

Verdict on Dr. Aafia Left Many Questions for Those Who Believe in Open Courts

The guilty verdict in the case of Dr. Aafia Siddiqui has set a dangerous precedent for justice in the United States. Dr. Aafia was convicted on all counts, including two counts of attempted murder, for allegedly shooting at two American officers who were interrogating her at a base in Afghanistan. But the only one shot was Dr. Aafia, who was severely wounded in the abdomen, and there was absolutely no physical evidence, no fingerprints on the gun or powder burns on her hands, that Dr. Aafia had done any shooting. Also, it would be highly unusual for anyone to bring weapons into an interrogation room, to prevent precisely what prosecutors claim happened. Finally, the only witnesses against Dr. Aafia were military and FBI officials; it seems clear that the “blue wall of silence,” familiar from police brutality cases in the U.S., in which one officer will always back up another, has extended to the U.S. military.

This is a sad day for justice, especially for Muslims, who had hopes that a federal court could bring justice to a woman who had been disappeared from Pakistan with her children for 5 years, had been taken to the U.S. base in Bagram, Afghanistan, reappeared in U.S. custody in that country, been seriously wounded there, brought to the U.S. without being given medical care until this was ordered by a U.S. judge, and who finally had to go the indignity of being strip-searched every time she left her cell. While thousands of people throughout Pakistan have demonstrated against the guilty verdict, the U.S. sensationalist press called Dr. Aafia “Terror Mom”!

Meanwhile, the trial of Dr. Aafia was not an open trial. On the first day, January 19, there was a rally outside the court and so many people wanted to attend the trial that several rooms were used for overflow, where spectators could watch on a TV screen. Beginning the next day, everyone who wanted to attend the trial had to give their names and id numbers and sign in on a sheet before being allowed into the courtroom, and later, this same procedure was instituted also in the overflow room. This was clearly an attempt at intimidation of her supporters.

Shahid Comrade early protested the taking of names and ids. He ran into noted civil liberties attorney Norman Siegel, who was in the federal court on other business. Together they went to see the chief marshal, who had instituted the order, at his office on the 4th floor of the building at 500 Pearl St. The chief marshal told Siegel that he would get back to him on this, but the order was never rescinded, and the trial judge, Berman, accepted this procedure.

Furthermore, on Tuesday, February 2, while Comrade Shahid was being interviewed on TV in the plaza outside the court building, his photo was taken by a uniformed marshal. Shortly after, the chief marshal himself came and took another picture of Comrade and went inside the building.

Finally, the next day, Wednesday, in the afternoon, Comrade went to the entrance of the courtroom, as he had done regularly during the trial, and in protest against the lack of an open trial he went to sit down on a bench down the hall. While he was reading a paper, a marshal came and asked for his id. Comrade asked why he had to do this, as he was not going into the courtroom, but he showed it to the marshal under protest, who wrote down the information. When Comrade went to pick up his cell phone to leave the building, the officers called upstairs to get the ok before returning his cell phone and letting him leave the building.

The trial and circumstances around it should be a wake-up call for all who believe in democratic and constitutional rights. We are proud that it has been Muslims and immigrants who have been in the forefront of those who see the need to defend the freedoms guaranteed in the U.S. Constitution. This means not only the right to trial before an open court, but also that the testimony of a civilian should be given as much consideration as that of uniformed personnel. And most importantly, all those who believe in civil and human rights must stand up against secret prisons, torture, renditions and for the sovereignty of foreign countries, which the case of Dr. Aafia represents. We hope that lawyers from such noted civil rights groups, such as the Civil Liberties Union, Center for Constitutional Rights, National Lawyers Guild, and International Justice Network, will protest the conditions under which Dr. Siddiqui’s trial was conducted.

We call on all who support justice to come out for Dr. Aafia’s sentencing on May 6!

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