June.

When the indictments came down, the news headlines were that Hamid had attended a terror-training camp in Pakistan, that there was a terror ring centered on Lodi. Both father and son had made full confessions.

What's actually emerging in the trial, where both men are fortunate to

Message From a Vet of My Lai Time

“Our Descent into Hell has Begun”

BY TONY SWINDELL

Editors' note: A few weeks ago we got a friendly letter from Tony Swindell, a newspaper editor in Sherman, Texas. "Begin paying attention," Swindell urged, "to stories from Iraq like the very recent one about U.S. Marines killing a group of civilians near Baghdad. This is the next step in the Iraq war as frustration among our soldiers grows — especially with multiple tours.

"I served with the 11th Light Infantry Brigade, Americal Division, and My Lai was not an isolated incident. We came to be known as the Butcher's Brigade, and we also were the birthplace of the Phoenix Program. The brigade commander and a battalion commander were charged with murdering civilians (shooting them from helicopters, recorded in some of my photos), although both skated. If you recall from his autobiography, Colin Powell served briefly with the 11th in Duc Pho before going to division HQ in Chu Lai.

"The atrocities against Iraqi civilians are slipping under the media radar screen, but they're going to explode in America's face not too long from now and dwarf the Abu Ghraib (sic) incident. That was a fraternity beer bust by comparison. The Ft. Sill episode [described in JoAnn Wypijewski's piece in our last issue] is another one of the same storm clouds on the horizon. I sincerely fear for our country."

We asked Swindell to expand these thoughts. Here's his powerful response.

In Iraq, our descent into hell, our "Apocalypse Now" moment, has begun. First there was Gitmo, then the global rendition program, then Abu Ghraib, then the pulverizing of Fal-lujah, and now trigger-happy raids that are filling multitudes of sandy graves with men, women and children. Has "Kill 'em all and let God sort 'em out" become the mission in Babylon? Can't anyone remember Vietnam, where we left behind more than a million dead civilians? In Iraq, we've way past the half-million mark, probably the million mark, if you count the 1990s sanctions. Are the American people as blind and deaf as they seem? Don't we see ourselves walking through the gates of hell and can't we hear the doors clanging shut on our country?

Who am I to say all this, you might ask. Fair enough, I reply. So let me tell you a story about monstrous crimes and

tragedies from my generation about to be repeated in Iraq in front of the whole world. First, understand that a single soldier can't be expected to grasp the total criminality of war because his whole universe is a tiny place right in front of his nose. So he can stay alive. If he knew everything that was going on, he would be heartbroken, and if he also knew why, he would go insane.

The narrowness of his vision is exactly how even the best and most humane soldier unwillingly becomes a monster, and the people who create war know this. Out of grief and rage, with the stench of his buddy's shredded flesh in his nostrils, the soldier stops asking questions and then begins making up his own rules with a rifle. He has touched the heart of darkness and there's no going back... ever. Embracing the whole called war destroys morality, and doing (Descent into Hell continued on page

have good lawyers, is the usual saga of FBI chicanery. It's become very clear from videotapes of the FBI's questioning that the men have very poor English. Their native tongue is Pashto. They understood little of what they were being asked and were mostly concerned with pleasing their interrogators. In the words of one courtroom reporter from the *San Francisco Chronicle*, "they gave many answers that had been previously suggested by the agents – who did most of the talking."

The son, in his five-hour videotaped confession, described a camp located on a mountaintop outside Balakot in the Northwest Frontier province, where he said 35 to 200 Pakistani men fired guns and exercised. The young man gave five different answers when asked who ran the camp. He mentioned "big people ... taller than me, (more) educated than me"; a Pakistani group named Harakat-ul-Ansar that was first brought up by an FBI agent; al Qaeda; "maybe my uncle"; and "maybe my grandfather".

The father, who said he visited the camp later, in 2004, out of curiosity, said it was outside Rawalpindi in Punjab province.

The father delighted the agents at one point by identifying three other young men in Lodi as possible terrorists. The son named two different men – his cous-

ins – as attending Pakistani camps.

According to the *Chronicle* reporter, "Other admissions didn't seem to make sense. He said he recognized that men had gone to the camp from around the world, and that some had come from his father-in-law's madrasa in Pakistan, even though they wore masks. 'I can recognize from the eyes, you know,' he said."

In contrast to his son's location of the camp on top of a mountain, the father said the one he visited was underground.

At this camp, said Hayat Sr, more than 1,000 men from around the world – including white Americans – fired high-powered rifles, swung curved swords, and learned to pole vault across bodies of water. "They got those stick, the long stick," Hayat said on the videotape. "You know ... when you want to jump something, they was trying to stick like here and jump maybe 16 feet over there."

"They used it like a vaulting pole," FBI Agent Timothy Harrison put in.

"Yes sir," Hayat said.

"There must have been very tall ceilings," Harrison said. "This is a very deep basement?"

"Very deep basement, yes," Hayat said. "Very, very deep basement, yes."

The reason that FBI had pulled in the Hayats was that the Bureau had established a tight professional relationship in Oregon with a sharp fellow of 32 called Naseem Khan. In Lodi he was a fast food worker, then traveled north a few hundred miles on the invitation of an Oregon woman who was impressed by him. He cooked for her family on weekends, and had a job in a fast food joint in Bend, central Oregon.

To his Oregon residence, in 2001, not long after the attacks of September 11, came FBI agents investigating a different case in which there was a suspect with the same name as Khan. The agents established to their satisfaction that this Khan wasn't the man they wanted. Fortune favors those who seize opportunity. Khan pointed to an image of Osama bin Laden's number 2, Ayman al-Zawahiri, that had come up on a newsclip on his TV and said he'd seen him in Lodi in 1999.

The FBI pounced on this disclosure, and soon Khan was on the Bureau's payroll at \$50,000 a year as an undercover informer, charged with returning to Lodi and probing the terror ring. To date the Bureau has paid him \$250,000.

In fact, it was a piece of great good

luck that the defense lawyers were able to get Khan's claims to the Bureau into the court record. It came about because he was a crucial witness against the Hayats. In testimony he mentioned his claim of al-Zawahiri's presence in Lodi, and the prosecution then had to give the defense a redacted version of their file.

According to Khan, the quiet town of Lodi was a rendezvous for several of the most wanted men on the planet. He'd seen Ayman al-Zawahiri in Lodi in 1999. "Every time I would go to the mosque [al-Zawahiri] would be coming or going," Khan claimed. The vigilant Khan had also noted the regular presence at the mosque of Abdelkarim Hussein Mohamed al-Nasser, a suspect in the 1996 bombing of the Khobar Towers military housing complex in Saudi Arabia. And, to top it off, he said he had seen Ahmed Mohammed Hamed Ali, a suspect in the 1998 bombings of U.S. embassies in Tanzania and Kenya, in nearby Stockton in 1999.

According to the *Chronicle*, public disclosure of Khan's "observations" created quite a stir in Lodi. "The whole community is dumbfounded as to what's going on with this," said Nasim Khan, who was the Lodi mosque's leader from 1998 to 2000 and is no relation to the government's informant. "Everything that is coming out, there's no basis into it."

The locals told reporters that all three of the terror suspects, from Arab countries, would have stood out in the tight-knit Muslim community, which includes many Pakistanis and South Asians. The most prominent of the three, al-Zawahiri, is an Egyptian. "A majority of the congregation at the mosque is Pakistani," said Shoaib, the mosque leader. "There's only a half-dozen or so of Arab descent. If he came in on a regular basis, people would remember him. It's a ridiculous claim." One of the Pak-India spice store's cashiers summed up the feeling that many have about Naseem Khan. "If the FBI gave me half the money they gave him, I'd tell them all kinds of crazy stories, too," said Mumtaz Khan, 58.

For the prosecution, the problem regarding Khan's overall credibility that the three terrorists identified by Khan as having been in Lodi on specific dates, were – according to U.S. government officials – not in the U.S.A. at those
(Lodi continued on page 6)

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