

America's War on Islam

The "Fort Dix Five"

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With world eyes on Gaza, the horrific carnage on the ground, innocent civilians being slaughtered, Israel's grievous crimes of war and against humanity, and its slow-motion genocide gaining speed, it's easy to forget America's war at home on Islam and its growing number of victims. This article highlights five recent ones – innocent young Muslim men called the "Fort Dix Five."

On December 22, The New York Times headlined: "5 Are Convicted of Conspiring to Attack Fort Dix" in reporting that a federal jury "convicted five men of conspiring to kill American soldiers at (the base) last year, but acquitted them of attempted murder."

After an eight-week trial, jurors deliberated for six days before returning a verdict. "The men, all Muslim immigrants (from) South Jersey or Philadelphia, face a maximum term of life in prison."

Sentencing is scheduled for April 22 for three defendants and April 23 for the others. Even The New York Times admitted that the "five defendants seemed (more like) South Jersey than seething jihadists" – based on their backgrounds, employment, normal activities, and trial evidence showing nothing out of the ordinary.

It's the latest example of post-9/11 witch-hunt justice against innocent Muslim victims – targeted for their faith, ethnicity, activism, prominence, benevolent charity, or whatever other motives the administration concocts for political advantage. As a result, growing numbers fill federal prisons for being Muslim at the wrong time in America. The "war on terror" is a jihad against them. Muslims everywhere are at risk. So are we all, and that won't change under Obama.

Charges Against the "Fort Dix Five"

On May 7, 2007, the FBI arrested the five on charges of plotting to kill US soldiers at Fort Dix, New Jersey. A June 5 DOJ press release stated:

"The five defendants are charged with conspiracy and other charges related to their plans to kill as many soldiers at the Army base as possible. A sixth man was indicted for aiding and abetting the illegal possession of firearms by three members of the group." The original Complaint was unsealed on May 8.

"One count against two of the defendants charges them with unlawful possession of machine guns – the AK-47s and M-16s they purchased and took possession of just before they were arrested by Special Agents of the FBI."

Prosecutors called the men “radical Islamists,” and according to US Attorney Christopher J. Christie, “We intend to continue a vigorous prosecution of these defendants. Anyone who would plan such an attack should expect no less.”

The six and charges against them are as follows:

Mohamad Ibrahim Shnewer (an ethnic Jordanian) on “conspiracy to murder members of the uniformed services (maximum statutory penalty of up to life in federal prison);”

Dritan Duka (an ethnic Albanian like his two brothers below) on “conspiracy to murder members of the uniformed services; unlawful possession of machine guns (maximum statutory penalty of 10 years in prison), two counts of being an illegal alien in possession of firearms (maximum statutory penalty of 10 years in prison);”

— Shain Duka on “conspiracy to murder members of the uniformed services; unlawful possession of machine guns, two counts of being an illegal alien in possession of firearms;”

Eljvir Duka on “conspiracy to murder members of the uniformed services, one count of being an illegal alien in possession of firearms;”

Serdar Tatar (an ethnic Turk) on “conspiracy to murder members of the uniformed services;” and

Agron Abdullahu (an ethnic Kosovar) on “aiding and abetting the Duka brothers’ illegal possession of weapons (maximum statutory penalty of 10 years in prison).” Abdullahu confessed and was sentenced to 20 months in prison for supplying the guns and ammunition in question. He’d already served 11 months and was released in October, according to his lawyer, Richard Coughlin.

The weapons transaction was “at a residence in Cherry Hill,” New Jersey. “After the purchase from a cooperating witness,” arrests were made.

In October 2007, Abdullahu pled guilty to weapons possession. A superceding January 15, 2008 indictment charged the other five men with the attempted murder of military personnel and weapons possession. According to US Attorney Christie at the time, “there is abundant evidence that the defendants fully subscribed to al Qaeda’s jihadist ideology (and) were ready for martyrdom. We had a group that was forming a platoon to take on an army. They identified their target, they did their reconnaissance. They had maps. And they were in the process of buying weapons. This is a new brand of (homegrown) terrorism where a small cell of people can bring enormous devastation....They wanted to be jihadists.”

The DOJ, Dominant Media, and Islamophobes Respond to the Convictions

A December 22 DOJ press release stated: “Five Radical Islamists (were) Convicted of Conspiring to Kill Soldiers at Fort Dix....announced Patrick Rowan, Assistant Attorney General for National Security, and Acting US Attorney Ralph J. Marra, Jr....These men planned, trained and ceaselessly talked unambiguously about their intention to ambush and kill US soldiers.” Other “would-be terrorists of the homegrown variety (be alerted that we’ll spend millions of taxpayer dollars to) find you, infiltrate your group, prosecute you and send you to federal prison for a very long time” – whether or not you’re guilty.

The Washington Post highlighted the conviction of “five foreign-born Muslim men conspiring

to kill US soldiers at Fort Dix and other military installations (never mentioned in the indictment) as part of what prosecutors charged was a plot to launch an Islamic “holy war” against the United States. Writer William Branigin emphasized their “plot” to use “automatic weapons (and) rocket-propelled grenades (also not mentioned) to kill as many US soldiers as possible.

Other comments included saying the “plot” began in January 2006, Osama bin Laden’s “terrorist network” inspired it, the “cell” viewed “terrorist training videos glorifying the Sept. 11, 2001 attacks and depicting the beheading of American military personnel...” When arrested in May 2007, “they were in the final stages of preparations....in addition to targeting Fort Dix, the cell discussed attacking other military installations, including Fort Monmouth, Lakehurst Naval Air Station, McGuire Air Force Base in New Jersey, the US Coast Guard building in Philadelphia, and Dover Air Force Base in Delaware. Another potential target was the annual Army-Navy football game in Philadelphia....”

Branigin never questioned the legitimacy of clearly bogus charges on their face – that five young men with hand weapons (automatic or otherwise) would declare war on the US Army at any or perhaps all of the above locations. Instead he accepted the official explanation and reported it like in a straight press handout.

David Horowitz is a right wing ideologue, an opponent of the progressive left, and a prominent anti-Muslim hater “spread(ing) fear, bigotry and misinformation,” about Islam according to the media watchdog group Fairness and Accuracy in Reporting (FAIR). It calls him “the Islamophobia movement’s premier promoter....(as editor) via his website, FrontPage Magazine” and activities like his October 22 – 26, 2007 “Islamofascism Awareness Week” that held “protests, teach-ins and sit-ins on more than 100 college campuses (to highlight) the threat posed by the Islamic crusade against the West.”

On December 23, Front Page writer and Jihad Watch director Robert Spencer wrote about the Fort Dix Five, referred to the men as “jihad plotters,” and said “They wanted to burst into Fort Dix and murder as many American soldiers as they could....” He commented on how Muslim community leaders “hurl(ed) reckless charges of entrapment (and should instead take) hard steps necessary to clean their own house.”

“While Muslim and non-Muslim spokesmen have spilled oceans of ink since 9/11 asserting that Islam condemns ‘terrorism’ and the killing of ‘innocents,’ without defining what is meant by either term, no one has ever produced any examples of authoritative and orthodox Islamic religious scholars rejecting, on Islamic grounds, jihad violence against non-Muslims.” It’s about time they “institute(d) comprehensive and inspectable programs teaching against the jihad ideology and Islamic supremacism.”

On December 23, Spencer’s Jihad Watch (with no byline) mocked the kangaroo justice victims in its headline: “Muslims on Fort Dix jihadists – They wuz framed....It was all a joke....Oh Shnewer (one of the five about his explanation), you kidder! It then added various demeaning comments to clearly show disrespect for Islam.

Pat Robertson preaches hate and intolerance and his CBNnews.com leaves no doubt where it stands in a December 22 article by its “Terrorism Analyst,” Erick Stakelbeck – titled “Fort Dix Jihadis Convicted.” He called the convictions “A nice ‘stockade stuffer’ for the US government, just in time for the holidays,” then added Islamophobic comments like this:

“....it doesn’t take a brain surgeon to walk into a shopping mall, yell ‘Allahu Akhbar,’ and start firing a rifle at shoppers. Granted, it obviously helps to have a larger force behind you (for funding, guidance and training) if you are scheming to carry out an attack like the one planned on Fort Dix. But deadly intent, a gun and some explosives can get a motivated, committed jihadist a long way as well.” Obviously for Stakelbeck, they’re guilty, case closed.

The Anti-Defamation League (ADL) was founded “to stop the defamation of the Jewish people and to secure justice and fair treatment to all. (It) fights anti-Semitism and all forms of bigotry, defends democratic ideals and protects civil rights for all” – or so it says. How does it act under its national director, Abraham Foxman.

Using anti-Semitism and a high moral agenda for cover, Waxman backs racial discrimination and nationalism. While preaching universal equality, he’s for Jewish supremacy, the right of Israeli Jews to dominate Arabs, and to maintain a separate and unequal society.

On December 23, ADL “applauded the verdict convicting five would-be terrorists who conspired to kill American soldiers at New Jersey’s Fort Dix last summer.” ADL’s national chair, Glen Lewy and Foxman issued this statement:

“The successful prosecution of the five terrorists for conspiring to kill American soldiers....is a testament to the dedication and hard work of teams of FBI investigators and Justice Department prosecutors who devoted enormous time, energy and passion to making our nation safer....In this case, justice has been served and our national security protected.”

Imagine their comments if five Israeli Jews had been convicted on the same charges instead of Muslims.

No Plot, No Crime, So the FBI Invents Guilt with An Entrapment Sting Operation – Its Usual Modus Operandi to Ensnare the Innocent

At a Cherry Hill, NJ Circuit City store in January 2006, Mohamad Shnewer innocently wanted a home video transferred to DVD. It showed men shooting weapons at a Pocono Mountains firing range, playing paintball (an innocent game in which opposing teams try to eliminate opponents by marking them with water-soluble dye shot in capsules from air guns), and repeating Arabic phrases like Allah Akbar (meaning God is Greatest). The store clerk called the police. They notified the FBI. They began investigating and recruited two dubious informants to help.

Each knew nothing about the other. One was Besnik Bakalli, an ethnic Albanian, who falsely told defendants he was a Kosovo Liberation Army (KLA) veteran – the US/Germany supported terrorist group recruited to destabilize Kosovo/Serbia in the 1990s. At trial, however, he testified that he fought for no group and knew nothing about Islam or extremists calling for jihad.

Mahmoud Omar was the other informant, an Egyptian-born used car salesman/mechanic on probation for bank fraud. He and Bakalli entered the US illegally and faced likely deportation or worse. They were easily recruited, so cooperated, and were well compensated for their efforts – thousands of dollars a month, and according to defense lawyers, Omar (from when recruited in March 2006) will have earned \$238,000 for his efforts. NewJersey.com believes more – over \$240,000 plus rent and other expenses, and, of course, leniency in handling their charges. Bakalli was used for a shorter period and reportedly was paid about \$150,000.

The FBI also relocated his parents to America as an added incentive to cooperate.

Its sting was to have both men befriend the defendants, wear a wire, egg them on with tough talk about their commitment to Islam, elicit negative views about the US military and war in Iraq and Afghanistan, incite a need for holy war in response, and suggest how to get weapons to “do something.”

Hundreds of conversations were recorded and selectively played back at the eight week trial. In addition, Shnewer’s house and car were bugged and rigged with hidden cameras for additional videotape accounts.

One conversation with defendant Tatar has Omar saying: “I want this country to pay the price for something they did to me” and then asked Tatar for help to get information about Fort Dix. He had no idea what he meant, yet Omar persisted and wanted Tatar to get him a map of Fort Dix. At one point, Tatar called the Philadelphia police about being pressured and voiced concern about something terror related.

Omar also organized so-called Fort Dix “reconnaissance missions” around the base’s perimeter. In addition, he got two of the Duka brothers to buy firearms but not to commit terrorism or attack the Army base. At that point, they were arrested in Omar’s apartment while buying inoperable rifles the FBI supplied for the sting.

What’s clear from trial evidence is that no plot existed, no conspiracy, no intended crime, explicit rejections of violence, and without informant provocation no planned weapons purchase for any purpose. All five are innocent, unfairly targeted, entrapped, prosecuted, convicted, and the latest administration “war on terror” trophies from its scheme to incite fear.

The only trial evidence was their freely expressed hostile views about America’s wars against Iraq and Afghanistan, sympathies for Islamic causes, and anger over how immigrants are treated in the US. None of this is illegal or incriminating, yet the defendants were convicted and face long incarcerations after sentencing, possibly for life.

Attorney Sam Schmidt represented one of the defendants accused in the 1998 US African embassy bombings. He explained how “The government (goes to extraordinary means) to find people (with) an antipathy to US policies (in the Middle East) and see which ones can get motivated, or angry enough (to be entrapped by the entreaties of an informant). Many of these cases appear to be the informant who is either working off a case to avoid going to jail or be deported or is seeking remuneration....”

They’re used to entrap defendants, get them angry, and create the impression that they’re willing to commit terrorism. To prove conspiracy, the government need only show that defendants appeared willing to commit a crime and did one thing (usually quite innocent) to use against them and convince a jury. No crime need be committed nor any detailed plans for one. In the Fort Dix case, prosecutors didn’t have to prove a planned attack – only that defendants appeared willing or approved of US soldiers being attacked somewhere at some time.

With informants taping hundreds of conversations and training them to egg on targets, prosecutors can selectively use comments to make their case and intimidate juries to convict. In closing arguments, Shnewer’s lawyer, Rocco Cipparone, said: “Omar led and led

and pushed and pushed Mohamad as far as he could. But at the end of the day, all Mohamad did was talk and talk and talk. His actions – and inactions – speak more volumes than his words.”

Transcripts also revealed that conversations included a mixture of English, Arabic, and Albanian, were filled with miscommunications, bravado, ambiguity and at times nonsense. At some points, the defendants seemed too scared to do anything. Clearly their intentions were non-violent.

For example, when they were supposedly shopping for weapons, one defendant worried that if someone is caught with a machine gun, he’ll “be in deep s..t.” And if anyone gets killed, “As Muslims, if we get caught, we all get sent away to f...ing Guantanamo Bay for 10 years with no court date....they can come to you in the f...ing morning when you are sleeping. And they don’t f...ing play.”

Despite their convictions, the government’s indictment was vague on any intention to commit terrorism or that defendants’ comments meant they planned it. The informants did the pushing while they just talked and nothing else. However, under US conspiracy law, if prosecutors can convince juries that defendants words implied actions they can get convictions.

According to former federal prosecutor and now executive director of the Center on the Administration of Criminal Law at New York University School of Law, Anthony Barkow: “A person is entrapped when he has no previous intention to violate the law and is persuaded to commit the crime by government agents. But if he’s already willing to commit the crime (not applicable to the defendants), it’s not entrapment if government agents convince him to do it.”

Roger Williams University law professor Peter Margulies explains further that: “A virtue of American conspiracy law is it allows you to show conspiracy with relatively thin evidence. In Britain recently, they couldn’t convict people in an airport bombing plot because they had to show that action was imminent. American law is more expansive than most other democracies in that respect.”

Supreme Court Justice Robert Jackson was the chief US prosecutor at the Nuremberg Nazi war criminal trials. In a subsequent 1949 case, he expressed concern that US conspiracy law “constitutes a serious threat to fairness in our administration of justice.” It lets prosecutors “target the people it doesn’t like,” according to Margulies, do it as deviously as they wish, and unjustly convict the innocent.

That’s Jim Sues’ view, executive director of the New Jersey Chapter of Council on American-Islamic Relations, on the Fort Dix Five case. “Many people in the Muslim community see this as (another) case of entrapment. The evidence showed no real honest-to-God planning for an attack on Fort Dix (or anywhere else). The defendants were never (even) all in a room at one time with a map of the (base), plotting what they were going to do.” They had no violent plans whatever. Nor did other unjustly convicted Muslim victims – persecuted to incite fear and justify America’s foreign aggression against Iraq, Afghanistan and all Islam.

Since 9/11, around 150 defendants were convicted through 2007 and many more this year. It shouldn’t surprise that perhaps all were innocent, unfairly targeted, unjustly convicted and sentenced to long punitive incarcerations in federal prisons. In some cases, (for the so-called

“worst of the worst”) to harsh confinement in Supermax ones that crush the human spirit, mind and body through isolation, cruelty, and physical abuse for years or even life.

It's the wrong time to be Muslim in America. Expect little change under the new administration. Foreign wars will continue. So will the “war on terror.” Innocent Muslims will be targeted. Others as well, so today we're all as vulnerable as the “Fort Dix Five.”

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