When You Look Like the Enemy

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After the horrific attacks of September 11, 2001, the U.S. Congress’ response to the attacks was the approval of the USA Patriot Act. This broad legislative policy gave the government investigative powers to fight against terrorism and subsequently targeted those in the Arab, Muslim, and South Asian communities with not just prejudices against these communities, but blatant racism toward innocent people, just because they appear to look like they “identify” with those who have made terrorist threats. The government acted similarly against a group of people in this country that had a supposed connection with a terrorist threat. On Sunday, December 7, 1941, the Japanese attacked Pearl Harbor, Hawaii, and killed over 2,500 Americans. Seventy-three days after the bombing of Pearl Harbor, the government responded by retaliating against those of Japanese ancestry living in the United States. President Franklin D. Roosevelt signed Executive Order 9066 to authorize the military to construct and run 10 internment camps that imprisoned over 120,000 Japanese Americans living on the West Coast in California, Oregon, and Washington. This entire ethnic community living on the West Coast was sent to internment camps in California, Idaho, Utah, Wyoming, Colorado, Arizona, and Arkansas. Two-thirds of those Japanese Americans who were sent to camp were U.S. citizens. The Japanese Americans were removed by the military, and thousands were questioned and detained by the Federal Bureau of Investigation (FBI) under the charge of “military necessity” and denied due process, despite the fact that there was no record of sabotage or spying, and their loyalty had been attested to by the FBI and Naval Intelligence.

Fast forward the clock to September 11, 2001, as many persons of Arab, Muslim, and South Asian descent were-and continue to be-rounded up, just like the Japanese Americans were in 1942. If we are to learn anything, we need to learn from Executive Order 9066 and September 11, 2001, and how we as a country treat our citizens in time of paranoia and crisis. We must never forget what happened to the Japanese Americans in 1942 and what continues to happen to the Arab, Muslim, and South Asian Americans, which is hatred toward those that “look like the enemy.” [Brief Treatment and Crisis Intervention 8:209–213 (2008)]

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the American public health with the letter mailings of lethal materials. The USA Patriot Act is a current example of the government’s use of a public health model as a strategy for control of terroristic attacks in the country. One question is whether (or not) this strategy is used to view citizens as “the enemy.” This article reviews the Japanese experience following 1941 and current cultural aspects of governments in the name of protecting its citizens.

From a public health viewpoint, the country was facing threats of various bioterrorist attacks after September 11th and the government felt it necessary to enact a broad bill that would include the war against bioterrorism. Bioterrorism is defined, according to Gostin, as “the deliberate release of microorganisms or toxins of biological origin against civilian populations for the purposes of destabilization of social and political structures” (Gostin, 2002, p. 460); these might include anthrax, smallpox, avian flu, or nuclear warfare. The fight against bioterrorism and its perpetrators is analogous to how the government and public health officials combat communicable diseases and their carriers. As a suspected disease-carrying individual is subject to civil confinement, those who seem to be “identified” with bioterrorist threats have become monitored and suspect to government invasion of personal liberty. Gostin sheds light to the often time intimate connection between public health policies and the targeting of unpopular, marginalized communities. Gostin states, “Decisions about whether to use compulsory powers, and against which groups, are often influenced by social fears and political pressures” (Gostin, 2002, p. 416). Furthermore, Gostin also says, “Animus towards infectious disease can be confounded with deep-seated prejudices against marginalized communities” (Gostin, 2002, p. 415). One argument raised is that the government has targeted those in the Arab, Muslim, and South Asian communities with not just prejudices against these communities, but they have displayed blatant racism toward innocent people, just because they appear to look like they “identify” with those who have made bioterrorist threats.

Let’s examine history. The acts against the Arab American community, disguised as a public health intervention, have been seen before in American history. The government acted similarly against a group of people in this country that had a supposed connection with a terrorist threat. On Sunday, December 7, 1941, the Japanese attacked Pearl Harbor, Hawaii, and killed over 2,500 Americans (Japanese American Citizens League [JACL], 2007). Seventy-three days after the bombing of Pearl Harbor, the government responded by retaliating against those of Japanese ancestry living in the United States. President Franklin D. Roosevelt signed Executive Order 9066 to authorize the military to construct and run 10 internment camps that imprisoned over 120,000 Japanese Americans living on the West Coast in California, Oregon, and Washington (JACL, 2007). This entire ethnic community living on the West Coast was sent to internment camps in California, Idaho, Utah, Wyoming, Colorado, Arizona, and Arkansas (JACL, 2007). Two-thirds of those Japanese Americans that were sent to camp were U.S. citizens (JACL, 2007). The Japanese Americans were removed by the military, and thousands were questioned and detained by the Federal Bureau of Investigation (FBI) under the charge of “military necessity” and denied due process, despite the fact that there was no record of sabotage or spying, and their loyalty had been attested to by the FBI and Naval Intelligence (JACL, 2007).

Fast forward the clock to September 11, 2001, as many persons of Arab, Muslim, and South Asian descent were—and continue to be—rounded up, just like the Japanese Americans were in 1942. Today, the Department of Justice refuses to release information about the exact
number, names, nationalities, and location of detainees who were questioned post 9/11. Within 10 months after the terrorist attacks, the Justice Department reported that most of the 1,200 people detained in the September 11th dragnet had been deported, and only 73 people remained in custody with none of these individuals held on charges related to terrorism (American Civil Liberties Union [ACLU], 2004). The ACLU (2004) states that these claims have not been verified by the government.

The stated objective of the USA Patriot Act is to deter and punish terrorist acts in the United States and around the world. The Justice Department and the FBI have been granted new powers to monitor alleged terrorists or their associates. In effect, the Patriot Act and other counterterrorism measures have placed increased surveillance on people of color that, in turn, restrict civil liberties. This legislation has created a new class of people that can be deported simply for their seeming association with groups suspected of terrorism.

The strategies legalized under the Patriot Act operate more harshly on those who are not U.S. citizens, allowing for detention, intelligence gathering, expanding the substantive criteria for the removal of noncitizens, contracting their procedural rights, tightening visa and other overseas policies, and upgrading apprehensions and inspections at ports of entry (Legomsky, 2005). Because terrorism is now also defined domestically, political organizations in this country are subject to surveillance, wiretapping, harassment, and criminal action for political advocacy. The Patriot Act expands law enforcement to allow for the conduct of secret searches, wide powers of phone/internet surveillance, and access to personal medical, financial, mental health, and student records with minimal judicial oversight. FBI agents can now investigate American citizens for criminal matters without probable cause of crime if it is said to be for intelligence purposes (Public Law 107–56, 2001).

The Patriot Act also created a special registration process, making it mandatory for all foreign-born immigrants from certain countries to register under the National Security Entry–Exit Registration System with U.S. Immigration and Customs Enforcement. People from the following countries were subjected to this registration process: Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Libya, Lebanon, Morocco, North Korea, Oman, Pakistan, Qatar, Somalia, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen. It is not circumstantial that 24 of the 25 countries listed above are those that have a Muslim majority. By June 2003, approximately 16% of the 82,000 males required to register had been subjected to removal proceedings, in almost all cases because of immigration status violations (ACLU, 2004). Of the 82,000 people registered, combined with the tens of thousands of additional registrations at ports of entry, 11 have been terrorism suspects.

Since the passage of the Patriot Act in 2001, a total of 8,000 Arabs and South Asians have been interrogated because of their religion or ethnicity (ACLU, 2004). Thousands of people of Arab and South Asian origin have been held in secretive federal custody for weeks and months, sometimes without any charges filed against them and once again, as we saw with the Japanese Americans after World War II, denied due process under the law. A Federal Bureau of Prisons regulation rooted in the investigations following the September 11th attacks authorized the monitoring of inmate–attorney conversations, with or without the inmate’s explicit knowledge (Legomsky, 2005). A Gallup poll conducted this past summer of more than 1,000 Americans showed that
39% were in favor of requiring Muslims in the United States, including American citizens, to carry special identification. Roughly a quarter of those polled said they would not want to live next door to a Muslim and a third thought that Muslims in the United States sympathized with al-Qaeda (Saad, 2006). This is the same Anti-Japanese sentiment experienced by those after World War II. The Arab, Muslim, and South Asian Americans, just like the Japanese Americans before them, are subjected to extreme scrutiny.

What may be learned from examining the legislation? As with the Japanese in 1941 and al-Qaeda in 2001, the government decides to target those that are close by and “look like” the enemy, those being Japanese, Arab, Muslim, and South Asian Americans. What follows this type of thinking? Hate crimes and bias incidences, as those that “look like the enemy” can become victimized and killed. Since the attacks of September 11, 2001, hate crimes within the Arab and Muslim community has risen 250%, according the FBI Hate Crime Report (FBI, 2005).

Can the roots of the content of the Patriot Act be seen as the continuation of a growing control that the Federal government holds over personal liberties? Well before September 11th, the Illegal Immigration Reform and Immigrant Responsibility Act and the Anti-Terrorism and Effective Death Penalty Act of 1996 stated that the government may deport an immigrant even if he has not committed a crime. Noncitizens can now be jailed on suspicion and barred from readmission into the United States. These new government rights can be seen as threats to liberties guaranteed under the 1st amendment (freedom of speech, religion, assembly, and press), the 4th amendment (freedom from unreasonable searches and seizures), the 5th amendment (no person to be denied life, liberty, or property without due process of law), and the 14th amendment (all persons are entitled to due process and equal protection of the law) (ACLU, 2004).

Has the government learned from the unjust treatment of the Japanese Americans made after World War II? Do Arab and Muslim Americans face the same fate? How do we handle the “terrorist” threat, aware of the need not to repeat the problems of the past while maintaining national security and preserving civil liberties? How can the government apply lessons learned from the history of Executive Order 9066 and September 11th, 2001? And how we as a country treat our citizens in time of paranoia and crisis. We must never forget what happened to the Japanese Americans in 1942 and what continues to happen to the Arab, Muslim, and South Asian Americans . . . hatred toward those “look like the enemy.”

Acknowledgment

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References


Public Law 107–56. (2001, October 26). Uniting and strengthening America by providing appropriate tools required to intercept and obstruct terrorism...