

1993 WTC Bombing Prosecutor: Islamists Aren't Distorting Their Religion

In 1993, I was a seasoned federal prosecutor, but I only knew as much about Islam as the average American with a reasonably good education—which is to say, not much. Consequently, when I was assigned to lead the prosecution of a terrorist cell that had bombed the World Trade Center and was plotting an even more devastating strike—simultaneous attacks on the Lincoln and Holland Tunnels, the United Nations complex on the East River, and the FBI's lower Manhattan headquarters—I had no trouble believing what our government was saying: that we should read nothing into the fact that all the men in this terrorist cell were Muslims; that their actions were not representative of any religion or belief system; and that to the extent they were explaining their atrocities by citing Islamic scripture, they were twisting and perverting one of the world's great religions, a religion that encourages peace.

Unlike commentators and government press secretaries, I had to examine these claims. Prosecutors don't get to base their cases on assertions. They have to prove things to commonsense Americans who must be satisfied about not only what happened but why it happened before they will convict people of serious crimes. And in examining the claims, I found them false.

One of the first things I learned concerned the leader of the terror cell, Omar Abdel Rahman, infamously known as the Blind Sheikh. Our government was portraying him as a wanton killer who was lying about Islam by preaching that it summoned Muslims to jihad or holy war. Far from a lunatic, however, he turned out to be a globally renowned scholar—a doctor of Islamic jurisprudence who graduated from al-Azhar University in Cairo, the seat of Sunni Islamic learning for over a

millennium. His area of academic expertise was Sharia–Islamic law.

I immediately began to wonder why American officials from President Bill Clinton and Attorney General Janet Reno on down, officials who had no background in Muslim doctrine and culture, believed they knew more about Islam than the Blind Sheikh. Then something else dawned on me: the Blind Sheikh was not only blind; he was beset by several other medical handicaps. That seemed relevant. After all, terrorism is hard work. Here was a man incapable of doing anything that would be useful to a terrorist organization—he couldn't build a bomb, hijack a plane or carry out an assassination. Yet he was the unquestioned leader of the terror cell. Was this because there was more to his interpretation of Islamic doctrine than our government was conceding?

Defendants do not have to testify at criminal trials, but they have a right to testify if they choose to—so I had to prepare for the possibility. Raised an Irish Catholic in the Bronx, I was not foolish enough to believe I could win an argument over Muslim theology with a doctor of Islamic jurisprudence. But I did think that if what we were saying as a government was true—that he was perverting Islam—then there must be two or three places where I could nail him by saying, “You told your followers X, but the doctrine clearly says Y.” So my colleagues and I pored over the Blind Sheikh's many writings. And what we found was alarming: Whenever he quoted the Quran or other sources of Islamic scripture, he quoted them accurately.

Now, you might be able to argue that he took scripture out of context or gave an incomplete account of it. In my subsequent years of studying Islam, I've learned that this is not a particularly persuasive argument. But even if one concedes for the purposes of discussion that it's a colorable claim, the inconvenient fact remains: Abdel Rahman was not lying about Islam.

When he said the scriptures command that Muslims strike terror into the hearts of Islam's enemies, the scriptures backed him up.

When he said Allah enjoined all Muslims to wage jihad until Islamic law was established throughout the world, the scriptures backed him up.

When he said Islam directed Muslims not to take Jews and Christians as their friends, the scriptures backed him up.

You could counter that there are other ways of construing the scriptures. You could contend that these exhortations to violence and hatred should be "contextualized"—i.e., that they were only meant for their time and place in the seventh century. Again, I would caution that there are compelling arguments against this manner of interpreting Islamic scripture. The point, however, is that what you'd be arguing is an interpretation.

The fact that there are multiple ways of construing Islam hardly makes the Blind Sheikh's literal construction wrong. The blunt fact of the matter is that, in this contest of competing interpretations, it is the jihadis who seem to be making sense because they have the words of scripture on their side—it is the others who seem to be dancing on the head of a pin. For our present purposes, however, the fact is that the Blind Sheikh's summons to jihad was rooted in a coherent interpretation of Islamic doctrine. He was not perverting Islam—he was, if anything, shining a light on the need to reform it.

Another point, obvious but inconvenient, is that Islam is not a religion of peace. There are ways of interpreting Islam that could make it something other than a call to war. But even these benign constructions do not make it a call to peace. Verses such as "Fight those who believe not in Allah," and "Fight and slay the pagans wherever ye find them, and seize

them, beleaguer them, and lie in wait for them in every stratagem of war," are not peaceful injunctions, no matter how one contextualizes.

Another disturbing aspect of the trial against the Blind Sheikh and his fellow jihadis was the character witnesses who testified for the defense. Most of these people were moderate, peaceful Muslim Americans who would no more commit terrorist acts than the rest of us. But when questions about Islamic doctrine would come up—"What does jihad mean?" "What is Sharia?" "How might Sharia apply to a certain situation?"—these moderate, peaceful Muslims explained that they were not competent to say. In other words, for the answers, you'd have to turn to Islamic scholars like the Blind Sheikh.

Now, understand: There was no doubt what the Blind Sheikh was on trial for. And there was no doubt that he was a terrorist—after all, he bragged about it. But that did not disqualify him, in the minds of these moderate, peaceful Muslims, from rendering authoritative opinions on the meaning of the core tenets of their religion. No one was saying that they would follow the Blind Sheikh into terrorism—but no one was discrediting his status either.

Although this came as a revelation to me, it should not have. After all, it is not as if Western civilization had no experience dealing with Islamic supremacism—what today we call "Islamist" ideology, the belief that sharia must govern society. Winston Churchill, for one, had encountered it as a young man serving in the British army, both in the border region between modern-day Afghanistan and Pakistan and in the Sudan—places that are still cauldrons of Islamist terror. Ever the perceptive observer, Churchill wrote:

How dreadful are the curses which Mohammedanism lays on its votaries! Besides the fanatical frenzy, which is as dangerous in a man as hydrophobia in a dog, there is this

fearful fatalistic apathy. ... Improvident habits, slovenly systems of agriculture, sluggish methods of commerce and insecurity of property exist wherever the followers of the Prophet rule or live. A degraded sensualism deprives this life of its grace and refinement; the next of its dignity and sanctity. The fact that in Mohammedan law every woman must belong to some man as his absolute property—either as a child, a wife or a concubine—must delay the final extinction of slavery until the faith of Islam has ceased to be a great power among men.

Habitually, I distinguish between Islam and Muslims. It is objectively important to do so, but I also have a personal reason: When I began working on national security cases, the Muslims I first encountered were not terrorists. To the contrary, they were pro-American patriots who helped us infiltrate terror cells, disrupt mass-murder plots and gather the evidence needed to convict jihadis. We have an obligation to our national security to understand our enemies; but we also have an obligation to our principles not to convict by association—not to confound our Islamist enemies with our Muslim allies and fellow citizens. Churchill appreciated this distinction. “Individual Moslems,” he stressed, “may show splendid qualities. Thousands become the brave and loyal soldiers of the Queen.” The problem was not the people, he concluded. It was the doctrine.

What about Islamic law? On this topic, it is useful to turn to Robert Jackson, a giant figure in American law and politics—FDR’s attorney general, justice of the Supreme Court, and chief prosecutor of the war crimes trials at Nuremberg. In 1955, Justice Jackson penned the foreword to a book called *Law in the Middle East*. Unlike today’s government officials, Justice Jackson thought Sharia was a subject worthy of close study. And here is what he concluded:

In any broad sense, Islamic law offers the American lawyer a study in dramatic contrasts. Even casual acquaintance and

superficial knowledge—all that most of us at bench or bar will be able to acquire—reveal that its striking features relative to our law are not likenesses but inconsistencies, not similarities but contrarities. In its source, its scope and its sanctions, the law of the Middle East is the antithesis of Western law.

Contrast this with the constitution that the U.S. government helped write for post-Taliban Afghanistan, which showed no awareness of the opposition of Islamic and Western law. That constitution contains soaring tropes about human rights, yet it makes Islam the state religion and Sharia a principal source of law—and under it, Muslim converts to Christianity have been subjected to capital trials for apostasy.

Sharia rejects freedom of speech as much as freedom of religion. It rejects the idea of equal rights between men and women as much as between Muslim and non-Muslim. It brooks no separation between spiritual life and civil society. It is a comprehensive framework for human life, dictating matters of government, economy and combat, along with personal behavior such as contact between the sexes and personal hygiene. Sharia aims to rule both believers and nonbelievers, and it affirmatively sanctions jihad in order to do so.

Even if this is not the only construction of Islam, it is absurd to claim—as President Obama did during his recent visit to a mosque in Baltimore—that it is not a mainstream interpretation. In fact, it is *the* mainstream interpretation in many parts of the world. Last year, Americans were horrified by the beheadings of three Western journalists by ISIS. American and European politicians could not get to microphones fast enough to insist that these decapitations had nothing to do with Islam. Yet within the same time frame, the government of Saudi Arabia beheaded eight people for various violations of Sharia—the law that governs Saudi Arabia.

Three weeks before Christmas, a jihadi couple—an American

citizen, the son of Pakistani immigrants, and his Pakistani wife who had been welcomed into our country on a fiancée visa—carried out a jihadi attack in San Bernardino, California, killing 14 people. Our government, as with the case in Fort Hood—where a jihadi who had infiltrated the Army killed 13 innocents, mostly fellow soldiers—resisted calling the atrocity a “terrorist attack.” Why? Our investigators are good at what they do, and our top officials may be ideological, but they are not stupid. Why is it that they can’t say two plus two equals four when Islam is involved?

The reason is simple: Stubbornly unwilling to deal with the reality of Islam, our leaders have constructed an Islam of their very own. This triumph of willful blindness and political correctness over common sense was best illustrated by former British Home Secretary Jacqui Smith when she described terrorism as “anti-Islamic activity.” In other words, the savagery is not merely unrelated to Islam; it becomes, by dint of its being inconsistent with a “religion of peace,” *contrary to* Islam. This explains our government’s handwringing over “radicalization”: we are supposed to wonder why young Muslims spontaneously become violent radicals—as if there is no belief system involved.

This is political correctness on steroids, and it has dangerous policy implications. Consider the inability of government officials to call a mass-murder attack by Muslims a terrorist attack unless and until the police uncover evidence proving that the mass murderers have some tie to a designated terrorist group, such as ISIS or al-Qaida. It is rare for such evidence to be uncovered early in an investigation—and as a matter of fact, such evidence often does not exist. Terrorist recruits already share the same ideology as these groups: the goal of imposing sharia. All they need in order to execute terrorist attacks is paramilitary training, which is readily available in more places than just Syria.

The dangerous flipside to our government’s insistence on

making up its own version of Islam is that anyone who is publicly associated with Islam must be deemed peaceful. This is how we fall into the trap of allowing the Muslim Brotherhood, the world's most influential Islamic supremacist organization, to infiltrate policy-making organs of the U.S. government, not to mention our schools, our prisons, and other institutions. The federal government, particularly under the Obama administration, acknowledges the Brotherhood as an Islamic organization—withstanding the ham-handed attempt by the intelligence community a few years back to rebrand it as “largely secular”—thereby giving it a clean bill of health. This despite the fact that Hamas is the Brotherhood's Palestinian branch, that the Brotherhood has a long history of terrorist violence, and that major Brotherhood figures have gone on to play leading roles in terrorist organizations such as al-Qaida.

To quote Churchill again: “Facts are better than dreams.” In the real world, we must deal with the facts of Islamic supremacism, because its jihadi legions have every intention of dealing with us. But we can only defeat them if we resolve to see them for what they are.

The preceding was adapted from a speech delivered on Feb. 24, 2016, at Hillsdale College's Allan P. Kirby, Jr. Center for Constitutional Studies and Citizenship in Washington, D.C., as part of the AWC Family Foundation Lecture Series. It is used with permission.

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