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Treating *Otherness* as a Negative Attribute: The Case of Muslims and Arabs after

September 11th

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Introduction

In a country of over 304 million people and countless nationalities, it seems that what is perceived as *the other*, what is different from Caucasian, is often perceived in a negative light. For much of U.S. history, African Americans, haunted by a history of slavery and lack of civil rights, have been treated as second-class citizens and are thought of as being less able than their white counterparts. Asian-Americans have faced similar problems because they also do not look the same as Caucasians and carry their racial heritage with them. Only whites have been able to “hide” behind their whiteness, somewhat assimilated unless betrayed by some other means – an accent, a religious belief, or perhaps a life partner.

The tragedies at the World Trade Center, Pentagon, and in Pennsylvania on September 11, 2001 and later in London on July 7, 2005, put two other groups that are different in the consciousness of people’s minds, Muslims and Arabs, under a microscope as *the other*. For some people the words “terrorist” and “Muslim” are as synonymous as the words “Arab” and “terrorist”. In addition, the U.S. government also treated these groups as *the other*, by imposing measures that singled them out in the name of national security. These measures included mass arrests, secret and indefinite detentions, prolonged detentions of materials witnesses, closed hearings and use of secret evidence, eavesdropping on attorney-client privilege, home and work visits by law enforcement personnel, wiretapping, seizure of property, removal of aliens with technical visa violations and mandatory special registration. All of these measures have marginalized Arabs and Muslims and caused these communities to have serious concerns about their safety (CAIR, 2003).

This paper seeks to outline those measures imposed on Muslims and Arabs after September 11, 2001 and address the concept of Islamophobia that has developed in the United

States after September 11th in an effort to bring to light the systematic campaign the government has undertaken against people it has deemed to be *the other* and *under suspicion* all in the name of increased national security.

The USA-Patriot Act

In October 2001, the legislative branch of the U.S. government took steps to limit the civil rights of all Americans but especially Arabs and Muslims when it enacted the USA-Patriot Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001). The Act expands the wiretapping power without first showing probable cause, allows secret searches and permits access to private records without oversight. In addition, this act tolerates government officials denying someone admission to the United States and expands the overall concept of “guilt by association.” In reference to Muslims and Arabs, almost 1,200 people were arrested and detained under high security conditions immediately after the 9/11 attacks (CAIR, 2003). Most were released or deported including nearly 500 who were picked up for technical visa violations and not terrorism connections for which they were completely cleared. In addition to the provisions of the USA Patriot Act, Arabs and Muslims experienced were subjected to special security checks at airports and removals from airplanes. This caused many members of those communities to halt domestic air travel, refusing to endure the degradation of “flying while Arab” (Cainkar, 2004, p. 3).

Many of the federal government’s policies were never subject to a Congressional vote. The policies enacted in the name of national security treated Muslims and Arabs as *the other* and classified an entire group of people as possible terrorists. It is important to note that the perpetrators of 9/11 were neither Arab- nor Muslim-Americans but visitors to the United States with a specific agenda. They were not members of established Arab- or Muslim-American

communities and the U.S. government's treatment of these groups has made members of these two groups question their safety, their place in society, and their place in the fabric of the United States.

Special Registration

The policy of special registration (National Security Entry-Exit Registration System or NSEERS) was perhaps the most discriminatory of the post-9/11 measures enacted by the federal government. One year after the terrorist attacks on the United States, the Immigration and Naturalization Service (INS), implemented a program that required "certain non-immigrant aliens" to register with immigration officials, be fingerprinted and photographed, respond to questioning and submit to routine reporting. The targeted aliens were males aged 16-64 from 23 Muslim majority nations plus Eritrea (which is heavily Muslim but ironically later joined our coalition forces in Iraq) and North Korea. Special registration was required for those aliens already living in the United States and for those just entering the country. This program was again declared in the interest of national security and not debated on the floor of Congress although the Federal legislature did first authorize an entry-exit system in an effort to curb illegal immigration in 1996. Governments of countries allied with the United States in the "war on terrorism" whose nationals were included on the special registration list objected to the registration policies and officials specifically from Bangladesh and Pakistan complained that it was offensive for partners in the global effort against terrorism to have their nationals treated as suspect (James, 2003).

Government officials continually stated that the countries that were required to register were selected because of Al-Qaeda existence but this was not proven to be the case. In addition, countries with known Al-Qaeda presences, such as Germany and England, were excluded from

special registration. When the INS was taken over by the Department of Homeland Security in May 2002, the agency referred to special registration as a “pilot project focusing on a smaller segment of nonimmigrant alien population deemed to be a risk to national security.” Implicit in this statement is a view that Muslims or specifically, non-U.S. born Muslims from the Middle East, Asia, and North Africa are a security threat for the United States (Cainkar, 2004, p. 248).

According to the Department of Homeland Security, 82,880 people had been registered under the program by June 1, 2003 through call-in registration. Of this number, over 13,000 had been ended up in deportation proceedings for visa violations. None of these people were charged with terrorism. In addition, 127,694 were registered at various ports of entry into the United States. As nationals from different countries were required to comply with the special registration requirements by different deadlines, citizens and nationals of Iran, Iraq, Syria, Libya, and Sudan were the first group required to submit to the government’s special registration program.

In one incident, 800 voluntary registrants were arrested and detained in southern California. This led to nationwide protests over the violations of civil rights and some of those arrested reported verbal abuse by law enforcement and cavity searches. Many of the detainees had been Iranian professionals who had not returned to Iran following the Islamic Revolution of 1979 but had remained in the United States and now were working professionals, supporting families and paying taxes albeit with unlawful visa statuses. Many had even applied for permanent residency and had sought to comply with the special registration requirements as a sign of their good faith in the United States. Unfortunately, many of these people were placed in removal proceedings by the Department of Homeland Security. “While the Bush administration used the metaphor of war to describe its plan to prosecute terrorism at home and abroad, and has

argued that the U.S. is facing an extraordinary threat that requires extraordinary measures, it remains to be seen whether the public is in sync with plans to increase homeland security at the cost of certain liberties” (Moore, 2002, p. 33).

After stating for months that the special registration program would be eventually expanded to include all visitors to the United States, the U.S. government announced in May 2003 that it was phasing out the program. During the program’s tenure, its scope was never expanded beyond Arabs and Muslims (plus North Korea), all under the guise of protecting national security. Fear of the potential of *the other* drove members of the executive branch of the U.S. government to implement policies that single out two groups of people and take away their civil rights. “Although often asserted by the Bush administration and the media, special registration was not a program mandated by Congress. It was crafted by members of the executive branch of government” (Cainkar, 2004, p. 7).

On the other hand, John Ashcroft, former U.S. Attorney General, cited the 1940 Smith Act, formerly known as the 1940 Alien Registration Act, passed to strengthen national defense in response to fears of communist and anarchist influences in the United States as his legal legislative connection to Special Registration. The Smith Act did not only apply to foreign nationals and also prohibited American citizens from belonging to a group which advocated the overthrow of any part of the U.S. government by violence. This act was the first anti-sedition law after the American Revolution. Following the Smith Act’s lead, Ashcroft thought that the special registration policies allowed the government to monitor or remove anyone that it perceived as a threat. The Smith Act gave Ashcroft and the government the ability to enforce special registration. The problem was with the targeting of *the other* for a perception that was based on race and nationality, and not on facts. After 9/11, Arabs and Muslims were “guilty by

association” because they looked like the men who caused the deaths of so many Americans and not because all Arabs and all Muslims believe in the same things and have the same objectives. The U.S. government also failed to make a distinction between the Muslim and Arab communities in the U.S. and those who come to the U.S.; the terrorists were visitors with an agenda and the U.S. government condemned two entire classes of citizens based on outward appearances, making them feel less safe in their own borders and subjecting them to scrutiny not only by their own government but by their neighbors, at their jobs, and at their schools. This brought about an increase of negative reprisals in Arab- and Muslim-American communities from some areas of the American public in the form of hate crimes, job discrimination, and derogatory speech.

In the first seven days following September 11, 2001, Arabs and South Asians reported 645 bias incidents and hate crimes to the Council on American-Islamic Relations (CAIR). In the next six months, the figure rose to 1,717, and then declined to 325 reported incidents in the next six month period. “In 2002, CAIR documented a decrease in hate crimes but increasing reports of discrimination, particularly in the workplace and by government agents conducting raids, interrogations, searches and property seizures” (CAIR, 2003).

Many Arab- and Muslim-American community leaders blamed the U.S. government’s policies and the media’s sensational coverage for encouraging anti-Arab and anti-Muslim sentiments. CAIR’s executive director, Nihad Awad, connected the ongoing attacks on Arabs and Muslims as part of the “ongoing right-wing campaign to demonize Muslims and Islam which is having an impact on those in our society vulnerable to the siren song of hatred and prejudice” (Cainkar, 2004, p. 12). Awad has been criticized for his support of Hamas, a group that has

been legally elected in the Occupied Territories. CAIR has continued to repeat requests for elected officials to speak out against intolerance and profiling.

Islamophobia

After the tragedy at the World Trade Center, the Pentagon, and on the fields in Pennsylvania, it did not take long for more closed-minded people across the country to quickly blame the attack on Arabs and Muslims and call for the deportation of all Arab-Americans. The Southern Poverty Law Center stated that Ann Coulter, an editor for the *National Review On-Line* argued, “We should invade their countries, kill their leaders, and convert them to Christianity” (Levin & McDevitt, 2002, p. 57). Similarly, neoconservative and spokespeople on the Christian right continued to express irritation with the idea of American society embracing Muslim and Arab communities or allowing a sentiment that conveyed “We are all Americans” despite that sentiment being adopted for nearly every other tragedy that has struck American citizens. Some described Islam as a religion outside the pale of human values and labeled Muslims as wanting to exterminate other religions, saying, “This is worse than the Nazis...Adolf Hitler was bad, but what the Muslims want to do to the Jews is worse” (Robinson, 2003). Attorney General Ashcroft stated in an interview that, “Islam is a religion in which God requires you to send your son to die for him. Christianity is a faith in which God sends his son to die for you” (Nimer, 2002). Arab- and Muslim-Americans began to feel as if they were living in a constant state of being under suspicion and consider the above statement evidence of growing Islamophobia.

Islamophobia refers to an unfounded fear and hostility towards Islam and is a term that has become more common. It leads to discrimination against and exclusion of Muslims from mainstream political or social processes. It also can lead to guilt by association, stereotyping and hate crimes. The word became more popular after 9/11 but Iranian clerics claim usage during

the 1979 Islamic Revolution. Muslim-American journalist Stephen Schwartz defined Islamophobia as the condemnation of the entirety of Islam and its history as extremist, regarding Islam as a problem for the world, treating conflicts involving Muslims as necessarily their own fault, insisting that Muslims make changes to their religion, and inciting war against Islam as a whole.

Islamophobia on the part of others has resulted in some basic problems in perception of *the other* including but not limited to: 1) The idea that Islam cannot adapt. 2) The belief that Islam does not share values with other major religions including Christianity and Judaism. 3) The feeling that Islam is a religion that is inferior to the West. It is barbaric, irrational and archaic. 4) Islam is a religion of violence and it supports terrorism and 5) Islam is a violent political ideology (CAIR, 2007). When Americans were surveyed, they generally did not separate Muslims and Arabs, causing general consternation in various Arab- and Muslim-American communities, as the two traits are not mutually exclusive. A Muslim is not necessarily an Arab and an Arab is not necessarily Muslim.

Officially considered Caucasian and white, many Arabs do recognize the variety in their religious beliefs, even if the U.S. census and other local governmental structures do not recognize their race. Many Arabs reject the designation of Caucasian as race because of their treatment in American society or because of differences in physical characteristics. In addition, as long as Arabs remain officially white, they are ineligible for benefits that members of minority groups are entitled to. In addition, they may also remain hidden to those concerned with the status of minorities and may not receive services even when they may be of benefit to them. Many Arabs and Muslims found themselves to be the “targeted *other*” in post-9/11 society. (Cainkar, 2004, p. 18). The targeting of these two groups negates one of the strengths of the

United States as a multicultural society. A survey by the Pew Research Center in 2005 found that world public opinion about the United States revealed uneasy feelings in major Muslim-majority countries with 79 percent of the respondents expressing an unfavorable view of the United States. Sources of dislike were rooted in opposition to the Iraq War, American policies in the Muslim world, and support for Israel. Although such views can also be considered anti-American, it seems that both Islamophobia and anti-Americanism have been fueled by real issues. There is a circular cause and effect relationship between Islamophobia and anti-Americanism. Terrorist attacks against Americans are followed by anti-Muslim rhetoric and policy. This in turn reinforces anti-American sentiment and provokes a new round of terrorist attacks (CAIR, 2007). American human rights violations also fuel anti-American emotions. Chief among the incidents that inflamed the passions of people all over the world were the vile acts of torture at Iraq's Abu Gharib detention center and other American holding facilities.

Conclusion and Questions

Is it human nature to look at what is different from our own being and treat it as less than our own? What makes us forget that we all share one important characteristic regardless of faith, race, sex, ethnicity, or age? What causes the flaw in our characters that allows us to forget that *we are all human beings* and condone the treatment of others as having fewer rights? What allows us to treat someone else as less than human? The treatment of Muslims and Arabs by the U.S. government in the supposed name of national security is inexcusable and continues a habit of arrogance that we (members of our government) somehow know better than anyone else. When will we understand that the age of the superpower is over and we need to learn to play well with others? If most people can learn this skill in primary school, why can't those who govern our nation?

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