American Muslims eight years after 9/11

By Abdus Sattar Ghazali

“Change” was President Barak Obama’s campaign slogan. The seven-million strong American Muslim community, firmly believing in his “change” slogan, voted overwhelmingly for him in the 2008 presidential elections with the hope that his administration would bring an end to their humiliation and sufferings they faced in the Bush era in the name of “war on terror.”

American Muslims were both pleased and surprised by President Obama’s inclusive words in his inaugural address, on January 20th, when he said America is "a nation of Christians and Muslims, Jews and Hindus and non-believers." Such words signaled Obama’s recognition that Muslims are an important part of the American fabric.

In his historic June 4 speech in Cairo, President Obama hinted to the problems facing the American Muslims by saying that the United States “rules on charitable giving have made it harder for Muslims to fulfill their religious obligation. That is why I am committed to working with American Muslims to ensure that they can fulfill zakat.”

His Cairo statement coincided with a statement by Attorney General Eric Holder: “The President’s pledge for a new beginning between the United States and the Muslim community takes root here in the Justice Department where we are committed to using criminal and civil rights laws to protect Muslim Americans. A top priority of this Justice Department is a return to robust civil rights enforcement and outreach in defending religious freedoms and other fundamental rights of all of our fellow citizens in the workplace, in the housing market, in our schools and in the voting booth.”

Similarly, in his September 2nd speech at the White House Iftar dinner, President Obama emphasized that “the contributions of Muslims to the United States are too long to catalogue because Muslims are so interwoven into the fabric of our communities and our country.” While noting the contributions of American Muslims, president also alluded to their problems when he shared the story of the Muslim sixth-grader Nashala Hearn from Oklahoma, who was suspended twice last fall because the school officials claimed her hijab violated their dress code policy. The President said: “When her school district told her that she couldn’t wear the hijab, she protested that it was a part of her religion. The Department of Justice stood behind her, and she won her right to practice her faith.”

Not surprisingly, Valerie Jarrett, a Senior Advisor and Assistant to President Obama for Public Engagement and Intergovernmental Affairs, was the keynote speaker at the inaugural session of the Islamic Society of North America (ISNA) Convention 2009. She paid a tribute to the diligent work of Muslim Americans on behalf of the country. Citing President Obama’s April 2009 Cairo Speech, Ms. Jarrett acknowledged the contribution of American Muslims to the overall development of American society and the strengthening of American institutions. Ms Jarrett pointed out: “Your work here is crucial in confronting the challenges that all Americans are facing. And you help advance the new beginning between the United State and Muslim communities around the world that the President called for in Cairo.”

These courteous and good gestures by President Obama are accompanied by the appointment of a number of American Muslims to some minor positions in his administration. Rashad Hussain, an American Muslim lawyer, has been appointed as Deputy Associate Counsel to the President. Dalia Mogahed was appointed by President Obama to serve on the Advisory Council on Faith-Based and Neighborhood Partnerships. American-Arab Anti-Discrimination Committee (ADC) National Executive
Director Kareem Shora has been appointed a member of the Homeland Security Advisory Council (HSAC).

However all these good gestures and public policy measures have little positive impact on the restoration of civil rights of American Muslims curtailed since 9/11. Profiling has been institutionalized in the post-9/11 America. State and federal agencies, under the guise of fighting terrorism, have expanded the use of this degrading, discriminatory and dangerous practice. The damage to civil liberties has been extensive, and a lot of work remains to be done.

American Muslims and civil libertarians are particularly concerned about Justice Department guidelines implemented in the last days of the Bush administration, which allow race and ethnicity to be factors in opening an investigation. Other civil rights concerns include FBI agent provocateurs sent into American mosques, citizenship delays, politicized “terror” trials, and misuse by the Department of Justice of the “unindicted co-conspirator” label.

Today, eight years after 9/11, incidents of racial and religious profiling in the United States have increased dramatically. Soon after the 9/11 attacks, racial profiling became the norm at American airports where anyone belonging to the Arab or Muslim communities was systematically called out for questioning and sometimes even detained. Eight years hence, August 14, 2009 detention of Indian Muslim superstar Shah Rukh Khan’s detention at Newark Airport in New Jersey is only one of the scores that take place every day.

**COINTELPRO operation against the Muslims**

Last October — in the waning days of the Bush administration — FBI director Robert Mueller signed new guidelines allowing broader FBI authority in pursuing potential threats to national security. The new guidelines allow agents to consider race or ethnicity in determining whether someone is a suspect. These guidelines — which became effective Dec. 1, 2008 — allow the FBI to launch a criminal investigation against someone without any factual predicate and without approval from FBI headquarters.

The guidelines are similar to COINTELPRO, an FBI program used in the 50s and 60s to spy on civil rights, environmental and labor groups, with the goal of unearthing Communist ties those organizations may have had. At Congressional hearings last May, FBI Director Mueller — who continues to serve as FBI director in the Obama administration — said the guidelines simply formalized processes the FBI had begun to use, post-9/11. President Barack Obama and Attorney General Eric Holder have not indicated whether they intend to scrap the new guidelines.

Tellingly, the Obama administration has also formalized laptop seizure rules. On August 27, 2009, the Obama administration disclosed that it will carry on Bush administration policies that allowed the Department of Homeland Security (DHS) to seize and search international travelers' laptop computers, cellular phones, cameras, and other electronic devices, even in the absence of suspicion of criminal activity. The DHS made public two directives that formalized operational practices established by the Bush administration to carry out searches of the personal digital instruments of travelers, US citizens or not, passing across US borders. According to the directives, border police “may detain electronic devices, or copies of information contained therein, for a brief, reasonable period of time to perform a thorough border search. If DHS turns up nothing incriminating, to regain the confiscated item the traveler must return to the border crossing where the item was seized, or else pay for its shipment.

Although the electronic media search regulations apply to all passengers but Muslims are perhaps the main target at present because they are the target of extra scrutiny at the airports and other points of entry.

In April 2009, Muslim Advocates released a report - Unreasonable Intrusions: Investigating the Politics, Faith & Finances of Americans Returning Home - documenting the systematic and widespread practice of
federal agents interrogating Muslim, Arab, and South-Asian Americans returning home after international travel — violating their rights to privacy and nondiscrimination, among others. The report pointed out: "Currently, no DHS policy limits the scope of interrogations, even those that probe the religious beliefs, political views and other First Amendment-protected activities of law-abiding Americans.

"For many hard-working, law-abiding Muslim Americans, questions about their political beliefs, religious practices, and charitable causes they support, as well as surrendering their business cards, credit card numbers and laptop and cell phone data, have become the price of admission to return home to the U.S.,” says Farhana Khera, executive director of Muslim Advocates.

On June 30, 2009 the ACLU issued a report titled: The Persistence of Racial and ethnic Profiling in the United States. The report said: “The Obama administration has inherited a shameful legacy of racial profiling codified in official FBI guidelines and a notorious registration program that treats Arabs and Muslims as suspects and denies them the presumption of innocence and equal protection under the law. As a result, in 2009, with a new administration in office, the practice of racial profiling by members of law enforcement at the federal, state, and local levels remains a widespread and pervasive problem throughout the United States, impacting the lives of millions of people in African American, Asian, Latino, South Asian, and Arab communities.” Tellingly, as a candidate, President Barack Obama’s campaign released a "Blueprint for Change," which stated that, if elected, “Obama and Biden will ban racial profiling . . .” In 2005 and in 2007, then-Senator Obama cosponsored End Racial Profiling Act (ERPA) which has continued to languish in Congress since its introduction in 1997. ERPA is the key piece of federal legislation as it would compel all law enforcement agencies to ban racial profiling; create and apply profiling procedures; document data on stop/search/arrest activities by race and gender; and create a private right of action for victims of profiling.

Islamophobia

Eight years after 9/11, there is a rising tide of Islamophobia, intensified by the wars in Afghanistan and Iraq and U.S. government measures at home. Americans' attitudes about Islam and Muslims are fuelled mainly by political statements and media reports that focus almost solely on the negative image of Islam and Muslims. Politicians, authors and media commentators are busy in demonizing Islam, Muslims and the Muslim world. Eight years after 9/11 attacking Islam and Muslims remains the fashionable sport for the radio, television and print media. Few recent incidents of Islamophobia:

In February 2009, Republican Senator Jon Kyl hosted screening of an anti-Islam film ‘Fitna’ at the Capitol building and invited anti-Islam far-right Dutch lawmaker, Geert Wilders, as his guest. Tellingly, Wilders was denied entry to London earlier that month because British authorities believed that showing his controversial film posed a threat to public order. Islamaphobe Wilders, who built his political career on fear-mongering, compares Islam’s holy book Qur’an to Adolf Hitler’s “Mein Kampf” and calls for its banned.

Islamophobes are also teaching hatred towards Islam and Muslims to the school children. On August 24, Faith Sapp, a 10-year-old daughter of Wayne Sapp, pastor of the controversial church, the Dove World Outreach Center, in Gainesville Florida, was sent home for wearing a T-shirt with the words 'Islam Is Of The Devil' printed on it. Next day three more students were sent home for wearing the anti-Islam T-shirts. On their front, the T-shirts had a verse from the Gospel of John: "Jesus answered I am the way and the truth and the life; no one goes to the Father except through me." The message "Islam is of the Devil" is on the back of the shirt. The Dove World Outreach Center’s anti-Islam T-shirts episode came a month after the church displayed a series of hand-painted anti-Islam signs.

In the latest incident of Islamophobia, Clarksville, Tennessee, Mayor Johnny Piper, on Sept. 4, sent an e-mail to every City Council member, every department head, and numerous other city employees, friends and family members, to protest a U.S. Postal Service stamp commemorating two Islamic holidays of Eid.
The e-mail falsely claims that the stamp is new, and its creation was ordered by President Barack Obama. In fact, the stamp was first issued in 2001, and was reissued in 2002, 2006, 2007 and 2008.

Not surprisingly, Islamophobia has created an atmosphere of suspicion among the fellow Americans towards the Muslims. In this Islamophobic charged atmosphere, it is not surprising that 48 percent Americans have an unfavorable view of Islam according to a 2009 poll by Washington Post-ABC News. Nearly three in ten (29 percent) said they see mainstream Islam as advocating violence against non-Muslims. Unfortunately, what most Americans continue to see on television and read in newspapers since 9/11 are examples of Muslims and Arabs responsible for terror attacks, the repression of women, and riots.

Islamophobia incited incidents targeting American Muslim individuals and institutions. Eight years after the 9/11 terrorist attacks, American Muslims and Arabs continue to suffer a severe wave of backlash violence. The hate crimes included murder, beatings, arson, attacks on mosques, shootings, vehicular assaults and verbal threats. Recent hate crimes include a bias-motivated attack on a Muslim woman and child in Seattle by a self-proclaimed white supremacist, vandalism of mosques in California, Florida and North Carolina, an anti-Islam sign outside a Florida church, racist fireworks sold in Wisconsin, the beating of a Muslim student in New York, and the death of a California Muslim leader in a “suspicious” fire.

Last month, an Islandia, New York, man threatened to kill a Muslim woman and her 20-year-old daughter as he tried to run them down with his car at a gas station. The victim, 49, and her daughter were dressed in an abaya, a traditional Muslim garment that completely covered their bodies and face, except for their eyes.

**FBI infiltrated spies into South California mosques**

In February 2009, the American Muslim community was shocked at the revelation that the FBI has been infiltrating spies into a number of mosques in Southern California. The Orange County Register reported that the FBI sent a convicted criminal, Craig Monteilh, to pose as an agent provocateur in several of California’s mosques. In April, Monteilh told The Los Angeles Times that he posed as a Muslim convert at the request of the FBI to gather intelligence that might aid anti-terrorism investigators. Monteilh said he was instructed to lure mosque members to work out with him at local gyms. FBI agents later would obtain security camera footage from the gyms and ask him to identify the people on the tapes and to provide additional information about them. He was told that the agents then conducted background checks on the men, looking for anything that could be used to pressure them to become informants.

The Council of Islamic Organizations of Michigan (CIOM), in April 2009, asked Attorney General Eric Holder to launch an investigation into complaints that Michigan Muslims are being approached to spy on activities of Muslim congregations by the Federal Bureau of Investigations (FBI). Through coercion of certain members of congregations, the FBI is reportedly promoting entrapment of innocent, law-abiding citizens in otherwise peaceful houses of worship, said a CIOM statement. CIOM is an umbrella organization of mosques and Islamic organizations within the state of Michigan. The Michigan chapter of the Council on American-Islamic Relations (CAIR-MI), which is a CIOM member, had received complaints that the FBI has approached Michigan Muslims, asking them to spy on unsuspecting worshippers including monitoring their legitimate charitable donations.

**Muslim charities**

Eight years after 9/11, Muslim charity organizations remain under pressure. In June 2009, the American Civil Liberties Union released an extensive report about how the U.S. terrorism finance laws and policies were unfairly preventing the seven-million-strong American Muslim community from practicing their religion through charitable giving. The 164 page report, ”Blocking Faith, Freezing Charity,” is the first comprehensive report that documents the serious effects of Bush administration terrorism finance laws on Muslim communities across the nation. The core of the report is about how Muslims are being scared
away from making zakat (a religious obligation) donations to Muslim charities. “U.S. terrorism finance laws and policies unfairly prevent Muslim Americans from practicing their religion through charitable giving, create a climate of fear and distrust in law enforcement and undermine America's diplomatic efforts in Muslim countries,” the report said.

Since December 2001, the ACLU reports that the government has seized the assets of three Muslim charities, closed seven others and conducted raids of more. The stated purpose was to cut off the money that supposedly was heading from Muslim charities to groups that support or carry out terrorism. "Without notice and through the use of secret evidence and opaque procedures, the Treasury Department has effectively closed down seven U.S.-based Muslim charities, including several of the nation's largest Muslim charities," said Jennifer Turner, a researcher with the ACLU Human Rights Program and author of the report. "While terrorism financing laws are meant to make us safer, policies that give the appearance of a war on Islam only serve to undermine America's diplomatic efforts just as President Obama reaches out to the Muslim world. These counter-productive practices alienate American Muslims who are key allies and chill legitimate humanitarian aid in parts of the world where charities' good works could be most effective in winning hearts and minds," Turner added.

In May 2009, after a series of legal twists, secret evidence and questionable witness of Israeli intelligence agents, five former officials of the Holy Land Foundation, once a leading American Muslim charitable organization, were sentenced up to 65 years imprisonment on charges related to humanitarian aid given to Palestinians living under Israeli occupation. The defendants said they were engaged in legitimate relief work, while the government claimed that work benefited terrorists. During the trial, defense attorneys accused the government of bending to Israeli pressure to prosecute the charity, and of relying on old evidence. The five were never accused of supporting violence and were convicted for funding charities that aided needy Palestinians.

To borrow the OBM Watch, the Holy Land Foundation trial sends a chilling message to the US charities. It is virtually impossible for charities to determine what foreign organizations they can legally partner with. At the trial, Robert McBrien from Treasury's Office of Foreign Assets Control testified that it can be illegal to deal with groups that have not been designated as supporters of terrorism and placed on government watch lists. He said that keeping up with front groups "is a task beyond the wise use of resources." As a result, charities now have to guess about whether or not any local charity or community leader may be considered a supporter of terrorism, said the OBM.

“Ramadan, Giving Wisely and With No Fear” is the title of an article about zakat which reflects the dilemma of Muslims to fulfill their religious obligation of zakat which is usually given during the month of Ramadan. Government crackdown of Muslim charities has caused tremendous fear and anxiety among Muslims, with many still fearful that a simple act of charity could lead to federal agents knocking at their door. Unfortunately Obama’s pledge to work with American Muslims to resolve the problem has so far helped little to assure the Muslims. In July, Muslim organizations joined other nonprofit organizations in signing a letter urging President Obama to follow up on his Cairo commitment to revise charitable giving rules.

On August 26, the Treasury Department issued a statement about charity giving in Ramadan. “As Ramadan begins, the U.S. Department of the Treasury recognizes the particular importance of charitable giving throughout the holy month of Ramadan for Muslims in America and around the world. Charitable giving is a fundamental characteristic of many faiths, and zakat, one of the five pillars of Islam, is a sacred obligation for Muslims.” However, the Treasury Department has failed to provide a safe list of charity organizations so that Muslims can donate without fear.

In short, eight years after 9/11, Muslims in America remained at the receiving end with assault on their civil rights and their faith. Muslims are the prime targets of the post 9/11 reconfiguration of American laws, policies, and priorities which have not been changed under the Obama administration. Defending civil rights remains the single most important challenge before the seven million-strong American Muslim community.
It will not be a harsh judgment to say that eight years after 9/11, American Muslims remain under siege. Despite healing words from President Obama about bridging the divide between the Muslim world and the West, America's Muslim community is subject to pervasive and persistent attacks by the federal government, many spearheaded by the Joint Terrorism Task Forces. As President Barack Obama made his public appearance with Turkish President Abdullah Gul on April 6, 2009 as part of his first trip to a Muslim country, U.S. federal agents were preparing to arrest Youssef Megahed, a student from Egypt, in Tampa, Fla. Just three days earlier, a jury in a U.S. federal district court had acquitted him of charges of illegally transporting explosives and possession of an explosive device. Megahed was being held by U.S. Immigration and Customs Enforcement for a deportation proceeding. The charges were the same ones from which he was completely acquitted. Surprisingly, in August he was released when an immigration judge refused to deport him, ruling the Department of Homeland Security had failed to prove terrorism charges.

Many people believed that after Bush had left the White House, rampant arrogance combined with stunning hypocrisy had also gone. Events have so far proved otherwise. Although Obama is able to give a more compassionate and intelligent speech than was possible with Bush, the essence of their policies is identical. To borrow Ted Rall: “Obama doesn’t talk like Bush; he just acts like him?”

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