

## Islam & Muslims in the Post-9/11 America: A source book

### Introduction

More than half a decade after 9/11, consequences of this ghastly terrorist attacks continue to unfold on the Muslims in America who became victims of guilt by association. In the Post-9/11 America they were facing a new era where they were not only accountable for their actions but for those who hold false banner in their name. Their civil rights were abridged. Their faith was constantly under attack.

In the pre-9/11 America, Muslims, particularly the new immigrants, were busy in building institutions and enjoyed equal civil rights with the fellow Americans. Barring few exceptions, they were treated fairly by the establishment. Everybody was treated equal before the law. They were elated and optimistic because many of them were deprived the due process and civil liberties in their native countries.

Massive immigration of Muslims from the 1960s had swelled the population of Muslims in America to about seven million now.

Like all minorities, the Muslims were conscious that they have to teach their children in order to preserve their religious tradition. Therefore the newly arrived Muslims concentrated their energies on institution building and took little or no part in the national political process. Even some of them actively opposed participation in the political process. American Muslims, while concentrating all their energies on institution building, are seen active politically in late 1980s.

Election year 1998 saw the emergence of various Muslim political groups foremost among them was the American Muslim Political Coordination Committee (AMPCC) which formally endorsed George Bush for Presidency in November 2000 elections. Muslims voted virtually en block for George Bush in 2000 elections. Muslims across their political and denominational spectrum were convinced for the first time that it is within their reach to enter into the American political process and stand on an equal par with other American lawmakers and legislators to shape the political future of the United States.

All this changed on Sept. 11, 2001 with dramatic consequences of the terrorist attacks on the seven-million strong American Muslim community. The American Muslims, who were on their way to what seemed to be a successful integration into the American political process, all of a sudden became suspect. The community no longer dreams of new victories as defending and preserving the existing achievements and assets such as the nearly 2000 mosques, Islamic centers, Islamic schools and charities became an uphill task. The Muslim community not only lost developmental momentum but also its hard earned good will had dissipated. Now it faced hostility and prejudice as never before. The two sources of Muslims' growth in US - immigration and conversion – were arrested. Administration's crusade had put an effective stop to the flow of Muslims into the United States. The strong association between Islam and extremist political violence portrayed in the print and electronic media and some political leaders as well as the Christian right caused unimaginable harm to the image of Islam in America.

### Civil liberties curtailed

Defending civil rights became the single most important challenge before the American Muslims in the post-9/11 America. Arabs and Muslims were the prime targets of the post 9/11 reconfiguration of American laws, policies, and priorities. Their constitutional rights to free exercise of religion and assembly, due process and security from unreasonable searches and seizures had been violated. The erosion of civil rights came in the form of various programs and

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legislations such as the USA Patriot Act, which effectively nullifies Amendments 4, 5, 6, and 8 directly and indirectly amendments 1 and 9 and the INS Special Registration which targeted men from Muslim countries. The fallout impacted the daily life of Muslims at schools, in the workplace, in general public encounters and mistreatment at the hand of federal officials. Many Muslim homes and businesses were raided while profiling-based interrogations and searches became a norm.

Racial profiling by US law enforcement agencies has increased since 9/11 and now affects one in nine Americans, according to an Amnesty International USA (AI-USA) report. State and federal agencies, under the guise of fighting terrorism, have expanded the use of this degrading, discriminatory and dangerous practice. (1)

A report released by the California Senate Office of Research in May 2004 concluded that Arab Americans and the Muslim minority have taken the brunt of the Patriot Act and other federal powers applied in the aftermath of the terrorist attacks. The report – entitled: Patriot Act, Other Post-9/11 Enforcement Powers and The Impact on California's Muslim Communities - said that Muslim communities in California found troubling, if not alarming, was the FBI headquarters directive of February 3, 2003, ordering each of the bureau's 56 regional field offices to base their terrorist investigations on demographic data of Muslim communities. Included in the data for field agents to ascertain were the number of mosques that the FBI could identify in a given area. On Sept. 22, 2004, California Governor Arnold Schwarzenegger signed a bill into law that enhances protections for the faith community by explicitly adding "mosque" to the list of religious institutions covered by California's laws protecting religious institutions.

Immigration laws were being used against Muslims as an anti-terrorism tool. Authorities enforced minor violations by Muslims and Arabs, while ignoring millions of other immigrants who flout the same laws. "The approach is basically to target the Muslim and Arab community with a kind of zero-tolerance immigration policy. No other community in the U.S. is treated to zero-tolerance enforcement," according to David Cole, a Georgetown University law professor. In a high profile terrorist related case, two Imams and son of one of the Imams were arrested in June 2005 in Lodi, CA, but no terrorism charges were filed against them. They were deported to Pakistan for violation of immigration law. (2)

Muslims were increasingly the target of a "shoot first and ask questions later" policy by the government. In April 2004, two sixteen-year-old Muslim girls - one born in Bangladesh, the other in Guinea - were detained in New York on immigration violations and shipped to a Pennsylvania detention center. The FBI claimed the girls presented "an imminent threat to the security of the United States based upon evidence that they plan to be suicide bombers." After holding the girls for six weeks, the government quietly released the Guinean girl and deported the Bangladeshi girl for visa violation. (3)

### Reinforcing Prejudicial Views Against Islam & Muslims

Contributing to the rise of discrimination against Muslims was the continuing anti-Islam and anti-Muslim rhetoric, especially by some evangelical leaders and neoconservatives. Anti-Muslim bias has become an endemic disease. Besides print media, many radio talk show hosts are perpetuating the myth that Islam is a violent faith. The decades old media habit of associating Islam with violence found its eternal 'justification' in the attacks of 9/11. Fox News was dedicated to a full-time anti-Islam campaign. There was also an effective opposition to Islam in America in the political arena. Political and religious leaders also exploited this anti-Islam rhetoric as shown by the remarks of many prominent political leaders. (4) Groups and individuals who had a vested interest in demonizing of Islam and Muslims in the United States have also seized the opportunity to attack Muslims and Islam.

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As stereotyping and scapegoating Islam and Muslims and Islam became a popular past time for the US media, many religious and political leaders never missed any opportunity to attack Islam in the name of extremism. Just two examples: In July 2005, Colorado Republican Congressman Tom Tancredo calls for a nuclear attack on Islam's holiest site, Mecca, if there is another terrorist attack on US. A Washington DC radio talk show host repeats "Islam is a terrorist organization" 23 times on his July 25, 2005 program. He also repeatedly claimed that "the problem is not extremism. The problem is Islam."

Perhaps Lillian Nakano, a third-generation Japanese American from Hawaii, is right when he says that 1942-style bigotry targets Muslims in the U.S. today. "Muslim Americans became victims of the same kind of stereotyping and scapegoating we faced 63 years ago. They too have become targets of suspicion, hate crimes, vandalism and violence, all in the name of patriotism and national security."

Tellingly two polls – conducted by Washington Post-ABC and the Council on American-Islamic Relations (CAIR) – released on March 9, 2006 indicated that almost half of Americans have a negative perception of Islam and that one in four of those surveyed have extreme anti-Muslim views. Not surprisingly a Newsweek poll of July 2007 indicated that thirty-two percent Americans believe that their fellow citizen Muslims are less loyal to the U.S. Although forty percent of those surveyed believe Muslims in the United States are as loyal to the U.S. as they are to Islam but 46 percent of Americans said the U.S. allows too many immigrants to come here from Muslim countries.

The results of these polls were not unexpected as the anti-Islam and anti-Muslim campaign continued unabated since 9/11 by print and electronic media along with politicians, religious leaders as well as the government policies that have reinforced Islamophobia which may be defined as "alienation, discrimination, harassment and violence rooted in misinformed and stereotyped representations of Islam and its adherents. (5)

### Muslim charities shut down

At the same time, the government had launched a campaign against Muslim charitable organizations for allegedly providing financial or other material assistance to groups the government designates as "terrorist." A provision of the reauthorized USA Patriot Act gives the government largely unchecked power to designate any group as a terrorist organization. And once a charitable organization is so designated, all of its materials and property may be seized and its assets frozen. The charity is unable to see the government's evidence and thus understand the basis for the charges. Since its assets are frozen, it lacks resources to mount a defense. And it has only limited right of appeal to the courts. So the government can target a charity, seize its assets, shut it down, obtain indictments against its leaders, but then delay a trial almost indefinitely.

Dozens of charitable groups have been investigated since 2001. Several were shut down, without any official finding that they were aiding terrorist organizations. The organizations shut down were not on any government watch list before their assets were frozen. The predictable result is that Muslims have no way of knowing which groups the government suspects of ties to terrorism. Organizations and individuals suspected of supporting terrorism are guilty until proven innocent. The government action has so far resulted in shutting down five major Muslim charities. But there was only been one indictment, no trials, and no convictions. Only one official criminal charge was brought against a Muslim organization for support of terrorism, and that case had not yet made it to trial.

Government crackdown of Muslim charities caused tremendous fear and anxiety among the Muslims, with many fearful that a simple act of charity could lead to federal agents knocking at their door. Since 9/11, millions of dollars in donations were seized and frozen, leaving Muslims

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with unfulfilled obligations. Some found FBI agents at their doors, asking about specific checks they had written. According to the Illinois Coalition for Immigrant and Refugee Rights, the U.S. government has closed down 25 Muslim charities and frozen \$8 million in donations in Illinois alone.

In July 2007, two Muslim charities - the Goodwill Charitable Organization and Al-Mabarrat Charitable Organization - were suspected of having ties to extremist groups in Lebanon. Assets of the two charities were frozen. In February 2006, the Treasury Department froze the assets of KindHearts USA, padlocking the doors of the Toledo-based charity "pending an investigation." On Sept. 21, 2006, US authorities, raided another major Muslim charity, the Michigan-based Life for Relief and Development (LIFE). Federal agents also raided the home of the charity's President and Chief Executive officer, Khalil Jassemm, and the Dearborn office of Muthanna Alhanooti, a former official of the charity.

The federal government has rejected a plea by Muslim groups that wanted a list of pre-approved Islamic charities to which they could donate without being suspected of helping fund terrorism. The case of Dr. Nasar Chaudhry of New York symbolizes the Muslim dilemma. In April 2005, his office and home were raided in a federal investigation for making donations to a Muslim charity in 1996. (6)

However, in a major setback to government campaign against the Muslim charities in the name of security, on October 22, 2007 a District Judge in Dallas, Texas, ordered mistrial in a show case trial of the leading Muslim charity Holy Land Foundation for Relief and Development. After 19 days of deliberations by the Jury, Judge A. Joe Fish declared a mistrial for most former leaders of HLF charged with financing Hamas militants after jurors failed to reach a verdict. One of the defendants, former HLF Chairman Mohammed El-Mezain, was acquitted of most charges.

A juror, William Neal, later told the Associated Press that the panel found little evidence against three of the defendants and was evenly split on charges against charity's former chief executive Shukri Abu Baker and its former chairman Ghassan Elashi, who were seen as the principal leaders of the charity. Neal said the jury was split about 6-6 on counts against Baker and Elashi.

"I thought they were not guilty across the board," said the juror, William Neal, a 33-year-old art director from Dallas. The case "was strung together with macaroni noodles. There was so little evidence," Neil said adding that the government's case had "so many gaps" that he regarded the prosecution as "a waste of time.

HLF case was the second show-case trial of Muslims in 2007. In February this year, a federal jury in Chicago acquitted Muhammed Salah and his codefendant Abdelhaleem Ashqar of supporting terrorism financing charges. Muhammed Salah was charged with "terrorism" based upon a confession extracted by torture in an Israeli jail. Salute to the jurors who had the courage and integrity not to fall for the government's much abused "terrorism" rhetoric. This reinforces our belief in the values of fairness, justice and due process.

In short, all the American laws have been twisted and the due-process has been denied in an apparent bid to stifle any future Muslims from ever thinking about equality or competition in what was an accessible American political process before the 9/11. The government initiatives have reshaped public attitudes about racial profiling and created a harsh backlash against the Muslim community. This negative attitude has increased steadily since the September 11 attacks. The most startling survey revealing this rise in antipathy to date was released in December 2004 by Cornell University, which found that 44 percent of Americans surveyed believed that the U.S. government should restrict the civil liberties of Muslim Americans. In June 2006, some New York state legislators attempted to make the profiling of Muslims legal.

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### Muslim Response

The seven-million-strong American Muslim community has responded to the post 9/11 challenges with political and social activism, media campaigns, outreach and interfaith dialogue. It is now more proactive as it believes that the best way to protect its eroding civil rights is to become more active politically. From coast to coast, Muslim and Arab-American groups are organizing as never before to make known their concerns about civil liberties. They have gone beyond sign-waving demonstrations to hold voter registration drives, meet with politicians and form alliances with other civil rights and religious organizations. Muslims are becoming more organized and vocal in their demands, petitioning school boards to establish prayer rooms in public schools for their children and turning to the courts when they believe their constitutional rights to practice their faith have been violated.

Muslim community played an active role in the 2004 presidential election with dozens of voter registration campaigns, civic education forums and fund raisers. Muslim vote became focus of mainstream media and several presidential candidates addressed their gatherings. Disenchanted by the policies of President George Bush that abridged their civil rights, Muslims on individual as well as organizational level backed the Democratic Presidential candidate, John Kerry, who had pledged to address their grievances.

In the 2006 mid-term elections, Muslims and Arabs voted overwhelmingly for the Democratic Party. A pre-election CAIR poll revealed that 42 percent consider themselves members of the Democratic Party while only 17 per cent are Republican. The exit polls confirmed the findings of the pre-election polls. (7)

Interestingly, Keith Ellison of Minnesota made history to become the first Muslim member of the US Congress. His election campaign was based on making alliances with all groups. Tellingly, he was able to defeat his Republican rival, Alan Fine, who was of Jewish faith as Ellison was able to garner the support of Jewish groups too.

In a vigorous response to allegations that the American Muslims have not condemned terrorism enough, The Fiqh Council of North America issued a fatwa, or religious edict, in July 2005 saying that Islam condemns terrorism, religious radicalism and the use of violence. The fatwa was later endorsed by more than 200 American Muslim organizations and groups. It was the first time Muslims in North America had issued an anti-terrorism edict, although they had repeatedly condemned such acts of violence. The fatwa had desired result as it was reported widely by mainstream media. The Council on American-Islamic Relations has, meanwhile, launched "Not in the Name of Islam" ad campaign condemning terrorism. However, many in the community were wondering why only Muslims were compelled to issue an edict or ad against terrorism. Neither Christians nor Jews, or people of other faith feel compelled to issue edicts declaring their faith's innocence whenever acts of violence and extremism are carried out by individuals or groups who share their faith.

Besides issuing fatwa and ads, the Muslim organizations have launched interfaith dialogue to remove misconceptions about Islam caused by the growing use of anti-Muslim and anti-Islam rhetoric. There has been tremendous response to Muslim outreach as many individuals, communities and civil right groups responded to their plight. American Civil Rights Union and American Lawyers Guild helped the Muslims called for 'voluntary' FBI interviews.

This study concentrates on the impact of 9/11 on the American Muslims and how they are responding to the post-9/11 situation when their civil rights have been abridged, their faith is under constant attack and they are virtually treated as second class citizens. After the Japanese attack on the Pearl Harbor, more than 110,000 Japanese Americans on the West Coast were imprisoned in 10 relocation camps in the United States. But after 9/11, the whole country is converted into a virtual detention camp for the Muslims in America by abridging their civil rights.

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Modesto, CA  
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