Will there be Justice for 9/11 families?



by Jerry Gordon

On that brilliant late summer day, 22 years ago, September 11, 2001, my son and I witnessed the Al Qaeda attack on the former site of World Trade Center (WTC) in lower Manhattan. I had been attending a Board Meeting of the American Jewish Committee New York Chapter at the group's headquarters in midtown, when an aide burst in saying that a plane had hit one of the towers of the World Trade Center (WTC). I was concerned about a fellow board member, whose law firm was the located on the 84th Floor of North Tower of the WTC. I would later learn from a cousin in Israel that they heard an interview with him

and that both he and his staff were alive.

I immediately called my son at his law firm just six blocks away. He invited me to his office complex on the 38th floor as it had a southern vantage point to view the unfolding events at the WTC On the way down to my son law offices, I passed a store with a large video beam projector showing smoke rising from the towers of the WTC where two hijacked airliners had been deliberately crashed. A man sidled up to me as we watched the devastation. He asked me what was going on, I said "the WTC had been attacked by Muslim terrorists." He said he was Egyptian, and that "no Muslim would do that."

When I arrived at my son's law offices a large group of his partners and visiting attorneys from across the US were aghast at the curling smoke rising from both towers of the WTC. We speculated about how many tens of thousands might be killed as the attack had taken place just as the business day had started. The WTC had a complex of subway and Path Tube trains underneath it. That day is forever etched in our collective memory as a living nightmare. The experience was deep, somber, and sobering.

We witnessed more than 2,977 deaths and more than 6,000 injured in a planned terrorist action perpetrated by 19 Saudi, Egyptian and Yemeni Al Qaeda operatives. They hijacked commercial American Airlines Flight 11 and United 175 in Boston, United Flight 93 in Newark, and American Airlines Flight 77 in Washington. They overcame crews and passengers aboard turning the aircraft into air fuel bombs attacking the World Trade Center in Manhattan, the Pentagon in Arlington, Virginia and crashing Flight 93 into a field in Shanksville, Pennsylvania, 80 miles southeast of Pittsburgh. The so-called "musclemen" who seized the controls received training in Iran from Imad Mughniyeh, the Military Chief of Hezbollah Islamic Jihad. He was terrorist mastermind who, among his murderous exploits was the truck bombing of US Marine and French

paratrooper barracks in Beirut in 1983 killing over 350 soldiers. He was taken out in a bombing of his SUV by Israel's Mossad and the CIA in Damascus in February 2008 after attending the anniversary of the Iran Revolution in Damascus, Syria.

The 40 passengers and crew aboard Flight 93 knew what had happened in New York and Washington and conspired to attack the Al Qaeda terrorists at the controls. The passengers aboard Flight 93 engaged in what David Beamer, father of one of the heroes Todd Beamer, deemed "the first counterterrorism action "that mournful day. Todd Beamer led the charge to seize back control of Flight 93 with the cry: "let's roll."

There was a discussion among the group of lawyers in my son's offices about what caused this planned terrorist attack. One firm partner said it was the failure to achieve peace between the Palestinians and Israelis at the Camp David meetings in July 2000 between then Palestinian leader Yasser Arafat and former Israeli Prime Minister Ehud Barak under the aegis of Former President Clinton. Arafat had made up his mind to perpetrate a Second Intifada after Israel had abandoned the security zone in Southern Lebanon to Iran Proxy Hezbollah in a veritable rout. The trigger for that was a Temple Mount visit by Barak's successor the late Israeli PM Ariel Sharon on September 30th, 2000.

The <u>profile</u> of human losses that day at the World Trade Center (WTC) was devastating:

- 343 of NYFD and EMS personnel.
- 23 NYPD and 37 Port Authority police officers
- 128 WTC companies lost personnel, 1,402 in Tower One and
 614 in Tower Two
- One Company alone, Cantor Fitzgerald on the 107th Floor of Tower One lost more than 658 personnel
- •Less than 291 intact bodies, 21,916 Remains were

recovered, 1,716 families received no remains.

- -1,609 people lost their spouse or partner.
- 309 children lost a parent.
- •2,343 U.S. troops were killed in Afghanistan in Operation Enduring Freedom fighting Al Qaeda and the Taliban

9/11 Antisemitic Conspiracy "truthers" persist.

One of the disturbing aspects of the Al Qaeda attack that destroyed the lives of 2,753 and destruction of the WTC was the blatant Antisemitic conspiracy theories that behind the tragedy were, the "Jews". An ADL report in 2021 noted the plethora of conspiracies since the 9/11 attacks on the ill-fated WTC:

Conspiratorial "truther" subcultures, fueled by the internet and social media, wildly speculate about "false flags," embark on amateur efforts to uncover "who benefits" and make allegations about national or international plots and coverups. Grifters, attention seekers and trolls present themselves as "experts," and dramatically oversimplify complex phenomena for a global network of followers.

Unfortunately, the antisemitism that ADL has documented for the past twenty years regarding 9/11 conspiracy theories can also be found in many of these other "truther" communities. Antisemites attribute mass shootings in the including <u>Sandy Hook</u> and <u>El Paso</u>, as well as the <u>Charlie Hebdo</u> attack in France, to the machinations of Jews or Zionists. Some conspiracy theorists draw direct lines between alleged Jewish responsibility for the 9/11 attacks and the 2008 financial crisis. There has been an outpouring of antisemitic conspiracy theories regarding the involvement of Jews and Israel in the Covid-19 pandemic and in the development of vaccines. Jews and Zionists have also been blamed for

the <u>January 6 insurrection</u> at the Capitol.

We know that conspiracy theories can motivate real-world behavior, including acts of extremism and violence. Pittsburgh synagogue shooter Robert Bowers was inspired to attack the Tree of Life synagogue because he believed in conspiracy theories regarding the involvement of Jewish people in mass immigration, and likewise, many participants in the disturbance at the U.S. Capitol on January 6th were fueled by conspiracy theories.

Here are some of the 9/11 Jewish or Israel conspiracies cited by the ADL that still appear in so-called "truther" social media platforms:

- The Mossad was behind the attacks. Variations of this theory have circulated since 2001 and assert that the Mossad, the Israeli intelligence agency, was behind the 9/11 attacks. The most common "proof" cited is the false claim that five Israeli Mossad agents were arrested on 9/11 by police who observed them filming and celebrating the attack. This narrative of the "dancing Israelis" is a recurring element of many conspiracy theories.
- Jewish neoconservatives were behind the attacks. Proponents of this theory claim that the leaders of the influential neoconservative political ideology in the United States, many of whom were Jewish, plotted with members of the Bush Administration and enlisted the help of the Mossad to implement the attacks in order to benefit Israel. This theory alleges that supporters of Israel hatched the plan well before 9/11, with the goal of invading Iraq and other Middle Eastern countries to allow the U.S. and Israel to seize control of resources and power in that area.
- The Jewish-controlled media and government manipulated narratives about the attacks and worked to prevent the truth from emerging. Conspiracy theorists claim that the "truth" about Israeli and Jewish involvement in the 9/11

- attacks has been suppressed because Jews control the media and government, including the 9/11 Commission tasked with investigating and reporting on the attack. They further claim that "powerful" Jews intentionally manipulated the narrative of the events to place blame on Muslim individuals and nations and to deceive the American public.
- Jews or Israelis had foreknowledge of the attacks and chose not to inform the U.S. government. One of the most common antisemitic myths about 9/11 states that 4,000 Jews who worked in the World Trade Center were informed by Israeli intelligence agencies to stay home from work on that tragic day.
- Zionists exploited the 9/11 attacks to expand surveillance of American citizens. Conspiracy theorists who promote this claim allege that Zionists used the attacks to create conditions in the U.S. in which privacy could be revoked and a restrictive police surveillance state could be implemented in the name of national security. Some specifically claim that these actions were inspired by supposed Israeli treatment of Palestinians.
- The technical details of the attacks do not add up; therefore, the entire historical narrative must be fraudulent. A fundamental component of 9/11 conspiracy theories promoted by antisemites and non-antisemites alike claims that the technical details of the "official" story are not supported by scientific or documented evidence. Antisemitic proponents of this conspiracy theory claim that, if the official narrative was indeed fabricated and 9/11 was a false flag event, then either Jews or Israel are inevitably the most likely culprits. Some offer alternative explanations as to how the attacks were supposedly executed—such as claiming that explosives rather than planes and fires brought down the towers—while others admit that they do not know what really happened, just that Jews or Israel

are to blame.

- "Jewish Ownership" of the World Trade Center. Conspiracists focused on what the "Jewish owners" of the World Trade Center stood to gain from its **destruction.** According to this theory, Jewish businessmen-most notably Larry Silverstein, whose company had recently taken out a lease on the World Trade Center complex—plotted to destroy the towers in an effort to obtain millions of dollars in insurance money. The implication is that their inside knowledge of the complex allowed them to help the Mossad execute the plan. This conspiracy theory incorporates antisemitic trope of "Jewish lightning" and goes to the heart of the <u>myth of the greedy Jew</u>.

Among the more recent perpetrators of these 9/11 Antisemitic conspiracy theories is the Goyim Defense league that has figured recently in controversies since its move to Florida from California (See: Nights of Broken Glass in Pensacola, Florida). The ADL report noted:

The Goyim Defense League (GDL), a network of white supremacists and antisemitic provocateurs which has gained traction in recent years, distributes propaganda listing alleged "facts" about Jewish involvement in 9/11, with the message that "this is just the tip of the iceberg. Do your research! Wake up" and a link to their website. GDL leader Jon Minadeo has spoken about how watching a 9/11 conspiracy theory documentary was part of his own antisemitic "awakening" and realization that "it's always Jews behind evil." Minadeo in turn has used 9/11 to try to "redpill" unsuspecting young people on Omegle—an online platform which randomly pairs anonymous users for one-on-one video chats—by introducing them to extremist beliefs during the sessions.

GDL's promotion of antisemitic conspiracy theories includes Holocaust denial and claims that Jews were responsible for the 9/11 terrorist attacks. GDL routinely disseminates these claims online, in their propaganda, and during their "Name the Nose" tours. During one such tour in California in August 2020, GDL leader Jon Minadeo stood on the steps of a Chabad Jewish Community Center and proclaimed that "these Jewish terrorists are the people who were behind 9/11...These are the terrorists! It's not the Muslims, it's the Jews."

• Antisemitic 9/11 imagery and text painted on the van used by the GDL during their "Name the Nose" tour in Florida in August 2021



■ Propaganda distributed by GDL claiming that "Israel did 9-11."



• Graphic shared in the GDL Chat on *Telegram*, which features Larry Silverstein and the message: "Jews did 9/11"



But, the GDL got its comeuppance in Florida through the intervention of the Sheriff of Volusia County, as we noted in our *New English Review* article, "Nights of Broken Glass in Pensacola, Florida:

Someone in Florida who is fighting the GDL is Sheriff Mike Chitwood of Volusia County, a tough transplant from New Jersey. A Times of Israel report tag line noted: "Mike Chitwood says he's coming after the Goyim Defense League, one of the most prominent antisemitic organizations in the US, after its leaders moved to his area". It noted:

After hate groups in his US county on Florida's East Coast <u>projected antisemitic messages</u> onto the Daytona International Speedway, the local sheriff delivered a press conference with one simple message: He'd had enough.

"We put up their photos, talked about their arrest records, and let everybody know what a bunch of reprehensible thugs were in our community, and what they were up to," Sheriff Mike Chitwood told the Jewish Telegraphic Agency about the February press conference. Standing with local Jewish, interfaith and minority group representatives, the sheriff had announced he would be coming after the "scumbags" who did this.

"And after that," he recalled, "all hell broke loose.

Online after the press conference, several men started making death threats against Chitwood, even harassing his daughter and sending SWAT teams to his parents' house. Antisemitic groups began planning to hold a public demonstration to oppose him specifically, which Chitwood's intelligence determined was set for this past weekend in Ormond Beach.

So Chitwood fought back. Thanks in part to his corralling, three men in three different states — California, Connecticut and New Jersey — were arrested and charged with making online death threats against him. Two of the three have already been extradited to Volusia County.

In late April that these GDL anti-Semitic incidents occurred in Florida, Governor DeSantis, Ron DeSantis, signed the bill into law during a ceremony in Jerusalem after Randy Fine, the Jewish Republican state representative who authored it, delivered it to him there. The law was written specifically to address the kinds of activities the Goyim Defense League regularly engages in, including the Daytona message that spurred Chitwood to address the problem head-on, and enjoyed unanimous support from legislators of both parties.

"I guess we need to thank our scumbag Neo-Nazi invaders for uniting our community and the entire state of Florida against hate," Chitwood tweeted after the signing.

"I see it as another tool in the toolbox," Chitwood told JTA about his support of the bill. "You go onto private property

and drop these leaflets on somebody's doorstep or in their driveway, that's now a felony trespass."

Elon Musk attacks the ADL, while supporting free speech of antisemitic posts on X- formerly Twitter- platform.

Then there is the irony of the ADL being threatened with <u>suit</u> by tech mogul Elon Mush seeking over \$22 Billion in damages for the former's attacking the X- formerly Twitter — platform for hosting antisemitic social media. This after Musk <u>defended</u> the "free speech" of Keith Woods Irish White Supremacist and self-proclaimed antisemite posting the hashtag #BanThe ADL." Musk liked Woods' hashtag while claiming he is not antisemitic. Meanwhile, the <u>#BanTheADL</u> hashtag "became the second biggest trend in the United States on the X-platform with over 100,000 posts."

Will there be justice for the 9/11 Families?

But what of the fate of the masterminds and accomplices of 9/11 caught by US and allied counterterrorism forces and transferred in 2006 to the special security complex at the US Naval base at Guantanamo, Cuba. There are five including Khalid Sheikh Mohammed, the alleged mastermind of the Al-Qaeda attack on the WTC, the Pentagon and the foiled skyjacking by the Al Qaeda musclemen who seized the controls of Flight 93 that originated from Newark Airport. A trial of the Guantanamo five by the Convening Authority of the Military Commissions has been difficult to arrange. Nevertheless, Convening Authority opened proceedings with regard to a possible plea deal with the five based on proposed principals by their counsel that sought to avoid a death penalty in exchange for life sentences, alleviation od solitary confinement, dietary changes to confirm to Islamic halal standards and given torture therapy. Khalid Sheikh Mohammed had allegedly been water board 168 times during rendition by CIA interrogators. He had also been instrumental in the kidnapping and murder of Wall Street Journalist Danny Pearl in

Pakistan in 2002. He was the third ranking Al Qaeda operative and was captured near Islamabad in March 2003. On August 1st, 2023, the Military Convening authority sent a letter to the 9/11 families that it was considering the proposed plea deal taking off the table a possible death penalty. The spokesperson for the Military Convening Authority issued a statement saying: "The letter described potential outcomes of what a potential plea agreement may mean, including the possibility of removing the death penalty. Negotiations for a fair and just conclusion to this case are ongoing and have not been concluded."

On September 6, the Biden White House National Security Council issued a statement:

"The administration declines to accept the terms of the proposed joint policy principles offered by the accused in the military commissions case, United States v. Mohammed, et al," prosecutors said in the filing, according to *The New York Times*. The filing is not on the Pentagon's war court website yet.

According to the *New York Times*, military prosecutors extended an offer in March 2022, proposing to spare them from death sentences and instead serve life sentences if they confessed to their purported hijacking roles.

The conditions the prisoners wanted DOD to accept included a guarantee they wouldn't serve their sentences in solitary confinement and allowing them to eat and pray with other prisoners in Guantánamo Bay. The prisoners also wanted a civilian-run program to treat brain disorders, sleep disorders, and gastrointestinal damage they say the CIA caused during interrogations prior to being transferred to Guantánamo Bay in 2006, according to the New York Times

Officials noted that the offer still stands, but President Biden's rejection of further conditions reduces the chances of

reaching an agreement.

The Death Penalty Information Center <u>noted</u> the complications in proceeding with a trial of the five Al Qaeda Suspects given rulings by the Convening Authority of the military commission:

Family members of some of the victims of 9/11 have asked the Biden Administration to abandon current plea negotiations with Guantánamo detainees that would remove the possibility of death sentences for the men accused of planning the 9/11 terror attacks. Khalid Shaikh Mohammed and his four codefendants have been held for more than twenty years, first at CIA black sites where they were subject to "enhanced interrogation techniques" and then at Guantánamo, but none has proceeded to trial. The request came after family members were notified by the Pentagon on August 1st, 2023 about the possible plea deal.

On September 6th, President Biden rejected some of the terms requested by the detainees as part of a possible plea deal, but not the possibility of removing death as a penalty.

In the letter submitted by some 9/11 family members, they asked President Biden to "prioritize the interests of the victims of the 9/11 Terrorist Attacks over those of Khalid Sheikh Mohammed or other terrorists; that you not bow to the demands of any embarrassed government officials willing to sacrifice transparency."

A similar request was made on August 23rd by 32 Republican Members of Congress and one Democrat, who also sent a letter to President Biden, writing, "We owe it to the victims and their families to deliver justice — and that should mean the death penalty for these murderers."

Recent events, however, suggest that the prosecution may have difficulty securing convictions and death sentences if the cases proceed to trial. According to a report that was filed under seal on August 25, 2023, a military medical board

determined that one of the five defendants, Ramzi bin al-Shibh, has a mental illness which makes him incompetent to stand trial or plead guilty in the case. Judge Matthew N. McCall will now decide whether to sever Mr. bin al-Shibh from the joint trial and proceed with a prosecution of the other four defendants or postpone all proceedings until Mr. bin al-Shibh receives treatment and is restored to competency. All of his co-defendants also report suffering from severe mental and physical disorders caused by the torture they endured in CIA custody. The hearings are scheduled to resume the week of September 18th at Guantánamo Bay.

The decision in the recent case of another Guantánamo detainee may also preview the evidentiary challenges that prosecutors will face. On August 18, 2023, Colonel Lanny J. Acosta Jr. ruled on the admissibility of evidence secured by "clean team" federal agents in the case against Mr. Al-Nashiri, the Saudi national who is accused of plotting the suicide bombing of the U.S.S. Cole in 2000. Judge Acosta found that Mr. Al-Nashiri's alleged confession, which federal agents at Guantánamo Bay obtained in 2007, is inadmissible. In his decision, Judge Acosta noted that "any resistance the accused might have been inclined to put up when asked to incriminate himself was intentionally and literally beaten out of him years before." Similar to Mr. bin al-Shibh, Mr. Al-Nashiri has been diagnosed with post-traumatic stress disorder by US miliary doctors, for which he has never received treatment. In an article published by The New York Times, Stephen I. Vladeck, a professor at the University of Texas School of Law who has studied the war court, stated that the ruling "drives home that it is actually not possible to sanitize cases against people who were in the [rendition, detention and interrogation] program."

Conclusion

We note that unlike previous 9/11 commemorations, President

Biden will not be visited the 9/11 Memorials. Thus, the questions remains, will the 9/11 families see justice rendered for the loss of their loved ones by these Islamist murderers.